

MINUTES
REGULAR SESSION BOARD OF COMMISSIONERS NOVEMBER 4, 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 previous meeting and to approve the same as recorded in the minute book:

Motion: Knarre Ayes: Knarre, Bayard, Mancini

Second: Bayard Nays:

AGENDA

PROCLAMATIONS National Caregiver Month

Lynda Wells, Municipal Clerk noted this recognized the many contributions made by caregivers to the quality of life of our family members and loved ones.

ORDINANCES/PUBLIC HEARINGS

1. Second 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.**

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

This Ordinance amends §64-1 in order to update Building/Construction regulations in the Township of Long Beach for compliance with the 2009 International Property Maintenance Code.

SECTION I

§64-1.A. of an Ordinance entitled "**Code of the Township of Long Beach, County of Ocean, State of New Jersey, (1997)**" is hereby amended as follows:

Delete the following words located in lines 2, 3 and 4 of sub-section A.:

"BOCA National Property Maintenance Code, Fourth Edition, 1993," as published by the Building Officials and Code Administrators International, Inc.,

Add the following words in place of the above as follows:

"International Property Maintenance Code 2009" as published by the International Code Council,

Delete the following words located in lines 7 and 8 of sub-section A.:

BOCA National Property Maintenance Code are

Add the following words in place of the above as follows:

"International Property Maintenance Code 2009"

§64-1.B. of an Ordinance entitled "**Code of the Township of Long Beach, County of Ocean, State of New Jersey, (1997)**" is hereby amended as follows:

Delete the following words located in line 1 as follows:

The BOCA National Property Maintenance Code

Add the following words in place of the above as follows:

The "International Property Maintenance Code 2009"

§64-1.B.(2) of an Ordinance entitled "**Code of the Township of Long Beach, County of Ocean, State of New Jersey, (1997)**" is hereby amended as follows:

Delete the following located in lines 1 and 2 as follows:

PM-106.2

Add the following in place of the above as follows:

PM-106.4

SECTION II

All Ordinances or parts of Ordinances inconsistent herewith are repealed to the extent of such inconsistency.

SECTION III

If any word, phrase, clause, section or provision of this Ordinance shall be found by any Court of competent jurisdiction to be unenforceable, illegal or unconstitutional such word, phrase, clause, section or provision shall be severable from the balance of the Ordinance and the remainder of the Ordinance shall remain in full force and effect.

SECTION IV

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

Lynda Wells, Municipal Clerk stated this updated the current Township property maintenance code.

This ordinance was passed on first reading at a regular meeting held on October 21, 2011 and advertised in the BEACH HAVEN TIMES issue of October 26, 2011.

OPEN PUBLIC HEARING

No comments

CLOSE PUBLIC HEARING

Motion to adopt Ordinance 11-42C on Second Reading:

Motion: Knarre Ayes: Knarre, Bayard, Mancini

Second: Bayard Nays:

- 2. Second 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.**

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

STATEMENT OF PURPOSE

This Ordinance amends §189-35 to permit commercial vehicles to park for a maximum of twelve (12) hours in a commercial zone when the owner/operator owns or leases property within two hundred (200) feet of the commercial zone in which the vehicle is located.

SECTION I

§189-35 of an Ordinance entitled "**Code of the Township of Long Beach, County of Ocean, State of New Jersey, (1997)**" is hereby amended as follows:

The addition of a period "." after the word "township" in line 2.

The deletion of the following words in lines 2 and 3:

except when the owner or operator is actually engaged in the business of performing services or delivering goods.

The addition of sub-section "A." as follows:

A. Except when the owner or operator is actually engaged in the business of performing services or delivering goods.

The addition of sub-section "B." as follows:

B. One (1) commercial vehicle is permitted within any commercial zone not to exceed twelve (12) hours when the owner or operator owns or leases property within two hundred (200) feet of the commercial zone in which the vehicle is located.

SECTION II

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

SECTION III

If any word, phrase, clause, section or provision of this Ordinance shall be found by any Court of competent jurisdiction to be unenforceable, illegal or unconstitutional such word, phrase, clause, section or provision shall be severable from the balance of the Ordinance and the remainder of the Ordinance shall remain in full force and effect.

SECTION IV

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

Lynda Wells, Municipal Clerk advised this regulated the parking of commercial vehicles on public streets.

This ordinance was passed on first reading at a regular meeting held on October 21, 2011 and advertised in the BEACH HAVEN TIMES issue of October 26, 2011.

OPEN PUBLIC HEARING

No comments

CLOSE PUBLIC HEARING

Motion to adopt Ordinance 11-43C on Second Reading:

Motion: Knarre Ayes: Knarre, Bayard, Mancini

Second: Bayard Nays:

3. First Reading Ordinance 11-44: **BOND ORDINANCE AUTHORIZING THE ACQUISITION OF EQUIPMENT FOR THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$250,000 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 \$250,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

Lynda Wells, Municipal Clerk explained this ordinance would provide funding for the purchase of two (2) street sweepers.

Motion to approve Ordinance 11-44 on First Reading:

Motion: Knarre Ayes: Knarre, Bayard, Mancini

Second: Bayard Nays:

4. First Reading Ordinance 11-45: **BOND ORDINANCE AUTHORIZING THE REPLACEMENT OF SANITARY SEWER MAINS BENEATH VARIOUS STREETS IN THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$2,900,000 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 \$2,900,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

Motion to approve Ordinance 11-45 on First Reading:

Motion: Knarre Ayes: Knarre, Bayard, Mancini

Second: Bayard Nays:

5. First Reading Ordinance 11-46: **BOND ORDINANCE AUTHORIZING THE REPLACEMENT OF EXISTING WATER MAINS BENEATH VARIOUS STREETS IN THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$3,100,000 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 \$3,100,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

Motion to approve Ordinance 11-46 on First Reading:

Motion: Knarre Ayes: Knarre, Bayard, Mancini

Second: Bayard Nays:

ADOPTIONS AND APPROVALS

6. Resolution 11-1104.01: Approve CDBG Designees for 2012

WHEREAS, the Ocean County Department of Economic Development has requested, pursuant to a Cooperative Agreement between the County of Ocean and the Municipality of the Township of Long Beach, that a representative and/or an alternate be appointed to serve on the Community Development Block Grant.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach that Andrew Baran be and he hereby is appointed as Community Development Block Grant Representative for the year 2012 and that Lynda J. Wells, Municipal Clerk, be and she hereby is appointed the Alternate for the year 2012.

Lynda Wells announced the designees would be Andy Baran and herself.

7. Resolution 11-1104.02: Approve various class trips to Bayview Park in 2012 for Ocean Acres Elementary School First Graders

WHEREAS, the Long Beach Township Board of Commissioners received a request for permission to use Bayview Park for the below-listed events:

Ocean Acres Elementary School Grade 1 Class Trips on May 30th, May 31st, June 4th, June 5th, June 6th, and June 7th, 2012.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach does hereby approve the above-noted events as described above.

8. Resolution 11-1104.03: Approve an amendment to Resolution 11-1021.03:
Cost of Pre-Season Beach Badges: \$30.00

RESOLUTION OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY AUTHORIZING AN AMENDMENT TO RESOLUTION 11-1021.03

WHEREAS, pursuant to Resolution 11-1021.03, the Long Beach Township Governing Body facilitated the sale of pre-season beach badges for 2012 beachgoers; and

WHEREAS, the price of each 2012 pre-season beach badge was quoted as \$25.00 in error, and should be corrected to the actual cost of \$30.00 per pre-season beach badge.

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 Thirty Dollars (\$30.00) per badge, shall be available for public purchase beginning November 25, 2011.

9. Resolution 11-1104.04: Approve personnel actions

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

POLICE

Hire the following as seasonal part time telecommunicators at the rate of \$7.25 per hour to be paid from the Police Salary & Wage effective November 5, 2011.

James Gesicki Jr. Linda Laviola Kyle Rickvalski

Amend Resolution 11-0708.04 to state MW's end of paid FMLA/FLA to be effective July 15, 2011 and acknowledge the unpaid FMLA/FLA effective July 16, 2011 thru October 31, 2011.

10. Resolution 11-1104.05: Authorize the Municipal Clerk to advertise for bids: Two (2) pick-up trucks for Public Works

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach that the Municipal Clerk/QPA be, and she is hereby authorized to advertise for bids and award a contract for the purchase of the following:

- Two (2) pick-up trucks for the Department of Public Works

11. Resolution 11-1104.06: Approve a House Relocation: Block 15.121, Lot 1
3911 Ocean Blvd., Brant Beach

RESOLUTION AUTHORIZING OWNER TO TEMPORARILY PLACE A BUILDING IN THE RIGHT OF WAY/PUBLIC ACCESS ON OCEAN BOULEVARD, BRANT BEACH

WHEREAS, Heritage Constriction Enterprises, Inc., has made application to the Township of Long Beach for permission to temporarily move a building presently located on Lot 1, Block 15.121 and place the same on a portion of the public right-of-way/public access located adjacent on Ocean Boulevard; and

WHEREAS, Heritage Construction Enterprises, Inc. has posted a security bond for the applicants in the amount of Five Thousand Dollars (\$5,000.00) to insure that the public right-of-way located at 3911 Ocean Boulevard in Brant Beach shall be restored to its one and former estate after the house has been replaced on Lot 1, Block 15.121; and

WHEREAS, photographs of the area where the house is to be temporarily placed as it exists prior to such placement have been provided by Heritage Construction Enterprises, Inc. to the Township in order to insure that upon completion of the relocation back to Lot 1, Block 15.121, the public right-of-way located at 3911 Ocean Boulevard in Brant Beach shall be restored to its one and former estate; and

WHEREAS, the said Lot 1, Block 15.121 is owned by Dunnottar Properties, LLC; and

WHEREAS, the Ship Bottom Volunteer Fire Company, No. 1, Inc., the fire company providing fire service for the area in question, submitted a letter dated October 25, 2011 stating they have no objections to the temporary relocation; and

WHEREAS, the New Jersey Natural Gas Company provided a letter dated September 26, 2011 stating that any gas facility serving the property has been disconnected; and

WHEREAS, Amon Construction. LLC, the house mover moving the house, provided a Certificate of Liability Insurance showing that they carry general liability insurance with liability limits of One Million Dollars (\$1,000,000.00); and

WHEREAS, the Long Beach Township Traffic Safety Officer approved the relocation of the structure between the dates of November 1, 2011 to December 15, 2011 contingent upon compliance with conditions set forth in his letter dated October 27, 2011; and

WHEREAS, the Water/Sewer Department of the Township of Long Beach certified services to Lot 1, Block 15.121 were cut and capped as of October 7, 2011; and

WHEREAS, Atlantic City Electric certified as of October 11, 2011 that all electric equipment has been removed from the premises located at 3911 Ocean Boulevard in Brant Beach, New Jersey which is also known as Lot 1, Block 15.121; and

WHEREAS, all of the submissions made by Heritage Construction Enterprises, Inc. appear to be in order.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach at a regular meeting held Friday, November 4, 2011 that the Building Department is hereby authorized to issue a permit for the temporary relocation of the dwelling known as 3911 Ocean Boulevard in Brant Beach, New Jersey; Lot 1, Block 15.121, between the dates of November 1, 2011 to December 15, 2011. Failure to replace the house within the forty five (45) day period and restore the public right-of-way/ public access adjacent to its once and former estate, shall result in the forfeiture of the Five Thousand Dollar (\$5,000.00) performance bond to the Township of Long Beach.

12. Resolution 11-1104.07: Support Senate Bill 3062:
 "Telecommunications-Cable Television
 Deregulation Ensuring Consumer Protection Act"
 Endorses free Cable service for public units

**RESOLUTION OF THE BOARD OF COMMISSIONERS, TOWNSHIP OF LONG BEACH,
 COUNTY OF OCEAN, STATE OF NEW JERSEY SUPPORTING SENATE BILL 3062
 "TELECOMMUNICATIONS-CABLE TELEVISION DEREGULATION ENSURING CONSUMER
 PROTECTION ACT"**

WHEREAS, at a time when all municipal revenues are reduced and facing further threat, the need for stability and predictability in video telecommunications is paramount for municipalities and our taxpayers; and

WHEREAS, all video franchise fees, all PEG channels, all equipment and training and return feeds are vitally important to keeping communications open through local access channels and programming; and

WHEREAS, Mayors and municipal officials give a high priority to the requirements for free internet and basic cable outlets for all libraries and all municipal buildings served by statewide franchises; and

WHEREAS, existing law requires all cable enterprises that convert from a municipal consent-based franchise to a system-wide franchise to pay a 4% franchise fee; and

WHEREAS, recently proposed legislation would fundamentally alter the regulation of telephone and cable television service in New Jersey, resulting in widespread opposition from consumer groups and advocates as well as municipalities; and

WHEREAS, in response, S-3062 has now been introduced as an alternative to protect the existing system-wide franchise and keeping in place necessary protections for municipalities.

NOW, THEREFORE, BE IT RESOLVED video franchise related revenue and benefits must not be reduced by the State, and

BE IT FURTHER RESOLVED, the Board of Commissioners of the Township of Long Beach supports S-3062, which is currently assigned to the Senate Economic Growth Committee, and urges its swift passage; and

BE IT FINALLY RESOLVED, that a copy of this resolution be forwarded to Senator Bob Smith, the primary sponsor of S-3062, the members of the Senate Economic Growth Committee, 9th District Legislators, Senator Christopher Connors, Assemblyman Rumpf and Assemblywoman Gove, Governor Chris Christie of the State of New Jersey and the New Jersey League of Municipalities.

13. Resolution 11-1104.08: Approve the 2012 Public Meeting Schedule for the Board of Commissioners

NOTICE

Pursuant to Chapter 231, P.L. 1975, PUBLIC NOTICE IS HEREBY GIVEN that the Board of Commissioners of the Township of Long Beach may hold daily work sessions Monday, Tuesday, Wednesday, Thursday and Friday of each week between the hours of 10 a.m. and 1 p.m. Executive Sessions in the Mayor's Office of the Long Beach Township Municipal Administrative Building, and Regular Meetings in the Public Safety Building, 6805 Long Beach Boulevard, Brant Beach, NJ will be held on the following dates and times:

Executive Sessions

Jan. 3, 2012	10:00 AM		Jan. 17, 2012	10:00 AM
Jan. 31, 2012	10:00 AM		Feb. 14, 2012	10:00 AM
Feb. 28, 2012	10:00 AM		March 13, 2012	10:00 AM
April 3, 2012	10:00 AM		April 17, 2012	10:00 AM
May 1, 2012	10:00 AM		May 15, 2012	10:00 AM
May 29, 2012	10:00 AM		June 12, 2012	10:00 AM

July 3, 2012	10:00 AM		July 17, 2012	10:00 AM
July 31, 2012	10:00 AM		August 14, 2012	10:00 AM
Sept. 4, 2012	10:00 AM		Sept. 18, 2012	10:00 AM
Oct. 2, 2012	10:00 AM		Oct. 16, 2012	10:00 AM
Oct. 30, 2012	10:00 AM		Nov. 9, 2012	10:00 AM
Dec. 4, 2012	10:00 AM		Dec. 18, 2012	10:00 AM

The agenda, to the extent known for the Executive Sessions shall be:

1. Call the meeting to order;
2. Discussion of new business;
3. Discussion of old business;
4. Adjournment.

No formal action will be taken at the Executive Sessions.

Regular Public Meetings

Jan. 6, 2012	4:00 PM		Jan. 20, 2012	4:00 PM
Feb. 3, 2012	4:00 PM		Feb. 17, 2012	4:00 PM
March 2, 2012	4:00 PM		March 16, 2012	4:00 PM
April 5, 2012	4:00 PM		April 20, 2012	4:00 PM
May 4, 2012	4:00 PM		May 18, 2012	4:00 PM
June 1, 2012	4:00 PM		June 15, 2012	4:00 PM
July 6, 2012	4:00 PM		July 20, 2012	4:00 PM
Aug. 3, 2012	4:00 PM		Aug. 17, 2012	4:00 PM
Sept. 7, 2012	4:00 PM		Sept. 21, 2012	4:00 PM
Oct. 5, 2012	4:00 PM		Oct. 19, 2012	4:00 PM
Nov. 2, 2012	4:00 PM		Nov. 16, 2012	4:00 PM
Dec. 7, 2012	4:00 PM		Dec. 21, 2012	4:00 PM
Dec. 28, 2012	10:00 AM			

The agenda, to the extent known, for the Regular Meetings shall be:

1. Call the meeting to order;
2. Approval of the minutes;
3. Disposition of old business;
4. Disposition of new business;
5. Adjournment.

Formal action will be taken on matters placed before the Board of Commissioners at Regular Meetings.

14. Resolution 11-1104.09: Approve an amendment to Resolution 11-0722.05: Additional dates for the 5th Annual Clam Jam Surf Contest in Holgate: Nov. 5th, or "rain/No Wave" dates of Nov 6th, 12th, 13th, 19th and 20th.

WHEREAS, pursuant to Resolution 11-0722.05, the Board of Commissioners of the Township of Long Beach approved the 5th Annual Clam Jam Surfing Contest to be held in Holgate in October 2011; and

WHEREAS, due to inclement weather and/or poor surf conditions, the original dates designated were not used.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach approves the additional date(s) for the 5th Annual Clam Jam (One-day) Surf Contest in the authorized designated areas in Holgate on one of the following dates:

November 5th, 6th, 12th, 13th, 19th or 20th from 7:00 a.m. to 10:00 p.m.

Participants and Spectators are permitted north of the Washington Avenue jetty **ONLY**. Permission is granted for use of the Holgate Parking Lot and Public Bathrooms.

Motion to approve Items 6 through 14:

Motion: Knarre Ayes: Knarre, Bayard, Mancini

Second: Bayard Nays:

PURCHASES, CONTRACTS AND AWARDS

15. Resolution 11-1104.10: Authorize the purchase of various printing supplies for the Police Dept. from Copy Rite Printing, per quotation

A RESOLUTION APPROVING THE PURCHASE OF VARIOUS PRINTING SUPPLIES FOR MUNICIPAL DEPARTMENTS IN THE TOWNSHIP OF LONG BEACH, PER QUOTATION

WHEREAS, in accordance with N.J.S.A. 40:A11-6.1, Long Beach Township solicited quotations for the purchase of various printing supplies; and

WHEREAS, in response to the invitation for solicitation the following quotations were received as noted:

- Surf Printing No Quote
- Coastal Printing \$253.25/per 300 Event cards 10/26/11

- Copy-Rite Printing \$100.97/per 300 event cards 10/18/11

WHEREAS, the quotations were reviewed by the Board of Commissioners of the Township of Long Beach and it was determined Copy-Rite Printing, 378 North Main Street, Manahawkin, NJ 08050 provided the lowest qualified quotation, dated October 18, 2011, for various printing supplies; and

WHEREAS, it is in the public interest of the Township of Long Beach to approve purchases from Copy-Rite Printing for the provision of various printing supplies for various municipal departments.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach, County of Ocean, State of New Jersey, at a regular meeting held this 4th day of November 2011 hereby approve the purchase of various printing supplies from:

Copy-Rite Printing
378 North Main Street
Manahawkin, NJ 08050

in an aggregate amount not meet or exceed Thirty Six Thousand Dollars (\$36,000.00).

16. Resolution 11-1104.11: Authorize 24-month maintenance agreements with Dell Marketing for two (2) computer servers in the Police Dept.: \$1,198.64

A RESOLUTION AWARDING A PROPRIETARY CONTRACT FOR COMPUTER SOFTWARE MAINTENANCE SERVICES FOR THE TOWNSHIP OF LONG BEACH

WHEREAS, the provision or performance of goods or services for computer maintenance in Long Beach Township is specifically exempted from bidding requirements under the Local Public Contracts Law pursuant to N.J.S.A. 40A: 11 - 5(1)(dd); and

WHEREAS, the Township of Long Beach has a need for computer maintenance agreements for two (2) Power Edge 1950 Computers; and

WHEREAS, Dell Marketing, One Dell Way, Round Rock, TX 76768 is able to provide the aforementioned maintenance agreements for two (2) Dell computers as noted:

- Model Power Edge 1950, Service Tag Number 8JCQQH1 in an amount not to exceed Five Hundred Ninety Three Dollars Thirty Two Cents (\$599.32) effective November 21, 2011 through November 21, 2013
- Model Power Edge 1950, Service Tag Number FZ3POH1 in amount to exceed Five Hundred Ninety Three Dollars Thirty Two Cents (\$599.32) effective November 20, 2011 through November 20, 2013; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach that Dell Marketing, Inc. be awarded a proprietary contract for the maintenance of computers as described above for the Township of Long Beach in an amount not to exceed One Thousand One Hundred Ninety Eight Dollars Sixty Four Cents (\$1,198.64).

17. Resolution 11-1104.12 Approve an amendment to the cell tower lease with Cellco Partnership dba Verizon Wireless: Peahala Park Water Tower

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach do hereby approve an addendum to the lease agreement, approved pursuant to Resolution 05-0819.12, with Cellco Partnership dba Verizon Wireless for additional ground-space at the Peahala Park Water Tower site. A copy of the Addendum is attached hereto.

Motion to approve Items 15 through 17:

Motion: Knarre Ayes: Knarre, Bayard, Mancini

Second: Bayard Nays:

FINANCIAL APPROVALS

18. Resolution 11-1104.13:(a-e) Approve various Performance/Maintenance Bond actions as follows:
- a. Performance Bond Extension – LUB 17-05
 - b. Performance Bond Extension – LUB 41-05
 - c. Performance Bond Extension – LUB 27-07
 - d. Performance Bond Extension - LUB 16-07
 - e. Maintenance Bond Release – LUB 26-08

RESOLUTION 11-1104.13(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, 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.

WHEREAS, 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.

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 11-1104.13(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 Sub-division 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, 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, 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.

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

RESOLUTION 11-1104.13(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, upon inspection of the property 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.

WHEREAS, 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.

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

RESOLUTION 11-1104.13(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, upon inspection of the property 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.

WHEREAS, 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.

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

RESOLUTION 11-1104.13(e)

WHEREAS, pursuant to Resolution 09-0306.12 passed on March 6th 2009, the Township of Long Beach received from MKG Associates, LLC Cashier's Check #805-07048 dated February 19, 2009 in the amount of Five Thousand Forty One Dollars and Fifty Cents (\$5,041.50) drawn on TD Bank, and an Irrevocable Standby Letter of Credit #800000355 in the amount of Thirteen Thousand Four Hundred Forty Four Dollars (\$13,444.00) as the required Performance Bond for Minor Site Plan #LUB-26-08, Block 6.39, Lot 1 (13410 Long Beach Blvd., Beach Haven Gardens, NJ).; and

WHEREAS, the municipal engineer has inspected Minor Site Plan #LUB-26-08 and certified the Performance Bond be released and that a Maintenance Bond in the amount of Two Thousand Five Hundred Dollars (\$2,500.00) be retained.

WHEREAS, the property was inspected on October 12, 2011 by the Township Municipal Engineer who recommends the release of the maintenance bond in the amount of Two Thousand Five Hundred Dollars (\$2,500.00).

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach hereby approve the release of Two Thousand Five Hundred Dollars (\$2,500.00) representing the required Maintenance Bond for the above mentioned property, as per the certification and recommendation of the Township Engineer.

19. Resolution 11-1104.14: Approve Standard Mileage Reimbursement Rates as per the State of NJ: \$0.555 per mile

RESOLUTION 11-1104.14

WHEREAS, it has been past practice and policy for Long Beach Township to reimburse its eligible employees for gasoline mileage when circumstances warrant such reimbursement; and

WHEREAS, the current rate set by Federal Government regulations is 55.5 cents per mile, which is accepted by various federal government agencies including, but not limited to, the Internal revenue Service.

NOW, THEREFORE BE IT RESOLVED, by the Board of Commissioners of the Township of Long Beach that the Long Beach Township mileage reimbursement rate is hereby increased to 55.5 cents per mile.

20. Resolution 11-1104.15: Approve Appropriation Transfers

RESOLUTION 11-1104.15

WHEREAS, the New Jersey statutes provide for the making of reserve appropriation transfers between the period of November 1, 2011 and December 31, 2011; and

WHEREAS, the Board of Commissioners of the Township of Long Beach, County of Ocean, desires to make Appropriation Transfers.

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach that the following transfers of appropriations be and they hereby are made:

CURRENT FUND			
FROM:	DEPT	ACCOUNT #	AMOUNT
Municipal Clerk	S/W	1-01-20-120-011	\$1,255.00
Public Works	S/W	1-01-26-302-011	\$23,000.00
Purchasing	O/E	1-01-20-131-100	\$2,100.00
Beach Badge	S/W	1-01-28-381-011	\$2,000.00

Lifeguards	S/W	1-01-28-380-011	\$2,000.00
TOTAL			\$30,355.00
TO:	DEPT:	ACCT#	AMOUNT
Municipal Clerk	Upgrade General Code	1-01-20-120-105	\$1,255.00
Buildings & Grounds	S/W	1-01-26-310-011	\$23,000.00
Municipal Clerk	O/E	1-01-20-120-100	\$2,100.00
Lifeguard	O/E	1-01-28-380-100	\$4,000.00
TOTAL			\$30,355.00
WATER/SEWER			
FROM			
Water/Sewer	O/E	1-09-55-549-100	\$1,885.00
TO			
Shared Services	Water-Surf City	1-09-55-549-203	\$1,885.00
TOTAL			\$1,885.00

Lynda Wells, Municipal Clerk noted these transfers were statutorily permitted in November and December of each year.

21. Resolution 11-1104.16: Approve a Chapter 159:
FY 2011 CDBG \$42,000.00

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

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 Ocean County Planning Board, on behalf of the Ocean County Board of Chosen Freeholders, have allocated \$42,000.00 for the installation of handicap beach access ramps; and

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

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

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

GENERAL REVENUES

Miscellaneous revenues

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

2011 Community Development Block Grant: \$42,000.00

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

GENERAL APPROPRIATION:

(A) OPERATIONS – Excluded from CAPS:

Public and private programs offset by revenues:

2011 Community Development Block Grant: \$42,000.00

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

22. Resolution 11-1104.17: Designate a Custodian for the Beach Badge Program Change Fund: Don Myers

WHEREAS, pursuant to Resolution 08-0307.11, Marianne Murphy was designated as the custodian for the Beach Badge Program Change Fund; and

WHEREAS, the Board of Commissioners wishes to make a change to the custodian of the Beach Badge Program Change Fund.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach does hereby designate Donald Myers as Custodian for the Beach Badge Program Change Fund effective November 4th 2011.

23. Resolution 11-1104.18: Approve Bills & Payroll
Bills in the amount of: \$2,836,731.80
Payroll in the amount of: \$ 350,788.17

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 \$ 350,788.17.

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 \$2,836,731.80 be, and the same are hereby authorized to be paid on November 4, 2011.

2. The said approved payroll amounting to the sum of \$350,788.17 be and the same are hereby authorized to be paid on November 4, 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.

Motion to approve Items 18 through 23:

Motion: Knarre Ayes: Knarre, Bayard, Mancini

Second: Bayard Nays:

Mayor Mancini abstained from Southern Ocean Medical Center vouchers.

COMMISSIONERS' REPORTS

Commissioner Knarre announced tax bills were due on Nov. 1st and interest would accrue after the 10th. He also announced the Health Dept. was continuing to give flu shots at this time.

Commissioner Bayard announced Ocean County was paving various streets in the Township and also P & A Construction was beginning work on the water and sewer main projects again.

Mayor Mancini announced the next meeting of the Board of Commissioners would take place on Friday, November 18, 2011 at 4:00 p.m. at which time public hearings would be held for Bond Ordinances 44, 45 and 46.

Mayor Mancini stated 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 finally announced the nation-wide test of the Emergency Alert System would be held on Wednesday November 9, 2011 at 2:00 p.m.

Mayor Mancini then reminded residents that Election Day was Tuesday Nov. 8th. He asked voters to consider the referendum question pertaining to open space acquisition by the Township. Should voters carry the question, the Township would have the ability to assess an additional one cent per hundred of assessed property value (by ordinance); which funds would be designated for the purchase of open space only.

OPEN PUBLIC SESSION

Peter Trainor, North Beach Haven asked about the referendum question and wondered if the money raised by the additional assessment would be used to obtain easements for the beach replenishment project.

Mayor Mancini responded that the money would be used to purchase land that would be kept as open space for the Twp.

Joe Madena, Manahawkin was concerned with the recent beach replenishment project in Harvey Cedars and Surf City. He felt the new beach profiles caused

dangerous conditions for ocean-goers. He asked if the Long Beach Township plan was similar to these other municipalities.

Mayor Mancini explained the project was designed by the Army Corp of Engineers, and was approved and funded through 2011 Federal Budget allocations. No changes had been made to the plans. The Mayor advised Mr. Madena to contact the ACOE with questions.

Kerry Beetel, North Beach asked if the Twp. would hold a public hearing on the beach project. He stated he would like to attend as he was concerned about safety matters and the proposed beach profile.

Mayor Mancini responded the public hearings were held 1 ½ years ago and if he had any questions he should contact the ACOE as it was their project.

Commissioner Bayard stated the Township Beach Patrol monitor the beach conditions each day.

John Ryan, West Creek stated he was a beach patrol alumni and did not feel the project was needed.

Bill Hutson, Holgate noted three homes in Holgate were compromised as a result of erosion. He thanked the Twp. officials for their efforts to help the conditions there.

Eileen Baker, Holgate thanked the Commissioners for keeping the bathrooms open in Holgate, noting the fishermen and visitors have been using them. She also noted the bad conditions in Holgate and asked if the Twp. could purchase the affected area.

Mayor Mancini replied "No", and explained that the area was designated a wilderness area by the state of New Jersey and could not be purchased by the municipality.

Marco Grasso, North Beach, believed that the new beach profile caused injuries. His business patrons disliked ocean conditions Surf City and Harvey Cedars.

Bob Irvine, Beach Haven Crest stated he attended each meeting held on the beach project, noting his long experiences as a lifeguard and ocean swimmer/bodysurfer and that he supported the project. He suggested the concerned members of the public had the opportunity to attend previous public hearings, but did not.

Kerry Beetel, North Beach stated he was in favor of the beach replenishment project but felt the beach profile should be re-designed.

Mayor Mancini thanked everyone for their comments and asked them to contact their Senators and Congressman in order to make their concerns heard by the Army Corp of Engineers.

CLOSE PUBLIC SESSION

Motion for adjournment at: 4:47 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