

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 Joseph P. Lattanzi PRESENT

Also in attendance: Lynda J. Wells, Municipal Clerk  
Teresa S. Sgro, Deputy Municipal Clerk  
Kyle Ominski, Administrator

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 and the ASBURY PARK PRESS on January 9<sup>th</sup>, 2014; and filed with the Municipal Clerk.

Motion: To dispense with the reading of the minutes of the August 8, 2014 meeting and to approve the same as recorded in the minute book:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

AGENDA

PROCLAMATION In Recognition and Grateful Appreciation of the 2014 Long Beach Township Beach Patrol

**Mayor Mancini** explained the changes in the Beach Patrol this season and thanked and read the names of the outstanding lifeguards this year.

**IN RECOGNITION AND GRATEFUL APPRECIATION OF THE 2014 LONG BEACH TOWNSHIP BEACH PATROL STAFF**

**WHEREAS**, each year the Township of Long Beach thoroughly prepares for the upcoming summer season and anticipates the welcome return of our many residents, visitors and friends; and

**WHEREAS**, through the monumental efforts of the Long Beach Township "family", in the wake of the devastating effects of Super Storm Sandy which struck our Island in October 2012, the 2014 summer season promised to be most successful with the restoration of our pristine beaches and ocean; and

**WHEREAS**, extensive experience and expertise is necessary in order to address the numerous challenges considered when striving to professionally and completely address the needs, and ensure the safety, of both patrons and employees of the Township; and

**WHEREAS**, Beach Patrol diligently trained and prepared for the greatly anticipated summer; equipment needs, training, staffing, and a high standard of professionalism, knowledge and skill were at the forefront of the vast list of requirements to be met; and

**WHEREAS**, the Board of Commissioners of the Township of Long Beach does hereby acknowledge and honor all the men and women of the Long Beach Township Beach Patrol whose dedicated efforts met and exceeded the high standards set for exceptional service to our community, resulting in a most successful 2014 summer season.

**NOW, THEREFOR BE IT RESOLVED** the following Lifeguards shall be and are hereby individually recognized for their dedicated service and proficient performance of their duties, providing a model and standard for lifesaving professionals and significantly guiding our 2014 summer season to an inspired and memorable conclusion:

Christina Behr	Jacqueline Behr	Kevin Budd
Jared Cittadino	Jessica Colella	Shannon Kane
Rob Lynch	Jacqueline McGrath	Mike Moran
Julianna Perello	Joe Pisarcik	Brendan Salvadore
Jill Skipper	Gabriella Smith	Matt Ward
Mike Wheaton	Emily Zetkolic	

ORDINANCES & PUBLIC HEARINGS

1. Second Reading Ordinance 14-26C: **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 205 DEALS WITH PVIOUS SURFACE COVERAGE, SETBACKS, FENCES & WALLS AND DEFINITIONS.**

Lynda Wells, explained this Ordinance was adopted to set regulations pertaining to pervious surface areas of side and rear property lines; setback and height requirements for walls / fences on bay front and lagoon properties; and communicating door regulations. It has also been reviewed and approved by the Land Use Board.

Passed on first reading at a regular meeting held on July 25, 2014 and advertised in the BEACH HAVEN TIMES issue of July 31, 2014.

**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 205 DEALS WITH PERVIOUS SURFACE COVERAGE, SETBACKS, FENCES & WALLS AND DEFINITIONS.**

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

This Ordinance is adopted to set regulations pertaining to pervious surface areas of side and rear property lines; setback and height requirements for walls / fences on bay front and lagoon properties; and communicating door regulations.

**SECTION I**

**§205-2.B.** 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 the following sentence after the last sentence in the definition entitled "DWELLING, TWO-FAMILY":

EXCEPTION: One communicating double door may be installed in the separation wall between dwelling units in compliance with the uniform construction code requirements for fire separation between dwellings.

**SECTION II**

**§205-51.A.(2)** of an Ordinance entitled "**Code of the Township of Long Beach, County of Ocean, State of New Jersey, (1997)**" is hereby repealed and in lieu and instead thereof the following is adopted:

On Bay Front and Lagoon lots, walls or fences along the bulkhead or the natural waterline and extending from that point to the permissible building setback line must not exceed four (4) feet in height.

**SECTION III**

**§205-51.A.(3)** of an Ordinance entitled "**Code of the Township of Long Beach, County of Ocean, State of New Jersey, (1997)**" is hereby repealed and in lieu and instead thereof the following is adopted:

The maximum height of all fences and solid walls must be measured from the finished grade within the property lines of the residential lot upon which the fence or wall is erected.

**SECTION IV**

**§205-56.B.** 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 a new sub-section, Sub-Section (4) as followings:

(4) A pervious surface area with a minimum width of 18 inches shall be provided between any impervious surface and the side yard and rear yard property lot lines.

**SECTION V**

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

**SECTION VI**

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 VII**

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

OPEN PUBLIC HEARING

No comments.

CLOSE PUBLIC HEARING

Motion to adopt Ordinance 14-26C on Second Reading:

Motion: Lattanzi      Ayes: Lattanzi, Bayard, Mancini

Second: Bayard      Nays:

2. First Reading Ordinance 14-28: **BOND ORDINANCE AUTHORIZING SUPPLEMENTAL FUNDING FOR THE PAINTING OF BRANT BEACH AND HOLGATE WATER TOWERS IN THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$400,000 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**

**\$400,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

Motion to approve Ordinance 14-28 on First Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

3. First Reading Ordinance 14-29C: **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 94 PERTAINS TO SPECIFIC CONSTRUCTION STANDARDS.**

Lynda Wells explained this ordinance amends §94-9.A. by the addition of a new subsection, (3), to provide the minimum requirements for drainage on lots located in the AO and AE flood zones as listed on the FIRM FLOOD MAPS for the Township.

Motion to approve Ordinance 14-29C on First Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

4. First Reading Ordinance 14-30: **AN ORDINANCE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE STATE OF NEW JERSEY TO EXERCISE CERTAIN POWERS AS GRANTED IN N.J.S.A. 40A:12-5(a), N.J.S.A. 20:3-1 et seq.**

Lynda Wells explained this ordinance was necessary to be in compliance with Governor Christie's Executive Order 140 moving forward with the Federal Storm Protection Project.

Motion to approve Ordinance 14-30 on First Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

5. First Reading Ordinance 14-31: **AN ORDINANCE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE ACQUISITION OF CERTAIN INTERESTS IN REAL PROPERTIES BY NEGOTIATION, PURCHASE, CONDEMNATION OR EMINENT DOMAIN, SAID PROPERTIES BEING IDENTIFIED ON THE ANNEXED SCHEDULE**

Lynda Wells explained this ordinance was necessary to be in compliance with Governor Christie's Executive Order 140 moving forward with the Federal Storm Protection Project.

Motion to approve Ordinance 14-31 on First Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

**ADOPTIONS & APPROVALS**

6. Resolution 14-0822.01: Approve traffic regulations for various special event:  
Holgate Taxpayers Association: Annual Fall BBQ and Membership Meeting at the Tennis Court, Bond's Park, Holgate on Sept. 6<sup>th</sup> between 5 and 8 pm

**RESOLUTION 14-0822.01**

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

- Holgate Taxpayers Association: Annual BBQ & Semi-Annual Membership Meeting on September 6<sup>th</sup> at the Holgate Tennis Court Area from 5:00 pm to 8:00 pm

7. Resolution 14-0822.02: Urging the President of the United States to utilize the full powers and authorities of his office to immediately secure the release of US Marine Sgt. Andrew Tahmooressi from Mexican custody.

**RESOLUTION 14-0822.02**

**WHEREAS**, 25-year-old United States Marine Sgt. Andrew Tahmooressi served two tours in Afghanistan and received a meritorious battle promotion to the rank of Sergeant while serving in Afghanistan's Helmand Province with the 2<sup>nd</sup> Battalion, 6<sup>th</sup> Marine Regiment; and

**WHEREAS**, following his service to our nation with the United States Marine Corps in Afghanistan, Sgt. Tahmooressi was diagnosed with Post-Traumatic Stress Disorder; and

**WHEREAS**, Sgt. Tahmooressi moved to San Diego, California to receive treatment for PTSD from the United States Veterans Affairs Medical Center-San Diego in La Jolla, California. While driving on March 31, 2014 he mistakenly crossed the border into Mexico after taking a wrong turn; and

**WHEREAS**, Sgt. Tahmooressi placed a 911 to report his error, informing the 911 dispatcher that he had three legally registered guns in his possession because he kept everything he owned in his Ford F-150 truck; and

**WHEREAS**, Sgt. Tahmooressi was arrested at the United States-Mexican border on March 31, 2014 and was charged with weapons trafficking. He is still being held in El Hongo 11 Prison in Tecate, Mexico; and

**WHEREAS**, Sgt. Tahmooressi alleges that abuse during the beginning of his incarceration and poor prison conditions led him to attempt suicide; and

**WHEREAS**, PTSD can result in hyper-vigilance, memory and cognition lapses and depression. Sgt. Tahmooressi's reported actions of aggression and physical self-abuse are likely manifestations of his PTSD; and

**WHEREAS**, Sgt. Tahmooressi's immediate release would allow him to enroll in medical treatment at a clinic specializing in combat-related PTSD in the United States; and

**WHEREAS**, the Board of Commissioners in the Township of Long Beach is outraged that a United States Marine Corps veteran who has served two tours of duty in Afghanistan remains wrongfully imprisoned in Mexico.

**NOW, THEREFORE, BE IT RESOLVED** by Board of Commissioners of the Township of Long Beach, County of Ocean, State of New Jersey, hereby strongly urges the President of the United States to utilize the full powers and authorities of his office to immediately secure the release of United States Marine Sgt. Andrew Tahmooressi from Mexican custody to the United States in order for Sgt. Tahmooressi to receive the appropriate medical assistance for his medical condition.

**BE IT FURTHER RESOLVED** that certified copies of this Resolution shall be forwarded to the President of the United States, Honorable Barack H. Obama, the Speaker of the House, John Boehner, United States Senate Minority Leader, Mitch McConnell, Members of the 9<sup>th</sup>, 10<sup>th</sup>, 12<sup>th</sup>, and 30<sup>th</sup> Legislative Districts and all Ocean County Mayors.

8. Resolution 14-0822.03: Approve status changes to various water accounts  
**RESOLUTION 14-0822.03**

**WHEREAS**, the following water utility accounts require changes in their billing and/or classification due to various reasons; and

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

<u>BLOCKLOT/QUAL</u>	<u>ACCT #/ACCTYEAR</u>	<u>CANCEL/CHANGE</u>	<u>AMOUNT</u>
7.15 6	2357-0/Water 2014	Standby Credit	\$313.00
14.18 6	4839-0/Water 2014	Per Fixture Count	\$539.00
15.108 1/C3	5928-0/Water 2014	Per Fixture Count	\$ 24.00

**NOW, THEREFORE BE IT RESOLVED** by the Board of Commissioners of the Township of Long Beach, that the Municipal Clerk be and she is hereby authorized to make these changes.

9. Resolution 14-0822.04: Approve personnel actions  
**RESOLUTION 14-0822.04**

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

Approve a paid leave of absence for EM effective retro-active to June 19, 2014.

Approve a paid Family Medical Leave of Absence (FMLA) for PG effective retro-active to July 23, 2014.

**Beach Badge**

Hire the following employee as a Seasonal Beach Badge Program Seller/Checker at the rate of \$8.65 per hour to be paid from Beach Badge Salary & Wage effective retro-active to August 18, 2014.

Kristine Cugliotta

**Beach Patrol**

Change the following Seasonal Lifeguard's rate of pay to \$78.33 per day to be paid from the Lifeguard Salary & Wage effective retro-active to June 14, 2014.

Austin Kreusser

Hire the following employee as a Seasonal Lifeguard at a rate of \$100.00 per day to be paid from the Lifeguard Salary & Wage effective retro-active to August 14, 2014.

Justin Dumhart

Hire the following employee as a Seasonal Lifeguard at a rate of \$90.00 per day to be paid from the Lifeguard Salary & Wage effective retro-active to August 14, 2014.

Jacob Radcliff

**Parks & Playgrounds**

Change the following employee's rate of pay to \$15.00 per hour effective September 2, 2014.

Joni Bakum

**POLICE**

Accept the resignation tendered by Lisa Christansen as a Public Safety Telcommnicator and approve her requested termination of employment effective retro-active to August 15, 2014.

Hire the following employee as a Permanent Full-Time Public Safety Telecommunicator at the annual salary of \$26,300.00 to be paid from Police Salary & Wage effective retro-active to August 16, 2013.

Trisha Gallagher

Approve the donation of 60 hours from Paul H. Vereb to Erika Hershey as per Ordinance 08-43 with no re-imbusement of days as per donor's request.

Approve the donation of 60 hours from Thomas Franks to Erika Hershey as per Ordinance 08-43 with no re-imbusement of days as per donor's request.

Approve the donation of 60 hours from James Hartmann to Erika Hershey as per Ordinance 08-43 with no re-imbusement of days as per donor's request.

Approve the donation of 60 hours from Paul R. Vereb to Erika Hershey as per Ordinance 08-43 with no re-imbusement of days as per donor's request.

Approve the transfer of 240 hours of sick time from the above employees to Erika Hershey as per Ordinance 08-43 adopted and established by Long Beach Township. Re-imbusement shall be in accordance with the same Ordinance beginning 2015.

Water/Sewer

Hire the following employee as a Full-time Laborer 1 at an annual salary of \$30,000.00 per year to be paid from Water/Sewer Salary & Wage effective retro-active to August 16, 2014.

James DeAngelo

- 10. Resolution 14-0822.05: Authorizing the Mayor to execute easements for street ends and rights of way within the project area of the USACE Barnegat Inlet to Little Egg Inlet

**RESOLUTION 14-0822.05**

**RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE EASEMENTS FOR STREET ENDS AND RIGHTS OF WAY WITHIN THE PROJECT AREA OF THE UNITED STATES ARMY CORPS OF ENGINEERS' BARNEGAT INLET TO LITTLE EGG INLET, LONG BEACH ISLAND, NEW JERSEY HURRICANE AND STORM REDUCTION PROJECT**

**WHEREAS**, construction of the Barnegat Inlet to Little Egg Inlet, Long Beach Island, New Jersey Hurricane and Storm Reduction Project has been authorized by Congress; and

**WHEREAS**, Congress has authorized the expenditure of Federal funds to complete construction of the Project; and

**WHEREAS**, as a condition of constructing the Project, the United States Army Corps of Engineers requires that the Township of Long Beach provide perpetual easements for all municipally owned street ends and rights of way located within the Projects limits, which street ends and Rights of Way (R.O.W.) are set forth on the attached Exhibit A and any other street end or R.O.W that may be necessary for the project; and

**WHEREAS**, the Board of Commissioners declare that it is in the best interests of the Township of Long Beach to provide the required easements.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Township of Long Beach that the Mayor be and the same is hereby authorized to execute the easements required for the Project.

MOVED: COMMISSIONER LATTANZI

SECONDED: COMMISSIONER BAYARD

AND ADOPTED UPON THE FOLLOWING ROLL CALL:

AYES: COMMISSIONER LATTANZI, COMMISSIONER BAYARD, MAYOR MANCINI

NAYES:

ABSENT:

Motion to approve Items 6 thru 10:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

**FINANCIAL APPROVALS**

- 11. Resolution 14-0822.06 Authorize the issuance and sale of Bond Anticipation Notes of 2014, Series A

RESOLUTION NO. 14-0822. 06

RESOLUTION OF THE TOWNSHIP OF LONG BEACH, IN THE COUNTY OF OCEAN, NEW JERSEY AUTHORIZING THE ISSUANCE AND SALE OF UP TO \$4,666,667 OF REFUNDING BOND ANTICIPATION NOTES OF THE TOWNSHIP; MAKING CERTAIN COVENANTS TO MAINTAIN THE EXEMPTION FROM FEDERAL INCOME TAXATION OF INTEREST ON SAID NOTES; AND AUTHORIZING SUCH FURTHER ACTIONS AND MAKING SUCH DETERMINATIONS AS MAY BE NECESSARY OR APPROPRIATE TO EFFECT THE ISSUANCE AND SALE OF SAID NOTES

**BACKGROUND**

**WHEREAS**, the Board of Commissioners ("Board of Commissioners") of the Township of Long Beach, County of Ocean, New Jersey ("Township"), adopted a resolution on December 7, 2012 to fund an emergency appropriation ("Appropriation Resolution") for the purpose of paying the extraordinary expenses associated with the repair, rehabilitation, reconstruction and/or replacement of, among other things, streets, roads, bridges, or other public property located in the Township damaged by Hurricane Sandy ("Appropriation"), all as more particularly described in the Appropriation Resolution; and

**WHEREAS**, the Local Bond Law, constituting Chapter 169 of the Laws of the State of New Jersey ("State"), as amended and supplemented, N.J.S.A. 40A:2-51 et seq. ("Local Bond Law"), authorizes municipalities to issue refunding bonds to fund temporary emergency appropriations; and

**WHEREAS**, on February 1, 2013, the Board of Commissioners introduced a refunding bond ordinance entitled "REFUNDING BOND ORDINANCE PROVIDING FUNDS TO PAY A SPECIAL EMERGENCY APPROPRIATION (HURRICANE SANDY); AUTHORIZING THE ISSUANCE OF UP TO \$5,000,000 OF GENERAL OBLIGATION REFUNDING BONDS OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY, TO FINANCE THE COSTS THEREOF; MAKING CERTAIN DETERMINATIONS AND COVENANTS IN CONNECTION THEREWITH; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING" ("Refunding Bond Ordinance"); and

**WHEREAS**, pursuant to *N.J.S.A. 40A:2-51 et. seq.*, the Local Finance Board, Division of Local Government Services, New Jersey Department of Community Affairs ("Local Finance Board"), at a meeting held on March 13, 2013, adopted a resolution authorizing the Township to finally adopt the Refunding Bond Ordinance; and

**WHEREAS**, on March 1, 2013, the Board of Commissioners, after a public hearing, finally adopted the Refunding Bond Ordinance; and

**WHEREAS**, pursuant to the Refunding Bond Ordinance, the Township is authorized to issue its refunding bond anticipation notes, in the aggregate principal amount of up to \$5,000,000 to fund the Appropriation; and

**WHEREAS**, the Township has heretofore issued its refunding bond anticipation notes in the principal amount of \$5,000,000 ("Prior Notes") to finance the costs of the Appropriation; and

**WHEREAS**, the Prior Notes mature on September 5, 2014; and

**WHEREAS**, it is the intent of the Board of Commissioners hereby to authorize and approve the issuance and sale of its refunding bond anticipation notes in the principal amount of up to \$4,666,667 to pay a portion of the principal of the Prior Notes at maturity ("Notes"); and

**WHEREAS**, it is necessary for the Township to adopt this resolution to authorize and effectuate the issuance and sale of said Notes.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE TOWNSHIP OF LONG BEACH, IN THE COUNTY OF OCEAN, STATE OF NEW JERSEY (NOT LESS THAN TWO-THIRDS OF ALL THE MEMBERS THEREOF AFFIRMATIVELY CONCURRING), AS FOLLOWS:

**Section 1.** Pursuant to the Local Bond Law, the issuance of refunding bond anticipation notes of the Township, to be designated, substantially, "Township of Long Beach, County of Ocean, New Jersey, Refunding Bond Anticipation Note of 2014, Series A" ("Notes"), in an aggregate principal amount of up to \$4,666,667, is hereby authorized and approved,

**Section 2.** The Notes shall be dated the date of delivery thereof and mature no later than one year from said date. The Notes will not be subject to redemption prior to maturity but may be renewed from time to time, subject to the terms of the Refunding Bond Ordinance. The Notes shall be issued in bearer or registered form in minimum denominations of \$100,000 or greater and shall be in the form permitted by the Local Bond Law and as Bond Counsel shall approve.

**Section 3.** The Notes shall be executed in the name of the Township by the manual or facsimile signature of the Mayor and Chief Financial Officer, and shall be

under the corporate seal of the Township affixed, imprinted, or reproduced thereon, and attested by the manual signature of the Township Clerk or Deputy Township Clerk.

**Section 4.** The Chief Financial Officer, with the assistance of the law firm of Parker McCay P.A., Bond Counsel, is hereby authorized and directed to award and sell the Notes at a public or private sale at a price of not less than par, and to deliver the same to the purchaser thereof upon receipt of payment of the purchase price plus accrued interest (if any) from the dated date of the Notes to the date of delivery thereof.

**Section 5.** At the next meeting after the sale of the Notes, the Chief Financial Officer is authorized and directed to report, in writing, to the Board of Commissioners, the principal amount, rate of interest and name of the purchaser of the Notes.

**Section 6.** The Notes shall be general obligations of the Township. The full faith and credit of the Township are irrevocably pledged to the punctual payment of the principal of and interest on the Notes 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 7.** The Township hereby covenants that it will not make any use of the proceeds of the Notes or do or suffer any other action that would cause: (i) the Notes to be "arbitrage bonds" as such term is defined in Section 148(a) of the Internal Revenue Code of 1986, as amended ("Code") and the Regulations promulgated thereunder; (ii) the interest on the Notes to be included in the gross income of the owners thereof for federal income taxation purposes; or (iii) the interest on the Notes to be treated as an item of tax preference under Section 57(a)(5) of the Code.

**Section 8.** The Township hereby covenants as follows: (i) it shall timely file with the Internal Revenue Service, such information report or reports as may be required by Sections 148(f) and 149(e) of the Code; and (ii) it shall take no action that would cause the Notes to be "federally guaranteed" within the meaning of Section 149(b) of the Code.

**Section 9.** The Township hereby covenants that it shall make, or cause to be made, the rebate required by Section 148(f) of the Code in the manner described in Treasury Regulation Sections 1.148-1 through 1.148-11, 1.149(b)-1, 1.149(d)-1, 1.149(g)-1, 1.150-1 and 1.150-2, as such regulations and statutory provisions may be modified insofar as they apply to the Notes.

**Section 10.** All actions heretofore taken and documents prepared or executed by or on behalf of the Township by the Mayor, Chief Financial Officer, Township Clerk, Deputy Township Clerk, other Township officials or by the Township's professional advisors, in connection with the issuance and sale of the Notes are hereby ratified, confirmed, approved and adopted.

**Section 11.** The Mayor, Chief Financial Officer, Township Clerk and Deputy Township Clerk are each hereby authorized and directed to determine all matters and execute all documents and instruments in connection with the Notes not determined or otherwise directed to be executed by the Local Bond Law or by this or any subsequent resolution, and the signatures of the Mayor, Chief Financial Officer, Township Clerk and Deputy Township Clerk, on such documents or instruments shall be conclusive as to such determinations.

**Section 12.** All resolutions or parts thereof, inconsistent herewith are hereby rescinded and repealed to the extent of any such inconsistency.

**Section 13.** This resolution shall take effect immediately upon adoption this 22nd day of August, 2014.

12. Resolution 14-0822.07: Approve the 2013 Annual Audit

**RESOLUTION 14-0822.07**

**WHEREAS**, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

**WHEREAS**, the Annual Report of Audit for the year 2013 has been filed by Suplee Clooney & Company, Registered Municipal Accountants, with the Municipal Clerk as per the requirements of N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and

**WHEREAS**, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining the local fiscal affairs; and

**WHEREAS**, The Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, at a minimum, the sections of the annual audit entitled "General Comments and Recommendations"; and

**WHEREAS**, the members of the governing body have personally reviewed, at a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "General Comments and Recommendations" as evidenced by the group affidavit form of the governing body; and

**WHEREAS**, such resolution of certification shall be adopted by the governing body no later than forty-five days after the receipt of the annual audit pursuant to N.J.A.C. 5:30-6.5; and

**WHEREAS**, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

**WHEREAS**, failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject the members of the governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52 - "A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

**NOW, THEREFORE BE IT RESOLVED**, that the Board of Commissioners of the Township of Long Beach, County of Ocean, State of New Jersey, hereby states it has complied with the N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

STATE OF NEW JERSEY }  
TOWNSHIP OF LONG BEACH }  
COUNTY OF OCEAN }

We, members of the governing body of the Township of Long Beach, County of Ocean, of full age, being duly sworn according to law, upon oath depose and say:

1. We are duly elected members of the Board of Commissioners of the Township of Long Beach, County of Ocean.
2. In the performance of our duties, and pursuant to the Local Finance Board Regulation, we have familiarized ourselves with the contents of the Annual Municipal Audit filed with the Clerk pursuant to N.J.S.A. 40A:5-6 for the year 2013.
3. We certify that we have personally reviewed and are familiar with, at a minimum, the sections of the Annual Report of Audit entitled:

General Comments  
Recommendations

\_\_\_\_\_(L.S.)

Joseph H. Mancini

\_\_\_\_\_(L.S.)

Ralph H. Bayard

\_\_\_\_\_(L.S.)

Joseph P. Lattanzi

\_\_\_\_\_

Municipal Clerk

13. Resolution 14-0822.08:

Approve Bills & Payroll

Bills in the amount of: \$2,177,742.17

Payroll in the amount of: \$ 662,983.86

**RESOLUTION 14-0822.08**

**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 \$662,983.86 .

**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 \$2,177,742.17 be and the same are hereby authorized to be paid on Friday, August 22, 2014.

2. The said approved payroll amounting to the sum of \$ 662,983.86 be and the same are hereby authorized to be paid on Friday, August 22, 2014.

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 thru 13:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

**Mayor Mancini** stated the Tax Collector and Treasurer's Reports for the month of July 2014 were on file in the Municipal Clerk's Office.

#### **COMMISSIONERS' REPORTS**

**Commissioner Lattanzi** reported there had been over 31,000 riders on the LBI shuttle buses to date. He noted that 40% of the riders were going to Barnegat Light. He also noted the fall schedule for the buses, through Chowderfest weekend, would be in the Sandpaper.

**Commissioner Bayard** announced the water main project would continue after Labor Day weekend, along with the Holgate Parking Lot project. He also announced there was a Rain Barrel building workshop to begin next week.

**Mayor Mancini** announced the next meeting of the Board of Commissioners would take place on Friday, September 12, 2014 at 4:00 p.m. at which time public hearings would be held for Ordinances 14-28, 14-29C, 14-30 & 14-3.

**Mayor Mancini** also announced the next regular meeting of the Land Use Board would be held on Wednesday, September 10, 2014 at 7:00 p.m. in the Multi Purpose Room.

Police Report:

The police department had applied for funding to support both the salary and operating budgets. The grants were as follows;

1. A Federal Department of Justice C.O.P.S. grant to partially fund three police officers for a three year period in the amount of \$375,000. The grant would fund positions which currently exist and not expand police staff.
2. A state grant for bullet proof vests in the amount of \$6,950.
3. A federal grant for bullet proof vests in the amount of \$4,500
4. A Drunk Driving Enforcement Fund State grant in the amount of \$4,300. This grant can fund salary and equipment in the enforcement of drunk driving.

The Police Dept. anticipated notice of approval or denial by fall 2014 on all grants. We thank Lt. Paul Vereb for his administration of these grants.

**Mayor Mancini** announced he met with the Army Corps of Engineers at 11:00 am and received the following information:

Beach Project Timeline as of today:

- Project gets advertised for bidding on Sept 8<sup>th</sup>
- Bids received and scheduled to be open on Oct 8<sup>th</sup> (subject to change should there be addenda to the bid package)
- Award of project- November 2014
- Project to begin on or around January 2015

The estimated time to pump sand on the beach was 525 days. Added to that number was the construction of beach accesses, installation of storm fence, planting of dune grass, inclement weather may also add days to the project. This project is vast and was expected extend thru two summer seasons.

After the bid award we would have a more specific timeline for construction and this would be posted either on the Township website or a designate website for all to keep current.

**Mayor Mancini** stated he would like to see one daily, one seasonal and one weekly beach badge, to be used for all beaches on the Long Beach Island implemented, instead of different badges for each town on the island, the towns would recognize savings on the cost of the badges and workforce to enforce the badges. These savings could be utilized to help fund various programs to promote tourism for the island wide businesses.

**Mayor Mancini** read the stats and percentages realized by each town for the past five (5) years and stated he felt this would help make LBI more user friendly and less complicated to beach patrons. He would like the other mayors to agree to this new process.

#### **OPEN PUBLIC SESSION**

**Dan Macone**, Holgate, thanked the Commissioners for approving the Holgate Taxpayer's picnic and also thanked them for passing the resolution in support of US Marine Sgt. Tahmoore's release from a Mexican jail.

**Bill Hutson**, Holgate stated he thought the island badge was a great idea. He also stated he had heard all positive comments regarding the bus service.

**Jay Berman**, Brant Beach would like to see a blinking light on top of the water tower as a landmark. He also stated he would like the organizer for Chowderfest to consider not holding it on the Jewish holiday this year, as many people would not be participating or attending.

**Barbara Egan**, 71<sup>st</sup> Street asked to have her road repaired and paved.

**Commissioner Bayard** replied he would look at it.

**CLOSE PUBLIC SESSION**

Motion for adjournment at 4:29 pm.

Motion: Lattanzi      Ayes: Lattanzi, Bayard, Mancini

Second: Bayard      Nays:

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Lynda J. Wells, RMC  
Municipal Clerk

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Joseph H. Mancini, Mayor

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Ralph H. Bayard, Commissioner

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Dr. Joseph P. Lattanzi, Commissioner