

MINUTES  
REGULAR SESSION BOARD OF COMMISSIONERS DECEMBER 6, 2013

Flag Salute

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

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

Also in attendance: Lynda J. Wells, Municipal Clerk  
Teresa S. Sgro, Deputy Municipal Clerk

Municipal Clerk announced: Notice of the time and place of this meeting has been posted in the office of the Municipal Clerk, published by the BEACH HAVEN TIMES and the ASBURY PARK PRESS on December 13<sup>th</sup> 2012; and filed with the Municipal Clerk.

Motion: To dispense with the reading of the minutes of the November 15, 2013 meeting and to approve the same as recorded in the minute book:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

AGENDA

PROCLAMATION Recognizing Tim Hilferty, Health Officer for his position as Director of the Long Beach Island Health Department upon his retirement

PROCLAMATION

**OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY  
RECOGNIZING WITH GRATITUDE FOR 31 YEARS OF DISTINGUISHED SERVICE TO THIS  
COMMUNITY BY  
TIMOTHY J. HILFERTY  
HEALTH OFFICER**

**WHEREAS**, the Governing Body wishes to acknowledge the years of service and numerous accomplishments of Timothy (Tim) J. Hilferty, Health Officer upon the occasion of his retirement after thirty one years with the Long Beach Island Health Department; and

**WHEREAS**, Tim began his service to the Township as the Director of the Health Department in January of 1982; and

**WHEREAS**, in 1985 Tim was promoted to Health Officer and has continued to serve as such for the remainder of his career; and

**WHEREAS**, Tim has been recognized for professional excellence not only with the Long Beach Island Health Department but by many prestigious organizations such as

- Governmental Public Health Partnership (GPHP)
  - New Jersey Health Officers Association (NJHOA)
  - National Association of County & City Health Officials (NACCHO)
  - The American Public Health Association (APHA)
- and;

**WHEREAS**, Tim has left an indelible mark of excellence on all of his professional and personal endeavors contributing selflessly of his time and knowledge to many associations and civic-minded organizations such as:

- Long Beach Island Municipal Alliance - Coordinator
- The Richard Stockton College of New Jersey – Public Health Advisory Board Member

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Commissioners of the Township of Long Beach does hereby congratulate Timothy J. Hilferty, Health Officer on the occasion of his retirement from the Long Beach Island Health Department, expresses its sincere gratitude, and acknowledges with respect and appreciation his many valuable contributions to this community. The Township recognizes Tim's numerous accomplishments, through both work and community involvement, that have made our Island a better place for residents and visitors. He is wished many happy, healthy days ahead.

Commissioner Lattanzi read and presented the proclamation to Tim. Tim thanked the Mayor and Commissioners and reminisced on his years with the Township.

PRESENTATION Brant Beach Taxpayers Association presentation of equipment to the Police Department K-9 Unit, Officer Michael Thompson

Bill Kunz, president of Brant Beach Taxpayers Association and Pat Prout, Secretary presented equipment to Ptl. Michael Thompson, our K-9 officer. Ptl. Thompson commented on the two K-9's antics and reported on their skills.

**ORDINANCES & PUBLIC HEARINGS**

1. Resolution 13-1206.01: Approve amendment to Ordinance 13-43C  
Lynda Wells stated this would correct typographical errors in the Ordinance.

**WHEREAS**, the Board of Commissioners of the Township of Long Beach introduced Ordinance 13-43C, amending Chapter 180 of the Code of the Township of Long Beach as it pertained to swimming pools and hot tubs, upon first reading at a regular meeting held on November 15, 2012; and

**WHEREAS**, it has been determined that various non-material changes be made to Ordinance 13-43C prior to the Second Reading and Public Hearing; and

**WHEREAS**, these changes are as follows:

- In Section V: §180-4.C., insert a period (.) after the phrase "is located in such location that any overhead electrical wires cross over the pool" Delete all wording subsequently following the above.
- In Section VII: §180-5, insert the word "only" in between the words "surrounding" and "the" in the first sentence.

Insert a new paragraph following the first paragraph as follows: "All pool enclosures shall comply with the requirements as stated in the Uniform Construction Code of the State of New Jersey.

**NOW, THEREFORE BE IT RESOLVED** that the Board of Commissioners of Township of Long Beach does hereby approve these changes to Ordinance 13-43C as indicated above

Motion to approve Item 1:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

2. Second Reading Ordinance 13-43C: **AN ORDINANCE AMENDING AN ORDINANCE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY AS THE SAME IN CHAPTER 180, PERTAINS TO SWIMMING POOLS AND HOT TUBS**

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

**STATEMENT OF PURPOSE**

This Ordinance amends construction standards for swimming pools to provide for construction standards for fiberglass pools as well as concrete pools and installation requirements for pre-fabricated hot tubs.

**SECTION I**

Chapter 180 of an Ordinance entitled "**Code of the Township of Long Beach, County of Ocean, State of New Jersey, (1997)**" is hereby amended by retitling the Chapter as follows:

**SWIMMING POOLS AND HOT TUBS**

**SECTION II**

§180-1. entitled "Permit required." of an Ordinance entitled "**Code of the Township of Long Beach, County of Ocean, State of New Jersey, (1997)**" is hereby amended as follows:

No swimming pool and hot tub, spa or Jacuzzi, shall be erected nor constructed on any lands in the Township of Long Beach, County of Ocean and State of New Jersey, without first obtaining a permit therefore from the Code Enforcement Officer of the Township of Long Beach.

**SECTION III**

§180-4. entitled "Prohibited pools." of an Ordinance entitled "**Code of the Township of Long Beach, County of Ocean, State of New Jersey, (1997)**" is hereby amended in the title as follows:

§180-4 Prohibited Pools and Hot Tubs

**SECTION IV**

§180-4.B. entitled "Prohibited pools and hot tubs." of an Ordinance entitled "**Code of the Township of Long Beach, County of Ocean, State of New Jersey, (1997)**" is hereby amended as follows:

Is located within any setback lines on the property as required by Chapter 205, Zoning with the following exceptions: No in-ground swimming pool located less than five feet from a principal structure on a lot, or within the

approved building envelope shall be permitted unless certified by a New Jersey licensed professional engineer, or architect.

**SECTION V**

§180-4.C. entitled "Prohibited pools and hot tubs." of an Ordinance entitled "**Code of the Township of Long Beach, County of Ocean, State of New Jersey, (1997)**" is hereby amended as follows:

Is located in such location that any overhead electrical wires cross over the pool, with the following exceptions: No in-ground swimming pool located less than five feet from a principal structure on a lot, or within the approved building envelope shall be permitted unless certified by a New Jersey licensed professional engineer, or architect.

**SECTION VI**

§180-4. entitled "Prohibited pools and hot tubs." of an Ordinance entitled "**Code of the Township of Long Beach, County of Ocean, State of New Jersey, (1997)**" is hereby amended by the addition of a new sub-sections following Sub-section E.; "Sub-section F.", "Sub-section G" as follows:

F. No hot tub shall be installed on any roof deck which exceeds the maximum building height as required by Chapter 205. Zoning.

G. No hot tub shall be installed on any deck or roof deck closer than three feet to any guard rail

**SECTION VII**

§180-5. entitled "Fences." of an Ordinance entitled "**Code of the Township of Long Beach, County of Ocean, State of New Jersey, (1997)**" is hereby amended as follows:

A fence surrounding the perimeter of any swimming pool and adjacent walk shall be, a chain-link type fence or a comparable type fence which will provide an unobstructed view of the enclosed area and which shall be equipped with a self-locking gate. The height of the fence shall be not less than four (4) feet and shall not exceed the height permitted by § 205-51. The fence shall enclose the pool and deck or patio which surrounds the pool, if any.

**SECTION VIII**

§180-6. entitled "Exemptions." of an Ordinance entitled "**Code of the Township of Long Beach, County of Ocean, State of New Jersey, (1997)**" is hereby amended as follows:

The permit and specifications required in this chapter shall not be required for an aboveground vinyl-lined pool not exceeding four feet in depth and not exceeding a capacity of 3,000 gallons of fresh water, nor shall they be required for an aboveground spa or Jacuzzi having a capacity not in excess of 600 gallons or installed in the yard or on a platform not exceeding twelve inches above the finished grade of the lot.

**SECTION IX**

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

**SECTION X**

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 XI**

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

Lynda Wells explained this Ordinance amended construction standards for swimming pools, fiberglass pools as well as concrete pools and installation requirements for pre-fabricated hot tubs.

Passed on first reading at a regular meeting held on November 15, 2013 and advertised in the BEACH HAVEN TIMES issue of November 21, 2013.

OPEN PUBLIC HEARING

No comments.

CLOSE PUBLIC HEARING

Motion to adopt Ordinance 13-43C on Second Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

3. First Reading Ordinance 13-44C: **AN ORDINANCE AMENDING AN ORDINANCE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY AS THE SAME IN SECTION 205-49, ENTITLED "EXCEPTIONS TO HEIGHT LIMITS"**

Lynda Wells explained the purpose of this Ordinance was to amend in §205-49 certain standards as they relate to hot tub installations and their permitted height. This amendment was precipitated by the adoption of amended Ordinance 13-43C and brings Chapter 205 into compliance with Chapter 180 of the Code of the Township of Long Beach.

Motion to approve Ordinance 13-44 on First Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

4. First Reading Ordinance 13-45C: **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 5 PERTAINS TO ADMINISTRATION**

Lynda Wells explained the Ordinance created the new position/ title of ASSISTANT HEALTH OFFICER for the Health Department:

Motion to approve Ordinance 13-45C on First Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

5. First Reading Ordinance 13-46: **AN ORDINANCE AMENDING AN ORDINANCE ENTITLED: "AN ORDINANCE FIXING AND DETERMINING THE ANNUAL SALARIES, DESIGNATING HOLIDAYS AND PROVIDING FOR OVERTIME COMPENSATION OF CERTAIN OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY".**

Lynda Wells explained this ordinance established a range for the new title created in Ordinance 13-45C. New Jersey Civil Service commission required that every position had a range established that each salary shall fall within

Motion to approve Ordinance 13-46 on First Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

#### **ADOPTIONS & APPROVALS**

6. Resolution 13-1206.02: Authorize transfer of ownership:  
Donation of the Coast Guard Rescue Boat to  
the Tuckerton Seaport

**WHEREAS**, N.J.S.A. 12A:12-1, *et seq.*, other statutory authority, and the powers to promote the general public health, welfare, and safety provide Township of Long Beach (hereinafter "Township") with certain authority to transfer or sell certain private property owned by Township to certain non-profit organizations for nominal consideration; and

**WHEREAS**, in 1998, Township acquired title from the New Jersey State Agency for Surplus Property (hereinafter "New Jersey") to a certain forty-four (44) foot, 1996 United States Coast Guard Life Boat (hereinafter "Coast Guard Vessel"), which was manufactured at the U.S. Coast Guard Yard located at Curtis Bay, Baltimore, Maryland; and

**WHEREAS**, Township publicly displays the Coast Guard Vessel at Bayview Park located on Long Beach Boulevard in Township; and

**WHEREAS**, Township deems that it no longer needs the Coast Guard Vessel and Township's decision to transfer title to the Coast Guard Vessel is predicated upon, *inter alia*, Township's need and intention to renovate and improve Bayview Park, and to otherwise promote and advance the public health, welfare, and safety; and

**WHEREAS**, Township has elected to transfer the Coast Guard Vessel for nominal consideration to the Tuckerton Seaport & Baymen's Museum (hereinafter "Seaport"), a duly incorporated 501(c)(3) non-profit organization which is dedicated to the preservation, presentation, and interpretation of the rich maritime history, artistry, heritage, and environment of the Jersey Shore and the unique contributions of its baymen; and

**WHEREAS**, Seaport is a community-based and educational museum dedicated to the preservation and interpretation of the history of the Barnegat Bay area and the Jersey Shore, and its principal purposes include the preservation of historical artifacts for the benefit of the general public and providing for the

historical and cultural education of the general public, including residents of Ocean County; and

**WHEREAS**, the Coast Guard Vessel shall be used to support the Seaport's mission and stated purposes; and

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners at a regularly scheduled meeting this 6th day of December, 2013, that Mayor Joseph Mancini shall be and is hereby authorized to negotiate the transfer/sale of the Coast Guard Vessel to Seaport for nominal consideration and to execute all required legal documents to effectuate the transfer/sale of the title to the Coast Guard Vessel to Seaport.

7. Resolution 13-1206.03: Authorize the Municipal Clerk to advertise for bids:

- Repairs and Maintenance of Municipal Vehicles
- Reject all bids for the Knapheide Dumping Platform, Snow Plow, and Class 5 Hitch and authorize re-bid of same

**WHEREAS**, the Township of Long Beach wishes to approve the following actions as they pertain to bids:

- Reject all bids received 11/19/13 for the Knapheide Dumping Platform, Snow Plow and Class 5 Hitch (bid specifications were insufficient)
- Authorize the re-advertisement for the receipt of bids for the Knapheide Dumping Platform, Snow Plow and Class 5 Hitch
- Authorize the advertisement for bids for repairs, maintenance and towing of municipal vehicles.

**NOW THEREFORE BE IT RESOLVED**, that the Board of Commissioners of the Township of Long Beach, a Municipal Corporation of the State of New Jersey, at a regular meeting held Friday, December 6, 2013, authorize the above noted actions as they pertain to bids.

8. Resolution 13-1206.04: Approve personnel actions

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

**BEACH PATROL**

Hire the following employee as a Seasonal Part-time Laborer, at the rate of \$10.25 per hour to be paid from the Lifeguard Salary & Wage effective December 7, 2013. Laura Hodge

**POLICE**

Approve the hiring and attendance of the following employees to the Ocean County Class II Academy to become Class II Special Law Enforcement Officers at the minimum wage rate of \$7.25 per hour to be paid from the Police Salary & Wage effective December 7, 2013.

Sean Farrell

Daniel Voorhees

9. Resolution 13-1206.05: Approve the re-appointment of the Municipal Clerk: Lynda J. Wells, RMC

**WHEREAS**, pursuant to Resolution 10-1203.01(a) and in accordance with N.J.S.A. 40A:9-133.1, Lynda J. Wells was appointed Municipal Clerk for the Township of Long Beach for a three year term effective December 1, 2010 through November 30, 2013; and

**WHEREAS**, in accordance with N.J.S.A. 40A:9-133.6 the position of Municipal Clerk may be reappointed for an additional period of three years effective December 1, 2013 through November 30, 2016.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners the Township of Long Beach do hereby approve the reappointment of Lynda J. Wells as the Municipal Clerk for the Township of Long Beach, at a meeting held Friday, December 6, 2013.

10. Resolution 13-1206.06: Approve a special event:  
Eastern Surfing Association Contest  
110<sup>th</sup> Street, Nov 30<sup>th</sup> or Dec 1<sup>st</sup>  
No wave dates: Dec 7<sup>th</sup> or 8<sup>th</sup>

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Commissioners of the Township of Long Beach approves the below-listed annual event:

Eastern Surfing Association, Central New Jersey Chapter, Surfing Contests:

- 110<sup>th</sup> Street in the Haven Beach Section of the Township on November 29<sup>th</sup> (weather permitting) from 7:00a.m to 5:00p.m. No wave dates: November 30<sup>th</sup>, Dec. 7<sup>th</sup> or 8<sup>th</sup>.

Motion to approve Items 6 through 10:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

**CONTRACTS & AWARDS**

11. Resolution 13-1206.07: Authorize the award of a contract, per bid:  
Shore Promotions : 2-years with one (1) 2-year  
option to extend for various clothing items for  
the Police Dept.

A RESOLUTION AWARDING A CONTRACT FOR VARIOUS CLOTHING FOR THE LONG BEACH TOWNSHIP POLICE DEPARTMENT, PER BID

**WHEREAS**, pursuant to N.J.S.A. 40A:11-1 et seq., the Township of Long Beach has solicited bids for the purchase of various police clothing for the Township of Long Beach Police Department; and

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

**WHEREAS**, three bids were received on November 19, 2013; and

**WHEREAS**, Shore Promotions, PO Box 205, Ship Bottom, NJ, 08008 gave the lowest qualified bid as per the Qualified Purchasing Agent's review and certification; and

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Township of Long Beach this 6<sup>th</sup> day of December 2013, for the reasons aforesaid, that a contract be and is hereby awarded to:

Shore Promotions  
P.O. Box 205  
Ship Bottom, NJ 08008

for the purchase various police clothing for the Township of Long Beach Police Department, pursuant to the bid received November 19, 2013.

12. Resolution 13-1206.08: Approve a Shared Service agreement:  
Harvey Cedars Borough: LPR services, effective  
1/1/2014 thru 12/31/2015

**RESOLUTION AUTHORIZING A SHARED SERVICE AGREEMENT WITH THE BOROUGH OF HARVEY CEDARS, AND THE TOWNSHIP OF LONG BEACH ACTING AS THE LEAD AGENCY, FOR ACCESS TO THE POLICE DEPARTMENT PEARPOINT IMAGE PROCESSING SYSTEMS SERVER IN ORDER TO OBTAIN LICENSE PLATE RECOGNITION DATA**

**WHEREAS**, the Township of Long Beach has agreed with the Borough of Harvey Cedars to enter into a Shared Services Agreement for access to the Long Beach Township Police Department "P.I.P.S." Server in order to obtain License Plate Recognition information; and

**WHEREAS**, the said Shared Services Agreement provides that this participating member shall pay to Long Beach Township a flat fee of \$500.00 per unit for the two year period of January 1, 2014 through December 31, 2015 for use of the "P.I.P.S." Server for License Plate Recognition data.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Township of Long Beach, a municipal corporation of the State of New Jersey, at a regular meeting held Friday, December 6, 2013, that the Mayor and Municipal Clerk are hereby authorized and directed to enter into a two (2) year Shared Services Agreement with one (1) two-year option to extend with the above mentioned municipality.

Lynda Wells stated Long Beach Twp. would be the lead agency.

13. Resolution 13-1206.09: Approve Change Order #1 for 92<sup>nd</sup> Street  
Drainage Improvement Project:  
R. Moslowski Excavating; \$3,988.00

**RESOLUTION AUTHORIZING A CHANGE ORDER #1 FOR THE 92<sup>ND</sup> STREET DRAINAGE IMPROVEMENT PROJECT IN THE TOWNSHIP OF LONG BEACH**

**WHEREAS**, Moslowski, R Excavating, Inc, was issued a Purchase Order No. 13-01436 in the Township of Long Beach , in the amount of Nineteen Thousand Nine Hundred Fifty Dollars (\$19,950.00) on May 14, 2013 for drainage improvements on 92<sup>nd</sup> Street; and

**WHEREAS**, during the installation various unknown and unanticipated problems were encountered causing changes to the scope of the project resulting in unexpected additional costs; and

**WHEREAS**, these changes resulted in the following change orders:

**WHEREAS**, as a result of additional unforeseen subsurface conditions, wherein conflicts with other utilities became apparent and were unknown, the Contractor incurred additional costs of excavation to locate utilities and adjust main location as a result of utility conflicts; and

**WHEREAS**, these changes have resulted in Change Order #1 of the purchase price and has been approved and certified by the Municipal Engineer and the Commissioner of Public Works and Property. Said detailed Certification contains all the facts associated with this Change Order in accordance with state statutes and is attached hereto.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Township of Long Beach at a regular scheduled meeting, (not less than two-thirds (2/3) of the members thereof affirmatively concurring) this 6<sup>th</sup> day of December 2013 that Moslowski, R. Excavating Inc., 3 Meirs Road, Creamridge, NJ 08514 be and is hereby awarded Change Order #1 in the amount of Three Thousand Nine Hundred Eighty Eight Dollars (\$3,988.00) for payment of the additional work required to complete the 92<sup>nd</sup> Street Drainage Project in the Township of Long Beach.

14. Resolution 13-1206.10: Approve Change Order #4 for 2011 Sanitary Sewer Main Replacement Project:

P&A Construction Co., Inc.; \$11,137.80

RESOLUTION AUTHORIZING A CHANGE ORDER #4 FOR THE 2011 SEWER MAIN REPLACEMENT PROJECT # S340023-04 IN THE TOWNSHIP OF LONG BEACH

**WHEREAS** P&A Construction Co. Inc, was awarded a contract for the 2011 Sewer Main Installation Project #S340023-04 in the Township of Long Beach per Resolution 12-0104.07(b), in the amount of Two Million Thirty Three Thousand Six Hundred Twenty Three Dollars and Fifty Three Cents (\$2,033,623.53) on January 4, 2012; and

**WHEREAS**, during the installation various unknown and unanticipated problems were encountered causing changes to the scope of the project resulting in unexpected additional costs; and

**WHEREAS**, these changes resulted in the following change orders:

- Change Order #1: \$62,705.98 approved pursuant to Resolution 12-0518.11(b)
- Change Order #2: approved pursuant to Resolution 12-1221.12(a) in an amount not to exceed Ten Thousand Dollars (\$10,000.00)
- Change Order #3: approved pursuant to Resolution 13-0802.11 in an amount of \$96,226.03

**WHEREAS**, as a result of additional unforeseen subsurface conditions, wherein the exact location of the sewer services as well as other utilities were unknown, the Contractor incurred additional costs of excavation to locate utilities and adjust main location as a result of utility conflicts; and

**WHEREAS**, these changes have resulted in Change Order #4 of the original contract and has been approved and certified by the Municipal Engineer and the Commissioner of Public Works and Property. Said detailed Certification contains all the facts associated with this Change Order in accordance with state statutes and is attached hereto.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Township of Long Beach at a regular scheduled meeting, (not less than two-thirds (2/3) of the members thereof affirmatively concurring) this 2<sup>nd</sup> day of August 2013 that P&A Construction Co., Inc., PO Box 28, Colonia, NJ 07067 be and is hereby awarded Change Order #4 in the amount of Eleven Thousand One Hundred Thirty Seven Dollars and Eighty Cents (\$11,137.80) for payment of the additional work required to complete the 2011 Sewer Main Installation Project #S340023-04 in the Township of Long Beach.

15. Resolution 13-1206.11: Approve an annual agreement between Long Beach Island Health Department and Community Medical Center Foundation for Cancer Education and Early Detection (NJ)

CEED Program), July 1, 2013 through June 30, 2014.

**WHEREAS**, the Community Medical Center of Toms River shall conduct a Breast and Cervical Cancer Screening Program between July 1, 2013 and June 30, 2014; and

**WHEREAS**, the Long Beach Island Health Department has agreed to provide the educational and follow-up component of the Breast and Cervical Cancer Screening Program that shall be conducted at the Community Medical Center of Toms River and Southern Ocean County Hospital.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Commissioners of Long Beach Township do hereby approve of the participation of the Long Beach Island Health Department with the Community Medical Center Breast and Cervical Cancer Screening Program, and authorizes the Health Officer to execute any documents necessary for participation in the program.

Motion to approve Items 11 through 15:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

**FINANCIAL APPROVALS**

16. Resolution 13-1206.12: Approve the release of a Maintenance Bond: LUB 38-08; \$600.00

**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**, pursuant to Resolution 11-1118.07(a), the municipal engineer inspected the site of the minor subdivision and certified the release of the Performance Bond in the amount of Twelve Thousand Six Hundred Fifty Dollars (\$12,650.00) and a Maintenance Bond was retained in the amount of Six Hundred Dollars \$600.00; and

**WHEREAS**, upon inspection by the municipal engineer on November 12, 2013, it has been determined all work has been completed and the release of the Maintenance Bond in the amount of \$600.00 was recommended.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Commissioners of the Township of Long Beach approves the release of the Maintenance Bond in the amount of Six Hundred Dollars (\$600.00), as certified by the Municipal Engineer.

17. Resolution 13-1206.13: Authorize application to the New Jersey Local Finance Board for New Jersey Environmental Infrastructure Trust Financing

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

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**BACKGROUND**

**WHEREAS**, the Board of Commissioners of the Township of Long Beach, County of Ocean, New Jersey ("Township"), desire to make application to the New Jersey Local Finance Board for its approval of the Township's 2014 New Jersey Environmental Infrastructure Trust financing pursuant to: (i) N.J.S.A. 58:11B-9(a); and (ii) N.J.S.A. 40A:2-26(e); and

**WHEREAS**, the Township believes:

- (a) it is in the public interest to accomplish such purpose;
- (b) said purpose or improvements are for the health, welfare, convenience or betterment of the inhabitants of the Township;
- (c) the amounts to be expended for said purpose or improvements are not unreasonable or exorbitant; and
- (d) the proposal is an efficient and feasible means of providing services for the needs of the inhabitants of the Township and will not create an undue financial burden to be placed upon the Township.

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

**Section 1.** The application to the New Jersey Local Finance Board is hereby approved, and the Township's Bond Counsel, Solicitor and Auditor along with

other representatives of the Township, are hereby authorized to prepare such application and to represent the Township in matters pertaining thereto.

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

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

Lynda Wells stated this was an annual application.

18. Resolution 13-1206.14(a&b): Approve the following Chapter 159's:  
a) 966 Reimbursement; \$1,353.60

RESOLUTION OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING AN AMENDMENT TO THE 2013 BUDGET TO ALLOW FOR THE INSERTION OF A SPECIAL ITEM OF REVENUE AND APPROPRIATION PURSUANT TO N.J.S.A. 40A:4-87 (CHAPTER 159) 966 REIMBURSEMENT (2013) – PORTABLE RADIOS

**WHEREAS**, N.J.S.A. 40A:4-87 provides that the Director of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof shall not have been determined at the time of the adoption of the budget; and

**WHEREAS**, N.J.S.A. 40A:4-87 further provides that the Director may approve the insertion of an appropriation item of an amount equal to any such special item of revenue making such item of revenue available for expenditure; and

**WHEREAS**, the New Jersey State Office of Emergency Management has approved a reimbursement for portable radios in the amount of \$1,353.60; and

**WHEREAS**, it is the desire of the Board of Commissioners of the Township of Long Beach to amend the 2013 Municipal Budget to provide for the insertion of this reimbursement as a source of revenue and an expenditure appropriation.

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

1. That the Board of Commissioners does hereby authorize an amendment to the 2013 Municipal Budget to provide for the insertion of a Chapter 159 (N.J.S.A. 40A:4-87) Special Item of Revenue as follows:

GENERAL REVENUES

Miscellaneous revenues

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

NJ State Office of Emergency Management: \$1,353.60

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

GENERAL APPROPRIATION:

(A) OPERATIONS – Excluded from CAPS:

Public and private programs offset by revenues:

966 Reimbursement Grant (2013): \$1,353.60

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

- b) 2013 Body Armor; \$4,609.94

RESOLUTION OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING AN AMENDMENT TO THE 2013 BUDGET TO ALLOW FOR THE INSERTION OF A SPECIAL ITEM OF REVENUE AND APPROPRIATION PURSUANT TO N.J.S.A. 40A:4-87 (CHAPTER 159)

BODY ARMOR REPLACEMENT FUND PROGRAM - 2013

**WHEREAS**, N.J.S.A. 40A:4-87 provides that the Director of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been

made available by law and the amount thereof shall not have been determined at the time of the adoption of the budget; and

**WHEREAS**, N.J.S.A. 40A:4-87 further provides that the Director may approve the insertion of an appropriation item of an amount equal to any such special item of revenue making such item of revenue available for expenditure; and

**WHEREAS**, the New Jersey State Division of Criminal Justice has approved a reimbursement for an 2013 Body Armor Replacement Program in the amount of \$4,609.94; and

**WHEREAS**, it is the desire of the Board of Commissioners of the Township of Long Beach to amend the 2013 Municipal Budget to provide for the insertion of this reimbursement as a source of revenue and an expenditure appropriation.

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

1. That the Board of Commissioners does hereby authorize an amendment to the 2013 Municipal Budget to provide for the insertion of a Chapter 159 (N.J.S.A. 40A:4-87) Special Item of Revenue as follows:

**GENERAL REVENUES**

Miscellaneous revenues

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

NJ State Division of Criminal Justice: \$4,609.94

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

**GENERAL APPROPRIATION:**

(A) OPERATIONS – Excluded from CAPS:

Public and private programs offset by revenues:

NJ State Division of Criminal Justice: \$4,609.94

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

19. Resolution 13-1206.15: Approve various appropriation transfers

**WHEREAS**, the New Jersey statutes provide for the making of reserve appropriation transfers between the period of November 1, 2013 and December 31, 2013; 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>
Fin Administration	S&W	3-01-20-130-011	\$ 12,000.00
Gasoline	O&E	3-01-31-447-000	\$14,000.00
<b>TOTAL</b>			<b>\$ 26,000.00</b>
<b>TO:</b>	<b>DEPT</b>	<b>ACCT#</b>	<b>AMOUNT</b>
Municipal Clerk	S&W	3-01-20-120-011	\$4,000.00
Municipal Clerk	O&E	3-01-20-120-100	\$ 2,000.00
Construction (I/C)	S&W	3-01-22-195-011	\$ 2,000.00
Group Insurance	O&E	3-01-23-220-000	\$ 4,000.00
Public Works	S&W	3-01-26-302-011	\$ 2,000.00

Buildings & Grnds	S&W	3-01-26-310-011	\$ 2,000.00
Electricity	O&E	3-01-31-430-100	\$ 5,000.00
Street Lighting	O&E	3-01-31-435-100	\$ 5,000.00
<b>TOTAL</b>			<b>\$26,000.00</b>

20. Resolution 13-1206.16(a&b): Approve various actions:

a) Petty Cash Funds / Custodians

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Commissioners hereby rescinds the designation of Timothy Hilferty as Custodian of the Long Beach Township Health Department petty cash fund.

b) Rescind Tim Hilferty/Health Dept.

**WHEREAS**, the Board of Commissioners of the Township of Long Beach wishes to establish the following Petty Cash Funds and custodians:

Petty Cash Fund	Custodian	Amount
Municipal Clerk	Lynda J. Wells	\$50.00
Police Dept.	Chief Michael Bradley	\$100.00
Water Sewer Utility	Nancy Broker Fritz	\$150.00
Safety Coordinator	Joan Kearney	\$100.00
Confidential Account	Dsg. Jeff Ehlers	\$500.00
Beach Patrol	Don Myers	\$100.00
Building Dept.	Mary Jane McGowan	\$50.00
Finance	Elizabeth Jones	\$100.00
Health Dept.	Daniel Krupinski	\$100.00
DPW	Kelley Sheldon	\$100.00

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Commissioners hereby authorizes the establishment of the funds and custodians as listed above. 21.

Resolution 13-1206.17: Approve Bills & Payroll

Bills in the amount of: \$3,191,485.68

Payroll in the amount of: \$ 761,171.03

Motion to approve Items 16 through 21:

Motion: Lattanzi Abstain: Comm. Lattanzi abstains from vouchers for SOMC

Second: Bayard Ayes: Bayard

Mayor Mancini invokes the doctrine of necessity to vote on vouchers for SOMC

Nays:

**Mayor Mancini** stated the Treasurer's Report for the month of October 2013 was on file in the Municipal Clerk's Office.

#### **COMMISSIONERS' REPORTS**

**Commissioner Lattanzi** announced that upon Tim Hilferty's retirement, Dan Krupinski was moving into his position.

Commissioner Lattanzi also announced the final amount billed for removing debris from Super Storm Sandy was \$800,000.00, noting it was significantly lower than anticipated and the FEMA refund has not been received.

**Commissioner Bayard** had no comments.

**Mayor Mancini** announced the next meeting of the Board of Commissioners would take place on Friday, December 20, 2013 at 4:00 p.m., at which time a public hearing would be held for Ordinances 13-45C and 13-46.

**Mayor Mancini** announced the next regular meeting of the Land Use Board would be held on Wednesday, December 11, 2013 at 7:00 p.m. in the Multi Purpose Room.

**Mayor Mancini** read the Police Report. Police warned residents of a SCAM ALERT urging them not to give out sensitive / personal information to unknown parties,

corporations, solicitors – either on phone or on your computer. Verify the company and the purpose of the call. Check with billing receipts for legitimate contact numbers- report any suspicious contacts to the Police Department

The Police also advised drivers keep right, pass left – do not use cell phones while driving. They reminded all with the holiday season upon us the Police reminded everyone **DO NOT DRINK AND DRIVE.**

The Ship Bottom Christmas parade was scheduled for Dec 7<sup>th</sup> – 1 pm to 3 pm to expect minor delays due to boulevard being closed for the event.

Mayor Mancini reported a meeting he had with the Attorney General's office, the Twp. Engineer regarding the eminent domain process. He noted he was waiting for the scope of work for the appraiser from the ACOE. The project was scheduled to be issued on April 1<sup>st</sup>, 2014 but he had no other information at that time.

**OPEN PUBLIC SESSION**

Bill Hutson, Holgate, announced he would be selling LBI Stronger than the Storm T-shirts for the LBI Chamber of Commerce at the Ship Bottom Christmas Parade on Dec. 7<sup>th</sup>.

Mayor Mancini stated the LBI Chamber was recently formed and they have been promoting the island businesses. They had spent \$80,000 promoting the island after Superstorm Sandy.

**CLOSE PUBLIC SESSION**

Motion for adjournment at 4:25 PM.

Motion: Lattanzi Ayes: Lattanzi, 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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Dr. Joseph P. Lattanzi, Commissioner