

**MINUTES**  
**REGULAR SESSION BOARD OF COMMISSIONERS DECEMBER 4, 2009**  
**Flag Salute**

Meeting came to order: 4:02 p.m.

Clerk called the roll: Mayor Joseph H. Mancini PRESENT  
Commissioner Ralph H. Bayard PRESENT  
Commissioner William P. Knarre PRESENT

Also in attendance: Bonnie M. Leonetti, Municipal Clerk, Administrator  
Lynda J. Wells, Deputy 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 on January 7<sup>th</sup> 2009; the PRESS OF ATLANTIC CITY on January 3<sup>rd</sup> 2009; and the ASBURY PARK PRESS on December 23<sup>rd</sup> 2008; and filed with the Municipal Clerk.

Motion: To dispense with the reading of the minutes of the previous meeting of November 20<sup>th</sup> 2009 and to approve the same as recorded in the minute book:

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

**AGENDA**

**ORDINANCES AND PUBLIC HEARINGS**

1. First Reading Ordinance 09-35: **BOND ORDINANCE AUTHORIZING THE EMERGENT REPAIR, RESTORATION AND/OR RECONSTRUCTION OF VARIOUS BEACHES, PUBLIC FACILITIES AND IMPROVEMENTS IN THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$750,000 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 \$712,500; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

**Bonnie M. Leonetti, Municipal Clerk, Administrator** explained the funds would be used to repair areas damaged as a result of the November 12, 13, & 14<sup>th</sup> nor'easter storm.

Motion to approve Ordinance 09-35 on First Reading:

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

**ADOPTIONS AND APPROVALS**

2. Resolution 09-1204.01 Approve 2010 Designees for Community Development Block Grant with Ocean County

**Bonnie M. Leonetti, Municipal Clerk, Administrator** advised Andrew Baran was the designee and Lynda Wells would be the alternate for 2010.

**RESOLUTION 09-1204.01**

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

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Township of Long Beach that Andrew Baran be and he hereby is appointed as Community Development Block Grant Representative for the year 2010 and that Lynda J. Wells, Deputy Municipal Clerk, be and she hereby is appointed the Alternate for the year 2010.

3. Resolution 09-1204.02 Approve a change to a water account

**RESOLUTION 09-1204.02**

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

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

<b><u>Blk:</u></b>	<b><u>Lot:</u></b>	<b><u>Acct:</u></b>	<b><u>Year:</u></b>	<b><u>Cancel/Change</u></b>	<b><u>Amount:</u></b>
4.05	8	840-0 Water	2009	Change to Land Only	\$299.00

**NOW, THEREFORE BE IT RESOLVED** by the Board of Commissioners of the Township of Long Beach, that the Municipal Clerk be and she is hereby authorized to make this change.

4. 09-1204.03 Authorize the Deputy Municipal Clerk to advertise for annual bids

**RESOLUTION 09-1204.03**

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Township of Long Beach that the Deputy Municipal Clerk be and she is hereby authorized to advertise for bids, including but not limited to, the following:

**Annual Goods & Services:**

- Police Uniforms
- Water / Sewer Fittings & Supplies
- Emergency Repair & Towing: Police & Municipal Vehicles
- Repair, Maintenance and / or Towing of Municipal, Beach Patrol, & All Terrain Vehicles (ATV's)
- Industrial or Commercial Calcium Hypochlorite
- Air Conditioning, Heating & Refrigeration Service, Repair and Maintenance
- Supply and Delivery of Beach Sand
- Emergency repairs for the Water Distribution & Sewer Conveyance Systems
- Emergency repairs for the Water / Sewer Plants electrical systems

- Emergency rental of dozers with and without operators

5. Resolution 09-1204.04: Approve personnel actions

**Bonnie M. Leonetti, Municipal Clerk, Administrator** provided a brief description of the proposed actions.

**RESOLUTION 09-1204.04**

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

Approve an extension of an unpaid medical leave of absence for 30 days based on disability pension notification for MB.

Approve an extension of Health Benefits for 30 days based on disability pension notification for TH.

Approve an intermittent paid Family Leave of Absence (FLA/FMLA) for GT effective November 23, 2009.

**WATER/SEWER**

Accept and approve a PERS Service Retirement for Mary E. Pragid effective retro-active to November 1, 2009.

**PUBLIC WORKS**

Change the following Temporary Clerk's rate of pay to \$23.00 per hour to be paid from the Public Works Salary & Wage effective December 4, 2009.

Angela Anderson

Approve the donation of 9 sick days from James O'Brien to Jack Bazel as per Ordinance 06-42 with no reimbursement of days as per donor's request.

Approve the donation of 20 sick days from Robert Parker to Jack Bazel as per Ordinance 06-42 with no reimbursement of days as per donor's request.

Motion to approve Items 2 - 5:

Motion: Knarre                      Ayes: Knarre, Bayard, Mancini

Second: Bayard                      Nays:

**CONTRACTS AND AWARDS**

6. Resolution 09-1204.05: Approve renewal of 5-year agreement with Ocean County Recycling Center Use and Revenue Sharing Program

**RESOLUTION 09-1204.05**

**BE IT RESOLVED** by the Board of Commissioners of the Township of Long Beach, County of Ocean, State of New Jersey, that Mayor Joseph H. Mancini and the Municipal Clerk be and they hereby are authorized and directed to execute an Agreement with the Ocean County Department of Solid Waste Management for the Ocean County Recycling Center Use and Revenue Sharing Program for a term of five (5) years, commencing January 1, 2010 through December 31, 2014.

7. Resolution 09-1204.06(a-c): Award various contracts, per quote:

a. Shore Connection, Inc.: emergency repairs to a collapsed sanitary sewer lateral at 1113 Long Beach Blvd: \$7,250.00

b. Packetalk, LLC: camera and associated equipment for the Police Department \$6,968.00

c. Certified Speedometer: new message board sign trailer, and radar option for the Police Department: \$15,750.00

**Bonnie M. Leonetti, Municipal Clerk, Administrator** stated the new message board sign trailer and radar option was funded by a grant.

**RESOLUTION 09-1204.06(a)**

**RESOLUTION AWARDING A CONTRACT TO SHORE CONNECTION, INC., FOR THE EMERGENCY REPAIR OF THE SANITARY SEWER LATERAL AT 1113 LONG BEACH BOULEVARD IN THE NORTH BEACH SECTION OF LONG BEACH TOWNSHIP FOR THE WATER / SEWER DEPARTMENT, PER QUOTATION**

**WHEREAS**, the Township of Long Beach solicited quotes for the emergency repair of the sanitary sewer lateral at 1113 Long Beach Boulevard in the North Beach section of the Township for the Water / Sewer Department; and

**WHEREAS**, in response to the solicitation of quotations, two (2) quotes were received; and

**WHEREAS**, it is in the opinion of the Township that the lowest qualified quote be accepted for same; and

**WHEREAS**, Shore Connection, Inc. gave the lowest qualified quote.

**WHEREAS**, the Chief Financial Officer has certified that sufficient funds are available in the appropriation created by Water/Sewer Contractual Services Other Expenses, account #9-09-55-549-029.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Township of Long Beach this 4<sup>th</sup> day of December 2009, for the reasons aforesaid, that a contract be and is hereby awarded to:

Shore Connection, Inc.  
304 Forge Road, Unit 10  
West Creek, NJ 08092

for the emergency repair of the sanitary sewer lateral at 1113 Long Beach Boulevard in the North Beach section of the Township in an amount not to exceed Seven Thousand Two Hundred Fifty Dollars (\$7,250.00) as per the quote received by the Township.

**RESOLUTION 09-1204.06(b)**

**RESOLUTION AWARDING A CONTRACT FOR THE PURCHASE, DELIVERY AND INSTALLATION OF ONE (1) OUTDOOR DOME IP CAMERA, WITH BRACKETS, POWER LINES, CONFIGURATION AND SET-UP FOR THE LONG BEACH TOWNSHIP POLICE DEPARTMENT, PER QUOTATION**

**WHEREAS**, the Township of Long Beach has solicited quotes for the purchase, delivery and installation of one (1) outdoor dome IP camera, with brackets, power lines, configuration and set-up for the Long Beach Township Police Department; and

**WHEREAS**, in response to the solicitation of quotations, two (2) quotes were received; and

**WHEREAS**, it is in the opinion of the Township that the lowest qualified quote be accepted for same; and

**WHEREAS**, Packetalk, LLC. gave the lowest qualified quote.

**WHEREAS**, the Chief Financial Officer has certified that sufficient funds are available in the appropriation created by Interlocal Police-Other Equipment and Supplies, account #9-01-42-100-058.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Township of Long Beach this 4<sup>th</sup> day of December 2009, for the reasons aforesaid, that a contract be and is hereby awarded to:

Packetalk, LLC  
1128 Willow Avenue  
Hoboken, NJ 07030

for the purchase, delivery and installation of one (1) outdoor dome IP camera, with brackets, power lines, configuration and set-up for the Long Beach Township Police Department in an amount not to exceed Six Thousand Nine Hundred Sixty Eight Dollars (\$6,968.00) as per the quote dated November 30<sup>th</sup> 2009 and received by the Township.

**RESOLUTION 09-1204.06(c)**

**RESOLUTION AWARDING A CONTRACT FOR THE PURCHASE AND DELIVERY OF ONE (1) VER-MAC PCMS-548-HYD MESSAGE BOARD SIGN TRAILOR AND RADAR OPTION FOR THE TOWNSHIP OF LONG BEACH POLICE DEPARTMENT, PER QUOTATION**

**WHEREAS**, the Township of Long Beach has solicited quotes for the purchase and delivery of one (1) VER-MAC PCMS-548-HYD Message Board Sign Trailor and Radar Option for the Long Beach Township Police Department; and

**WHEREAS**, in response to the solicitation of quotations, three (3) quotes were received; and

**WHEREAS**, it is in the opinion of the Township that the lowest qualified quote be accepted for same; and

**WHEREAS**, Certified Speedometer Service gave the lowest qualified quote.

**WHEREAS**, the Chief Financial Officer has certified that sufficient funds are available in the appropriation created by the 966 Reimbursement Grant, account #G-02-40-738-002 in the amount of \$14,750.00; and Police O/E, account #9-01-25-240-047 in the amount of \$1,000.00.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Township of Long Beach this 4<sup>th</sup> day of December 2009, for the reasons aforesaid, that a contract be and is hereby awarded to:

Certified Speedometer Service  
9 Jay Street  
Old Tappan, NJ 07675

for the purchase and delivery of one (1) VER-MAC PCMS-548-HYD Message Board Sign Trailor and Radar Option for the Long Beach Township Police Department in an amount not to exceed Fifteen Thousand Seven Hundred Fifty Dollars (\$15,750.00) as per the November 11<sup>th</sup> 2009 quote received by the Township.

8. Resolution 09-1204.07: Award a Professional Service contract:

Geo Trans, Inc. for the delineation and sampling of ground water at the Public Works Yard \$17,591.00

**Bonnie M. Leonetti, Municipal Clerk, Administrator** explained the underground storage tank had been removed and the testing was part of the ongoing case compliance required by the State Department of Environmental Protection.

**RESOLUTION 09-1204.07**

**WHEREAS**, Local Public Contracts Law, N.J.S.A. 40A: 11-1 et. seq. provide that professional services are exempt from the requirement of public bidding; N.J.S.A. 40A: 11-5(a)(i); and

**WHEREAS**, GeoTrans, Inc. employs a professionally certified staff possessing the requisite qualifications and licenses as required by law to provide professional services for the delineation and sampling of ground water needed at the site of a former underground storage tank in the Long Beach Township Public Works Yard located at 7901 Long Beach Boulevard, pursuant to the New Jersey Department of Environmental Protection comment letter dated August 23, 2007; and

**WHEREAS**, the Board of Commissioners of the Township of Long Beach believe that it is prudent to award a professional services contract to GeoTrans, Inc. for Phase III of the above mentioned project for underground storage tank site located in the area of the Public Works Garage.

**WHEREAS**, the Board of Commissioners of Township of Long Beach has determined and certified in writing that the value of the services will likely exceed \$17,500.00; and

**WHEREAS**, GeoTrans, Inc. has supplied a Business Entity Disclosure Certification and a Political Contribution Disclosure certifying that it has not made any reportable contributions to a political or candidate committee in the Township of Long Beach in the previous one year, and that the contract will prohibit those listed from making any reportable contributions through the term of the contract; and

**WHEREAS**, the Chief Financial Officer has certified that sufficient funds are available in the appropriation created by Ordinance 09-22: Closure of Underground Storage Tank, account #C-04-55-977-901.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Township of Long Beach at a regular meeting held Friday, December 4, 2009 that the Mayor and Municipal Clerk shall and are hereby authorized to execute and bind the Township to a contract entered by and between the Township of Long Beach and GeoTrans, Inc., 295 Route 22 East, Suite 104E, Whitehouse Station, NJ 08889 in an amount not to exceed Seventeen Thousand Five Hundred Ninety One Dollars (\$17,591.00) for Phase III of the remedial investigation and ground water sampling required for the underground storage tank site case closure pursuant to the New Jersey Department of Environmental Protection comment letter dated August 23, 2007 for underground storage tank site located in the area of the Public Works Garage; and

**BE IT FURTHER RESOLVED** that the Municipal Clerk shall send a notice of the professional appointment and have same published at least once in the official newspaper of the Township of Long Beach and shall keep the resolution and contract on file for public inspection.

Motion to approve Items 6 - 8:

Motion: Knarre Ayes: Knarre, Bayard, Mancini

Second: Bayard Nays:

#### **FINANCIAL APPROVALS**

9. Resolution 09-1204.08(a&b) Approve the release of various Performance Bonds

a. LUB -18-07: Blk 10.26, Lots 4 & 5 (\$3,300.00)

b. LUB -17-03: Blk 1.09, Lots 2, 2.01, 3, 3.01, 5, 5.01

(\$59,603.50 plus accrued interest)

#### **RESOLUTION 09-1204.08(a)**

**WHEREAS**, pursuant to Resolution 08-0320.15(a), the Township of Long Beach received from John Zanger, Jr. Cashier's Check No. 397320491 dated March 7, 2008 in the amount of Three Thousand Three Hundred Dollars (\$3,300.00) drawn on Wachovia Bank, as the required Performance Bond for Minor Sub-division #LUB-18-07, Block 10.26, Lots 4 & 5 (115 & 123 East Idaho Avenue, Haven Beach); and

**WHEREAS**, upon final inspection by Municipal Engineer Frank J. Little, Jr., PE, PP, CME it was determined that a Maintenance Bond would not be required for this subdivision.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Commissioners of the Township of Long Beach hereby releases the amount of \$3,300.00 representing the required Performance Bond for the above mentioned property, per the certification and recommendation of the Township Engineer.

#### **RESOLUTION 09-1204.08(b)**

**WHEREAS**, pursuant to Resolutions 06-0120.15 and 09-0417.10(f), the Township of Long Beach received from Holgate Cove Enterprises, LLC, Cashier's Check #0202036 drawn on Bank of America in the amount of Fifty Nine Thousand Six Hundred Three Dollars and Fifty Cents (\$59,603.50) as a Performance Bond for Sub-division Application #LUB-17-03-PF, Block 1.09, Lots 2, 2.01, 3, 3.01, 5, & 5.01 (Northwest corner of West & McKinley Avenues, Holgate NJ); and

**WHEREAS**, upon final inspection by Municipal Engineer Frank J. Little, Jr., PE, PP, CME it was determined that a Maintenance Bond was not required for this subdivision.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Commissioners of the Township of Long Beach hereby releases the amount of Fifty Nine Thousand Six Hundred Three Dollars and Fifty Cents (\$59,603.50) plus accrued interest representing the required Performance Bond for the above mentioned property, per the certification and recommendation of the Township Engineer.

10. Resolution 09-1204.09: Approve Bills & Payroll

Bills in the amount of: \$2,136,596.38

Payrolls in the amount of: \$ 363,386.10

#### **RESOLUTION 09-1204.09**

### **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 \$363,386.10.

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

1. The said approved vouchers amounting to the sum of \$2,136,596.38 be and the same are hereby authorized to be paid on December 4, 2009.

2. The said approved payroll amounting to the sum of \$363,386.10 be and the same are hereby authorized to be paid on December 4, 2009.

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

Motion to approve Items 9 & 10:

Motion: Knarre Ayes: Knarre, Bayard, Mancini

Second: Bayard Nays:

**Mayor Mancini** stated the Tax Collector's Report for the month of November 2009 was on file in the Municipal Clerk's Office.

#### **COMMISSIONERS' REPORTS**

**Commissioner Knarre** spoke regarding Ordinance 09-35. He explained the bonding was required by law, but could be cancelled when the Township received anticipated funds from FEMA. He also discussed his recent meeting with Holgate residents to assist them in forming a Neighborhood Watch Program.

**Commissioner Bayard** assured residents that the Public Works Department was working to restore areas hard-hit by the recent storm. He stated the infrastructure project on Long Beach Blvd in the area of 78<sup>th</sup>, 79<sup>th</sup>, and 80<sup>th</sup> Streets was completed. New similar projects would be bid in the Spring of 2010.

**Mayor Mancini** announced the next meetings of the Board of Commissioners and the Land Use Board. He noted the Police Department had received a grant from the Drunk Driving Enforcement Fund to subsidize payroll and various other expenses associated with the program. The Mayor received word that FEMA had recommended 29.5 million dollars in storm relief for Ocean County. He was not sure what portion represented Long Beach Township's losses. He commented on the excellent work the Public Works Department had done to restore the impacted areas.

**OPEN PUBLIC SESSION**

**Tom Walsh / Beach Haven Park** thanked Mayor Mancini for ensuring the members of the First Aid Squad received H1N1 vaccine inoculations.

**Bill Hutson / Holgate** thanked the Assessor's Office for expediting information regarding oceanfront property owners that had not executed their deeds of easement.

**Bill Kunz / Brant Beach** recommended members of the public visit Harvey Cedars beaches to observe the replenishment project that was underway. He questioned lobbyist services provided by Winning Strategies and asked for an update on their progress regarding the beach replenishment project.

**Mayor Mancini** assured Mr. Kunz that Winning Strategies was in contact with the Township and working to secure funding for the beach storm protection project in Washington D.C. The Mayor urged residents to contact their oceanfront neighbors and recommend they execute their deeds of easement in order to continue the beach project in Long Beach Township.

**CLOSE PUBLIC SESSION**

Motion for adjournment at: 4:19 a.m.

Motion: Knarre                      Ayes: Knarre, Bayard, Mancini

Second: Bayard                      Nays:

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Bonnie M. Leonetti, RMC, CMC  
Municipal Clerk, Administrator

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Joseph H. Mancini, Mayor

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Ralph H. Bayard, Commissioner

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William P. Knarre, Commissioner