

**MINUTES**  
**REGULAR SESSION BOARD OF COMMISSIONERS SEPTEMBER 5, 2008**  
**Flag Salute**

Meeting came to order: 4:00 p.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. Wilkie, Deputy Municipal Clerk  
Katharine M. Shackleton, 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; the PRESS OF ATLANTIC CITY; and the ASBURY PARK PRESS on May 28, 2008; and filed with the Municipal Clerk.

**Motion:** To dispense with the reading of the minutes of the August 22<sup>nd</sup> meeting and to approve the same as recorded in the minute book:

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

**AGENDA**

**PRESENTATION**

Recognize the contribution of the young volunteers who assisted and participated in the Long Beach Township Recreation and Activities Committee 2008 Summer Events.

**The Board of Commissioners** presented certificates of recognition to volunteers, thanked them for their participation, and noted the various events organized by the Recreation and Activities Committee.

**Deputy Chief Houston** spoke regarding the impending Tropical Storm "Hanna". She explained the newly implemented Reverse "911" System had been used successfully to call residents with storm information.

**Bill Hutson / Holgate** received a Reverse "911" call and was pleased with the system.

**PROCLAIM**

Constitution Week: September 17<sup>th</sup> through 23<sup>rd</sup> 2008

**Bonnie M. Leonetti, Municipal Clerk/Administrator** announced this was the 221<sup>st</sup> Anniversary of the signing of the United States Constitution.

**ORDINANCES/PUBLIC HEARINGS**

1. Second Reading Ordinance 08-34C: **AN ORDINANCE AMENDING AN ORDINANCE ENTITLED, "CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, (1997)" AS THE SAME IN SECTION 64-11 PROVIDES FOR A CASH PERFORMANCE BOND FOR THE INSTALLATION OF PILINGS.**

**ORDINANCE 08-34C**

**AN ORDINANCE AMENDING AN ORDINANCE** entitled, **Code of the Township of Long Beach, County of Ocean, State of New Jersey, (1997)** as the same in Section 64-11 provides for a cash performance bond for the installation of piling.

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

**STATEMENT OF PURPOSE**

This ordinance repeals the requirement for the posting of a \$500.00 cash performance bond when piling are to be installed for construction or reconstruction of any structure in the Township of Long Beach Township

**SECTION I**

Sub-paragraph A of Section 64-11 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 enacted:

- A. No piling shall be installed for the construction or reconstruction of any structure without the Building Department of the Township of Long Beach having first issued a piling installation permit.**

**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



**RESOLUTION 08-0905.04**

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

**BEACH PATROL**

Change the following employee's title to Seasonal Part Time Laborer with a new rate of pay to \$9.85 per hour to be paid from the Lifeguard Salary & Wage effective September 6, 2008.

Jared Angelozzi	Gerald Carlucci	Patrick Craig
Scott Dunleavy	William Galese	Matuesz Kwasniewski
Logan Mallet-Fuina	Lukasz Michalski	Konrad Piotrowski
Richard Saldibar	Joseph Soto	Garrett Walters

Change the following employee's title to Seasonal Part Time Laborer with a new rate of pay to \$14.85 per hour to be paid from the Lifeguard Salary & Wage effective September 6, 2008.

Andrew Croft

**BUILDING**

Acknowledge the end of a paid medical leave of absence and return to work for Carol Beideman effective retro-active to August 26, 2008.

**FINANCE**

Acknowledge the end of an intermittent paid family leave of absence (FLA) for Mary Brewster effective retro-active to April 27, 2008.

**POLICE**

Approve the following, paid from the Police Salary & Wage, for a step increment (adjust base salary) in accordance with the current contract (Article XXI).

Megan Cochrane	Step 7	\$83,260.00	effective retroactive
September 1, 2008			

**WATER/SEWER**

Acknowledge the end of an unpaid family medical leave of absence (FMLA) and return to work for James Heatley effective retro-active to September 2, 2008.

Approve a paid Medical Leave of Absence using accumulated sick days for Dana Vickers effective retro-active to September 3, 2008.

6. Resolution 08-0905.05: Approve amendment to Resolution 08-0822.09(a)

**Bonnie M. Leonetti, Municipal Clerk/Administrator** explained the truck contracted for purchase was to be used by the Water/Sewer Department, not by the Public Works Department as stated in Resolution 08-0822.09(a).

**RESOLUTION 08-0905.05**

**WHEREAS**, Resolution 08-0822.09(a) awarded a contract to Route 23 Auto Mall Truck Center, 1301 Route 23 South, Butler, New Jersey 07405 in the amount of \$49,979.00 for the purchase of one (1) 2009 Super Duty Rear Wheel Regular Cab Dump Truck for the Department of Public Works; and

**WHEREAS**, the aforementioned vehicle was actually purchased for use by the Water/Sewer Department.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Township of Long Beach that Resolution 08-0822.09(a) be and is hereby amended so as to award the contract for the purchase of (1) 2009 Super Duty Rear Wheel Regular Cab Dump Truck for use by the Water/Sewer Department; and

**BE IT FURTHER RESOLVED** that the contract of award for the aforesaid vehicle shall be corrected to indicate its purchase for use by the Water/Sewer Department of the Township of Long Beach.

Motion to approve Items 2 - 6:

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

**CONTRACTS AND AWARDS**

7. Resolution 08-0905.06: Award a contract to furnish and install a new Turbine Pump in Well #4 located in the Brant Beach Water Plant, per bid: A.C. Schultes: \$22,390.00

**Bonnie M. Leonetti, Municipal Clerk/Administrator** noted this was a repair.

**RESOLUTION 08-0905.06**

A RESOLUTION AWARDING A CONTRACT TO FURNISH AND INSTALL A 500 GPM VERTICAL TURBINE PUMP AT WELL #4 IN THE BRANT BEACH WATER TREATMENT PLANT FOR THE WATER / SEWER DEPARTMENT IN THE TOWNSHIP LONG BEACH, PER BID

**WHEREAS**, the Township of Long Beach has solicited bids to furnish and install a 500 GPM Vertical Turbine Pump at Well #4 in the Brant Beach Water Treatment Plant; and

**WHEREAS**, it is in the opinion of the Township that the lowest qualified bid be accepted for same; and

**WHEREAS**, A.C. Schultes, Inc., 664 S. Evergreen Avenue, Woodbury Heights, NJ 08097 gave the lowest qualified bid as per the municipal attorney's review and approval; and

**WHEREAS**, the Chief Financial Officer has certified that sufficient funds are available in the appropriation created by Water/Sewer O/E, Account #8-09-55-549-029.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Township of Long Beach this 5<sup>th</sup> day of September 2008, for the reasons aforesaid, that a contract be and is hereby awarded to:

A.C. Schultes, Inc.  
664 S. Evergreen Avenue  
Woodbury Heights, NJ 08097

to furnish and install a 500 GPM Vertical Turbine Pump at Well #4 in the Brant Beach Water Treatment Plant in an amount not to exceed Twenty Two Thousand Three Hundred Ninety Dollars (\$22,390.00) as per the bid received August 26, 2008.

8. Resolution 08-0905.07: Award a contract for the purchase of a street marker Machine for the P/W Dept., per state contract: Creative Visual Systems: \$9,233.49

**Bonnie M. Leonetti, Municipal Clerk/Administrator** stated the machine would be used to put street names on road posts.

**RESOLUTION 08-0905.07**

**RESOLUTION AUTHORIZING THE PURCHASE (1) ONE GERBER P2C-1200 STREET MARKER MACHINE, SOFTWARE, LIBRARY, COMPUTER, AND START-UP PACKAGE, PLUS TRAINING AND FREIGHT, FOR THE PUBLIC WORKS STREETS & ROADS DEPARTMENT, PER STATE CONTRACT**

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

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

**WHEREAS**, Brewer International, Inc. T/A Creative Visual Systems, 400 Apgar Drive, Unit G, Somerset, NJ 08873 has been awarded New Jersey State Contract No. A67308 effective 12/01/06 through 11/30/08 for Printing Equipment: Offset Digital, Thermal, Prepress, etc.; and

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

**WHEREAS**, the actual cost to purchase one (1) Gerber P2C-1200, Omega CS Software, MUTCD Sign Symbol Library, Computer, Start-up Package, Training, and Freight for the Public Works Department pursuant to State Contract #A67308 shall not exceed Nine Thousand Two Hundred Thirty Three Dollars and Forty Nine Cents (\$9,233.49); and

**WHEREAS**, the Chief Financial Officer has certified the availability of funds for this contract in the appropriation created by: The purchase of street markers in the General Capital Budget, Acct. # C-04-55-300-010 in the amount of \$9,233.49 .

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Township of Long Beach that Brewer International, Inc. T/A Creative Visual Systems be awarded a contract for the purchase of one (1) Gerber P2C-1200, Omega CS Software, MUTCD Sign Symbol Library, Computer, Start-up Package,

Training, and Freight in an amount not to exceed Nine Thousand Two Hundred Thirty Three Dollars and Forty Nine Cents (\$9,233.49).

9. Resolution 08-0905.08: Authorize an Interlocal Agreement:  
Conflict building inspection services provided by the  
Borough of Beach Haven to the Township of Long Beach

**Bonnie M. Leonetti, Municipal Clerk/Administrator** explained this was similar to existing Interlocal Agreements with the Boroughs of Ship Bottom and Surf City where Long Beach Township provided these services to those municipalities.

**RESOLUTION 08-0905.08**

RESOLUTION AUTHORIZING EXECUTION OF INTER-LOCAL MUNICIPAL AGREEMENT BY AND BETWEEN THE TOWNSHIP OF LONG BEACH, A MUNICIPAL CORPORATION OF THE STATE OF NEW JERSEY AND THE BOROUGH OF BEACH HAVEN, A MUNICIPAL CORPORATION OF THE STATE OF NEW JERSEY, AUTHORIZING THE BOROUGH OF BEACH HAVEN TO PROVIDE BUILDING INSPECTION SERVICES FOR BUILDERS IN THE TOWNSHIP OF LONG BEACH WHICH BUILDERS HAVE A CONFLICT OF INTEREST WHICH DISQUALIFIES THE TOWNSHIP OF LONG BEACH BUILDING DEPARTMENT FROM ISSUING BUILDING PERMITS AND INSPECTING OTHER CONSTRUCTION IN THE TOWNSHIP PURSUANT TO N.J.A.C. 5:23-4.5 (1) 2 (j) 1

**WHEREAS**, the Township of Long Beach and the Borough of Beach Haven have contiguous borders; and

**WHEREAS**, a member of the Board of Commissioners who has been designated Mayor of Long Beach Township, Joseph H. Mancini, is a builder who conducts building and construction business in the Township of Long Beach; and

**WHEREAS**, the Department of Community Affairs adopted a regulation codified in N.J.A.C. 5:23-4.5 (1) 2 (j) 1 providing that "No person employed by an enforcing agency as a construction or sub-code official or as an inspector shall carry out any inspection or enforcement procedure with respect to any property or business in which . . . any other public official or employee having any direct or indirect control over the funding or operations of the enforcing agency or any close relative or household member of any such public official or employee, has an economic interest..."; and

**WHEREAS**, N.J.A.C. 5:23-4.5 (1) 2 (j) 1 provides. "Where an inspection or enforcement procedure is necessary or required in any such property or business and there is no other person employed by the enforcing agency who is qualified, pursuant to this chapter, to perform the inspection or enforcement procedure and who is not a subordinate of the person with the direct or indirect economic interest in such property or business, the official or inspector shall arrange for the inspection or enforcement to be carried out either by another local enforcing agency or by the department."; and

**WHEREAS**, the Borough of Beach Haven has a Building Department which provides building inspection, fire inspection, electrical inspection and plumbing inspection for construction being conducted in said Borough; and

**WHEREAS**, the Borough of Beach Haven has agreed to provide inspection services for construction being done by Joseph H. Mancini and his various interests pursuant to the terms of an Inter-Local Services Agreement; and

**WHEREAS**, the said Joseph H. Mancini, Mayor, has also been selected as the Director of the Division of Public Affairs and Public Safety in the Township of Long Beach, in which department the Long Beach Township Building Department has been designated; and

**WHEREAS**, the said Joseph H. Mancini has requested that the remaining members of the Board of Commissioners give him authority to enter into an Inter-Local Agreement if the same may be advantageously entered into advantageous to both the Township of Long Beach and the Borough of Beach Haven; and

**WHEREAS**, the local Building Departments of all Island Municipalities have relied on the County of Ocean Building Inspection Department to perform electrical inspection, plumbing inspection and fire inspection services and compensate the County of Ocean for such services, being compensated themselves by receiving 10% of the fees charged to compensate said municipalities for time and effort and issuing such permits and in being involved in scheduling certain inspection.

**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 June 6, 2008, that the Mayor of Long Beach Township is hereby authorized and designated to enter into an Inter-Local Service Agreement with the Borough of Beach Haven to provide for building inspection, plumbing inspection, electrical inspection and fire inspection of construction being conducted by the said Joseph H. Mancini and his interests in the Township of Long Beach to be conducted by the Building Inspection Department of the Borough of Beach Haven; and

**BE IT FURTHER RESOLVED**, the actual issuance of permits after having been approved by the Director of Construction/Zoning Department of the Borough of Beach Haven shall be issued individually by the Township of Long Beach and for such clerical work the Township of Long Beach shall receive 10% if the fees paid by Joseph H. Mancini and his interests to the Borough of Beach Haven Building/Zoning



**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."

12. Resolution 08-0905.11: Approve Bills & Payroll  
Bills in the amount of: \$3,005,616.83  
Payrolls in the amount of: \$ 585,424.10

#### **RESOLUTION 08-0905.11**

#### **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 \$585,424.10.

**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 \$3,005,616.83 be and the same are hereby authorized to be paid on September 5, 2008.

2. The said approved payroll amounting to the sum of \$585,424.10 be and the same are hereby authorized to be paid on September 5, 2008.

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 10 - 12:

Motion: Gove Ayes: Bayard, Gove, Mancini

Second: Bayard Nays:

**Commissioner Gove** abstained from Ocean County Utilities Authority voucher(s).

**Mayor Mancini** stated the Treasurer's Report for the month of July 2008 was on file in the Municipal Clerk's Office.

#### **COMMISSIONERS' REPORTS**

**Commissioner Bayard** and the Public Works Department were preparing the beaches for possible conditions that could be caused by Tropical Storm "Hanna". He planned to push and distribute sand on Township beaches, as well as continue the installation of dune fencing in the coming weeks. Water lines would be flushed in October and residents could experience rust particles in their water at that time.

**Commissioner Gove** noted sewer bills were due as of September 1<sup>st</sup>. After September 10, unpaid invoices would be considered past due and interest would be charged.

**Mayor Mancini** announced the next meetings of the Board of Commissioners and the Land Use Board. He then asked for public comments regarding the trial period for the 99<sup>th</sup> Street surfing beach.

**Mary Jane McGowan / Beach Haven Park** and her family enjoyed the surfing beach and used it frequently.

**Bob Irvine / Beach Haven Crest** asked if there had been any problems with the surfing beach during the trial period. He recommended additional surfing beaches be designated in the future.

**The Board of Commissioners** advised there had been no problems or issues with the 99<sup>th</sup> Street surfing beach.

#### **OPEN PUBLIC SESSION**

**Peter Maschal / Brant Beach** asked that a dog park be designated somewhere in Long Beach Township. **Mayor Mancini** would consider Mr. Maschal's suggestion.

**Dick Jeffries / Beach Haven Terrace** appreciated Van Dyke Realty's new practice of greeting renters on Long Beach Island. He informed the Board of Commissioners that a popular art magazine was interested

