

MINUTES
REGULAR SESSION BOARD OF COMMISSIONERS OCTOBER 21, 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 1st 2010; and filed with the Municipal Clerk.

Motion: To dispense with the reading of the minutes of the October 7, 2011 meeting and to approve the same as recorded in the minute book:

Motion: Knarre Ayes: Knarre, Bayard, Mancini

Second: Bayard Nays:

AGENDA

DECLARATION:

Appointment to the Long Beach Township Land Use Board

Ron Pingaro, Class II Member 10/21/11 to 12/31/11
To fill an unexpired term

ORDINANCES AND PUBLIC HEARINGS

1. First Reading Ordinance 11-42C: **AN ORDINANCE AMENDING AN ORDINANCE ENTITLED, "CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, (1997)" AS THE SAME IN SECTION 64-1 PERTAINS TO THE PROPERTY MAINTENANCE CODE.**

Lynda Wells, Municipal Clerk explained this Ordinance updated Building/Construction regulations to comply with the current 2009 International Property Maintenance Code.

Motion to approve Ordinance 11-42C on First Reading:

Motion: Knarre Ayes: Knarre, Bayard, Mancini

Second: Bayard Nays:

2. First Reading Ordinance 11-43C: **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 189-35 PERTAINS TO COMMERCIAL VEHICLE PARKING.**

Lynda Wells, Municipal Clerk explained this Ordinance would permit commercial vehicles to park up to twelve (12) hours in a commercial zone when the owner/operator owns or leases property within two hundred (200) feet of the vehicle location.

Motion to approve Ordinance 11-43C on First Reading:

Motion: Knarre Ayes: Knarre, Bayard, Mancini

Second: Bayard Nays:

ADOPTIONS AND APPROVALS

3. Resolution 11-1021.01: Authorize the submission of an application to the Local Finance Board for 2012 NJ EIT financing

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY
AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE
NEW JERSEY LOCAL FINANCE BOARD PURSUANT TO N.J.S.A.
58:11B-9(a) AND N.J.S.A. 40A:2-26(e)**

BACKGROUND

WHEREAS, the Board of Commissioners of the Township of Long Beach, County of Ocean, New Jersey ("Township"), desires to make application to the New Jersey Local Finance Board for its approval of the Township's 2012 New Jersey Environmental Infrastructure Trust financing pursuant to: (i) N.J.S.A. 58:11B-9(a); and (ii) N.J.S.A. 40A:2-26(e); and

WHEREAS, the Township believes:

- (a) it is in the public interest to accomplish such purpose;
- (b) said purpose or improvements are for the health, welfare, convenience or betterment of the inhabitants of the Township;
- (c) the amounts to be expended for said purpose or improvements are not unreasonable or exorbitant; and

- (d) the proposal is an efficient and feasible means of providing services for the needs of the inhabitants of the Township and will not create an undue financial burden to be placed upon the Township.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY, AS FOLLOWS:

Section 1. The application to the New Jersey Local Finance Board is hereby approved, and the Township's Bond Counsel, Solicitor and Auditor along with other representatives of the Township, are hereby authorized to prepare such application and to represent the Township in matters pertaining thereto.

Section 2. The Township Clerk is hereby directed to prepare and file a copy of this resolution with the New Jersey Local Finance Board as part of such application.

Section 3. The New Jersey Local Finance Board is hereby respectfully requested to consider such application and to record its findings, recommendations and/or approvals as provided by the applicable New Jersey law.

Lynda Wells, Municipal Clerk explained that the Environmental Infrastructure Trust provides low interest loans for infrastructure projects.

4. Resolution 11-1021.02: Authorize the establishment of a Green Team Advisory Committee

RESOLUTION 11-1021.02

WHEREAS, the Township of Long Beach strives to save tax dollars, assure clean air and water, improve working and living environments to build a community that is sustainable economically, environmentally and socially; a community which would thrive well into the new century; and

WHEREAS, the Township of Long Beach wishes to build a model of government which benefits our residents now and into the future with green community initiatives which are easy to replicate and affordable to implement; and

WHEREAS, in an attempt to focus attention on green issues, the Township wishes to establish a Green Team Advisory Committee; and

WHEREAS, the Township continues to focus on green issues with the implementation of the energy audit of municipal operations and facilities; and

WHEREAS, the Township prioritizes green initiatives in-house with energy efficient upgrades and in our community water conservation efforts, increasing reduce, reuse and recycling efforts, stormwater management and education.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach that we do hereby establish a Green Team Advisory Committee consisting of members who shall be residents or employees of the Township of Long Beach, appointed annually dependent upon priority projects but whose initial term shall run through December 20, 2012; and

BE IT FURTHER RESOLVED by the Board of Commissioners of the Township of Long Beach that the mission goals and objectives of the Green Team Advisory Committee through this date are established as follows:

MISSION: The Township of Long Beach Green Team Advisory Committee will advise the Board of Commissioners on ways to improve municipal operations with green initiatives which are economically and environmentally sound, through research and evaluation.

GOALS:

- Implement Energy Audit of municipal operations recommendations – prioritize recommended actions based on the NJ Clean Energy Program Audit.
- Suggested best practices for greener municipal operations, including energy conservation efforts and green product purchasing in accordance with applicable statutory law.
- Educational program development and enhanced outreach via power point, television and website development.

OBJECTIVES:

- Collaborate with Township employees and other governmental agencies and service providers to share resource information and ideas consistent with the mission of the green team
- Encourage participation of all employees to solicit ideas on green initiatives
- Research and analyze green initiatives which make practical environmental and economic sense

- Develop strategies for sustainable green initiatives as defined above in municipal operations

BE IT FINALLY RESOLVED, by the Board of Commissioners of the Township of Long Beach that the following persons are hereby appointed to the Green Team Advisory Committee through December 31, 2012:

<u>Name</u>	<u>Title</u>	<u>Member status</u>
Angela Andersen	Recycling Coordinator LBT Team Leader	
Andy Baran	Dpty Dept. Head DPW	Township Member
Ralph Bayard	Commissioner	Township Member
Lynda Wells	Municipal Clerk	Township Member
Lisa Jones	CFO	Township Member
Tim Hilferty	Health Officer	Township Member
Rick Jones	LUB member	Regular Member

Lynda Wells, Municipal Clerk explained this was required to be eligible to obtain various grants for environmental projects

5. Resolution 11-1021.03: Authorize the sale of 2012 pre-season for \$25.00 and senior citizen for \$5.00 beach Badges per badge

RESOLUTION 11-1021.03

WHEREAS, the holiday season is upon us once again; and

WHEREAS, the Long Beach Township Board of Commissioners did foster the good will of the holiday season in 2010 by facilitating the sale of pre-season beach badge gift certificates for the 2011 beachgoers; and

WHEREAS, the Long Beach Township Governing Body wishes to again foster the goodwill of the holiday season and to facilitate the sale of pre-season and senior citizen beach badges for 2012 beachgoers.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach that pre-season beach badges in the amount of Twenty Five Dollars (\$25.00) each, and senior citizen beach badges in the amount of Five Dollars (\$5.00) each, shall be available for public purchase beginning November 25, 2011.

Resolution 11-1021.04: Approve personnel actions

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

Acknowledge the end of an unpaid intermittent FLA leave for SB effective retro-active to October 15, 2011.

POLICE

Accept the resignation tendered by Heidi Heipertz as a Public Safety Telecommunicator and approve her requested termination of employment effective retro-active to October 17, 2011.

Resolution 11-1021.05: Approve changes to a sewer account

WHEREAS, the following sewer account requires a change in the billing and/or classification due to various reasons; and

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

<u>Block:</u>	<u>Lot:</u>	<u>Acct:</u>	<u>Year:</u>	<u>Cancel/Change</u>	<u>Amount:</u>
5.29	2	1670-0 Sewer	2011	Removal of Garbage Disp.	\$56.25

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 this change.

6. Resolution 11-1021.06: Authorize Signatories for Certified List of Adjacent Properties for Land Use and CAFRA application notices: Tracy Hafner and Barbara Bielawne

BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach, County of Ocean, State of New Jersey, at the Public Meeting held this 21st day of October 2011 that Tracy Hafner be and she is hereby appointed the authorized signatory for Certified Lists of Adjacent Properties for Land Use and CAFRA application notices for the Township of Long Beach, and Barbara Bielawne be and she is hereby designated as alternate signatory for the execution of said documents as necessary.

Motion to approve Items 3 thru 8

Motion: Knarre Ayes: Knarre, Bayard, Mancini

Second: Bayard Nays:

PURCHASES, CONTRACTS AND AWARDS

Resolution 11-1021.07: Approve Long Beach Township's membership in the New Jersey Sustainable Energy Meeting: Electricity for various municipal buildings

WHEREAS, Local Units of the State of New Jersey are authorized to enter into a joint contract to provide for the formation of a joint meeting for the joint procurement of natural gas, electricity and other forms of energy as permitted by N.J.S.A. 40A:64-14 et seq.; and

WHEREAS, the statutes regulating the creation and establishment of a Joint Meeting contain a mechanism for local units to aggregate their collective energy consumption in order to negotiate and contract for energy in a cost-effective, environmentally sensitive manner, furthering the public interest entrusted to such a Joint Meeting; and

WHEREAS, the Governing Body of the Township of Long Beach has determined that membership in the Joint Meeting is in the best interest of the Township of Long Beach.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach does hereby resolve and agree to become a member in the New Jersey Sustainable Energy Joint Meeting (NJSEM) for the purpose of joining with other Local Units in the State to aggregate purchasing power of energy so as to achieve financial savings and to encourage Local Units to cooperate in seeking ways to jointly implement sustainable energy alternatives; and

BE IT FURTHER RESOLVED that the Mayor of the Township of Long Beach is authorized to execute the Joint Contract Joinder Agreement, attached hereto, and that Lynda J. Wells, Municipal Clerk, QPA is hereby designated to represent the Local Unit as a member of the State Management Committee of the NJSEM; and

BE IT FINALLY RESOLVED that the Mayor is authorized and directed to execute such other documents signifying membership in the NJSEM and make payment of the Initial Membership Fee of \$300.00 as required by the NJSEM's Bylaws and to deliver same to the Executive Director of the NJSEM.

Lynda Wells, Municipal Clerk explained membership in this statewide energy Co-Op would provide savings on electric energy costs to the participating municipality.

7. Resolution 11-1021.08: Authorize the provision of commercial natural gas delivery, as per the Stafford Township Cooperative Pricing System, to the Township of Long Beach for various municipal buildings

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach does hereby resolve and agree to participate, as a member of the Stafford Township Cooperative Pricing System (STCPS), in the aggregate purchase of commercial natural gas pursuant to the pending STCPS bid in order to achieve financial savings for this commodity.

Lynda Wells, Municipal Clerk explained the CO- OP would accept bids for Commercial Natural Gas for its members in the near future.

8. Resolution 11-1021.09: Approve contract with Pedroni Fuel Oil, as per the Stafford Township Cooperative Pricing System, for diesel fuel at a firm fixed mark-up delivery charge per gallon of \$.0370, and \$.0045 per gallon for winter blend

RESOLUTION AUTHORIZING A CONTRACT FOR THE SUPPLY AND DELIVERY OF DIESEL FUEL BASED ON THE BID PROCURED BY THE STAFFORD TOWNSHIP COOPERATIVE PRICING SYSTEM

WHEREAS, Long Beach Township is a participating entity of the Stafford Township Cooperative Pricing System, Identifier #33-OCCP-2011-031; and

WHEREAS, the Township wishes to utilize the Stafford Township Cooperative Pricing System to contract for the supply and delivery of diesel fuel as may be required for various municipal vehicles; and

WHEREAS, the governing body deems this contract to be necessary for Township use, and is in the best interest of the Township; and

WHEREAS, Pedroni Fuel Company was the lowest qualified bidder whose bid agreed to extend its prices for diesel fuel to the Stafford Township Cooperative Pricing Members.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach at a regular meeting held Friday, October 21, 2011 that the

Mayor and Municipal Clerk shall be and are hereby authorized to execute the contract, pursuant the specifications of Bid #2011-031, as follows:

**Pedroni Fuel Company
385 Wheat Rd.
Vineland, NJ 08360**

effective through November 1, 2013, with an option to extend, for ultra low sulfur diesel fuel at the bid price of \$.0370 per gallon, and \$.0045 per gallon for diesel winter blend (fixed margin).

Lynda Wells, Municipal Clerk explained Pedroni provides diesel fuel at bulk rates to members of the CO-OP.

9. Resolution 11-1021.10: Approve the execution of a collective bargaining agreement:
PBA Local 373 Rank & File 3-year agreement

RESOLUTION AUTHORIZING EXECUTION OF PBA LOCAL NO. 373 COLLECTIVE BARGAINING UNIT CONTRACT REPRESENTING RANK & FILE IN THE LONG BEACH TOWNSHIP POLICE DEPARTMENT

WHEREAS, as a result of negotiations between PBA Local No. 373 and the Township of Long Beach, contract terms were agreed upon between the said parties; and

WHEREAS, a contract has been prepared which accurately reflects the agreement between the parties, and has been reviewed and approved by the appropriate representatives of both parties; and

WHEREAS, the Commissioner of Public Affairs and Safety, and the entire Board of Commissioners, deems it to be in the best interest of the Township of Long Beach to approve said contract between the Township and PBA Local No. 373.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach at a regular meeting held October 21, 2011 that the Mayor and Municipal Clerk shall and are hereby authorized to execute the appropriate documents as described above and enter into a new three (3) year Collective Bargaining Agreement with PBA Local No. 373 Rank & File covering the period January 1, 2011 through December 31, 2013.

Motion to approve Items 9 thru 12

Motion: Knarre Ayes: Knarre, Bayard, Mancini

Second: Bayard Nays:

FINANCIAL APPROVALS

10. Resolution 11-1021.11: Approve the 2010 Annual Audit

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

WHEREAS, the Annual Report of Audit for the year 2010 has been filed by William E. Antonides and Company, Registered Municipal Accountants, with the Municipal Clerk as per the requirements of N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and

WHEREAS, the Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining the local fiscal affairs, as per R.S. 52:27BB-34; and

WHEREAS, The Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled:

General Comments
Recommendations

and

WHEREAS, the members of the governing body have personally reviewed, at a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled:

General Comments
Recommendations

as evidenced by the group affidavit form of the governing body; and

WHEREAS, such resolution of certification shall be adopted by the governing body no later than forty-five days after the receipt of the annual audit, as per the regulations of the Local Finance Board; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance

Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject the members of the governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52 - "A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office."

NOW, THEREFORE BE IT RESOLVED, that the Board of Commissioners of the Township of Long Beach, County of Ocean, State of New Jersey, hereby states that it has complied with the promulgation of the Local Finance Board of the State of New Jersey dated July 30, 1968 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

11. Resolution 11-1021.12: Approve an amendment to Resolution 11-0909.08 authorizing cancellation of appropriation balances

WHEREAS, Resolution 11-0909.08, adopted on September 9, 2011 formally canceled General Capital Improvement appropriation balances that remained 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; and

WHEREAS, due to a clerical error, Ordinance 10-16, Resurface Roads, in the amount of \$27,589.52 was omitted from Resolution 11-0909.08.

NOW, THEREFORE BE IT RESOLVED, by the Board of Commissioners of the Township of Long Beach that the following unexpended and dedicated balance of General Capital Appropriations be and is hereby cancelled effective October 21, 2011:

<u>ORDINANCE NO.</u>	<u>PROJECT DESCRIPTION</u>	<u>AMOUNT CANCELLED</u>
10-16	Road Resurface	\$ 27,589.52
	TOTAL	\$ 27,589.52

Lynda Wells, Municipal Clerk explained the bills included the cancellation of Ordinance 10-16 for Road Resurfacing in the amount of \$27,589.52.

12. Resolution 11-1021.13: Approve the purchase of 2012 Pre-Season Beach Badges: Jersey Cape Diagnostic Training \$702.00

WHEREAS, pursuant to Resolution 11-0318.07 approved on March 18th 2011, the Board of Commissioners of the Township of Long Beach awarded a contract to Jersey Cape Diagnostic Training, Inc., 4 Moore Road, DN 606, Cape May Court House, NJ 08210, a sheltered work shop employing handicapped persons, to manufacture and supply beach badges for the 2011 summer season; and

WHEREAS, the Board of Commissioners wishes to offer Pre-Season 2012 Beach Badges and Senior Citizen Beach Badges for public purchase during the holiday season; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available in the appropriation created by Beach Badge Other Expense, Account #1-01-28-381-023.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach this 21st day of October 2011, for the reasons aforesaid, does hereby approve the purchase of Pre-Season and Senior Citizen Beach Badges in an amount not to exceed Seven Hundred Two Dollars (\$702.00).

13. Resolution 11-1021.14: Approve Bills & Payroll
Bills in the amount of: \$2,914,077.62
Payroll in the amount of: \$ 362,242.72

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 \$362,242.10.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach as follows:

1. The said approved vouchers amounting to the sum of \$2,914,077.62 be and the same are hereby authorized to be paid on October 21, 2011.

2. The said approved payroll amounting to the sum of \$362,242.10 be and the same are hereby authorized to be paid on October 21, 2011.

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.

Lynda Wells, Municipal Clerk explained the bills included regional and local school taxes.

Motion to approve Items 13 thru 16

Motion: Knarre Ayes: Knarre, Bayard, Mancini

Second: Bayard Nays:

Mayor Mancini stated the Treasurer's Reports for the month of September 2011 is on file in the Municipal Clerk's Office.

COMMISSIONERS' REPORTS

Commissioner Knarre announced walk in flu shots were available at the Health Department Monday thru Friday from 10 am to 2 pm.

Commissioner Knarre also announced the Commissioners were very pleased with the report of audit, explaining there were some housekeeping measures to take care of but it was a favorable report overall.

Commissioner Bayard reported the DPW were filling sand bags to protect the homes in Holgate and announced the road to the refuge was still open.

Mayor Mancini announced the next meeting of the Board of Commissioners would take place on Friday, November 4, 2011 at 4:00 p.m.

Mayor Mancini also announced the next regular meeting of the Land Use Board would be held on Wednesday November 9th, at 7:00 p.m. in the 2nd floor multi-purpose room.

Mayor Mancini reported that the Police Dept. would be hosting the program 'Take Back NJ' on October 29th from 10 am to 2 pm, explaining to bring your unwanted, expired medications for disposal.

Mayor Mancini also thanked Jim DeFrancesco and Officer Megan Keller on a great job done on the public Service announcement for the website.

Mayor Mancini also announced the Police Dept. would provide CPR and Defensive Driving courses, if requested, to the public.

OPEN PUBLIC SESSION

Bill Hutson, Holgate commented to Commissioner Bayard on a great job being done in Holgate to stem erosion in the area.

Mayor Mancini thanked Bill Hutson for organizing the dune grass planting event, noting the large turnout and success in planting nearly 8,000 seedlings.

CLOSE PUBLIC SESSION

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

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