

**MINUTES**  
**REGULAR SESSION    BOARD OF COMMISSIONERS    SEPTEMBER 9, 2011**  
**Flag Salute**

Meeting came to order: 4:00 p.m.

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

Also in attendance: Lynda J. Wells, Municipal Clerk  
Teresa S. Sgro, 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 1<sup>st</sup> 2010; and filed with the Municipal Clerk.

Motion: To dispense with the reading of the minutes of the August 19, 2011 meeting and to approve the same as recorded in the minute book:

Motion: KNARRE Ayes: KNARRE, BAYARD, MANCINI  
Second: BAYARD Nays:

**AGENDA**

**PROCLAMATIONS**

**September 11<sup>th</sup> National Moment of Remembrance:** Lynda Wells, Municipal Clerk explained this would encourage the observance of a moment of remembrance to last for one (1) minute beginning at 1:00 pm Sunday, September 11<sup>th</sup>.

**"MOMENT OF REMEMBRANCE"**

**TO LAST FOR ONE (1) MINUTE BEGINNING at 1:00 P.M. ON SEPTEMBER 11, 2011**

**WHEREAS**, on September 11, 2001, the United State of America suffered an unprecedented national tragedy where nearly 3,000 cherished family members, friends, and fellow citizens from across our Nation and from more than 90 other countries, lost their lives in acts of terrorism aimed at the heart of our country; and

**WHEREAS**, we remember those we lost on that dark September day, and we honor the courage and selflessness of our first responders, service members, and fellow citizens who served our Nation and its people in our hour of greatest need; and

**WHEREAS**, inspired by the heroic sacrifices of our firefighters, rescue and law enforcement personnel, military service members, and other citizens, our Nation found unity, focus, and strength. We found healing in the national outpouring of compassion for those lost, as tens of millions of Americans participated in moments of silence, candlelight vigils, and religious services. From the tragedy of September 11<sup>th</sup> emerged a stronger Nation, renewed by a spirit of national pride and a true love of country; and

**WHEREAS**, by a joint resolution approved December 8, 2001 (Public Law 107-89), the Congress has designated September 11 of each year as Patriot Day, and by Public Law 111-13, approved April 21, 2009, the Congress has requested the observance of September 11 as an annually recognized National Day of Service and Remembrance; and

**WHEREAS**, on the 10<sup>th</sup> anniversary of this tragic day, the thoughts of the people of the United States are still with all of the victims of the events of September 11, 2001 and their families; and

**NOW, THEREFORE, BE IT RESOLVED**, that on the 10<sup>th</sup> anniversary of this tragic day, the governing body of the Township of Long Beach calls upon all of the people and institutions of the United States to observe a moment of remembrance on September 11, 2011; and

**BE IT FURTHER RESOLVED**, that the governing body of the Township of Long Beach encourages the observance of the moment of remembrance to last for one (1) minute beginning at 1:00 p.m. Eastern Daylight Time by, to the maximum extent practicable, ceasing all work or other activity; and marking the moment in an appropriate manner, including by ringing bells, blowing whistles, or sounding sirens.

**BE IT FURTHER RESOLVED**, that certified copies of this resolution be forwarded to the following:

1. President Barack Obama
2. Governor Chris Christie
3. 9<sup>th</sup> & 10<sup>th</sup> Legislative Districts
4. Ocean County Freeholders
5. Ocean County Clerks

**National Constitution Week:** Mayor Mancini read and presented the proclamation to Assemblywoman Diane C. Gove.

Lynda Wells, Municipal Clerk explained this urged all citizens to reflect on the many benefits and freedoms afforded by the Federal Constitution and American citizenship.

**CONSTITUTION WEEK**

**SEPTEMBER 17<sup>TH</sup> THROUGH 23<sup>RD</sup> 2011**

**WHEREAS**, our Founding Fathers, in order to secure the blessings of liberty for themselves and their posterity, did ordain and establish a Constitution for the United States of America; and

**WHEREAS**, it is of the greatest importance that all citizens fully understand the provisions and principles contained in the Constitution in order to support, preserve, and defend it against all encroachment; and

**WHEREAS**, this is the two-hundred twenty-fourth anniversary of the signing of the Constitution and the rights, privileges, and responsibilities it affords; and

**WHEREAS**, the independence guaranteed to American citizens, whether by birth or naturalization, should be celebrated by appropriate ceremonies and activities during Constitution Week, September 17 through 23, 2011, as designated by proclamation of the President of the United States of America in accordance with Public Law 915.

**NOW, THEREFORE, BE IT RESOLVED**, that Board of Commissioners of the Township of Long Beach, County of Ocean, in the State of New Jersey, do hereby proclaim the week of September 17<sup>th</sup> through September 23<sup>rd</sup> as Constitution Week in Long Beach Township and urge all citizens to reflect during that week on the many benefits of our Federal Constitution and American Citizenship.

#### **ORDINANCES/PUBLIC HEARINGS**

1. Second Reading Ordinance 11-31C:

**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 139-19 PERTAINS TO PEDDLING AND SOLICITING.**

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

#### **STATEMENT OF PURPOSE**

The purpose of this ordinance is amend the hours that soliciting or canvassing activity is permissible in Long Beach Township.

#### **SECTION I**

§139-19. Time Restrictions. is hereby amended by the deletion of "the 9:00 p.m." and the addition of "then 7:00 p.m.".

#### **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 after the first publication thereof after final passage according to law.

Lynda Wells, Municipal Clerk explained these activities would be permitted from 9:00 am to 7 p.m.

Passed on first reading at a regular meeting held on August 19, 2011 and advertised in the BEACH HAVEN TIMES issue of August 24, 2011.

OPEN PUBLIC HEARING

No Comments

CLOSE PUBLIC HEARING

Motion to adopt Ordinance 11-31C on Second Reading:

Motion: KNARRE

Ayes: KNARRE, BAYARD, MANCINI

Second: BAYARD

Nays:

2. Second Reading Ordinance 11-32: **BOND ORDINANCE AUTHORIZING THE REPAIR, RESTORATION AND/OR REPLENISHMENT OF VARIOUS BEACHES 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 \$950,000; 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 \$950,000; and

(c) a down payment in the amount of \$50,000 for the purposes stated in Section 7 hereof is currently available in accordance with the requirements of Section 11 of the Local Bond Law, N.J.S.A. 40A:2-11.

**Section 3.** The sum of \$950,000, to be raised by the issuance of bonds or bond anticipation notes, together with the sum of \$50,000, which amount represents the required down payment, are 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 \$950,000 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 \$950,000 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. Repair, Restoration and/or Replenishment of Various Beaches in the Township, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto | \$1,000,00<br>0             | \$50,000            | \$950,000                    | 15 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 \$950,000 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 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 Clerk and available for inspection.

**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 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.

**Date of Introduction: August 19, 2011**

**Date of Final Adoption: September 09, 2011**

Lynda Wells, Municipal Clerk explained this would provide funds for the Federal Storm Protection Project in Brant Beach.

Passed on first reading at a regular meeting held on August 19, 2011 and advertised in the BEACH HAVEN TIMES issue of August 24, 2011.

OPEN PUBLIC HEARING

No Comments

CLOSE PUBLIC HEARING

Motion to adopt Ordinance 11-32 on Second Reading:

Motion: KNARRE Ayes: KNARRE, BAYARD, MANCINI

Second: BAYARD Nays:

3. Second Reading Ordinance 11-33C: **AN ORDINANCE AMENDING AN ORDINANCE ENTITLED "CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, 1997" CHAPTER 135 AS IT PERTAINS TO PEACE AND GOOD ORDER**

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

**STATEMENT OF PURPOSE**

The purpose of this ordinance is to prohibit offensive, vulgar or indecent gestures on any public street or place in Long Beach Township.

**SECTION I**

§135-6. Disorderly conduct; loitering. is hereby amended by the addition of the following after "C.":

D. No person shall make any gesture that is offensive, vulgar or indecent on any public street or place within the Township to, or concerning, any person, object or passerby.

**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 after the first publication thereof after final passage according to law.

Lynda Wells, Municipal Clerk explained this would prohibit obscene gestures.

Passed on first reading at a regular meeting held on August 19, 2011 and advertised in the BEACH HAVEN TIMES issue of August 24, 2011.

OPEN PUBLIC HEARING

No Comments

CLOSE PUBLIC HEARING

Motion to adopt Ordinance 11-33C on Second Reading:

Motion: KNARRE Ayes: KNARRE, BAYARD, MANCINI

Second: BAYARD Nays:

4. First Reading Ordinance 11-34C: **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 CHAPTER 5 PERTAINS TO ADMINISTRATION**

Lynda Wells, Municipal Clerk explained this ordinance would create the titles of Carpenter and Carpenter's Helper.

Motion to approve Ordinance 11-34C on First Reading:

Motion: KNARRE Ayes: KNARRE, BAYARD, MANCINI

Second: BAYARD Nays:

5. First Reading Ordinance 11-35: **AN ORDINANCE AMENDING AN ORDINANCE ENTITLED: "AN ORDINANCE FIXING AND DETERMINING THE ANNUAL SALARIES, DESIGNATING HOLIDAYS AND PROVIDING FOR OVERTIME COMPENSATION OF CERTAIN OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY".**

Lynda Wells, Municipal Clerk explained this ordinance sets the salaries for the titles created in ordinance 11-34C, Carpenter and Carpenter's Helper.

Motion to approve Ordinance 11-35 on First Reading:

Motion: KNARRE Ayes: KNARRE, BAYARD, MANCINI

Second: BAYARD Nays:

6. First Reading Ordinance 11-36C: **AN ORDINANCE AMENDING AN ORDINANCE ENTITLED, "CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, (1997)" AS THE SAME IN CHAPTER 168 PERTAINS TO SOLID WASTE**

Lynda Wells, Municipal Clerk explained this would set the collection hours for solid waste or recyclable materials by private haulers to comply with the Department of Environmental Protection tariff when applicable.

Motion to approve Ordinance 11-36C on First Reading:

Motion: KNARRE Ayes: KNARRE, BAYARD, MANCINI

Second: BAYARD Nays:

7. First Reading Ordinance 11-37C: **AN ORDINANCE AMENDING AN ORDINANCE ENTITLED, "CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, (1997)" AS THE SAME IN CHAPTER 82 PERTAINS TO FEES**

Lynda Wells, Municipal Clerk explained this would set the fee for special reasons (use) variances at \$500.00.

Motion to approve Ordinance 11-37C on First Reading:

Motion: KNARRE Ayes: KNARRE, BAYARD, MANCINI

Second: BAYARD Nays:

8. First Reading Ordinance 11-38C: **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 68 PERTAINS TO STORAGE OF BUILDING MATERIALS**

Lynda Wells, Municipal Clerk explained this ordinance would add a new sub-section providing that construction debris receptacles must be removed from a construction site prior to a predicted natural disaster.

Motion to approve Ordinance 11-38C on First Reading:

Motion: KNARRE Ayes: KNARRE, BAYARD, MANCINI

Second: BAYARD Nays:

9. First Reading Ordinance 11-39C: **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 105 PERTAINS TO HEALTH AND WELFARE**

Lynda Wells, Municipal Clerk explained this would add a new section to provide that suitable, portable toilet facilities must be provided for workers at construction sites.

Motion to approve Ordinance 11-39C on First Reading:

Motion: KNARRE Ayes: KNARRE, BAYARD, MANCINI

Second: BAYARD Nays:

10. First Reading Ordinance 11-40C: **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 64 PERTAINS TO BUILDING CONSTRUCTION**

Lynda Wells, Municipal Clerk explained this would add a new sub-section that would require portable toilet facilities must be properly anchored, or removed at least 24 hours PRIOR to a predicted natural disaster.

Motion to approve Ordinance 11-40C on First Reading:

Motion: KNARRE Ayes: KNARRE, BAYARD, MANCINI

Second: BAYARD Nays:

11. First Reading Ordinance 11-41: **AN ORDINANCE VACATING A CERTAIN UNNAMED ALLEYWAY LOCATED IN BLOCK 7.26 AS SHOWN ON THE TAX ASSESSMENT MAP OF THE TOWNSHIP OF LONG BEACH, SAID ALLEYWAY BEING BOUNDED ON THE SOUTHWEST BY THE NORTHEASTERLY SIDELINE OF INDIANA AVENUE AND ON THE NORTHEAST BY THE SOUTHWESTERLY SIDELINE OF OHIO AVENUE.**

Lynda Wells, Municipal Clerk explained that this ordinance would vacate the unnamed alleyway in Beach Haven Terrace, located in Block 7.26 between Indiana and Ohio Avenues.

Motion to approve Ordinance 11-41 on First Reading:

Motion: KNARRE Ayes: KNARRE, BAYARD, MANCINI

Second: BAYARD Nays:

**ADOPTIONS AND APPROVALS**

12. Resolution 11-0909.01: Authorize various traffic regulations:  
Red Cross Rock 'n Ride on September 11<sup>th</sup>

Lynda Wells, Municipal Clerk explained that bicyclists would travel through the northern sections of Long Beach Township.

L.B.I. Annual Triathlon/Duathlon on Sept. 18<sup>th</sup>

Lynda Wells, Municipal Clerk explained this would take place between 68<sup>th</sup> and 114<sup>th</sup> Streets from 6 to 10 am.

**RESOLUTION 11-0909.01**

**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 11<sup>th</sup>, 2011 commencing at 8:00 am to 2:00 pm.
- Triathlon/Duathlon:  
Allow the DQ Events Triathlon / Duathlon to take place from 68<sup>th</sup> Street to 114<sup>th</sup> Street in Long Beach Township between 6:00 am and 10:00 am on September 18, 2011.

13. Resolution 11-0909.02: Approve personnel actions

**RESOLUTION 11-0909.02**

**BE IT RESOLVED** that the Board of Commissioners of the Township of Long Beach: Acknowledge the continuation of a paid FMLA/FLA leave for EH effective retro-active to August 13, 2011 with a donation of 336 hours of time from various employees as per schedule A. Approve a paid FMLA/FLA leave for HR effective retro-active to August 19, 2011.

**POLICE**

Appoint the following as a Seasonal Class II Special Law Enforcement Officer at a rate of \$16.00 per hour to be paid from the Police Salary & Wage effective September 10, 2011.

William Gee

Approve a stipend for Patrolman Justin Hoffman for receiving his EMT Certification in accordance with the holdover of the 2010 PBA contract. Annual amount of \$1070.00 shall be pro-rated from the effective date of August 19, 2011 thru December 31, 2011.

**PUBLIC WORKS**

Change Edward Freiberg's title to Mechanic's Helper with a base salary increase to \$33,000.00 effective September 10, 2011.

Approve the increase to Ian Holden's base salary to \$33,000.00 effective September 10, 2011.

Approve the increase to Mark Heslin's base salary to \$33,000.00 effective September 10, 2011.

Accept the general resignation tendered by Daniel Thurston as an Equipment Operator effective retro-active to July 19, 2011.

Motion to approve Items 12 and 13:

Motion: KNARRE Ayes: KNARRE, BAYARD, MANCINI

Second: BAYARD Nays:

**LICENSES AND PERMITS**

14. Resolution 11-0909.03: Approve the tattoo license renewal for Amour, LLC at 6115 Long Beach Blvd.

**RESOLUTION 11-0909.03**

**WHEREAS**, Kristen Boulware, t/a Amour, LLC located at 6115 Long Beach Blvd., North Beach Haven, New Jersey in the Township of Long Beach, was approved a license to operate a permanent cosmetic (tattoo) salon as defined in the Revised General Code of the Township of Long Beach 1997 Chapter 58 of the Township of Long Beach pursuant to Resolution 10-0723.08; and

**WHEREAS**, Amour, LLC has satisfied all provisions of Chapter 58 and has received the approval of the Long Beach Island Board of Health and the Long Beach Township Police Department to renew said license for the year 2011; and

**WHEREAS**, the Board of Commissioners of the Township of Long Beach is not aware of any circumstances or provisions of law which prohibit the granting of said license.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Township of Long Beach that the above detailed license, LBTT 11-02, be and hereby is granted for a period of one year, effective September 1, 2011 through August 31, 2012.

Motion to approve Item 14:

Motion: KNARRE Ayes: KNARRE, BAYARD, MANCINI

Second: BAYARD Nays:

**CONTRACTS AND AWARDS**

15. Resolution 11-0909.04: Approve the one-year extension of a contract, by  
option: Municipal Code Inspections: 3<sup>rd</sup> Party

Inspections for Fire, Plumbing and Electrical sub-code services

Lynda Wells, Municipal Clerk explained that Township also had a shared service with Barnegat Light and Ship Bottom

**RESOLUTION 11-0909.04**

**A RESOLUTION EXTENDING BY OPTION A CONTRACT FOR THIRD PARTY ELECTRIC, PLUMBING, AND FIRE SUBCODE / INSPECTION SERVICES FOR THE TOWNSHIP OF LONG BEACH**

**WHEREAS**, pursuant to Resolution 10-0924.07, the Township of Long Beach awarded a contract to Municipal Code Inspection, Inc. (MCI) for third party sub-code / inspection services for electric, plumbing, & fire resulting from a public bidding process; and

**WHEREAS**, the bid specifications, and therefore the executed contract, contained an option to extend said contract for a second year upon the mutual agreement of Long Beach Township and MCI, Inc.; and

**WHEREAS**, it is in the opinion of the Board of Commissioners of the Township that the services provided by MCI, Inc. have been most satisfactory and therefore desires to exercise the option to extend the contract for the period of October 1<sup>st</sup> 2011 through September 30<sup>th</sup> 2012 and MCI, Inc. has agreed to continue its services; and

**WHEREAS**, pursuant to Resolution 10-0820.08, Long Beach Township acting as Lead Agency entered into Shared Services Agreements with the municipalities of Ship Bottom and Barnegat Light for third party sub-code / inspection services for electric, plumbing, & fire provided by Municipal Code Inspection, Inc. (MCI) as per the bid specifications and executed contract; and

**WHEREAS**, the municipalities of Ship Bottom and Barnegat Light have agreed to continue the Shared Service for third party sub-code / inspection services for electric, plumbing, & fire provided by Municipal Code Inspection, Inc. (MCI) as per the option to extend effective October 1, 2011 through September 30, 2012; and

**WHEREAS**, this resolution shall be deemed to be the extension to the contract awarded pursuant to Resolution 10-0924.07 passed on September 24<sup>th</sup> 2010 and shall serve as the written contract extension.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Township of Long Beach this 9<sup>th</sup> day of September 2011, that for the reasons aforesaid, the contract with Municipal Code Inspection, Inc., 40 Jones Lane, Sicklerville, NJ 08081 be and is hereby extended for one additional year as per the option contained in the original contract; and

**BE IT FURTHER RESOLVED**, that MCI, Inc. shall continue to provide inspection services to the Boroughs of Ship Bottom and Barnegat Light as part of a Shared Service Agreement with Long Beach Township; payment made by those Boroughs shall be made directly to MCI, Inc. at the identical rates and fees as those of Long Beach Township.

Resolution 11-0909.:05 Approve the purchase of (1) Buyers Stainless Steel Box Spreader, per quote: H.A. DeHart & Son \$4,430.00

**RESOLUTION 11-0909.05**

**RESOLUTION AUTHORIZING THE PURCHASE OF ONE (1) A SALT SPREADER FOR THE LONG BEACH TOWNSHIP PUBLIC WORKS DEPARTMENT, PER QUOTATION**

**WHEREAS**, the Township of Long Beach has solicited quotations for the purchase of one (1) 1.8 yard, 304 Stainless Steel Spreader with Top Screens, Inverted V, Hold-down Kit, Cab Mounted Controls and On/off with Electric Throttle; and

**WHEREAS**, in response to the solicitation of quotations, the following two (2) businesses were contacted and the following quotations were received as noted:

- IM Supplies \$4,695.00 8/22/11
- H.A. DeHart & Son \$4,430.00 8/31/11

**WHEREAS**, it is in the opinion of the Board of Commissioners of the Township of Long Beach that the lowest qualified quote be accepted for same; and

**WHEREAS**, H.A. DeHart & Son gave the lowest qualified quotation pursuant to the specifications; and

**WHEREAS**, the Chief Financial Officer has certified that sufficient funds are available in the appropriation created by Ordinance 10-27: Authorizing the Acquisition of a Salt Spreader, account #C-04-55-987-901.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Township of Long Beach this 9<sup>th</sup> day of September 2011, for the reasons aforesaid, that a purchase order be and is hereby authorized for issuance to:

H.A. DeHart & Son  
311 Crown Point Road  
Thorofare, NJ 08086

for the purchase of one (1) 1.8 yard, 304 Stainless Steel Spreader with Top Screens, Inverted V, Hold-down Kit, Cab Mounted Controls and On/off with Electric Throttle for the Long Beach Township Public Works Department in an amount not to exceed Four Thousand Four Hundred Thirty Dollars (\$4,430.00) as per their quotation dated August 31<sup>st</sup> 2011.

16. Resolution 11-0909.06(a&b)

(a) Approve the purchase of various goods & services from  
Quality Goodyear Tire & Muffler: Tires, per state contract:  
\$553.96

(b) Repairs, per quote: \$1,153.80

**RESOLUTION 11-0909.06(a)**

**RESOLUTION AUTHORIZING THE REPAIRS TO VARIOUS MUNICIPAL  
VEHICLES, PER QUOTATION**

**WHEREAS**, the Township of Long Beach has solicited quotations for the repairs of various municipal vehicles; and

**WHEREAS**, in response to the solicitation of quotations, the following three (3) businesses were contacted and the following quotations were received as noted:

- Causeway Family of Dealerships \$101.04/hr for Labor 8/17/11
- Gateway Toyota \$107.00/hr for Labor 8/16/11
- Quality Tire & Muffler \$94.00/hr for Labor 8/19/11

**WHEREAS**, it is in the opinion of the Board of Commissioners of the Township of Long Beach that the lowest qualified quote be accepted for same; and

**WHEREAS**, Quality Tire & Muffler gave the lowest qualified quotation pursuant to the specifications.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Township of Long Beach this 9<sup>th</sup> day of September 2011, for the reasons aforesaid, that a purchase order be and is hereby authorized for issuance to:

Quality Tire & Muffler  
609 Highway 72  
Manahawkin, NJ 08050

for repairs to various municipal vehicles in an amount not to meet or exceed the bid threshold of Thirty Six Thousand Dollars (\$36,000.00), at the labor rate of \$94.00/hour as per the quote dated August 19<sup>th</sup>, 2011

**RESOLUTION 11-0909.06(b)**

**AUTHORIZE THE PURCHASE VARIOUS TIRES FOR  
THE LONG BEACH TOWNSHIP BEACH PATROL, 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**, Quality Goodyear Tire & Muffler, 609 Highway 72 Manahawkin, NJ 08050 has been awarded New Jersey State Contract No. 71689 (T-0123) for Tires and Tubes effective June 9, 2008 to April 8, 2012; and

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

**WHEREAS**, the actual cost for the purchase of various tires shall not exceed Five Hundred Fifty Three Dollars and Ninety Six Cents (\$553.96).

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Commissioners of the Township of Long Beach authorizes the issuance of a purchase order to Quality Goodyear Tire & Muffler, 609 Highway 72, Manahawkin, NJ 08050 for the purchase of various tires for the Long Beach Township Beach Patrol Department in an amount not to exceed Five Hundred Fifty Three Dollars and Ninety Six Cents (\$553.96);

Motion to approve Items 15 thru 17:

Motion: KNARRE Ayes: KNARRE, BAYARD, MANCINI

Second: BAYARD Nays:

**FINANCIAL APPROVALS**

17. Resolution 11-0909.07: Approve a Chapter 159:

2012 "966" Reimbursement \$9,298.00

Lynda Wells, Municipal Clerk explained that grant monies would be utilized by the Office of Emergency Management. **RESOLUTION 11-0909.07**

**RESOLUTION OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY,  
AUTHORIZING AN AMENDMENT TO THE 2011 BUDGET TO ALLOW FOR THE INSERTION OF A  
SPECIAL ITEM OF REVENUE AND APPROPRIATION PURSUANT TO N.J.S.A. 40A:4-87 (CHAPTER 159)  
966 REIMBURSEMENT (2012)**

**WHEREAS**, N.J.S.A. 40A:4-87 provides that the Director of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof shall not have been determined at the time of the adoption of the budget; and

**WHEREAS**, N.J.S.A. 40A:4-87 further provides that the Director may approve the insertion of an appropriation item of an amount equal to any such special item of revenue making such item of revenue available for expenditure; and

**WHEREAS**, the New Jersey State Office of Emergency Management has approved a reimbursement in the amount of \$9,298.00; and

**WHEREAS**, it is the desire of the Board of Commissioners of the Township of Long Beach to amend the 2011 Municipal Budget to provide for the insertion of this reimbursement as a source of revenue and an expenditure appropriation.

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

1. That the Board of Commissioners does hereby authorize an amendment to the 2011 Municipal Budget to provide for the insertion of a Chapter 159 (N.J.S.A. 40A:4-87) Special Item of Revenue as follows:

**GENERAL REVENUES**

Miscellaneous revenues

Section F: Special Items of General Revenue anticipated with prior written consent of the Director of Local Government Services – public and private revenues offset with appropriations:

NJ State Office of Emergency Management: \$9,298.00

2. That the Board of Commissioners does hereby further authorize an appropriation of an equal sum under the caption of:

**GENERAL APPROPRIATION:**

(A) OPERATIONS – Excluded from CAPS:

Public and private programs offset by revenues:

966 Reimbursement (2012): \$9,298.00

3. That one certified copy of this resolution shall be forwarded to the Director of the Division of Local Government Services, with one copy to the Township Auditor and the Township Treasurer.

DATED: September 9, 2011

MOTION: Knarre

SECOND: Bayard

VOTE:

AYES: Knarre, Bayard, Mancini

18. Resolution 11-0909.08: Authorize the cancellation of appropriation balances

Lynda Wells, Municipal Clerk explained this pertained to un-expended balances between 2003 and 2010 in the amount of \$1,221,364.69. **RESOLUTION 11-0909.08**

**WHEREAS**, certain General Capital Improvement appropriation balances remain dedicated to projects now completed; and

**WHEREAS**, it is necessary to formally cancel said balances so that unexpended balances may be returned to each respective Capital Improvement Fund, credited to Surplus, or Reserve for Debt Service, and unused debt authorizations may be cancelled.

**NOW, THEREFORE BE IT RESOLVED**, by the Board of Commissioners of the Township of Long Beach that the following unexpended and dedicated balances of General Capital Appropriations be cancelled effective September 9, 2011:

| <b>ORDINANCE NO.</b> | <b>PROJECT DESCRIPTION</b>     | <b>AMOUNT CANCELLED</b> |
|----------------------|--------------------------------|-------------------------|
| 03-17                | Beach Repairs                  | \$ 131,637.37           |
| 05-26                | Beach Replenishment            | 153,718.00              |
| 07-07                | Drainage Project-Ocean Blvd    | 7,266.35                |
| 07-15                | Purchase Lifeguard Equip       | 7,659.24                |
| 08-14                | Acq of Bulldozer Undercarriage | 24,000.00               |
| 08-15                | Various Drainage Projects      | 12,620.16               |
| 08-18                | Acq of Generators              | 122,143.25              |
| 08-22                | Purchase Lifeguard Equip       | 10,327.28               |
| 09-17                | Reconst of Pacific Avenue      | 22,363.84               |
| 09-35                | Emergency Beach Repairs        | 637,023.12              |
| 10-16                | Resurface Roads (Sch C)        | 60,957.06               |
| 10-23                | Acq of 4 wheel drive Veh-PW    | 9,465.01                |
| 10-24                | Acq of Utl Body Truck          | 20,416.47               |
| 10-25                | Acq of Various Equip-PW        | 709.63                  |
| 10-26                | Acq of two 4-wheel drive veh   | 647.91                  |
| 10-39                | Site Remediation               | 410.00                  |
| <b>TOTAL</b>         |                                | <b>\$ 1,221,364.69</b>  |

19. Resolution 11-0909.09: Approve Bills & Payroll

Bills in the amount of: \$ 12,398,715.34

Payrolls in the amount of: \$ 574,730.70

**RESOLUTION 11-0909.09**

**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 \$574,730.70.

**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 \$12,398,715.34 be and the same are hereby authorized to be paid on September 9, 2011.

2. The said approved payroll amounting to the sum of \$ 574,730.70 be and the same are hereby authorized to be paid on 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 18 thru 20:

Motion: KNARRE

Ayes: KNARRE, BAYARD, MANCINI

Second: BAYARD

Nays:

#### COMMISSIONERS' REPORTS

**Commissioner Knarre** announced the Health Dept. was holding a Health Fair Sept. 10<sup>th</sup> at St. Francis. He also announced the flu clinics would be at various locations on Sept. 22<sup>nd</sup>, Sept. 29<sup>th</sup> and Oct. 6<sup>th</sup>.

**Commissioner Bayard** announced the receipt of \$28, 511.00 incentive grant for upgrades to the DPW facility and Beach Patrol. He also commended the DPW, Police Dept. and Beach Patrol for their hard work during Hurricane Irene

**Commissioner Bayard** also announced the damage at the refuge in Holgate had been repaired and thanked Stafford Township for the use of their street sweeper as ours was broken down.

**Mayor Mancini** made the following public announcement:

#### **The Long Beach Township 2011 Best Practices Checklist**

Governor Christie issued the 2011 Best Practices Checklist to all New Jersey municipalities. It is the second year of the Best Practices Initiative, which is a questionnaire that sets standards whereby local government officials can perform an assessment of various municipal financial operations. The 2011 checklist includes 50 questions in categories such as General and Financial Management, including budget preparation and disclosure, Health Insurance, Personnel, and Public Safety. Responses are due by September 9<sup>th</sup>.

Municipal governments must respond to each question, and need to meet an established percentage of the checklist items in order to receive their final state aid payment. Credit is given for all "Yes", "Prospective Implementation", and "Not Applicable" answers. The Board of Commissioners has reviewed the 2011 Best Practices Checklist submitted by the Chief Financial Officer. Based on Long Beach Township's completed questionnaire, the township shall receive all of its final state aid payment.

**Mayor Mancini** announced the next meeting of the Board of Commissioners would take place on Friday, September 23, 2011 at 4:00 p.m. at which time public hearings would be held for Ordinances 11-34C, 11-35, 11-36C, 11-37C, 11-38C, 11-39C, 11-40C and 11-41.

**Mayor Mancini** also announced the next regular meeting of the Land Use Board would be held on Wednesday, September 14<sup>th</sup> at 7:00 p.m. in the 2<sup>nd</sup> floor multi-purpose room.

**Mayor Mancini** also urged residents to register on the Township website for the Reverse 9-1-1 program and Nixle for notifications during emergencies or weather events. He also added the new ordinances introduced reflect issues that arose during preparations for Hurricane Irene.

**Mayor Mancini** reported that 9000 placards for re-entry to the island were mailed to homeowners at their official address in July 2010, only 30 being returned undeliverable. He announced that less than ¼ of 1% of at the residents were not equipped with the placards.

#### **OPEN PUBLIC SESSION**

**Carl Thulin**, Brant Beach commended the Police Dept. and everyone for their hard work during the storm.

**Bill Hutson**, Holgate commended the DPW who helped with the sand that was delivered in Holgate and for their work during the hurricane.

**Commissioner Bayard** complimented Mayor Mancini for his suggestion of the work done on the road to the refuge, it worked well.

**Joni Bakum**, Brant Beach thanked the Police Department Sgt. Mahon and Ptl. Bernhardt for their help with the family of a tragic incident at Bayview Park the past weekend. **Mayor Mancini** also sent his condolences to the family and friends.

#### **CLOSE PUBLIC SESSION**

Motion for adjournment at 4:30.

Motion: KNARRE

Ayes: KNARRE, BAYARD, MANCINI

Second: BAYARD

Nays:

---

Lynda J. Wells, RMC  
Municipal Clerk

---

Joseph H. Mancini, Mayor

---

Ralph H. Bayard, Commissioner

---

William P. Knarre, Commissioner