

MINUTES
REGULAR SESSION BOARD OF COMMISSIONERS - NOVEMBER 7, 2008
Flag Salute

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

Clerk called the roll: Mayor Joseph H. Mancini
Commissioner DiAnne C. Gove
Commissioner Ralph H. Bayard
Also in attendance: Bonnie M. Leonetti, Municipal Clerk
Teresa S. Sgro, Asst. Municipal Clerk
Richard J. Shackleton, Esq.

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 May 28, 2008; and filed with the Municipal Clerk.

Motion: To dispense with the reading of the minutes of the previous meeting of October 17, 2008 and to approve the same as recorded in the minute book:

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

AGENDA

PROCLAIM National Family Caregiver Month: November 2008

1. Second Reading Ordinance 08-38: **BOND ORDINANCE AUTHORIZING THE FUNDING OF PRELIMINARY COSTS ASSOCIATED WITH THE REPLACEMENT OF VARIOUS SEWER LINES IN THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$375,000 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 \$356,250; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

**TOWNSHIP OF LONG BEACH, NEW JERSEY
ORDINANCE 08-38**

BOND ORDINANCE AUTHORIZING THE FUNDING OF PRELIMINARY COSTS ASSOCIATED WITH THE REPLACEMENT OF VARIOUS SEWER LINES IN THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$375,000 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 \$356,250; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING

BE IT ORDAINED by the Board of Commissioners of the Township of Long Beach, County of Ocean, New Jersey (not less than two-thirds of all the members thereof affirmatively concurring), pursuant to the provisions of the Local Bond Law, constituting Chapter 169 of the Laws of 1960 of the State of New Jersey, as amended and supplemented ("Local Bond Law"), as follows:

Section 1. The purposes described in Section 7 hereof are hereby authorized as general improvements to be made or acquired by the Township of Long Beach, County of Ocean, New Jersey ("Township").

Section 2. It is hereby found, determined and declared as follows:

- (a) the estimated amount to be raised by the Township from all sources for the purposes stated in Section 7 hereof is \$375,000; and
- (b) the estimated amount of bonds or bond anticipation notes to be issued for the purposes stated in Section 7 hereof is \$356,250; and
- (c) a down payment in the amount of \$18,750 for the purposes stated in Section 7 hereof is currently available in accordance with the requirements of Section 11 of the Local Bond Law, N.J.S.A. 40A:2-11.

Section 3. The sum of \$356,250, to be raised by the issuance of bonds or bond anticipation notes, together with the sum of \$18,750, which amount represents the required down payment, are hereby appropriated for the purposes stated in this bond ordinance ("Bond Ordinance").

Section 4. The issuance of negotiable bonds of the Township in an amount not to exceed \$356,250 to finance the costs of the purposes described in Section 7 hereof is hereby authorized. Said bonds shall be sold in accordance with the requirements of the Local Bond Law.

Section 5. In order to temporarily finance the purposes described in Section 7 hereof, the issuance of bond anticipation notes of the Township in an amount not to exceed \$356,250 is hereby authorized. Pursuant to the Local Bond Law, the Chief Financial Officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver the same to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their date to delivery thereof. The Chief Financial Officer is hereby directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this Bond Ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 6. The amount of the proceeds of the obligations authorized by this Bond Ordinance which may be used for the payment of interest on such obligations, accounting, engineering, legal fees and other items as provided in Section 20 of the Local Bond Law, N.J.S.A. 40A:2-20, shall not exceed the sum of \$75,000.

Section 7. The improvements hereby authorized and the purposes for which said obligations are to be issued; the estimated costs of each said purpose; the amount of down payment for each said purpose; the maximum amount obligations to be issued for each said purpose and the period of usefulness of each said purpose within the limitations of the Local Bond Law are as follows:

Purpose/Improvement	Estimated Total Cost	Down Payment	Amount of Obligations	Period of Usefulness
A. Preliminary Costs Associated with the Replacement of Various Sewer Lines located between Ship Bottom and Beach Haven, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	\$375,000.	\$18,750.	\$356,250.00	5 YEARS

Section 8. The average period of useful life of the several purposes for the financing of which this Bond Ordinance authorized the issuance of bonds or bond anticipation notes authorized for said several purposes, is not less than 5 years.

Section 9. Grants or other monies received from any governmental entity, if any, will be applied to the payment of, or repayment of, obligation issued to finance the costs of the proposed described in Section 7 above.

Section 10. The supplemental debt statement provided for in Section 10 of the Local Bond Law, N.J.S.A. 40A:2-10, was duly filed in the office of the Clerk prior to the passage of this Bond Ordinance on first reading and a complete executed duplicate original thereof has been filed in the Office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. The supplemental debt statement shows that the gross debt of the Township, as defined in Section 43 of the Local Bond Law, N.J.S.A. 40A:2-43, is increased by this Bond Ordinance by \$356,250 and that the obligations authorized by this Bond Ordinance will be within all debt limitations prescribed by said Local Bond Law.

Section 11. The full faith and credit of the Township are irrevocably pledged to the punctual payment of the principal of and interest on the bonds or bond anticipation notes authorized by this Bond Ordinance, and to the extent payment is not otherwise provided, the Township shall levy ad valorem taxes on all taxable real property without limitation as to rate or amount for the payment thereof.

Section 12. The Capital Budget is hereby amended to conform with the provisions of this Bond Ordinance to the extent of any inconsistency therewith, and the resolution promulgated by the Local Finance Board showing full detail of the amended Capital Budget and Capital Program as approved by the Director of the Division of Local Government Services, is on file with the Clerk and available for inspection.

Section 13. The Township hereby declares its intent to reimburse itself from the proceeds of the bonds or bond anticipation notes authorized by this Bond Ordinance pursuant to Income Tax Regulation Section 1.150-2(e), promulgated under the Internal Revenue Code of 1986, as amended ("Code"), for "original expenditures", as defined in Income Tax Regulation Section 1.150-2(c)(2), made by the Township prior to the issuance of such bonds or bond anticipation notes.

Section 14. The Township hereby covenants as follows: -2-

(a) it shall take all actions necessary to ensure that the interest paid on the bonds or bond anticipation notes authorized by this Bond Ordinance is exempt from the gross income of the owners thereof for federal income taxation purposes, and will not become a specific item of tax preference pursuant to Section 57(a)(5) of the Code;

(b) it will not make any use of the proceeds of the bonds or bond anticipation notes or do or suffer any other action that would cause the bonds or bond anticipation notes to be "arbitrage bonds" as such term is defined in Section 148(a) of the Code and the Regulations promulgated thereunder;

(c) it shall calculate or cause to be calculated and pay, when due, the rebatable arbitrage with respect to the "gross proceeds" (as such term is used in Section 148(f) of the Code) of the bonds or bond anticipation notes;

(d) it shall timely file with the Ogden, Utah Service Center of the Internal Revenue Service, such information report or reports as may be required by Sections 148(f) and 149(e) of the Code; and

(e) it shall take no action that would cause the bonds or bond anticipation notes to be "federally guaranteed" within the meaning of Section 149(b) of the Code.

Section 15. The improvements authorized hereby are not current expenses and are improvements that the Township may lawfully make. No part of the cost of the improvements authorized hereby has been or shall be specially assessed on any property specially benefited thereby.

Section 16. All ordinances, or parts of ordinances, inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 17. In accordance with the Local Bond Law, this Bond Ordinance shall take effect twenty (20) days after the first publication thereof after final passage.

Date of Introduction: October 17, 2008

Date of Final Adoption: November 7, 2009

Notice of Pending Bond Ordinance and Summary. 08-38

The bond ordinance, the summary terms of which are included herein, was introduced and passed upon first reading at a meeting of the Board of Commissioners of the Township of Long Beach, in the County of Ocean, State of New Jersey, on October 17, 2008. It will be further considered for final passage, after public hearing thereon, at a meeting of the Board of Commissioners to be held at the Public Safety

Building, 6805 Long Beach Boulevard, Brant Beach, New Jersey on November 7, 2008, at 4:00 PM. During the week prior to and up to and including the date of such meeting copies of the full ordinance will be available at no cost and during regular business hours, at the Township Clerk's office for the members of the general public who shall request the same. The summary of the terms of such bond ordinance follows:

Title: BOND ORDINANCE AUTHORIZING THE FUNDING OF PRELIMINARY COSTS ASSOCIATED WITH THE REPLACEMENT OF VARIOUS SEWER LINES IN THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$375,000 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 \$356,250; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING

Purpose/Improvement	Estimated Total Cost	Down Payment	Amount of Obligations	Period of Usefulness
A. Preliminary Costs Associated with the Replacement of Various Sewer Lines located between Ship Bottom and Beach Haven, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	\$375,000.00	\$18,750.00	\$356,250.00	5 years

Appropriation: \$375,000

Bonds/Notes Authorized: \$356,250

Grants (if any) Appropriated: None

Section 20 Costs: \$75,000

Useful Life: 5 years

This Notice is published pursuant to N.J.S.A. 40A:2-17.

Bond Ordinance Statements and Summary 08-38

The bond ordinance, the summary terms of which are included herein, has been finally adopted by the Board of Commissioners of the Township of Long Beach, in the County of Ocean, State of New Jersey on November 7, 2008 and the twenty (20) day period of limitation within which a suit, action or proceeding questioning the validity of such ordinance can be commenced, as provided in the Local Bond Law, has begun to run from the date of the first publication of this statement. Copies of the full ordinance are available at no cost and during regular business hours, at the Township Clerk's office at 6805 Brant Beach Boulevard, Brant Beach, New Jersey for members of the general public who request the same. The summary of the terms of such bond ordinance follows:

Title: BOND ORDINANCE AUTHORIZING THE FUNDING OF PRELIMINARY COSTS ASSOCIATED WITH THE REPLACEMENT OF VARIOUS SEWER LINES IN THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$375,000 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 \$356,250; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING

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Appropriation: \$375,000

Bonds/Notes Authorized: \$356,250

Grants (if any) Appropriated: None

Section 20 Costs: \$75,000

Useful Life: 5 years

This Notice is published pursuant to N.J.S.A. 40A:2-17.

(various sewer line replacements, preliminary costs, engineering & televising of the EIT project)

Passed as on first reading at a regular meeting held on October 17, 2008 advertised in the BEACH HAVEN TIMES, issue of October 22, 2008.

OPEN PUBLIC HEARING

No comments made.

CLOSE PUBLIC HEARING

Motion to adopt Ordinance 08-38 on Second Reading:

Motion: Gove Ayes: Bayard, Gove, Mancini

Second: Bayard Nays:

- 2. Second Reading Ordinance 08-39: **BOND ORDINANCE AUTHORIZING THE FUNDING OF PRELIMINARY COSTS ASSOCIATED WITH THE REPLACEMENT OF VARIOUS WATER MAINS IN THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$375,000 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 \$356,250; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

**TOWNSHIP OF LONG BEACH, NEW JERSEY
ORDINANCE 08-39**

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BE IT ORDAINED by the Board of Commissioners of the Township of Long Beach, County of Ocean, New Jersey (not less than two-thirds of all the members thereof affirmatively concurring), pursuant to the provisions of the Local Bond Law, constituting Chapter 169 of the Laws of 1960 of the State of New Jersey, as amended and supplemented ("Local Bond Law"), as follows:

Section 1. The purposes described in Section 7 hereof are hereby authorized as general improvements to be made or acquired by the Township of Long Beach, County of Ocean, New Jersey ("Township").

Section 2. It is hereby found, determined and declared as follows:

(a) the estimated amount to be raised by the Township from all sources for the purposes stated in Section 7 hereof is \$375,000; and

(b) the estimated amount of bonds or bond anticipation notes to be issued for the purposes stated in Section 7 hereof is \$356,250; and

(c) a down payment in the amount of \$18,750 for the purposes stated in Section 7 hereof is currently available in accordance with the requirements of Section 11 of the Local Bond Law, N.J.S.A. 40A:2-11.

Section 3. The sum of \$356,250, to be raised by the issuance of bonds or bond anticipation notes, together with the sum of \$18,750, which amount represents the required down payment, are hereby appropriated for the purposes stated in this bond ordinance ("Bond Ordinance").

Section 4. The issuance of negotiable bonds of the Township in an amount not to exceed \$356,250 to finance the costs of the purposes described in Section 7 hereof is hereby authorized. Said bonds shall be sold in accordance with the requirements of the Local Bond Law.

Section 5. In order to temporarily finance the purposes described in Section 7 hereof, the issuance of bond anticipation notes of the Township in an amount not to exceed \$356,250 is hereby authorized. Pursuant to the Local Bond Law, the Chief Financial Officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver the same to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their date to delivery thereof. The Chief Financial Officer is hereby directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this Bond Ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 6. The amount of the proceeds of the obligations authorized by this Bond Ordinance which may be used for the payment of interest on such obligations, accounting, engineering, legal fees and other items as provided in Section 20 of the Local Bond Law, N.J.S.A. 40A:2-20, shall not exceed the sum of \$75,000.

Section 7. The improvements hereby authorized and the purposes for which said obligations are to be issued; the estimated costs of each said purpose; the amount of down payment for each said purpose; the maximum amount obligations to be issued for each said purpose and the period of usefulness of each said purpose within the limitations of the Local Bond Law are as follows:

Purpose/Improvement	Estimated Total Cost	Down Payment	Amount of Obligations	Period of Usefulness

Preliminary Costs Associated with the Replacement of Various Water Mains located between Ship Bottom and Beach Haven, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	\$375,000	\$18,750	\$356,250	5 years
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Section 8. The average period of useful life of the several purposes for the financing of which this Bond Ordinance authorized the issuance of bonds or bond anticipation notes authorized for said several purposes, is not less than 5 years.

Section 9. Grants or other monies received from any governmental entity, if any, will be applied to the payment of, or repayment of, obligation issued to finance the costs of the purposed described in Section 7 above.

Section 10. The supplemental debt statement provided for in Section 10 of the Local Bond Law, N.J.S.A. 40A:2-10, was duly filed in the office of the Clerk prior to the passage of this Bond Ordinance on first reading and a complete executed duplicate original thereof has been filed in the Office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. The supplemental debt statement shows that the gross debt of the Township, as defined in Section 43 of the Local Bond Law, N.J.S.A. 40A:2-43, is increased by this Bond Ordinance by \$356,250 and that the obligations authorized by this Bond Ordinance will be within all debt limitations prescribed by said Local Bond Law.

Section 11. The full faith and credit of the Township are irrevocably pledged to the punctual payment of the principal of and interest on the bonds or bond anticipation notes authorized by this Bond Ordinance, and to the extent payment is not otherwise provided, the Township shall levy ad valorem taxes on all taxable real property without limitation as to rate or amount for the payment thereof.

Section 12. The Capital Budget is hereby amended to conform with the provisions of this Bond Ordinance to the extent of any inconsistency therewith, and the resolution promulgated by the Local Finance Board showing full detail of the amended Capital Budget and Capital Program as approved by the Director of the Division of Local Government Services, is on file with the Clerk and available for inspection.

Section 13. The Township hereby declares its intent to reimburse itself from the proceeds of the bonds or bond anticipation notes authorized by this Bond Ordinance pursuant to Income Tax Regulation Section 1.150-2(e), promulgated under the Internal Revenue Code of 1986, as amended ("Code"), for "original expenditures", as defined in Income Tax Regulation Section 1.150-2(c)(2), made by the Township prior to the issuance of such bonds or bond anticipation notes.

Section 14. The Township hereby covenants as follows: -2-

(a) it shall take all actions necessary to ensure that the interest paid on the bonds or bond anticipation notes authorized by this Bond Ordinance is exempt from the gross income of the owners thereof for federal income taxation purposes, and will not become a specific item of tax preference pursuant to Section 57(a)(5) of the Code;

(b) it will not make any use of the proceeds of the bonds or bond anticipation notes or do or suffer any other action that would cause the bonds or bond anticipation notes to be "arbitrage bonds" as such term is defined in Section 148(a) of the Code and the Regulations promulgated thereunder;

(c) it shall calculate or cause to be calculated and pay, when due, the rebatable arbitrage with respect to the "gross proceeds" (as such term is used in Section 148(f) of the Code) of the bonds or bond anticipation notes;

(d) it shall timely file with the Ogden, Utah Service Center of the Internal Revenue Service, such information report or reports as may be required by Sections 148(f) and 149(e) of the Code; and

(e) it shall take no action that would cause the bonds or bond anticipation notes to be "federally guaranteed" within the meaning of Section 149(b) of the Code.

Section 15. The improvements authorized hereby are not current expenses and are improvements that the Township may lawfully make. No part of the cost of the improvements authorized hereby has been or shall be specially assessed on any property specially benefited thereby.

Section 16. All ordinances, or parts of ordinances, inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 17. In accordance with the Local Bond Law, this Bond Ordinance shall take effect twenty (20) days after the first publication thereof after final passage.

Date of Introduction: October 17, 2008

Date of Final Adoption: November 7, 2008

Notice of Pending Bond Ordinance and Summary. 08-39

The bond ordinance, the summary terms of which are included herein, was introduced and passed upon first reading at a meeting of the Board of Commissioners of the Township of Long Beach, in the County of Ocean, State of New Jersey, on October 17, 2008. It will be further considered for final passage, after public hearing thereon, at a meeting of the Board of Commissioners to be held at the Public Safety Building, 6805 Long Beach Boulevard, Brant Beach, New Jersey on November 7, 2008, at 4:00 PM. During the week prior to and up to and including the date of such meeting copies of the full ordinance will be available at no cost and during regular business hours, at the Township Clerk's office for the members of the general public who shall request the same. The summary of the terms of such bond ordinance follows:

Title: BOND ORDINANCE AUTHORIZING THE FUNDING OF PRELIMINARY COSTS ASSOCIATED WITH THE REPLACEMENT OF VARIOUS WATER MAINS IN THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$375,000 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 \$356,250; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING

Purpose/Improvement	Estimated Total Cost	Down Payment	Amount of Obligations	Period of Usefulness
Preliminary Costs Associated with the Replacement of Various Water Mains located between Ship Bottom and Beach Haven, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	\$375,000	\$18,750	\$356,250	5 years

Appropriation: \$375,000
 Bonds/Notes Authorized: \$356,250
 Grants (if any) Appropriated: None
 Section 20 Costs: \$75,000
 Useful Life: 5 years

This Notice is published pursuant to N.J.S.A. 40A:2-17.

Bond Ordinance Statements and Summary 08-39

The bond ordinance, the summary terms of which are included herein, has been finally adopted by the Board of Commissioners of the Township of Long Beach, in the County of Ocean, State of New Jersey on November 7, 2008 and the twenty (20) day period of limitation within which a suit, action or proceeding questioning the validity of such ordinance can be commenced, as provided in the Local Bond Law, has begun to run from the date of the first publication of this statement. Copies of the full ordinance are available at no cost and during regular business hours, at the Township Clerk's office at 6805 Brant Beach Boulevard, Brant Beach, New Jersey for members of the general public who request the same. The summary of the terms of such bond ordinance follows:

Title: BOND ORDINANCE AUTHORIZING THE FUNDING OF PRELIMINARY COSTS ASSOCIATED WITH THE REPLACEMENT OF VARIOUS WATER MAINS IN THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$375,000 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 \$356,250; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING

Purpose/Improvement	Estimated Total Cost	Down Payment	Amount of Obligations	Period of Usefulness
Preliminary Costs Associated with the Replacement of Various Water Mains located between Ship Bottom and Beach Haven, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	\$375,000	\$18,750	\$356,250	5 years

Appropriation: \$375,000
 Bonds/Notes Authorized: \$356,250
 Grants (if any) Appropriated: None
 Section 20 Costs: \$75,000
 Useful Life: 5 years

This Notice is published pursuant to N.J.S.A. 40A:2-17.

(various water line replacements, engineering costs and preparation of the application, etc. for EIT project)

Passed as on first reading at a regular meeting held on October 17, 2008 advertised in the BEACH HAVEN TIMES, issue of October 22, 2008.

OPEN PUBLIC HEARING
 No comments made.
 CLOSE PUBLIC HEARING

Motion to adopt Ordinance 08-39 on Second Reading:
Motion: Gove Ayes: Bayard, Gove, Mancini
Second: Bayard Nays:

3. Second Reading Ordinance 08-40: **AN ORDINANCE OF THE TOWNSHIP OF LONG BEACH IN THE COUNTY OF OCEAN, STATE OF NEW JERSEY VACATING A PART OF A CERTAIN UNNAMED ALLEYWAY LYING BETWEEN WEST 30TH STREET AND WEST 31ST STREET IN THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN AND STATE OF NEW JERSEY.**

ORDINANCE NO. 08-40

AN ORDINANCE OF THE TOWNSHIP OF LONG BEACH in the County of Ocean, State of New Jersey vacating a part of a certain unnamed alleyway lying between West 30th Street and West 31st Street in the Township of Long Beach, County of Ocean and State of New Jersey.

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

STATEMENT OF PURPOSE

This ordinance vacates a portion of a 20 foot wide alleyway lying between West South 31st Street and West 30th Street and located 75 feet Northwesterly of Baltic Avenue.

SECTION I

The Board of Commissioners having considered the requests of neighbors whose property abut a certain unnamed 20 foot wide alleyway located between West South 31st Street and West 30th Street in the Beach Haven Gardens Section of Long Beach Township and having considered the requests and having secured reports from the Long Beach Township Police Department and having considered all of the foregoing having determined that vacating a portion of said alleyway is in the best interests of the Township of Long Beach this Ordinance is duly adopted.

SECTION II

It having been determined by the Board of Commissioners of the Township of Long Beach at a regular meeting of the Board of Commissioners held Friday October 21, 2007 that the Southerly 105.1 feet of the said alleyway referred to in Section I of this Ordinance is not needed for any public purpose and it having been determined that it is the best interests of the Township of Long Beach to vacate the Southerly 105.1 feet of said alleyway the Board of Commissioners do hereby, by the adoption of this Ordinance vacate all public rights, title and interests in and to the Southerly 105.1 feet of said alleyway and the Clerk of Long Beach Township is hereby instructed to cause a copy of this Ordinance to be recorded in the appropriate books of recordation of vacating Ordinances maintained by the County Clerk of Ocean County in Toms River, New Jersey.

SECTION III

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

SECTION IV

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 V

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

NOTICE

Public Notice is hereby given that the foregoing Ordinance was introduced and passed on the first reading at a regular meeting of the Board of Commissioners of the Township of Long Beach, County of Ocean, State of New Jersey, held on Friday October 17, 2008 at 4:00 p.m.

Further public notice is hereby given that said ordinance shall be considered for final passage and adoption at a regular meeting of the Board of Commissioners to be held on Friday November 7, 2008 at 4:00 p.m. at the Public Safety Building, 6805 Long Beach Blvd., Brant Beach, NJ 08008.

CERTIFICATION

I, **Bonnie M. Leonetti, RMC/CMC**, Municipal Clerk for the Township of Long Beach do hereby certify that the foregoing Ordinance was duly adopted by the Board of Commissioners at their meeting held on Friday, November 7, 2008 at 4:00 p.m.

(Beach Haven Gardens section of the Twp.) This was requested by the adjacent property owners.)

Passed as on first reading at a regular meeting held on October 17, 2008 advertised in the BEACH HAVEN TIMES, issue of October 22, 2008.

Motion to adopt Ordinance 08-40 on Second Reading:

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

OPEN PUBLIC HEARING
CLOSE PUBLIC HEARING

ADOPTIONS, APPROVALS, (SUPPORT, OPPOSITIONS)

4. Resolution 08-1107.01: Supporting Senate Bill S-87 and Assembly Bill A-303 to reduce the number of state employees

RESOLUTION 08-1107.01

A RESOLUTION OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, IN SUPPORT OF BILLS S-87 AND A-303 TO REDUCE THE NUMBER OF STATE EMPLOYEES

WHEREAS, Senator Connors, Assemblymen Rumpf and VanPelt are the primary sponsors of Bills S-87 and A-303 which require the executive branch's workforce to be downsized to the workforce that existed in the year 2000; and

WHEREAS, this legislation would result in the reduction of 12,000 executive state employees through attrition; and

WHEREAS, this plan would take place over a four year period; and

WHEREAS the Board of Commissioners of the Township of Long Beach believes that these economic times dictate reductions in government spending; and

WHEREAS, the Board of Commissioners of the Township of Long Beach also would urge that the legislative and judicial branches reduce workforce and expenses at this time.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of the Township of Long Beach, County of Ocean, State of New Jersey hereby supports the passage of Bills S-87 and A-303 for the aforesaid reasons; and

BE IT FURTHER RESOLVED, that the Board of Commissioners also urges that the legislative and judicial branches reduce the workforce and expenses.

BE IT FURTHER RESOLVED that Board of Commissioners shall forward certified copies of this resolution to the following:

- Governor Jon Corzine
 - New Jersey State Legislature
 - 9th, 10th and 30th Legislative Districts
 - Ocean County Municipalities
5. Resolution 08-1107.02: Supporting Senate Bill S-1908 and Assembly Bill A-2731 to expedite traffic sign approvals

RESOLUTION 08-1107.02

A RESOLUTION OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY IN SUPPORT OF BILLS S-1908 AND A-2731 TO EXPEDITE TRAFFIC SIGN APPROVALS

WHEREAS, the New Jersey State Assembly has passed Bill A-2731 which would permit municipalities and counties to make certain traffic engineering decisions without regard to New Jersey Department of Transportation approval; and

WHEREAS, the bill is now in the Senate Transportation Committee for consideration; and

WHEREAS, the Township of Long Beach has long advocated for the ability of a municipality to make local decisions on certain safety and signage issues; and

WHEREAS, the delay in receiving DOT approval for certain traffic signals is sometimes frustrating and always time consuming; and

WHEREAS, the aforementioned bills would permit a municipality to take the appropriate measures when local police departments and municipal engineers have determined that certain safety signage is required.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of the Township of Long Beach, County of Ocean, State of New Jersey, hereby supports the passage of Bills S-1908 and A-2731 for the aforesaid reasons.

BE IT FURTHER RESOLVED that the Municipal Clerk shall forward certified copies of this resolution to the following:

- Governor Jon Corzine
 - New Jersey State Legislature
 - 9th, 10th & 30th Legislative Districts
 - Ocean County Municipalities
6. Resolution 08-1107.03: Supporting the veteran rental assistance initiative

RESOLUTION 08-1107.03

RESOLUTION OF THE TOWNSHIP OF LONG BEACH COUNTY OF OCEAN, STATE OF NEW JERSEY IN SUPPORT OF THE VETERAN RENTAL ASSISTANCE INITIATIVE

WHEREAS, Senator Connors, Assemblymen Rumpf and VanPelt will be introducing legislation to assist veterans in obtaining rental housing; and

WHEREAS, currently eligible veterans for Federal Section 8 Housing are bypassed because of the limitations of the program; and

WHEREAS, Senator Connors, Assemblymen Rumpf and VanPelt believe that the State Rental Assistance Program should be used as a "safety net" for those veterans who suffer from physical and financial hardships and are unable to obtain rental assistance; and

WHEREAS, the Board of Commissioners of the Township of Long Beach strongly supports veteran initiative programs in recognition of the sacrifice that our veterans have made and are making.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach, County of Ocean, State of New Jersey hereby supports the passage of the proposed veteran rental assistance initiative for the aforesaid reasons; and

BE IT FURTHER RESOLVED, that the Municipal Clerk shall forward certified copies of this resolution to the following:

- Governor Jon Corzine
 - New Jersey State Legislature
 - 9th, 10th & 30th Legislative Districts
 - Ocean County Municipalities
7. Resolution 08.1107.04: Approve personnel actions

RESOLUTION 08-1107.04

BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach: Hire the following as a temporary full time Laborer at the rate of \$11.00 per hour to be paid from the Public Works Salary & Wage effective retro-active to October 27, 2008.

Daniel Vickers

Acknowledge the end of a Paid Medical Leave of absence and return to work for DV effective retro-active to November 3, 2008.

Approve a paid Medical Leave of Absence using accumulated sick days for BG effective retro-active to October 30, 2008.

Approve a paid Medical Leave of Absence using accumulated sick days for AD effective retro-active to October 6, 2008 thru October 17, 2008.

Change Mary Jane McGowan's title to Provisional Technical Assistant to the Construction Official effective retro-active to January 1, 2005 as per NJ Department of Personnel.

8. Resolution 08-1107.05: Opposing State Senate Bill, State Assembly Bill No 1454 and State Senate Concurrent Resolution 88, proposing a water tax on Township Ratepayers.

RESOLUTION 08-1107.05

RESOLUTION OF THE TOWNSHIP OF LONG BEACH OPPOSING STATE SENATE BILL 2203, STATE ASSEMBLY BILL NO. 1454 AND STATE SENATE CONCURRENT RESOLUTION 88, PROPOSING A WATER TAX ON TOWNSHIP RATEPAYERS.

WHEREAS, the Township of Long Beach operates a municipal water service for its residents and community; and

WHEREAS, New Jersey State Senate Bill 2203, New Jersey State Assembly Bill 1454, and New Jersey State Senate Concurrent Resolution 88, all propose the imposition of water tax and fees by the State upon all water users in order to fund preservation and conservation projects; and

WHEREAS, the Township of Long Beach strongly opposes such proposed action, as it is an attempt to shift the costs of state programs to local communities; and

WHEREAS, it is the desire of the Board of Commissioners of the Township of Long Beach to voice its opposition to New Jersey State Senate Bill 2203, New Jersey State Assembly Bill 1454, and New Jersey State Senate Concurrent Resolution 88.

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

1. That the Mayor and Township Council of the Township of Long Beach do hereby voice the Township's most strenuous opposition to New Jersey State Senate Bill 2203, New Jersey State Assembly Bill 1454, and New Jersey State Senate Concurrent Resolution 88;

2. That the Board of Commissioners does further oppose any and all proposed state legislation that would attempt to shift the costs of state programs to local communities, municipalities, water customers, authorities or local units of government;

3. That certified copies of this resolution, upon passage, shall be forwarded to Governor Corzine, all State Legislature members, and all Ocean County municipalities.

9. Resolution 08-1107.06: Approve the application for a 2008 Drunk Driving Enforcement Grant in the amount of \$2,661.07

RESOLUTION 08-1107.06

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach that, Long Beach Township Deputy Police Chief Leslie Houston, be and she hereby is authorized and directed to apply, for the 2008 Drunk Driving Enforcement Grant in the amount of \$2,661.07.

Motion to approve Items 4 thru 9 :

Motion: Gove Ayes: Bayard, Gove, Mancini

Second: Bayard Nays:

CONTRACTS AND AWARDS

10. Resolution 08-1107.07: Authorize the cancellation of a contract awarded to Wastequip Mfg. Company .for the purchase of three roll off containers thru the Ocean County Co-op; \$14,220.00(co-op stock had been sold out)

RESOLUTION 08-1107.07

RESOLUTION OF THE TOWNSHIP OF LONG BEACH COUNTY OF OCEAN, STATE OF NEW JERSEY CANCELLING A CONTRACT WITH WASTEQUIP MFG. CO. FOR 4 ROLL-OFF CONTAINERS

WHEREAS, to Resolution awarded 08-1003.06 a contract was awarded for the purchase of four (4) roll-off containers to Wastequip Manufacturing Company through the Ocean County Cooperative Purchasing System; and

WHEREAS, according to Ocean County's bid specifications, a maximum number of containers were provided for in the County's contract #B2006-61 and made available to member municipalities; and

WHEREAS, all of those available containers had already been committed to other members of the Co-op. leaving none available to Long Beach Township at the time of the contract award to Wastequip Mfg. Co.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach, County of Ocean, State of New Jersey must hereby cancel the contract awarded by Resolution 08-1003.06 in the amount of \$14,220.00 to Wastequip Manufacturing Company of Erial, NJ due to their inability to provide four (4) roll-off containers through the Ocean County Cooperative Purchasing System.

11. Resolution 08-1107.08: Authorize Municipal Clerk to advertise for bids for 2009 Tahoe or equivalent for Police Department

RESOLUTION 08-1107.08

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

- A 2009 Tahoe or equivalent for the Police Department
12. Resolution 08-1107.09: Authorize award of a contract for playground equipment to Marturano Recreation Co., per State Contract #59052, \$14,620.05 (for Holgate)

RESOLUTION 08-1107.09

RESOLUTION AUTHORIZING A CONTRACT TO PURCHASE PLAYGROUND EQUIPMENT FOR THE HOLGATE SECTION OF THE TOWNSHIP TO MARTUARANO RECREATION CO., PER STATE CONTRACT

WHEREAS, the Township of Long Beach wishes to purchase from an authorized vendor under the State of New Jersey Cooperative Purchasing Services Program NJCP; and

WHEREAS, the purchase of goods and services by local contracting units is authorized by the Local Public Contracts Law, N.J.S.A. 40A:11-12; and

WHEREAS, Marturano Recreation Co. Inc., Brook 35 Park, 2130 Rt. 35 Bldg. B, Suite 22, Sea Girt, NJ 08750 has been awarded New Jersey State Contract No. 59052 (T0103) effective through 12-09-08 for playground equipment for the Holgate section of the Township; and

WHEREAS, the Commissioner of Revenue and Finance recommends the utilization of this contract on the grounds that it represents the most cost effective method for the needs of the Township; and

WHEREAS, the actual cost to purchase playground equipment pursuant to State Contract #59052 (T0103) shall not exceed Fourteen Thousand Six Hundred Twenty Dollars and Five Cents (\$14,620.05); and

WHEREAS, the Chief Financial Officer has certified the availability of funds for this contract in the appropriations created by: Ordinance 08-16 in the amount of \$14,620.05 .

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach that Marturano Recreation Co. be awarded a contract for the purchase of playground equipment for the Holgate section of the Township in an amount not to exceed Fourteen Thousand Six Hundred Twenty Dollars and Five Cents (\$14,620.05).

13. Resolution 08-1107.10: Authorize award of contract for Homestead Fence Co., for New Jersey Avenue water plant, per quote \$5,321.00

RESOLUTION 08-1107.10

A RESOLUTION AWARDED A CONTRACT FOR THE PURCHASE OF CEDAR STOCKADE FENCE WITH 20' CANTILEVER GATE FOR THE LONG BEACH TOWNSHIP WATER/SEWER DEPARTMENTS, PER QUOTATION

WHEREAS, in accordance with N.J.S.A. 40:A11-6.1, the Long Beach Township Beach Sewer/Water Department solicited quotations for purchase of cedar stockade fence with 20' cantilever gate for the New Jersey Avenue Water Plant, ; and

WHEREAS, in response to the invitation for solicitation three (3) quotations were received; and

WHEREAS, the quotations were reviewed by the Board of Commissioners of the Township of Long Beach and it was determined that Homestead Fence Co., Inc. provided the lowest qualified quotations in accordance with the specifications, said quotations in the total amount of Five Thousand Three Hundred Twenty One Dollars and No Cents (\$5,321.00); and

WHEREAS, it is in the public interest of the Township of Long Beach to award a contract to Homestead Fence for cedar stockade fence with a 20' cantilevered gate; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available in the appropriation created by Water/Sewer Other Expenses.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long, County of Ocean, State of New Jersey, at a regular meeting held this 7th day of November 2008 that the Mayor and the Municipal Clerk are hereby authorized to execute a contract with Homestead Fence Co, Inc., 637 Route 9, West Creek, NJ 08092 in an amount not to exceed Five Thousand Three Hundred Twenty One Dollars and No Cents (\$5,321.00).

14. Resolution 08-1107.11: Authorize award of contract for MDT and Dispatch Computer services and equipment to Dell Computer
Per state contract, \$5,180.11

RESOLUTION 08-1107.11

AUTHORIZE A CONTRACT WITH DELL MARKETING, LP FOR THE PURCHASE OF DISPATCH COMPUTER SERVICE AND EQUIPMENT FOR THE LONG BEACH TOWNSHIP POLICE DEPARTMENT, PER STATE CONTRACT

WHEREAS, the Township of Long Beach wishes to purchase from an authorized vendor under the State of New Jersey Cooperative Purchasing Services Program NJCP; and

WHEREAS, the purchase of goods and services by local contracting units is authorized by the Local Public Contracts Law, N.J.S.A. 40A:11-12; and

WHEREAS, Dell Marketing LP, Dept. 0747, PO Box 12001, Dallas, TX 75312-0747 has been awarded New Jersey State Contract No. 70256 for computer hardware for the Police Dept. effective from October 17, 2007 through August 31, 2009; and

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

WHEREAS, the actual cost of the dispatch computer service and equipment is Five Thousand One Hundred Eighty Dollars and Eleven Cents (\$5,180.11); and

WHEREAS, the Chief Financial Officer has certified the availability of funds for this contract in the appropriation created by Share Grant.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach that Dell Marketing, LP be awarded a contract for the purchase of dispatch computer service and equipment pursuant to state contract #70256 in an amount not to exceed Five Thousand One Hundred Eighty Dollars and Eleven Cents (\$5,180.11).

15. Resolution 08-1107.12: Authorize an Inter Local Agreement to provide Conflict Inspection Services for the Borough of Harvey Cedars
(for a member of their governing body)

RESOLUTION 08-1107.12

RESOLUTION AUTHORIZING EXECUTION OF INTER-LOCAL MUNICIPAL AGREEMENT BY AND BETWEEN THE TOWNSHIP OF LONG BEACH, A MUNICIPAL CORPORATION OF THE STATE OF NEW JERSEY, AND THE BOROUGH OF HARVEY CEDARS, A MUNICIPAL CORPORATION OF THE STATE OF NEW JERSEY, AUTHORIZING THE TOWNSHIP OF LONG BEACH TO PROVIDE BUILDING INSPECTION SERVICES FOR BUILDERS IN THE SAID BOROUGH WHICH BUILDER HAS A CONFLICT OF INTEREST WHICH DISQUALIFIES THE HARVEY CEDARS BUILDING DEPARTMENT FROM ISSUING BUILDING PERMITS AND INSPECTING OTHER CONSTRUCTION IN THE BOROUGH PURSUANT TO N.J.A.C. 5:23-4.5 (l) 2 (j) 1

WHEREAS, the Township of Long Beach and the Borough of Harvey Cedars have contiguous borders; and

WHEREAS, the Department of Community Affairs adopted a regulation codified in N.J.A.C. 5:23-4.5 (l) 2 (j) 1 providing that "No person employed by an enforcing agency as a construction or sub-code official or as an inspector shall carry out any inspection or enforcement procedure with respect to any property or business in which . . . any other public official or employee having any direct or indirect control over the funding or operations of the enforcing agency or any close relative or household member of any such public official or employee, has an economic interest. . ."; and

WHEREAS, N.J.A.C. 5:23-4.5 (l) 2 (j) 1 provides, "Where an inspection or enforcement procedure is necessary or required in any such property or business and there is no other person employed by the enforcing agency who is qualified, pursuant to this chapter, to perform the inspection or enforcement procedure and who is not a subordinate of the person with the direct or indirect economic interest in such property or business, the official or inspector shall arrange for the inspection or enforcement to be carried out either by another local enforcing agency or by the department."; and

WHEREAS, the Borough of Harvey Cedars has requested that members of The Long Beach Township Building Department issue permits and provide inspection services as Building Inspector for buildings being constructed, or to be constructed in the Borough of Harvey Cedars in cases where conflict as described above exist; and

WHEREAS, the Board of Commissioners of the Township of Long Beach has determined that if an appropriate agreement can be worked out in the form of an Inter-local Agreement by and between the Township of Long Beach, a Municipal Corporation of the State of New Jersey, and the Borough of Harvey Cedars, a Municipal Corporation of the State of New Jersey, that in a spirit of cooperation Long Beach Township would be willing to enter into such an Inter-local Agreement provided the Township Attorney of The Township of Long Beach approves the form and substance thereof; and

WHEREAS, Long Beach Township is always cognizant of being a good neighbor to other Municipalities located on Long Beach Island; and

WHEREAS, the local Building Departments of all Island Municipalities rely on the County of Ocean Building Inspection Department to perform electrical inspection, plumbing inspection and fire inspection services and compensate the County of Ocean for such services, being compensated themselves by receiving 10% of the fees charged to compensate said municipalities for time and effort and issuing such permits and in being involved in scheduling certain inspections.

NOW THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Township of Long Beach at a regular meeting held Friday, November 7, 2008, that the Mayor of Long Beach Township is hereby authorized and directed to enter into an Inter-local Agreement with the Borough of Harvey Cedars for Building Inspection Services; and

BE IT FURTHER RESOLVED, that the actual issuance of permits after having been approved by the Director of the Construction / Zoning Department of the Township of Long Beach, shall be issued individually by the Borough of Harvey Cedars, and for such clerical work the Borough shall receive compensation in the same percentage as all Long Beach Island municipalities receive from the County of Ocean for inspections of electrical, plumbing and fire on construction in Long Beach Island municipalities, with the balance of required fees paid to Long Beach Township.

Motion to approve Items 10 thru 15 :

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

FINANCIAL APPROVALS

- 16. Resolution 08-1107.13: Approve the sale of 2009 pre-season beach badge gift certificates @ \$25 each (The Twp. began this program in 2007)

RESOLUTION 08-1107.13

WHEREAS, it has come to the attention of the Board of Commissioners of the Township of Long Beach that adjacent Island municipalities have offered gift certificates to the public for the sale of the subsequent year's pre-season beach badges during the months of November and December; and

WHEREAS, the Long Beach Township Governing Body wishes to foster the goodwill of the holiday season and to facilitate the sale of pre-season beach badges for 2009 beachgoers.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach that gift certificates, in the amount of Twenty Five Dollars (\$25.00) each, for the sale of the upcoming year's pre-season beach badges shall be available for purchase during the months of November and December 2008.

- 17. Resolution 08-1107.14: Approve the extension of a Performance Bond LUB 6-36 Reitz (minor subdivision, work incomplete)

RESOLUTION 08-1107.14

WHEREAS, the Township of Long Beach received from Randy & Yvonne Reitz, Bond No. 1003149 in the amount of \$16,512.00 from Lexon Insurance Company, and Certified Check #0314 drawn on Commerce Bank in the amount of \$6,192.00 representing the required Performance Bond amount of \$22,704.00 for Minor Sub-division, Application LUB-6-04, Block 12.20, Lot 14, Peahala Park, NJ.; and

WHEREAS, Long Beach Township Resolution 07-1214.09(a) approved an extension of this performance bond through November 17, 2008, pursuant to the inspection by the Township Engineer determining that certain work had not been satisfactorily completed; and

WHEREAS, upon inspection of the property by the Township Engineer it has been determined that certain work items have not been satisfactorily completed and he recommends the Performance Bond be again extended for one year to November 7, 2009.

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

18. Resolution 08-1107.15: Approve Corrective Action Plan for the 2007 Audit
(Required by DCA, our CFO has already begun addressing the recommendations made from the Audit)

RESOLUTION 08-1107.15

WHEREAS, the NJ Division of Local Government Services has promulgated requirements regarding the Annual Audit procedures which include that a Corrective Action Plan must be prepared and submitted within 60 days of the governing body's receiving said audit; and

WHEREAS, the Chief Financial Officer of Long Beach Township has prepared the Corrective Action Plan addressing the findings and recommendations in the 2007 audit report.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach that the aforementioned Corrective Action Plan for the 2007 Audit (annexed hereto) be and hereby is approved and adopted this 7th day of November 2008.

19. Resolution 08-1107.16: Approve appropriations transfers
(Transfers are statutorily allowed in Nov and Dec of each year)

RESOLUTION 08-1107.16

WHEREAS, the New Jersey statutes provide for the making of appropriation transfers between the period of November 1, 2008 and December 31, 2008; 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
Finance Admin FT	S/W	8-01-20-130-011	\$45,900.00
TOTAL			\$45,900.00
TO:	DEPT:	ACCT#	AMOUNT
Telephone	O/E	8-01-31-440-000	\$12,500.00
Shared Equipment	O/E	8-01-31-651-000	2,000.00
Advertising	O/E	8-01-20-120-205	\$700.00
Engineering	O/E	8-01-20-165-028	\$10,000.00
Unemployment Insurance	O/E	8-01-23-225-000	\$700.00
Social Security	O/E	8-01-36-472-000	\$20,000.00
TOTAL			\$45,900.00

20. Resolution 08-1107.17: Approve Bills & Payroll
Bills in the amount of: \$8,858,763.17
Payrolls in the amount of: \$ 352,227.13
(Ocean County and School tax payments are included in the bills total)

RESOLUTION 08-1107.17

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 \$352,227.13.

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 \$8,858,763.17 be and the same are hereby authorized to be paid on November 7, 2008.

2. The said approved payroll amounting to the sum of \$352,227.13 be and the same are hereby authorized to be paid on November 7, 2008.

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

21. Resolution 08-1107.18: Award the NJDOT 2008 contract to Earle Asphalt for N. Ohio Avenue, per bid, \$126,413.13 (needed extra funding in place prior to award)

RESOLUTION 08-1107.18

RESOLUTION OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY AWARING A CONTRACT TO EARLE ASPHALT COMPANY FOR THE 2008 ROAD RECONSTRUCTION / IMPROVEMENT PROJECT

WHEREAS, the Township of Long Beach duly advertised for the receipt of bids in regard to the Fiscal Year Municipal Aid (FYMA) 2008 Road Reconstruction/Improvement Project; and

WHEREAS, in response to the invitation to bidders, four (4) bids were received; and

WHEREAS, the bids have been reviewed by the Township Engineer and the Township Attorney and it has been determined that Earle Asphalt Company submitted the lowest responsible bid in accordance with the bid specifications, said bid being \$126,413.13; and

WHEREAS, it is the desire of the governing body to award a contract for the 2008 Road Reconstruction / Improvement to Earle Asphalt Company, P.O. Drawer 556, Cranberry Road, Farmingdale, NJ 07727, the lowest responsible bidder.

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

1. That the governing body does hereby award a contract for the 2008 Road Reconstruction/Improvement Project to Earle Asphalt Company at \$126,413.13.

2. That the Mayor and Municipal Clerk are hereby authorized to execute a contract with Earle Asphalt Company in accordance with the bid submitted by Earle Asphalt Company and the bid specifications.

3. That the governing body specifically approves the bid specifications, designs and plans prepared in connection with the 2008 Road Reconstruction / Improvement Project.

4. That a certificate of availability of funds executed by the Chief Financial Officer is annexed hereto. The funds for this project are made available by a 2008 NJDOT Grant.

5. This contract is awarded subject to approval by the New Jersey Department of Transportation.

Motion to approve Items 16 thru 21:

Motion: Gove Ayes: Bayard, Gove, Mancini

Second: Bayard Nays:

Commissioner Gove abstained from Ocean County Utilities Authority vouchers.

Mayor Mancini stated the Treasurer's Report for the month of September was on file in the Municipal Clerk's Office.

COMMISSIONERS' REPORTS

Commissioner Bayard explained financing of sewer project will pay engineering fees for the video taping of sewer lines from Alabama Ave to W 13th Street. He also explained the water bond is being used for the replacement of 2 and 4 inch mains to 6 inch mains.

Commissioner Bayard reported the fence contracted for will be to fence in the Water Plant Lot and store the Beach Wheels and Beach Patrol Equipment in a shed that was formerly kept out in the weather.

Commissioner Bayard also announced the Ocean County Shredding program scheduled for November 14th at the Twp. garage.

Commissioner Gove reported the Recreation Committee's Halloween Celebration of pumpkin painting and scary stories around the bonfire on the beach was a great event and thanked Kyle Ominski and the DPW for their hard work putting it together.

Mayor Mancini announced the next meeting of the Board of Commissioners would take place Friday, November 21st at 4:00 p.m. The next regular meeting of the Land Use Board would take place on Wednesday, November 12th at 7:00 p.m. in the 2nd floor multipurpose room.

Mayor Mancini also reported the Township gasoline usage is on target and actually under budget this year.

OPEN PUBLIC SESSION

Sandra Smith, Haven Beach congratulated Commissioner Bayard on the trash and recycling pick ups. She also requested trash and recycling cans be placed at the beach exits noting it would help the residents who pick up trash while walking the beach giving them a place to discard it.

She also reported that the bench at 120th St. bayfront (same street as the bait store) has been damaged by people using it for a cutting bench for bait. She asked for a new bench.

Ms. Smith noted the entrance to the beach on 120th St is very dangerous due to the different levels of the walkway. She also stated the beach between 119th and 122nd is in desperate need of beach replenishment.

Dick Jeffries, 129th St. asked for an explanation of the resolution for inspection services with Harvey Cedars. Mayor Mancini responded that members of the governing body who need inspections would be able to use our inspectors to avoid any conflicts.

Bill Hutson, Holgate thanked the governing body for the playground equipment for Holgate and commented on the great bonfire.

CLOSE PUBLIC SESSION

Motion for adjournment at 4:25 pm

Motion: Gove Ayes: Bayard, Gove, Mancini

Second: Bayard Nays:

Bonnie M. Leonetti, RMC, CMC
Municipal Clerk

Joseph H. Mancini, Mayor

DiAnne C. Gove, Comm.

Ralph H. Bayard, Comm.