

MINUTES
REGULAR SESSION BOARD OF COMMISSIONERS OCTOBER 4, 2013
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 Joseph P. Lattanzi 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 and the ASBURY PARK PRESS on December 13th 2012; 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: Lattanzi Ayes: Lattanzi, Bayard, Mancini
Second: Bayard Nays:

AGENDA

PROCLAMATIONS Eagle Scout John Scot "Jake" Ellis, Jr.

PROCLAMATION
RECOGNIZING EAGLE SCOUT
John Scot "Jake" Ellis, Jr.

WHEREAS, achieving the status of Eagle Scout is among the highest honors one can earn in a lifetime; and

WHEREAS, the designation of Eagle Scout shows a dedication and loyalty to both the worldwide Boy Scout Organization and its ideals as well as all humankind in daily lifestyle choices; and

WHEREAS, years of effort and community service are the foundation of this prestigious award; and

WHEREAS, John Scot "Jake" Ellis, Jr. , as part of his service record, committed himself to the service project of developing a barcoded check in/out system, as well as a check in/out safety procedure manual for the junior sailors at the United States Optimist Dinghy Team Trials held at the Brant Beach Yacht Club.

NOW, THEREFORE BE IT PROCLAIMED by the Board of Commissioners of the Township of Long Beach that it recognizes and applauds John Scot "Jake" Ellis, Jr. on becoming an Eagle Scout and expresses its heartfelt appreciation for his successful community service project.

ORDINANCES & PUBLIC HEARINGS

1. Second Reading Ordinance 13-38C: **"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 SECTION 18-13.B. UPDATES THE CHECKLIST FOR USE IN LAND USE BOARD APPLICATION PROCEEDINGS**

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

STATEMENT OF PURPOSE

This Ordinance amends Section 18-13.B. of the Code of the Township of Long Beach and provides an updated Land Use Board Checklist for applicants.

SECTION I

Section 18-13.B. of an Ordinance entitled "CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY 1997" is hereby amended in the required checklist, 18 Attachment 1: Township of Long Beach Land Use Board Checklist, shall be updated as follows in Item 1 and Item 36:

In Item 1, delete "Clear, legible plat at a scale of not less than 1" = 60'" and replace in lieu thereof with "For Major and Minor Subdivisions and Site Plan Applications, a scale of not less than 1" = 30' for tracts up to five (5) acres or 1" = 50' for tracts greater than five (5) acres. For Variance Applications, a scale of not

less than 1" = 10' for lots 10,000 SF or less and 1" = 20' for lots greater than 10,000 SF."

In Item 36, delete "Applications for new construction or addition to buildings: provide 19 sets of building plans showing elevations and floor areas (including dimensions) for all floors." and replace in lieu thereof with "Applications for new construction or additions to buildings: provide 19 sets of building plans showing elevations and floor areas (including dimensions) for all floors. Building elevation to be provided for the full height of the building from grade to roof peak. Plan scale shall be a minimum of ¼" per foot. Building elevations shall be provided for all sides and shall be labeled North, South, East and West."

SECTION II

All ordinances or parts of ordinances in consistent herewith are hereby repealed to the extent of such inconsistency Section 3 if any word, phrase, clause, section or provision of the ordinance shall be found by any court of competent jurisdiction to be an enforceable, illegal or unconstitutional such word, phrase, clause, section or provision all be severable from the balance of the ordinance and the remainder of the ordinance shall remain in full force and effect.

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 only after publication thereof after final passage according to law.

Lynda Wells, Municipal Clerk explained "This ordinance provides an updated Land Use Board Checklist for applicants".

Passed on first reading at a regular meeting held on September 20, 2013 and advertised in the BEACH HAVEN TIMES issue of September 26, 2013.

OPEN PUBLIC HEARING

No comments.

CLOSE PUBLIC HEARING

Motion to adopt Ordinance 13-38C on Second Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

2. Second Reading Ordinance 13-39C: **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 CONCERNS HEALTH AND WELFARE, AUTHORIZING THE COMMISSIONER OF PUBLIC SAFETY TO ORDER MEASURES IN RESPONSE TO DECLARED EMERGENCIES**

STATEMENT OF PURPOSE

This ordinance creates Article III of Chapter 105. Article III provides definitions and outlines various responsibilities of the Commissioner of Public Safety, the Emergency Management Coordinator, and employees of the Township of Long Beach to ensure an efficient response to declared emergencies, as well as to preserve the health, welfare and safety of the public.

SECTION I

Article III is hereby added to Section 105 of an ordinance entitled, "Code of the Township of Long Beach, County of Ocean, State of New Jersey, 1997" as follows:

ARTICLE III

Emergency Management

SECTION II

§105-12. Findings.

- A. There exists in Long Beach Township a Department of Emergency

Management staffed by such employees as may be designated by the Commissioner of Public Affairs and Safety and/or by the Emergency Management Coordinator.

- B. The Commissioner of Public Affairs and Safety and the Emergency Management Coordinator are authorized to execute an Emergency Declaration when conditions affecting the public health, safety and welfare occur.
- C. Various temporary restrictions may be imposed upon the public during declared emergencies including, but not limited to evacuation, curfew, and the like, as conditions or circumstances dictate.
- D. Individuals, businesses, organizations, etc., in violation of the temporary restriction implemented due to an emergency or as a result of an Emergency Declaration shall be subject to fine.

SECTION III

§105-13. Purpose.

The Board of Commissioners of the Township of Long Beach has determined the need for the preparation, mitigation, training and recovery functions in the event of an emergency; the direction of the Emergency Management Organization; for the coordination of the emergency functions of this Township with other public agencies, corporations, organizations and affected private persons; and for compliance with the State-approved Emergency Operations Plan for, and adopted by, Long Beach Township.

SECTION IV

§105-14. Emergency Management Department.

- A. The Emergency Management Department is under the direction of the Commissioner of Public Affairs and Safety.
- B. The Commissioner of Public Affairs and Safety shall appoint the Emergency Management Coordinator to oversee and direct the preparation, mitigation, preparedness, recovery efforts and training pursuant to the Emergency Management Plan as well as the supervision of the Emergency Operations Center.
- C. The Commissioner of Public Affairs and Safety shall be responsible to oversee the development of the Emergency Operation Plan which shall provide for the effective mobilization of all of the resources for the Township, both public and private, to meet any condition constituting a local emergency, and shall provide for the organization, powers and duties, services and staffing of the emergency organization.

SECTION V

§105-15. Definitions.

- A. "Disaster" means an occurrence or imminent threat of widespread or sever damage, injury or loss of life or property resulting from, but not limited to any natural, technological or human-made cause, including fire, flood, earthquake, windstorm, wave-action, oil spill or other contamination, radioactive incident, epidemic, air contamination, blight, drought, infestation, explosion, or structure failure of a dune, jetty or bulkhead system, building or infrastructure, or other public calamity requiring emergency action.
- B. "State of Emergency" means a situation which involves an emergency or a disaster. Generally, a state of emergency is a declaration by governing officials that an emergency situation exists and that extraordinary measures are required to preserve the peace of safety for the public.

SECTION VI

§105-16. Declaration and Ratification of an Emergency.

- A. The emergency declaration shall be in the form of "Proclamation of Local Disaster Emergency" and shall be executed by the Mayor/Commissioner of Public Affairs and Safety and by the

Emergency Management Coordinator.

- B. The Proclamation of Local Disaster Emergency may also authorize additional specific emergency measures effective for the duration of the emergency period.

SECTION VII

§105-17. Powers and duties of the Commissioner of Public Safety.

The Commissioner of Public Safety is empowered to:

- A. Request the Governor, in coordination with the counties and appropriate state agencies, to proclaim a Local Disaster Emergency when, in the opinion of the Commissioner of Public Affairs and Safety, the locally available resources are inadequate to cope with the emergency.
- B. Control and direct the effort of the Long Beach Township Emergency Management Department in order to accomplish the purposes of this chapter.
- C. Direct cooperation between and coordination of services and staff of the Emergency Management Department, and resolve questions of authority and responsibility that may arise between them.
- D. Represent Long Beach Township on matters pertaining to emergencies as defined in this chapter.
- E. In the event of the Proclamation of Local Disaster Emergency as provided in this section and declared by the Commissioner of Public Affairs and Safety and the Emergency Management Coordinator, the Commissioner of Public Affairs and Safety is empowered, to extent lawfully permissible:
 - 1. To make and issue rules and regulations on matters reasonably related to the protection of life and property as affected by such emergency;
 - 2. To obtain vital supplies, equipment, and such other properties found lacking and needed for the protection of life and property and to bind the Township for the fair value thereof, and, if required immediately, to commandeer the same for public use;
 - 3. To require emergency services of any Township officer or employee, and in the event of the Proclamation of Local Disaster Emergency, to enlist the aid of as many citizens of this community as he or she deems necessary in the execution of his or her duties. Such persons shall be entitled to all privileges, benefits and immunities as are provided by state law for registered emergency service workers;
 - 4. To direct necessary personnel or material of any Township department or agency;
 - 5. To encumber Township funds for emergency use and suspend standard procurement procedures in compliance with the Local Public Contracts Law;
 - 6. To establish a curfew which fixes the hours during which all persons, other than officially authorized personnel, may not be upon the public streets or other public places within the Township;
 - 7. To prohibit or limit the number of persons who may gather or congregate upon any public street, public place, including any indoor place, or any outdoor place. These limits and prohibitions shall include private property;
 - 8. To barricade streets, prohibit vehicular or pedestrian traffic, or regulate such traffic on any public street leading to the emergency area for such distance as may be deemed necessary under the circumstances;
 - 9. To order mandatory evacuation of persons within the Township, which shall be enforceable by Township, County or

State police officers, fire officials, and firefighters; as well as any other enlisted armed forces personnel (ie: National Guard, etc.);

10. To curtail or suspend commercial and civic activity, including activity of private schools and places of worship;
 11. To order such other measures as are necessary for the protection of the public health, safety, or welfare, or for the recovery from the emergency; and
 12. To execute all of his or her ordinary power as the Commissioner of Public Affairs and Safety; all of the special powers conferred upon him or her by this chapter, or by resolution, or by the Emergency Operations Plan; and all powers conferred upon him or her by any agreement approved by the Board of Commissioners and/or by any other lawful authority.
- F. The Commissioner Public Affairs and Safety may delegate authority to order the measures described in subsection (E)(4) and (E)(5) of this section to Township personnel in the Emergency Operations Plan as provided in §105-18.
- G. Within ten (10) days of the Proclamation of Local Disaster Emergency, any person aggrieved by an emergency order may request a hearing before the municipal court to determine whether issuance of the order was an abuse of discretion. The municipal court shall hear the matter within thirty (30) days of the request for hearing, or within a reasonable period of time thereafter when conditions permit. The hearing shall be summary in nature and shall not be subject to the New Jersey rules of evidence. The case shall be heard by the judge only, without jury. The only issue for the court shall be to determine whether or not the emergency order was an abuse of discretion. If the court finds that there is no abuse of discretion in issuing the order, the order shall be affirmed. In the event that the court finds that the issuance of the order was an abuse of discretion, the court shall invalidate the order.

SECTION VIII

§105-18. Emergency Operation Plan

- A.** The Emergency Management Coordinator, at the direction of the Commissioner of Public Affairs and Safety, shall develop, and revise from time to time, a state-approved Emergency Operations Plan for response to emergencies directly or indirectly involving the Township; and for the provision of emergency services, both directly and in coordination with other public and private agencies.
- B.** Such plan shall include provisions for temporary reassignment of Township personnel, equipment and supplies for emergency services functions under lines of authority designated in the Plan; for the emergency acquisition of necessary equipment, materials and services; and for the assignment of duties relating to pre-planning, training, and ongoing support for the Emergency Management Department.

SECTION IX

§105-19. Expenditures

Any expenditure made in connection with emergency activities, including mutual-aid activities, shall be deemed conclusively to be for the direct protection and benefit of the inhabitants and property of the Township of Long Beach and in accordance with all applicable laws of the State of New Jersey.

SECTION X

§105-20. Violations - Penalties

It shall be a violation of this Code during a state of emergency to:

- A.** Willfully obstruct, hinder or delay any member of an emergency

organization in the enforcement of any lawful rule or regulation issued pursuant to this chapter, or in the performance of any duty imposed upon him or her by virtue of this chapter.

- B. Do any act forbidden by any lawful rule or regulation issued pursuant to this chapter, if the act is of such nature as to imperil the lives and property of inhabitants of this Township, or to prevent, hinder or delay the protection thereof.
- C. Any single violation of the provisions of this Ordinance shall be punishable by issuance of a fine in an amount not to exceed \$1,000.00 per occurrence.

SECTION XI

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

SECTION XII

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 XIII

This ordinance shall take effect after the first publication thereof after final passage according to law.

Lynda Wells, Municipal Clerk explained "This ordinance outlines various responsibilities of the Commissioner of Public Safety, the Emergency Management Coordinator and the employees of the Township of Long Beach to ensure an efficient response to declared emergencies as well as to preserve the health, welfare and safety of the public".

Passed on first reading at a regular meeting held on September 20, 2013 and advertised in the BEACH HAVEN TIMES issue of September 26, 2013.

OPEN PUBLIC HEARING

No comments.

CLOSE PUBLIC HEARING

Motion to adopt Ordinance 13-39C on Second Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

- 3. First Reading Ordinance 13-40: **BOND ORDINANCE AUTHORIZING THE REMOVAL AND/OR REPLACEMENT OF EXISTING WATER MAIN AND HYDRANTS IN THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$3,600,000 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 \$3,600,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

Motion to approve Ordinance 13-40 on First Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

- 4. First Reading Ordinance 13-41: **BOND ORDINANCE AUTHORIZING THE REMOVAL AND/OR REPLACEMENT OF EXISTING SANITARY SEWER PIPE IN THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$3,200,000 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 \$3,200,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

Motion to approve Ordinance 13-41 on First Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

ADOPTIONS & APPROVALS

- 5. Resolution 13-1004.01: Approve a special event:
Dune Grass planting by the Boy Scouts:
October 11th & 12th at various locations in LBT

RESOLUTION 13-1004.01

WHEREAS, the following event is being held in Long Beach Township:

- Central New Jersey Council of the Boy Scouts of America: Allow participants to camp overnight on October 11th and host a campfire on the ocean beach at 68th Street in the Brant Beach Section of the Township. Dune Grass Planting on various Township beaches on October 12th.

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach that permission is hereby granted, as per the approval of the Long Beach Township Police, Public Works, and Beach Patrol Departments, for the above listed events to be held in Long Beach Township.

- 6. Resolution 13-1004.02: Approve various changes to water and sewer accounts

RESOLUTION 13-1004.02

WHEREAS, the following Water/Sewer accounts require changes in their billing and/or classification due to various reasons; and

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

<u>BLOCKLOT/QUAL</u>	<u>ACCT #/ACCTYEAR</u>	<u>CANCEL/CHANGE AMOUNT</u>
1.30 1.03	247-0/Water 2013	Remove irrigation \$304.00
5.08 3	1473-0/Sewer 2013	Waive Interest\$ 3.98
6.42 5	2092-0/Water 2013	Waive Interest \$
10.90		
14.02 8	4577-0/Water 2013	Remove irrigation \$304.00
15.58 6	5481-0/Water 2013	Remove irrigation \$304.00

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 13-1004.03: Authorize a donation to Surflicht Theater \$5,000.00

Resolution 13-1004.03

WHEREAS, the Surflicht Theatre has provided Long Beach Island with a cultural and performing arts center for over sixty years; and

WHEREAS, the Surflicht Theatre produces up to twelve stage productions each season, including musicals and holiday productions, attended by over 70,000 patrons annually. The theatre also produces a Children's Theatre series, as well as educational programs such as the Joseph P. Hayes Intern & Apprentice Program, the Surflicht Theatre Arts Resource School, and the "Surflight To-Go", an educational touring theatre company that performs in schools during the academic year; and

WHEREAS, the Surflicht Theatre is a hallmark of live entertainment for residents, visitors, students and vacationers not only on Long Beach Island, but throughout the State of New Jersey; and

WHEREAS, financial support by the New Jersey State Council on the Arts is crucial to the continuance of this popular and noteworthy theatre; and

WHEREAS, a shortfall places a severe financial hardship on the Surflicht Theatre organization in light of its recent financial challenges.

NOW, THEREFOR, BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach approves a donation to the Surflicht Theater in the amount of Five Thousand Dollars (\$5,000.00).

- 8. Resolution 13-1004.04: Approve personnel actions

RESOLUTION 13-1004.04

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

Approve the end of a Family Medical Leave of Absence (FMLA) for PG effective retro-active to September 30, 2013.

TAX ASSESSOR

Change the following employee's rate of pay to \$20.00 per hour to be paid from Assesor Salary & Wage effective retro-active to September 27, 2013.

Julius Coppola

Motion to approve Items 5 thru 8:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

FINANCIAL APPROVALS

9. Resolution 13-1004.05(a-d): Approve various Performance Bond extensions:
- a) Davies – LUB 16-07 Block 6.19 Lot 1.02, 1.03
 - b) Rosen – LUB 27-07; Block 20.26, Lot 1
 - c) Paul – LUB 17-05; Block 1.19 Lot 1
 - d) Moore – LUB 41-05; Block 4.45 Lots 1 & 1.01

RESOLUTION 13- 1004.05(a)

WHEREAS, pursuant to Resolution 06-0505.17(b), the Township of Long Beach received from William Paul Cashier's Check #376426579 drawn on Bank of America in the amount of Twenty Two Thousand One Hundred Ninety Three Dollars (\$22,193.00) as a Performance Bond for Subdivision Application #LUB-17-05, Block 1.19, Lot 1 (Holgate, NJ); and

WHEREAS, pursuant to Resolution 07-0907.05, the Township of Long Beach approved a partial release of the Performance Bond in the amount of Eight Thousand Two Hundred and Fifty Dollars (\$8,250.00) as per the recommendation and certification of the Municipal Engineer; and

WHEREAS, pursuant to Resolution 08-1003.09(b) the Township Municipal Engineer determined certain work items had not been satisfactorily completed and recommended the Performance Bond be extended for one additional year; and

WHEREAS, pursuant to Resolution 09-0918.12(b) the property was inspected on September 3, 2009 by the Township Municipal Engineer who concluded the work was not complete and recommended the Performance Bond be extended again for one additional year to September 17, 2010; and

WHEREAS, pursuant to Resolution 10-1008.03(b) the property was inspected on September 29, 2010 by the Township Municipal Engineer who concluded the work was not complete and recommended the Performance Bond be extended again for one additional year to September 28, 2011; and

WHEREAS, pursuant to Resolution 11-1104.13(a) the property was inspected on October 12, 2011 by the Municipal Engineer who concluded the work was not complete and recommended the Performance Bond be extended again for one additional year to October 11, 2012; and

WHEREAS, pursuant to Resolution 12-1005.05(a) the property was inspected on August 21, 2012 by the Municipal Engineer who concluded that the work was not complete and recommended the performance Bond be extended again for one additional year to October 5, 2013; and

WHEREAS, the property was inspected again on September 26, 2013 by the Municipal Engineer who concluded that the work was not complete and recommended the performance bond be extended again for on additional year to October 4, 2014.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners approves the extension of this Performance Bond as recommended and certified by the Township Engineer.

RESOLUTION 13-1004.05(b)

WHEREAS, the Township of Long Beach received, pursuant to Resolution 06-0721.14, Commerce Bank Check #805-02588 in the amount of Forty Six Thousand Seven Hundred Seventy Two Dollars (\$46,722.00) as a Performance Bond for Subdivision Application #LUB-41-05, Block 4.45, Lots 1 & 1.01 (2000 Waverly Place, North Beach Haven); and

WHEREAS, upon inspection of the property by the Township Engineer, and pursuant to Resolution 08-0620.15(c), it was determined that certain work items had not been started and the Performance Bond was extended for one year to June 20, 2009; and

WHEREAS, pursuant to Resolution 09-0807.07(a) the property was again inspected on July 30, 2009 by the Township Engineer who concluded the work was not complete and recommended the Performance Bond be extended for one additional year to August 6, 2010; and

WHEREAS, pursuant to Resolution 10-1008.03(c) the property was again inspected on September 27, 2010 by the Township Engineer who concluded the work was not complete and recommended the Performance Bond be extended for one additional year to September 26, 2011; and

WHEREAS, pursuant to Resolution 11-1104.13(b) the property was inspected on October 12, 2011 by the Township Municipal Engineer who concluded the work was not complete and recommended the Performance Bond be extended again for one additional year to October 11, 2012; and

WHEREAS, pursuant to Resolution 12-1005.05(b) the property was inspected again on August 21, 2012 by the Municipal Engineer who concluded the work was not complete and recommended the performance Bond be extended again for one additional year to October 5, 2013; and

WHEREAS, the property was inspected again on September 26, 2013 by the Municipal Engineer who concluded that the work was not complete and recommended the performance bond be extended again for on additional year to October 4, 2014.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners approves the extension of this Performance Bond as recommended by the Township Engineer.

RESOLUTION 13-1004.05(c)

WHEREAS, pursuant to Resolution 08-0320.15(b), the Township of Long Beach accepted from Reginald J. Raban Cashier's Check No. 0935893 dated March 14, 2008 in the amount of Five Thousand Five Hundred Dollars (\$5,500.00) drawn on Wachovia Bank, as the required Performance Bond for Minor Sub-division #LUB-27-07, Block 20.26, Lot 1 (26 Long Beach Blvd., Loveladies); and

WHEREAS, pursuant to Resolution 10-0709.15(a) the property was inspected by the Township Engineer it has been determined that various work items remain incomplete and he recommends the Performance Bond be extended for one year to July 8, 2011; and

WHEREAS, pursuant to Resolution 11-1104.13(c) the property was inspected on October 12, 2011 by the Township Municipal Engineer who concluded the work was not complete and recommended the Performance Bond be extended again for one additional year to October 11, 2012; and

WHEREAS, pursuant to Resolution 12-1005.05(c) the property was inspected on August 21, 2012 by the Township Municipal Engineer who concluded the work was not complete and recommended the Performance Bond be extended again for one additional year to October 5, 2013; and

WHEREAS, the property was inspected again on September 26, 2013 by the Municipal Engineer who concluded that the work was not complete and recommended the performance bond be extended again for on additional year to October 4, 2014.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners approves the extension of this Performance Bond as recommended by the Township Engineer.

RESOLUTION 13-1004.05(d)

WHEREAS, pursuant to Resolution 08-0208.15(b), the Township of Long Beach accepted from Mark Davies Cashier's Check No. 805-04069 dated January 24, 2008 in the amount of One Thousand Three Hundred Twenty Dollars (\$1,320.00) drawn on Commerce Bank, as the required Performance Bond for Major Sub-division #LUB-16-07, Block 6.19, Lots 1.02 & 1.03 (25 W. 30th Street., Beach Haven Gardens); and

WHEREAS, pursuant to Resolution 10-0709.15(b) the property was inspected by the Township Engineer, it has been determined that various work items remain incomplete and he recommends the Performance Bond be extended for one year to July 8, 2011; and

WHEREAS, pursuant to Resolution 11-1104.13(d) the property was inspected on October 12, 2011 by the Township Municipal Engineer who concluded the work was not complete and recommended the Performance Bond be extended again for one additional year to October 11, 2012; and

WHEREAS, the property was inspected on August 21, 2012 by the Township Municipal Engineer who concluded the work was not complete and recommended the Performance Bond be extended again for one additional year to October 5, 2013; and

WHEREAS, pursuant to Resolution 12-1005.05(d) the property was inspected again on September 26, 2013 by the Municipal Engineer who concluded that the work was not complete and a curb was required and recommended the performance bond be extended again for on additional year to October 4, 2014.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners approves the extension of this Performance Bond as recommended by the Township Engineer.

10. Resolution 13-1004.06: Approve Bills & Payroll
Bills in the amount of: \$6,761,619.45
Payroll in the amount of: \$ 412,135.73

RESOLUTION 13-1004.06

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 \$412,135.75.

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 \$6,761,619.45 be and the same are hereby authorized to be paid on Friday, October 4, 2013.

2. The said approved payroll amounting to the sum of \$412,135.73 be and the same are hereby authorized to be paid on Friday, October 4, 2013.

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 9 and 10:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

Commissioner Lattanzi abstained from vouchers for Southern Ocean Medical Center

Mayor Mancini invoked the Doctrine of Necessity to vote on the vouchers for Southern Ocean Medical Center.

Mayor Mancini stated the Tax Collectors Report for the month of August 2013 was on file in the Municipal Clerk's Office.

COMMISSIONERS' REPORTS

Commissioner Lattanzi read the following:

Public Announcement:

The Long Beach Township 2013 Best Practices Checklist

"Governor Christie issued the 2013 Best Practices Checklist to all New Jersey municipalities. The Best Practices Initiative sets standards whereby local government officials can perform an assessment of various municipal financial operations. The 2013 checklist includes questions in categories such as General

and Financial Management, including budget preparation and disclosure, Health Insurance, Personnel, and Public Safety.

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 2013 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."

Commissioner Lattanzi also extended congratulations to Jake Ellis for achieving Eagle Scout status.

Commissioner Bayard asked residents not to put their recyclables in plastic bags for collection because they were jamming the processing equipment and would not be collected unless disposed of correctly.

Mayor Mancini stated the next meeting of the Board of Commissioners would take place on Friday, October 18, 2013 at 4:00 p.m., at which time public hearings would be held for Ordinances 13-40 and 13-41.

Mayor Mancini also stated the next regular meeting of the Land Use Board would be held on Wednesday, October 9, 2013 at 7:00 p.m. in the Multi Purpose Room.

Mayor Mancini reported that the Army Corps of Engineers would be reauthorizing the Long Beach Island Storm Protection Project at the end of 2013 and would be anticipated for a project in March 2014.

Mayor Mancini also reported the Township would be proceeding with acquiring the needed deeds of easement by way of the Governor's Executive Order regarding the use of eminent domain.

Mayor Mancini read the Long Beach Township Police Report:

- "As of Monday October 7th the Traffic Lights will be set to flash. Please Drive Carefully and observe the signal as they will be changed to flash during the work day".
- "The Winter speed limits are in effect Slower Traffic Keep to the Right. Keep Right Pass Left it's the law".
- "Patrols will be continuing traffic details enforcing distracted driving and failure to keep right".
- " The St. Francis Community Center / Jewish Community Center 18 mile run will be held Sunday October 13th Columbus Day weekend. Please be advised to use caution on Long Beach Blvd. from Holgate to Barnegat Light, as there will be runners from 10:00 that morning till 2:00 in the afternoon".
- "Office of Emergency Management would like to advise the public due to the National Government Shutdown the annual Oyster Creek Nuclear Plant Drill scheduled for October 8th will be postponed until further notice".
- "Operation Take Back is tentatively scheduled for the end of October this is for unused, unwanted or expired medication. Information will be available on Long Beach Twp. Police website next week".

OPEN PUBLIC SESSION

Tom Beaty, Holgate asked for more information regarding the donation to the Surfflight Theater.

Mayor Mancini replied the donation was contingent on Beach Haven making their donation and the Twp. would match it.

Tom Beaty announced a meeting at the Beach Haven Fire House on October 9th for residents to learn more about the beach protection project.

Dan Macone, Holgate thanked the Commissioners for their help getting through the confusion with the Federal Government on issues that arose from Super Storm Sandy. He was thankful for such a competent local government.

Don O'Brien, Brant Beach announced the 64th Anniversary of the Surfflight Theater, and there would be a donation drive being mailed to residents to help the theater continue as it was a non profit, educational organization.

Bill Hutson, Holgate announced the dune grass planting scheduled for Oct. 12th .

CLOSE PUBLIC SESSION

Motion for adjournment at 4:27 pm.

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

Lynda J. Wells, RMC
Municipal Clerk

Joseph H. Mancini, Mayor

Ralph H. Bayard, Commissioner

Dr. Joseph P. Lattanzi, Commissioner