

**MINUTES**  
**BOARD OF COMMISSIONERS SEPTEMBER 24, 2010**  
**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: Bonnie M. Leonetti, Municipal Clerk, Administrator  
Lynda J. Wells, Deputy Municipal Clerk

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

Motion: To dispense with the reading of the minutes of the meeting of September 10, 2010 and to approve the same as recorded in the minute book:

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

**AGENDA**

**ORDINANCES/PUBLIC HEARINGS**

1. First Reading Ordinance 10-46C: **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 12 PERTAINS TO THE DRUG-FREE WORKPLACE POLICY**

**Bonnie M. Leonetti, Municipal Clerk, Administrator** noted there had been updates to the testing procedures established by the Federal Department of Transportation (%DOT+).

Motion to approve Ordinance 10-46C on First Reading:

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

2. First Reading Ordinance 10-47C: **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 PERTAINS TO ZONING**

**Bonnie M. Leonetti, Municipal Clerk, Administrator** explained the ordinance addressed amendments to Chapter 205 in the Code regarding mixed use, and also the posting of various signs as related to easements.

Motion to approve Ordinance 10-47C on First Reading:

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

3. First Reading Ordinance 10-48C: **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 189-5 PERTAINS TO PARKING**

**Bonnie M. Leonetti, Municipal Clerk, Administrator** stated this ordinance provided that prohibitions regarding parking could be set forth by resolution of the Governing Body.

Motion to approve Ordinance 10-48C on First Reading:

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

**ADOPTIONS AND APPROVALS**

4. Resolution 10-0924.01: Approve special event:  
Ellen Moran %Save the Girls+Bike Tour on October 16<sup>th</sup> 2010

**Bonnie M. Leonetti, Municipal Clerk, Administrator** advised this charity bike ride would raise money for breast cancer research.

**RESOLUTION 10-0924.01**

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

- **The 1<sup>st</sup> Annual Ellen Moran %Save the Girls+Tour of LBI:**  
Approve a charity bike tour in the Township of Long Beach on October 16, 2010 from 8:00a.m to 3:00p.m.
5. Resolution 10-0924.02: Authorize traffic regulations:  
LBI Garden Club meetings: suspend parking regulations on Beach Ave. in the vicinity of the 1<sup>st</sup> United Methodist Church  
In Beach Haven Terrace: 10/14/10, 11/11/10, 1/13/11, 2/10/11, 3/10/11, and 4/14/11

**RESOLUTION 10-0924.02**

**WHEREAS**, the Terrace First United Methodist Church has approved the use of their building for scheduled meetings of the Garden Club of Long Beach Island, wherein temporary conditions will exist causing the need to suspend the no parking regulations on Beach Avenue in the area of New Jersey and Indiana Avenues on the following dates:

- Thursday, October 14, 2010
- Thursday, November 11, 2010
- Thursday, January 13, 2010
- Thursday, February 10, 2010
- Thursday, March 10, 2010
- Thursday, April 14, 2010

**RESOLVED** that the Board of Commissioners of the Township of Long Beach be and she is hereby authorized to make these changes on for the above cited temporary parking allowances as

6. Resolution 10-0924.03: Authorize various changes to Water Accounts

**RESOLUTION 10-0924.03**

**WHEREAS**, the following Water 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:

<b>Blk:</b>	<b>Lot:</b>	<b>Acct:</b>	<b>Year:</b>	<b>Cancel/Change</b>	<b>Amount:</b>
1.102	1.12	733-0 Water	2010	Refund Penalty/New Owners	\$7.79
15.70	5	5650-0 Water	2010	To Stand-by/Fire	127.00

**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.

7. Resolution 10-0924.04: Authorize action regarding property conditions as per The "Public Health Nuisance Code" :  
45B Long Beach Blvd

**Bonnie M. Leonetti, Municipal Clerk, Administrator** noted this permitted the closure of an abandoned pool in order to alleviate a safety concern.

**RESOLUTION 10-0924.04**

**RESOLUTION AUTHORIZING THE ABATEMENT OF A NUISANCE  
BLOCK 20.45, LOT 2**

**WHEREAS**, Long Beach Township Code §127-6 provides for the abatement of public health nuisances; and

**WHEREAS**, the Board of Health has taken the required actions to notify the property owner of an uncovered in-ground pool containing stagnant water not maintained in a clean, safe condition, and the area surrounding the pool not properly secured; and

**WHEREAS**, the Board of Health found the same to constitute a nuisance and safety issue; and

**WHEREAS**, the Township has attempted to make contact with the owner to correct the violation; and

**WHEREAS**, the owner has failed to remove the nuisance and the Township seeks to abate the continuing nuisance; and

**WHEREAS**, the Long Beach Township Code §127-6 and Section 8.3 of the Public Health Nuisance Code titled Abatement of Nuisances authorizes the Township of Long Beach to abate the same.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners at a regular scheduled meeting this 24th day of September, 2010 that pursuant to quote #7261 in the amount of \$251.34, Shoreline Pools, Inc., 513 Route 9, Barnegat, NJ 08005 is hereby authorized to perform the necessary maintenance for the abatement of the nuisance; and

**BE IT FURTHER RESOLVED** that any and all costs incurred by the Township of Long Beach abating the nuisance at 45B Long Beach Blvd, Loveladies (Block 20.45, Lot 2) may be placed as a lien against the property.

8. Resolution 10-0924.05: Authorize the Municipal Clerk to advertise for bids:

- Replace various water filters at the Beach Haven Terrace

**RESOLUTION 10-0924.05**

**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 advertise for bids and award a contract for the following:

- Replace various water filters at the Beach Haven Terrace Plant

Motion to approve Items 4 - 8:

Motion: Knarre

Ayes: Knarre, Bayard, Mancini

Second: Bayard

Nays:

**CONTRACTS AND AWARDS**

9. Resolution 10-0924.06: Authorize the purchase of various tires for the Public Works Department, per state contract:  
Edwards Tire Co.: NTE \$4,000.00

**RESOLUTION 10-0924.06**

**AUTHORIZE A CONTRACT FOR THE PURCHASE VARIOUS TIRES FOR THE LONG BEACH TOWNSHIP PUBLIC WORKS 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**, Edwards Tire Co., Inc, PO Box 704, Farmingdale, NJ 07727 has been awarded New Jersey State Contract No. 71689 (T-0123) for Tires and Tubes effective June 9, 2008 to April 8, 2011; and

**WHEREAS**, the Commissioner of Public 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 actual cost for the purchase of various tires shall not exceed Four Thousand Dollars (\$4,000.00); and

**WHEREAS**, the Chief Financial Officer has certified the availability of funds for this contract as an appropriation entitled Streets and Roads Other Expenses, Account #0-01-26-290-026.

OLVED by the Board of Commissioners of the Township of  
PO Box 704, Farmingdale, NJ 07727 be awarded a contract  
Public Works Department in an amount not to exceed Four

Thousand Dollars (\$4,000.00).

10. Resolution 10-0924.07: Award a contract to provide 3<sup>rd</sup> Party Inspection  
Services, per bid: MCI at 90% of the approved DCA fees  
Shared Service with Barnegat Light and Ship Bottom for  
Plumbing, Electrical, and Fire Sub-code inspections

**Bonnie M. Leonetti, Municipal Clerk, Administrator** stated this service would be shared between the  
Boroughs of Ship Bottom, Barnegat Light and Long Beach Township. The contract duration was one year  
with an option to extend for one year. The current contract represented a 5% increase over the prior  
contract.

#### **RESOLUTION 10-0924.07**

#### **A RESOLUTION AWARDING A CONTRACT FOR THIRD PARTY ELECTRIC, PLUMBING, AND FIRE SUBCODE INSPECTION SERVICES FOR THE TOWNSHIP OF LONG BEACH, PER BID**

**WHEREAS**, the Township of Long Beach has solicited bids for third party inspection services  
for electric, plumbing, & fire sub-codes; and

**WHEREAS**, the third party inspection services for electric, plumbing, & fire sub-codes have  
been approved as a Shared Service between the Township of Long Beach acting as Lead Agency and  
the Boroughs of Ship Bottom and Barnegat Light pursuant to Resolution 10-0820.08; and

**WHEREAS**, the Township received one qualified bid for same; and

**WHEREAS**, it is the opinion of the Board of Commissioners and the Township Purchasing  
Agent that the only bid, submitted by Municipal Code Inspection, Inc., be accepted as it has been  
deemed both responsive and responsible.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Township of  
Long Beach this 24<sup>th</sup> day of September 2010, for the reasons aforesaid, that a one-year contract, with a  
one-year option to extend upon written agreement of both parties, be and is hereby awarded to:

Municipal Code Inspection, Inc.

40 Jones Lane

Sicklerville, NJ 08081

who will be paid for their services at the rate of 90% of the fees established by Long Beach Township in  
Ordinance 10-42C for current inspections; the fee for inspection of existing open Ocean County permits  
outstanding as of 10/01/10 is \$36.00 / permit. Said rates were contained in the bid submitted on  
September 21, 2010 to provide inspection services for electric, plumbing, & fire sub-codes for the  
Township of Long Beach.

Motion to approve Items 9 - 10:

Motion: Knarre Ayes: Knarre, Bayard, Mancini

Second: Bayard Nays:

#### **FINANCIAL APPROVALS**

11. Resolution 10-0924.08: Approve a Dedication by Rider account

**Bonnie M. Leonetti, Municipal Clerk, Administrator** explained this would create a new account for the  
Finance Department.

#### **RESOLUTION 10-0924.08**

#### **Requesting approval of the Director of the Division of Local Government Services to Establish a Dedicated Trust by Rider for a Self Insurance Program Pursuant to N.J.S.A. 40A:10-1 et seq.**

**WHEREAS**, permission is required of the Director of Local Government Services for approval  
as a dedication by rider of revenues received by a municipality when the revenue is not subject to  
reasonable accurate estimates in advance; and

**WHEREAS**, N.J.S.A. 40A:10-1 et seq. allows municipalities to receive amounts for costs  
incurred for self insurance reserves from budget line items; and

**WHEREAS**, N.J.S.A. 40A:4-39 provides that the Director of the Division of Local Government  
Services may approve expenditures of monies by dedication by rider.

**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. The Board of Commissioners hereby request permission of the Director of Local Government  
Services to pay expenditures for Self Insurance Reserves for Administration of Claims  
Anticipated as per N.J.S.A. 40A:4-39.
2. The Municipal Clerk of the Township of Long Beach is hereby directed to forward two certified  
copies of this resolution to the Director of Local Government Services.

12. Resolution 10-0924.09: Authorize the release of a Performance Bond  
LUB 7-08: Blk. 7.25 Lot 1.01 \$17,052.50 plus interest

**Bonnie M. Leonetti, Municipal Clerk, Administrator** advised the application had been withdrawn by  
the owner.

#### **RESOLUTION 10-0924.09**

**WHEREAS**, pursuant to Resolution 08-1003.08 approved on October 3<sup>rd</sup> 2008, the Township of  
Long Beach accepted from Jerome & Donna Ryan, Cashier's Check No. 1352811 dated September 22,  
2008 in the amount of Seventeen Thousand Fifty Two Dollars and Fifty Cents (\$17,052.50) drawn on  
Bank of America, as the required Performance Bond for Sub-division #LUB-7-08, Block 7.25, Lot 1.01 (1  
East Indiana Avenue., Beach Haven Terrace); and

**WHEREAS**, the application for Sub-division #LUB-7-08 has been withdrawn by the property  
owners; and

tion has been filed and recorded in the office of the County 5, Lot 1.01.

**RESOLVED** that the Board of Commissioners of the Township of

Long Beach approves the return of this bond in the amount Seventeen Thousand Fifty Two Dollars and Fifty Cents (\$17,052.50) plus accrued interest as per its Municipal Land Use Ordinance and as recommended by the Municipal Engineer.

- 13. Resolution 10-0924.10: Approve Bills & Payroll
  - Bills in the amount of: \$393,549.07
  - Payrolls in the amount of: \$474,931.03

**RESOLUTION 10-0924.10**

**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 \$474,931.03.

**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 \$393,549.07 be and the same are hereby authorized to be paid on September 24, 2010.

2. The said approved payroll amounting to the sum of \$474,931.03 be and the same are hereby authorized to be paid on September 24, 2010.

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

Motion to approve Items 11 - 13:

Motion: Knarre Ayes: Knarre, Bayard, Mancini

Second: Bayard Nays:

**Mayor Mancini** abstained from the vote for his travel reimbursement voucher.

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

**COMMISSIONERS' REPORTS**

**Commissioner Knarre** announced the second town-wide yard sale would be held on Saturday, September 25<sup>th</sup> 2010; informational fliers were available in the meeting room and in the post office. He noted the various Flu Shot clinics and the dates and places they were to be held for the public. He added this information was also available on the Township website.

**Commissioner Bayard** had no comments.

**Mayor Mancini** announced the next meetings of the Board of Commissioners, the dates of the second readings and public hearings for Ordinances 10-46C, 10-47C, and 10-48C, and the next meeting of the Land Use Board. The Mayor provided information about various programs offered by the Police Department including the Vacant Home Registration and Take Back New Jersey. He cautioned the public to be mindful of the school buses and children at this time of year, and noted the annual Chowderfest would be held the weekend of October 2<sup>nd</sup> with public transportation available.

**OPEN PUBLIC SESSION**

No Comments

**CLOSE PUBLIC SESSION**

Motion for adjournment at: 4:15 p.m.

Motion: Knarre Ayes: Knarre, Bayard, Mancini

Second: Bayard Nays:

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

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Joseph H. Mancini, Mayor

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Ralph H. Bayard, Commissioner

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William P. Knarre, Commissioner