



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 \$50,000.

**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:

<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
A. Acquisition of two (2) Diesel Powered Regenerative Air Sweepers Mounted on a Diesel Powered Truck Chassis, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	\$250,000	\$0	\$250,000	15 Years

**Section 8.** 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 \$250,000 and that the obligations authorized by this Bond Ordinance will be within all debt limitations prescribed by said Local Bond Law.

**Section 9.** 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 10.** 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 11.** The Township hereby declares its intent to reimburse itself from the proceed 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 12.** The Township hereby covenants as follows:

(a) it shall take all actions necessary to ensure that the interest paid on the bonds or bond anticipation notes authorized by the 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 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 13.** 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 14.** All ordinances, or parts of ordinances, inconsistent herewith are hereby repealed to the extent of such inconsistency.

**Section 15.** 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: November 4, 2011

**Date of Final Adoption: November 18, 2011**

Lynda Wells, Municipal Clerk explained this ordinance provided for the purchase of two (2) street sweepers. Passed on first reading at a regular meeting held on November 4, 2011 and advertised in the BEACH HAVEN TIMES issue of November 9, 2011.

OPEN PUBLIC HEARING

No comments.

CLOSE PUBLIC HEARING

Motion to adopt Ordinance 11-44 on Second Reading:

Motion: Knarre Ayes: Knarre, Bayard, Mancini

Second: Bayard Nays:

2. Second 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**

**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 \$2,900,000; and
- (b) the estimated amount of bonds or bond anticipation notes to be issued for the purposes stated in Section 7 hereof is \$2,900,000.

**Section 3.** The sum of \$2,900,000, to be raised by the issuance of bonds or bond anticipation notes is 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 \$2,900,000 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. All or a portion of the bonds authorized to be issued hereunder may evidence one or more loans from the New Jersey Department of Environmental Protection and/or the New Jersey Environmental Infrastructure Trust, under an Application for Financial Assistance (Project No. S340023-04) submitted by the Township to said entities (collectively, the "Application").

**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 \$2,900,000 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 \$580,000.

**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:

<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligation</u>	<u>Period of Usefulness</u>
A Replacement of Existing Sanitary Sewer Mains, including but not limited to Laterals, Manholes and Pavement Restoration, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto, all as more particularly described in the Application on file in the Municipal Clerk's office.	\$2,900,000	\$0	\$2,900,000	40 years

**Section 8.** 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 \$2,900,000 and that the obligations authorized by this Bond Ordinance will be within all debt limitations prescribed by said Local Bond Law.

**Section 9.** 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 10.** 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 11.** The Township hereby declares its intent to reimburse itself from the proceed 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 12.** The Township hereby covenants as follows:

(a) it shall take all actions necessary to ensure that the interest paid on the bonds or bond anticipation notes authorized by the 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 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 13.** 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 14.** All ordinances, or parts of ordinances, inconsistent herewith are hereby repealed to the extent of such inconsistency.

**Section 15.** 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: November 4, 2011**

**Date of Final Adoption: November 18, 2011**

Passed on first reading at a regular meeting held on November 4, 2011 and advertised in the BEACH HAVEN TIMES issue of November 9, 2011.

OPEN PUBLIC HEARING

No comments.

CLOSE PUBLIC HEARING

Motion to adopt Ordinance 11-45 on Second Reading:

Motion: Knarre Ayes: Knarre, Bayard, Mancini

Second: Bayard Nays:

3. Second 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**

**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 \$3,100,000; and
- (b) the estimated amount of bonds or bond anticipation notes to be issued for the purposes stated in Section 7 hereof is \$3,100,000.

**Section 3.** The sum of \$3,100,000, to be raised by the issuance of bonds or bond anticipation notes is 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 \$3,100,000 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. All or a portion of the bonds authorized to be issued hereunder may evidence one or more loans from the New Jersey Department of Environmental Protection and/or the New Jersey Environmental Infrastructure Trust, under an Application for Financial Assistance (Project No. 1517001-011) submitted by the Township to said entities ("Application").

**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 \$3,100,000 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 \$620,000.

**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:

<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
A. Replacement of existing Water Mains, including but not limited to the Installation of Water Valves and Services, Fire Hydrants and Road Pavement Restoration, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto, all as more particularly described in the Application on file in the Municipal Clerk's office.	\$3,100,000	\$0	\$3,100,000	40 Years

**Section 8.** 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 \$3,100,000 and that the obligations authorized by this Bond Ordinance will be within all debt limitations prescribed by said Local Bond Law.

**Section 9.** 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 10.** 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 11.** The Township hereby declares its intent to reimburse itself from the proceed 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 12.** The Township hereby covenants as follows:

(a) it shall take all actions necessary to ensure that the interest paid on the bonds or bond anticipation notes authorized by the 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 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 13.** 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 14.** All ordinances, or parts of ordinances, inconsistent herewith are hereby repealed to the extent of such inconsistency.

**Section 15.** 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: November 4, 2011**

**Date of Final Adoption: November 18, 2011**

Passed on first reading at a regular meeting held on November 4, 2011 and advertised in the BEACH HAVEN TIMES issue of November 9, 2011.

OPEN PUBLIC HEARING

No comments.

CLOSE PUBLIC HEARING

Motion to adopt Ordinance 11-46 on Second Reading:

Motion: Knarre Ayes: Knarre, Bayard, Mancini

Second: Bayard Nays:

4. First Reading Ordinance 11-47C: **AN ORDINANCE AMENDING AN ORDINANCE ENTITLED, "CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, (1997) AS THE SAME IN CHAPTER 51 AND CHAPTER 205 DEFINE THE TERM PRONOUNCED UNIFORMITY.**

Lynda J. Wells, Municipal Clerk explained this ordinance provides a definition of uniformity.

First Reading Ordinance 11-47C

Motion to approve Ordinance 11-47C on First Reading:

Motion: Knarre Ayes: Knarre, Bayard, Mancini

Second: Bayard Nays:

**ADOPTIONS AND APPROVALS**

5. Resolution 11-1118.01: Authorize the Municipal Clerk to advertise for bids
- 2011 Water Main Replacement Projects
  - 2011 Sewer Main Replacement Projects

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

- 2011 Water Main Project
- 2011 Sewer Main Project

6. Resolution 11-1118.02: Approve personnel actions

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

**POLICE**

Accept and approve a PFRS Special Retirement for Loren Pence effective December 1, 2011.

Approve a contractual pay step to "Step 2 Academy Certified" in the amount of \$46,452.06 for Officer Justin Hoffman and Officer Anthony O'Conne to be paid from the Police Salary & Wage effective retro-active to September 30, 2011.

Motion to approve Items 5 and 6:

Motion: Knarre Ayes: Knarre, Bayard, Mancini

Second: Bayard Nays:

**CONTRACTS, PURCHASES AND AWARDS**

7. Resolution 11-1118.03(a&b): Approve various Shared Service Agreements

- a. Ocean County D.W.I. Enforcement Program: to identify and remove intoxicated drivers from the roadways
- b. Ocean County Prosecutor's Program: to assist in the investigation and prosecution of fatal accidents and Department of Finance.

**RESOLUTION 11-1118.03(a)**

**A RESOLUTION AUTHORIZING THE RENEWAL OF A SHARED SERVICES AGREEMENT WITH OCEAN COUNTY FOR THE DRIVING WHILE INTOXICATED ENFORCEMENT PROGRAM**

**WHEREAS**, the Shared Services Act, N.J.S.A. 40A:65-1 et seq., authorizes local units as defined in the Act to enter into joint agreements for the provision of governmental services; and

**WHEREAS**, the Township of Long Beach desires to continue to participate in the Ocean County Driving While Intoxicated Enforcement Program; and

**WHEREAS**, there is a continued need for Police Officers to be assigned to various DWI checkpoints; and

**WHEREAS**, funds for these services are received from the State of New Jersey and County of Ocean.

**NOW, THEREFORE, BE IT RESOLVED** the Board of Commissioners of the Township of Long Beach does hereby authorize the execution of the renewal of the Ocean County Driving While Intoxicated Enforcement Program Shared Services Agreement effective January 1, 2012 through December 31, 2012 with compensation to the Township set at the rate of fifty (\$50.00) per hour per officer.

**BE IT FURTHER RESOLVED**, that certified copies of this Resolution shall be forwarded to the Ocean County Office of the Prosecutor and Department of Finance.

**RESOLUTION 11-1118.03(b)**

**A RESOLUTION AUTHORIZING THE RENEWAL OF A SHARED SERVICES AGREEMENT WITH OCEAN COUNTY FOR THE PROSECUTOR'S PROGRAM**

**WHEREAS**, the Shared Services Act, N.J.S.A. 40A:65-1 et seq., authorizes local units as defined in the Act to enter into joint agreements for the provision of governmental services; and

**WHEREAS**, the Township of Long Beach desires to continue to participate in the County of Ocean Police Services Prosecutor's Program formerly known as the Fatal Accident Support Team (F.A.S.T.); and

**WHEREAS**, there is a need for Traffic Safety Officers to attend accidents when a fatality has occurred; and

**WHEREAS**, the Traffic Safety Officers are available through the municipalities within the County of Ocean; and

**WHEREAS**, funds for the Prosecutor's Program are available in the Ocean County 2012 Budget.

**NOW, THEREFORE, BE IT RESOLVED** the Board of Commissioners of the Township of Long Beach does hereby authorize the execution of the renewal of the Prosecutor's Program Shared Services Agreement effective January 1, 2012 through December 31, 2012 with compensation to the Township set at the rate of sixty (\$60.00) per hour per officer.

**BE IT FURTHER RESOLVED**, that certified copies of this Resolution shall be forwarded to the Ocean County Office of the Prosecutor and Department of Finance.

8. Resolution 11-1118.04: Authorize the execution of the Superior Officer's Collective Bargaining Unit Agreement:  
Effective 2011-2013

**RESOLUTION APPROVING THE EXECUTION OF A COLLECTIVE BARGAINING UNIT AGREEMENT WITH LONG BEACH PBA LOCAL #373 SUPERIOR OFFICERS AND THE TOWNSHIP OF LONG BEACH**

**WHEREAS**, as a result of negotiations between Long Beach PBA Local #373 Superior Officers and the Township of Long Beach, contract terms were agreed upon between the said parties; and

**WHEREAS**, a Collective Bargaining Unit Agreement has been prepared, which accurately reflects the agreement between the parties and has been reviewed and approved by the appropriate representatives of both parties; and

**WHEREAS**, the Commissioner of Public Affairs and Safety and the entire Board of Commissioners deems it to be in the best interest of the Township of Long Beach to approve said Collective Bargaining Unit Agreement between the Township and Long Beach PBA Local #373 Superior Officers.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Township of Long Beach at a regular meeting held November 18, 2011 that the Mayor and Municipal Clerk shall and are hereby authorized to execute the appropriate documents as described above and enter into a new three (3) year Collective Bargaining Unit Agreement with Long Beach PBA Local #373 Superior Officers covering the period January 1, 2011 through December 31, 2013.

Lynda Wells, Municipal Clerk noted this agreement mirrored the rank and file agreement.

9. Resolution 11-1118.05: Approve a (1) one-year maintenance agreement for hardware repairs to the computer server in the Police Department: Dell \$499.36

**A RESOLUTION APPROVING A PROPRIETARY MAINTENANCE AGREEMENT FOR  
HARDWARE REPAIR SERVICES TO THE COMPUTER SERVER IN THE  
POLICE DEPARTMENT OF THE TOWNSHIP OF LONG BEACH**

**WHEREAS**, the provision or performance of goods or services for computer server hardware maintenance and repairs 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 a maintenance agreement for hardware repairs to the computer server in the Police Department; and

**WHEREAS**, Dell Marketing, One Dell Way, Round Rock, TX 76768 is able to provide the aforementioned maintenance agreement for hardware repairs to the computer server as noted:

- Model: Power Edge 860, Service Tag: 8P9MFC1 in an amount not to exceed Four Hundred Ninety Nine Dollars and Thirty Six Cents (\$499.36) effective November 15, 2011 through November 14, 2012.

**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 hardware repairs to the computer server in the Police Department, as described above, in an amount not to exceed Four Hundred Ninety Nine Dollars and Thirty Six Cents (\$499.36) effective November 15, 2011 through November 14, 2012.

10. Resolution 11-1118.06: Approve an amendment to Resolution 11-0819.08(c)

**WHEREAS**, pursuant to Resolution 11-0819.08(c) the Board of Commissioners of the Township of Long Beach approved a purchase from Global % W.B. Mason Co., Inc., 1350 S.W. Boulevard, Vineland, NJ 08360 for various office furniture for the Construction Department in the amount of Fourteen Thousand Five Hundred Sixty Two Dollars and Twenty Four Cents (\$14,562.24); and

**WHEREAS**, the correct address for Global % W.B. Mason Co., Inc, is 17 West Stow Road, Marlton, NJ 08053; and

**WHEREAS**, due to a price increase, the original price for the following items has changed:

- (A) DIVIDE-Fabric Panels-Built-in accessory rail w/matching filler panel-11/16D x 38Wx12H; Quantity of items is two (2); Price increased from One Hundred Sixty One Dollars and Seventy Cents (\$161.70) to a purchase price of One Hundred Seventy Dollars and Twenty Five Cents (\$170.25)
- (B) DIVIDE-Fabric Panels-Built-in accessory rail w/matching filler panel-11/16D x 32Wx12H; Quantity of items is two (2); Price increased from One Hundred Thirty Seven Dollars and Twenty Eight Cents (\$137.28) to a purchase price of One Hundred Forty Five Dollars and Eighty Six Cents (\$145.86).
- Resulting in a net increase of Thirty Four Dollars and Thirty Two Cents (\$34.32), making the actual total purchase price Fourteen Thousand Five Hundred Ninety Six Dollars and Fifty Six Cents (\$14,596.56).

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Commissioners of the Township of Long Beach this 18<sup>th</sup> day of November 2011, for the reasons aforesaid, approve an amendment to Resolution 11-0819.08(c) as noted above.

Lynda Wells, Municipal Clerk explained this revised the vendor's address.

Motion to approve Items 7 thru 10:

Motion: Knarre Ayes: Knarre, Bayard, Mancini

Second: Bayard Nays:

**FINANCIAL APPROVALS**

11. Resolution 11-1118.07(a-c): Approve Performance/ Maintenance Bond actions as follows:
- a) release of a Performance Bond – LUB 38-08
  - b) accept Maintenance Bond & release Performance LUB 16-10
  - c) extend Performance Bond – LUB 11-09

**RESOLUTION 11-1118.07(a)**

**WHEREAS**, the Township of Long Beach has received from Vera Fenerty, Official Check #60146943-6 dated May 28, 2010, in the amount of Twelve Thousand Six Hundred Fifty Dollars (\$12,650.00) drawn on TD Bank, representing the required Performance Bond for Minor Subdivision #LUB-38-08, Block 11.24, Lot 3 (5 East California Ave., Beach Haven Park, NJ); and

**WHEREAS**, the municipal engineer has inspected the site of the minor subdivision and certifies the Performance Bond in the amount of Twelve Thousand Six Hundred Fifty Dollars (\$12,650.00) be released and a Maintenance Bond be retained in the amount of Six Hundred Dollars \$600.00.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Commissioners of the Township of Long Beach approves the acceptance of the Maintenance Bond in the amount of Six Hundred Dollars (\$600.00), and the release of the Performance Bond in the amount of Twelve Thousand Six Hundred Fifty Dollars (\$12,650.00).

**RESOLUTION 11-1118.07(b)**

**WHEREAS**, the Township of Long Beach has received from Mancini Custom Homes, Inc., Official Check # 50641638-6 in the amount of \$9,240.00 representing the performance Bond for a Minor Subdivision Application #LUB 16-10, Block 14.09 Lot 1, 7807 Long Beach Blvd., Beach Haven Crest.

**WHEREAS**, the Municipal Engineer has inspected the site of the minor subdivision and certifies the Performance Bond in the amount of Nine Thousand Two Hundred Forty Dollars (\$9,240.00) be released and a Maintenance Bond be retained in the amount of One Thousand Two Hundred Sixty Dollars (\$1,260.00).

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Commissioners of the Township of Long Beach approve the acceptance of the Maintenance Bond in the amount of One Thousand Two Hundred Sixty Dollars (\$1,260.00), and the release of the Performance Bond in the amount of Nine Thousand Two Hundred Forty Dollars (\$9,240.00).

**RESOLUTION 11-1118.07(c)**

**WHEREAS**, the Township of Long Beach has received from Sea Horse Motel, Inc. Cashier's Check #516287 dated November 23, 2009 in the amount of Three Thousand Seven Hundred Forty Dollars (\$3,740.00) drawn on Sun National Bank, representing the required Performance Bond for Major Site Plan #LUB-11-09-PF, Block 15.108, Lot 2 (4204 Long Beach Blvd., Brant Beach, NJ).

**WHEREAS**, the property was inspected on November 16, 2011 by the Municipal Engineer who concluded the work was not complete and recommends the Performance Bond be extended for one year to November 18, 2012.

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

12. Resolution 11-1118.08: Approve Appropriation Transfers

**RESOLUTION 11-1118.08**

**WHEREAS**, the New Jersey statutes provide for the making of 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:

<b>CURRENT FUND</b>			
<b>FROM:</b>	<b>DEPT</b>	<b>ACCOUNT #</b>	<b>AMOUNT</b>
Beach Badge	S/W	1-01-28-381-011	\$3,000.00
Social Security	O/E	1-01-36-472-000	\$5,000.00
Sanitary Landfill	O/E	1-01-26-306-029	\$20,000.00
Streets & Roads	S/W	1-01-26-290-011	\$5,000.00
Public Works	S/W	1-01-26-302-011	\$5,000.00
<b>TOTAL</b>			<b>\$38,000.00</b>
<b>TO:</b>	<b>DEPT:</b>	<b>ACCT#</b>	<b>AMOUNT</b>
Unemployment Insurance	O/E	1-01-23-225-000	\$10,000.00
Telephone	O/E	1-01-31-440-000	\$15,000.00
Lifeguards	S/W	1-01-28-380-011	\$2,000.00
Beach Badge	O/E	1-01-28-381-100	\$1,000.00
Streets & Roads	O/E	1-01-26-290-100	\$5,000.00
Public Works	O/E	1-01-26-302-100	\$5,000.00
<b>TOTAL</b>			<b>\$38,000.00</b>

13. Resolution 11-1118.09: Approve the Corrective Action Plan pursuant to the 2010 Annual Audit

**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 2010 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 2010 Audit (annexed hereto) be and hereby is approved and adopted this 18<sup>th</sup> day of November 2011.

14. Resolution 11-1118.10: Approve Bills & Payroll  
 Bills in the amount of: \$9,223,967.05  
 Payroll in the amount of: \$ 372,520.57

**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 \$372,520.57.

**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 \$9,223,967.05 be and the same are hereby authorized to be paid on November 18, 2011.

2. The said approved payroll amounting to the sum of \$372,520.57 be and the same are hereby authorized to be paid on November 18, 2011.

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

Lynda Wells, Municipal Clerk noted vouchers include County taxes.

Motion to approve Items 11 thru 14:

Motion: Knarre Ayes: Knarre, Bayard, Mancini

Second: Bayard Nays:

**Mayor Mancini** stated the Treasurer's Report for the month of October 2011 was on file in the Municipal Clerk's Office.

#### COMMISSIONERS' REPORTS

**Commissioner Knarre** announced flu shots were still available at the Health Department and wished everyone a Happy Thanksgiving.

**Commissioner Bayard** gave a summary of the water and sewer infrastructure projects, noting 45 streets had improvements to the water lines and 39 streets had improvements to the sewer lines. He also explained the bonds that were just approved would provide for 28 more streets to have sewer line improvements and 4 more to have water line improvements.

Commissioner Bayard also announced the road to the Wildlife Refuge was open again.

**Mayor Mancini:** announced the next meeting of the Board of Commissioners would take place on Friday, December 2, 2011 at 4:00 p.m. at which time the public hearing would be held for Zoning Ordinance 47C.

**Mayor Mancini** also announced the next regular meeting of the Land Use Board would be held on Wednesday December 14<sup>th</sup>, at 7:00 p.m. in the 2<sup>nd</sup> floor multi-purpose room.

**Mayor Mancini** also announced the Police Department had applied for a state grant in the amount of \$3,737.88 for Body Armor Replacement. He reported November was Cyber Safety month and advised residents to report anything suspicious to the Police Dept.

**Mayor Mancini** finally noted the Police Dept. website LBTPD.org had links for various topics including senior safety, computer fraud, etc.

#### OPEN PUBLIC SESSION

Bill Hutson, Holgate thanked Commissioner Bayard for continuing on with the 5 year plan to improve the water and sewer infrastructure and also for working to get the Holgate preserve open for the weekend.

#### CLOSE PUBLIC SESSION

Motion for adjournment at 4:15 p.m.

Motion: Knarre Ayes: Knarre, Bayard, Mancini

Second: Bayard Nays:

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Lynda J. Wells, RMC  
Municipal Clerk

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Joseph H. Mancini, Mayor

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Ralph H. Bayard, Commissioner

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William P. Knarre, Commissioner