

**MINUTES**  
**REGULAR SESSION BOARD OF COMMISSIONERS SEPTEMBER 19, 2008**

**Flag Salute**

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

Clerk calls 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  
Richard J. Shackleton, Esq.

Municipal Clerk announces: 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 previous meeting and to approve the same as recorded in the minute book:

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

**AGENDA**

**ORDINANCES/PUBLIC HEARINGS**

Second Reading Ordinance 08-33C: **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 205-43 PERTAINS TO ZONING IN THE SPECIAL COMMERCIAL ZONE.**

**ORDINANCE 08-33C**

**AN ORDINANCE AMENDING AN ORDINANCE entitled, aCode of the Township of Long Beach, County of Ocean, State of New Jersey, (1997)@ as the same in Section 205-43 pertains to zoning in the special commercial zone.**

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

**STATEMENT OF PURPOSE**

This ordinance provides the required parking for motion picture theatres in the special commercial zone.

**SECTION I**

Section 205-43D is hereby amended by the addition of a new sub-paragraph, subparagraph (5):

**5. For any motion picture theatre or movie theatre one off street parking space shall be provided for each eight (8) seats in such theatre.**

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All Ordinances or parts of Ordinances inconsistent herewith are repealed to the extent of such inconsistency.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

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

Clerk Leonetti noted this was regarding theater parking  
Passed as on first reading at a regular meeting held on August 22, 2008 advertised in the BEACH HAVEN TIMES, issue of August 27, 2008.

OPEN PUBLIC HEARING  
CLOSE PUBLIC HEARING

Motion to adopt Ordinance 08-33C on Second Reading:  
Motion: Gove Ayes: Bayard, Gove, Mancini  
Second: Bayard Nays:

1. First Reading Ordinance 08-35C: **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 176 PERTAINS TO SUBDIVISION OF LAND.** Clerk Leonetti stated this affected sub-divisions in established neighborhoods

Motion to approve Ordinance 08-35C on First Reading:

Motion: Gove Ayes: Bayard, Gove, Mancini

Second: Bayard Nays:

2. Ordinance 08-36: **BOND ORDINANCE AUTHORIZING SUPPLEMENTAL FUNDING FOR THE RESURFACING OF NORTH OHIO AVENUE IN THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$50,000 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 \$47,500; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING.** Clerk Leonetti said the amount awarded by DOT was not sufficient

Motion to approve Ordinance 08-36 on First Reading:

Motion: Gove Ayes: Bayard, Gove, Mancini

Second: Bayard Nays:

3. First Reading Ordinance 08-37: **BOND ORDINANCE AUTHORIZING SUPPLEMENTAL FUNDING FOR IMPROVEMENTS TO THE BEACH HAVEN TERRACE DETENTION BASIN IN THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$100,000 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 \$95,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING-** Clerk Leonetti noted the estimate projected by the Water/Sewer Dept. was low

Motion to approve Ordinance 08-37 on First Reading:

Motion: Gove Ayes: Bayard, Gove, Mancini

Second: Bayard Nays:

#### **ADOPTIONS & APPROVALS**

4. Resolution 08-0919.01: Approve an increase to the Long Beach Township Health Benefits "Opt-out" Incentive – Clerk Leonetti said Township employees who choose to obtain their healthcare benefits through other sources, shall be eligible to receive compensation in the amount of 40% of their annual premium, increased from 25% previously.

#### **RESOLUTION 08-0919.01**

#### **RESOLUTION REGARDING HEALTH CARE AND FINANCIAL INCENTIVE TO LONG BEACH TOWNSHIP EMPLOYEES**

**WHEREAS**, Resolution 08-0208.16 and amending Resolution 08-0222.03, passed by the Board of Commissioners of the Township of Long Beach on February 8<sup>th</sup> and 22<sup>nd</sup> 2008 respectively, provided Township employees a healthcare incentive program; and

**WHEREAS**, the healthcare incentive program permitted any employee who accepts the incentive and secures healthcare through sources other than Long Beach Township, to be eligible to receive compensation in the amount of 25% of the annual cost for the healthcare coverage for such employee to be paid with the employee's last salary period check in December of each year; and

**WHEREAS**, the Board of Commissioners of the Township of Long Beach has determined, after extensive review, that the healthcare incentive package made by way of a compensation package offered to Township employees who choose to obtain their healthcare benefits through other sources, shall be eligible to receive compensation in the amount of 40% of the annual cost for the healthcare coverage.

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Commissioners of the Township of Long Beach at a regular meeting held Friday, September 19, 2008 that eligible employees shall receive compensation in the amount of 40% of their annual cost for the healthcare coverage.

6. Resolution 08-0919.04: Approve personnel actions – Clerk Leonetti noted this included acknowledging the end of an intermittent paid family leave of absence in the Finance Dept.; also in the Police Dept., approval of a PFRS Special Retirement and a resignation.

#### **RESOLUTION 08-0919.04**

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

#### **FINANCE**



able to provide the necessary furniture components and supplies in the amount not to exceed One Thousand Four Hundred Eighty Six Dollars Twenty Cents (\$1,486.20); and

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

**WHEREAS**, the Chief Financial Officer has certified that sufficient funds are available in Ordinance 07-04.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of Township of Long Beach that Kimball International Marketing Incorporated be awarded a contract for the purchase of office supplies, furniture, and interior design for various offices in the amount not to exceed One Thousand Four Hundred Eighty Six Dollars (\$1,486.20).

**RESOLUTION 08-0919.03(b)**

**RESOLUTION AUTHORIZING THE PURCHASE FURNITURE COMPONENTS AND SUPPLIES FOR VARIOUS OFFICES IN THE TOWNSHIP OF LONG BEACH, PER STATE CONTRACT**

**WHEREAS**, the Township of Long Beach wishes to purchases 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 unit is authorized by the Local Public Contracts Law, N.J.S.A. 40A: 11-12; and

**WHEREAS**, Global Industries Incorporated, 17 West Stow Road, Marlton, NJ 08053 has been awarded New Jersey State Contract No. 69980 for Furniture, Office & Lounge Non-Modular & Files for the Period of October 1, 2007 to September 30, 2010 and is able to provide the necessary furniture components and supplies in the amount not to exceed Nineteen Thousand One Hundred Forty Nine Dollars Ninety Cents (\$19,149.90); and

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

**WHEREAS**, the Chief Financial Officer has certified that sufficient funds are available in Ordinance 07-04.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of Township of Long Beach that Global Industries Incorporated be awarded a contract for the purchase of office supplies, furniture, and interior design for various offices in the amount not to exceed Nineteen Thousand One Hundred Forty Nine Dollars Ninety Cents (\$19,149.90).

**RESOLUTION 08-0919.03(c)**

**RESOLUTION AUTHORIZING THE PURCHASE AND INSTALLATION OF CARPET AND PADDING FOR VARIOUS OFFICES IN THE TOWNSHIP OF LONG BEACH, PER STATE CONTRACT**

**WHEREAS**, the Township of Long Beach wishes to purchases 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 unit is authorized by the Local Public Contracts Law, N.J.S.A. 40A: 11-12; and

**WHEREAS**, Frank Mazza & Son, 3339 White Horse Pike, Hammonton, NJ 08037 has been awarded New Jersey State Contract No. 65748 for Carpet & Padding Supplies & Installation for the Period of July 1, 2006 to December 31, 2008 and is able to provide the necessary carpet, padding and installation in an amount not to exceed Four Thousand Nine Hundred Sixteen Dollars and Fourteen Cents (\$4,916.14); and

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

**WHEREAS**, the Chief Financial Officer has certified that sufficient funds are available in Ordinance 07-04.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of Township of Long Beach that Frank Mazza & Son be awarded a contract for the purchase and installation of carpet and padding for various offices in an amount not to exceed Four Thousand Nine Hundred Sixteen Dollars and Fourteen Cents (\$4,916.14).

9. Resolution 08-0919.05: Award a contract for the purchase of fireproof filing cabinets, per quote:

Officetronics: (2) fireproof filing cabinets: \$4,998.00

**RESOLUTION 08-0919.05**

RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR THE PURCHASE TWO (2) FIREKING THREE-DRAWER FIREPROOF FILE CABINETS FOR THE MUNICIPAL CLERKS OFFICE OF THE TOWNSHIP OF LONG BEACH, PER QUOTATION

**WHEREAS**, the Township of Long Beach has solicited quotes for the purchase of two (2) FireKing Three-Drawer Fireproof File Cabinets for the Municipal Clerks Office; and

**WHEREAS**, in response to the solicitation of quotations, two (2) quotes were received; and

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

**WHEREAS**, Officetronics Incorporated gave the lowest qualified quote.

**WHEREAS**, the Chief Financial Officer has certified that sufficient funds are available in Ordinance 07-04.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Township of Long Beach this 19<sup>th</sup> day of September 2008, for the reasons aforesaid, that a contract be and is hereby awarded to:

Officetronics  
715 E. Gardena Blvd  
Gardena, CA 90248

for the purchase of two (2) FireKing Three-Drawer Fireproof File Cabinets for the Municipal Clerk's Office in an amount not to exceed Four Thousand Nine Hundred Ninety Eight Dollars (\$4,998.00) as per the quote received September 18, 2008.

10. Resolution 08-0919.06: Approve an Interlocal Agreement for the occasional Supply of water between the Borough of Ship Bottom and Township of Long Beach – Clerk Leonetti explained that the DEP has requested this long-standing agreement be formalized as a written and executed document. The Interconnect Valve is opened when needed.

**RESOLUTION 08-0919.06**

**WHEREAS**, the Township of Long Beach (Township) and the Borough of Ship Bottom (Borough) have enjoyed an arrangement whereby the Township and the Borough supply each other with all potable water needed by either upon request during general maintenance, emergencies, and the like, without cost; and

**WHEREAS**, the New Jersey Department of Environmental Protection and related State Agencies require that such arrangements be committed to a formal written agreement and appropriate resolution; and

**WHEREAS**, it is deemed to be in the best interest of the Township to enter into such Interlocal Agreement.

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Commissioners of the Township of Long Beach at a regular meeting held Friday, September 19, 2008 that the Township and Borough shall enter into an Interlocal Agreement for the supply of potable water effective for a term of one (1) year, renewable automatically each year thereafter, with either party retaining the authority to terminate said Interlocal Agreement with ninety (90) day written notice to the other party.

Motion to approve Items 7 & 10:  
Mayor reiterated that Items 8 & 9 were temporarily tabled  
Motion: Gove                      Ayes: Bayard, Gove, Mancini  
Second: Bayard                      Nays:

**FINANCIAL APPROVALS**

11. Resolution 08-0919.07: Authorize a refund to a tax account

**RESOLUTION 08-0919.07**

**A RESOLUTION AUTHORIZING REIMBURSEMENT OF EXCESS REAL ESTATE TAXES PAID**

**WHEREAS**, due to various reasons, an overpayment has been made on the following account;  
and

**WHEREAS**, as a result of this payment the property owner is due reimbursement for the taxes paid as set forth below:

Block / Lot	Reason	Name	Amount
1.48 / 9	OVERPAYMENT	Kjeldsen, Abigail	\$5,000.00

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Commissioners of the Township of Long Beach, County of Ocean and State of New Jersey that the overpayment as set forth above in the amount of \$5,000.00 shall be reimbursed and the Tax Collector is directed to make the appropriate adjustment to the records.

12. Resolution 08-0919.08: Approve a Chapter 159:  
Tobacco Age of Sale Enforcement: \$600.00  
RESOLUTION 08-0919.08

RESOLUTION OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING AN AMENDMENT TO THE 2007 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)  
COMPREHENSIVE TOBACCO CONTROL.

**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 State of New Jersey has approved a grant in the amount of \$600.00; and

**WHEREAS**, it is the desire of the Township of Long Beach to amend the 2008 Municipal Budget to provide for the insertion of this donation 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 do hereby authorize an amendment to the 2008 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 revenue offset with appropriations:  
COMPREHENSIVE TOBACCO CONTROL      \$600.00
2. That the Board of Commissioners do 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:  
COMPREHENSIVE TOBACCO CONTROL      \$600.00

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.

13. Resolution 08-0919. 09: Approve acceptance of a Performance Bond:  
LUB 8-06-P-F: Blk.10.10, Lots 1,11 & 12  
RESOLUTION 08-0919.09

**WHEREAS**, the Township of Long Beach has received from John P. Brennan Cashier's Check #805-06024 dated September 18, 2008 in the amount of One Hundred One Thousand Eight Hundred Seventy-Six Dollars (\$101,876.00) drawn on Commerce Bank, as the required Performance Bond for Major Site Plan #LUB-8-06-P-F, Block 10.10, Lots 1,11 & 12 (11801 Long Beach Blvd., Haven Beach, NJ).

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Commissioners of the Township of Long Beach accepts this bond as per its Municipal Land Use Ordinance and as recommended by the Municipal Engineer.

14. Resolution 08-0919.10:            Approve Bills & Payroll  
   Bills in the amount of:    \$374,608.42  
   Payrolls in the amount of:\$358,261.64

**RESOLUTION 08-0919.10**

**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 \$358,261.64.

**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 \$374,608.42 be and the same are hereby authorized to be paid on September 19, 2008.
2. The said approved payroll amounting to the sum of \$358,261.64 be and the same are hereby authorized to be paid on September 19, 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 11 - 14:

Motion: Gove                            Ayes: Bayard, Gove, Mancini

Second: Bayard                        Nays:

**Mayor Mancini** states the Tax Collector's Reports for the months of July and August 2008 are on file in the Municipal Clerk's Office.

**COMMISSIONERS' REPORTS**

Commissioner Bayard: The Commissioner said the Recycling Report is available from the 2008 summer season and gave the statistics. He added that next year we'll double the number of receptacles. A tonnage grant was received in the amount of \$4,416.00 for the previous year. The Public Works Dept. is pushing sand up to the dunes to restore them and will re-install dune fence next. Dune grass will be available to home-Owners in October.

Commissioner Gove: Ms. Gove noted that she is working to enable tax and water/sewer payments to be paid online.

Mayor Mancini announced the date for the second readings of the various Ordinances as well as the date, time & place for the next LUB meeting. He also noted that the Flag Drop Box has been a success and thanked the organization who installed it. He said the Police Dept. is looking for volunteers for the Domestic Violence Task Force. He also reminded all that on Sunday, Sept. 28<sup>th</sup> the Triathlon would take place in Beach Haven and the Township. He also mentioned that on Saturday, Oct. 4<sup>th</sup>, the Beach Haven Volunteer Fire Company would hold a parade and celebration in honor of their 125<sup>th</sup> Anniversary. He noted that during that festivity and for Chowderfest on 10/5 the LBT Emergency Mgt. Bus would be used to pick up Twp. residents to shuttle them to Beach Haven. This would be a free service to accommodate people in the Twp. & alleviate the parking issues in Beach Haven.

**OPEN PUBLIC SESSION  
CLOSE PUBLIC SESSION**

Dick Jeffries, Beach Haven Terrace asked how he could provide a quotation for new carpeting? The Mayor and Twp. Clerk explained that in this instance a State Contract was used for the purchase negating the need for any quotes.

Pat Kaletkowski, Brant Beach asked for the process used for a town to purchase open space? She hoped the Twp. would use any & all opportunities that present themselves. Mayor Mancini said he would look into the process and costs involved.

He did note that he believed it would mean a raise in the tax rate with matching funds from the County.

Bill Kunz, Brant Beach was concerned with employee insurance costs to the taxpayers. He asked that the Board report back to the taxpayers on their progress in finding less expensive coverage. Commissioner Gove replied that she would take his ideas and suggestions under consideration.

Patrick Moeller, Beach Haven Park asked for an explanation of the Opt-out Program. The Mayor said it encourages employees to utilize other coverage available to them saving the Twp. 60% of their annual premium. Commissioner Gove pointed out that the opportunity for this occurs with the open enrollment period in October and the higher percentage makes it more attractive.

Motion for adjournment at: 4:28 p.m.

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

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Bonnie M. Leonetti, RMC, CMC  
Municipal Clerk

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Joseph H. Mancini, Mayor

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DiAnne C. Gove, Comm.

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Ralph H. Bayard, Comm.