

MINUTES
REGULAR SESSION: BOARD OF COMMISSIONERS DECEMBER 30, 2008
FLAG SALUTE

Meeting came to order: 10:02 a.m.

Clerk called the roll: Mayor Joseph H. Mancini: PRESENT
Commissioner DiAnne C. Gove: PRESENT
Commissioner Ralph H. Bayard: PRESENT

Also in attendance: Bonnie M. Leonetti, Municipal Clerk
Lynda J. Wells, Deputy Municipal Clerk
Richard J. Shackleton, Esq.
Elizabeth Jones, CFO

Municipal Clerk announced: Notice of the time and place of this meeting has been posted in the office of the Municipal Clerk, published by the BEACH HAVEN TIMES; the PRESS OF ATLANTIC CITY; and the ASBURY PARK PRESS on May 28, 2008; and filed with the Municipal Clerk.

Motion: To dispense with the reading of the minutes of the previous meetings of December 5th and December 19th and to approve the same as recorded in the minute book:

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

AGENDA

ORDINANCES/PUBLIC HEARINGS

1. Second Reading Ordinance 08-42C: **AN ORDINANCE AMENDING AN ORDINANCE ENTITLED, "CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, (1997)" AS THE SAME IN CHAPTER 5 PERTAINS TO ADMINISTRATION**
ORDINANCE 08-42C

AN ORDINANCE AMENDING AN ORDINANCE ENTITLED, "CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, (1997)" AS THE SAME IN CHAPTER 5 PERTAINS TO ADMINISTRATION

STATEMENT OF PURPOSE

This Ordinance creates necessary new titles in the Township of Long Beach.

SECTION I

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

The following titles are hereby created in Chapter 5 entitled to read as follows:

"5-58" PRINCIPAL ASSESSING CLERK

Job Summary - Under direction, performs highly responsible and varied clerical work involved in the assessment of real and personal property requiring knowledge of relevant rules and regulations and the frequent exercise of independent judgment and/or has charge of a small assessing clerical unit; does other related duties as required.

Job Duties and Responsibilities - Duties shall include but not be limited to reviewing, checking and certifying reports, applications, and other documents for correctness where difficult determinations are concerned. Handles special requests for information in accord with prescribed rules and regulations. Relieves the supervisory officer of office details. Interviews and transacts routine business with persons who may call at the office. Assists in the planning and revision of office procedures and routines. Receives, reviews, and adjusts complaints. Guides, instructs, and assigns tasks, participates in and is responsible for the work of the staff. Compiles data for budgets and reports. Makes special studies of certain operations and reports findings. Handles routine correspondence and prepares periodic statements. Prepares, reviews, and keeps up-to-date tax assessor's lists and tax duplicates. Makes entries in tax books in accord with prescribed procedures. Prepares lists of properties to be assessed and makes proper entries in field books. Supervises and/or performs the work involved in the distribution of personal property forms. May assist in the preparation of counter claims to tax appeals. Reviews completed reports for accuracy and resolves discrepancies with electronic data processing personnel. Maintains records of sales of local real estate, veterans' exemptions, state and county appeal board decisions, and of applications for the apportionment of taxes. Maintains, classifies, indexes, and cross references records and files. Will be required to utilize various types of electronic and/or manual recording and computerized information systems used by the agency, office, or related units.

Requirements - Two (2) years of experience in clerical work.

Licenses/Education - Appointees will be required to possess a driver's license valid in New Jersey.

"5-59" WATER TREATMENT PLANT OPERATOR

Job Summary - Under direction, operates, adjusts regulates and maintains plant machines and equipment to purify and clarify water for human consumption and industrial use; does related duties.

Job Duties and Responsibilities –Operates and controls electric motors, pumps and valves to regulate flow of raw water into treatment plant. Dumps specified amounts of chemicals such as chlorine, ammonia and lime into water or adjusts automatic devices that admit specified amounts of chemicals into tanks to disinfect, deodorize and clarify water. Starts agitators to mix chemicals and allow impurities to settle to bottom of tank. Turns valves to regulate water through filter beds to remove impurities. Pumps purified water into water mains. Monitors panel board and adjusts controls to regulate flow rates, loss of head pressure and water elevation and distribution of water. Cleans tanks and filter beds using backwashing. Repairs and lubricates machines and equipment using hand tools and power tools. Tests water samples to determine acidity, color and impurities using colorimeter, turbidimeter and conductivity meter. Dumps chemicals such as alum into tanks to coagulate impurities and to reduce acidity. Records data such as residual content of chemicals, water turbidity and water pressure. May perform minor repairs such as replacing packing in pumps or valves and/or replacing bearings in motors and pumps, lubricating machines and equipment. May operate primary pumping equipment to transfer raw water to treatment plant or to distribute treated water to residential and commercial establishments.

Requirements - One (1) year of experience in operating , adjusting, regulating, repairing and maintaining electric motors, pumps, valves and other electrical and mechanical equipment of the type used in a water treatment plant, pumping station or filtration plant.

Licenses/Education – Appointees may be required to possess a valid Public Water Treatment Operator License of the appropriate class, depending on the permit level of the facility, issued by the NJ Department of Environmental Protection. Appointees will be required to possess a driver's license valid in New Jersey.

“5-60” SUPERVISING WATER TREATMENT PLANT OPERATOR

Job Summary - Under direction, supervises and works with a group of employees engaged in the operation, adjustment, regulation and maintenance of plant machines and equipment; does related duties.

Job Duties and Responsibilities – Supervises the activities of employees and issues work assignments. Enforces safety regulations. Trains new employees and makes recommendations regarding appointments, promotions, reassignments, transfers, disciplinary actions or other personnel transactions. Make recommendations for changes in procedures. Supervises and works with other employees in the filtration process, sludge processing, pumping stations, flocculation and sedimentation, adjustment of chemical feed equipment, routine water testing and other operations related to the water treatment purification plant. Starts, stops and controls electric motors, pumps, valves and generators to regulate flow of raw water into treating plant. Controls filters and agitators. Dumps specified amounts of chemicals into water or adjust automatic devices that admit specified amounts of chemicals into tanks. Monitors panel board and adjusts controls to regulate flow rates, loss of head pressure and water elevation and distribution of water. May supervise and/or perform tasks related to cleaning of tanks and filter beds, using backwash. May perform minor repairs and lubricate machines and equipment using hand tools and power tools. Test water samples from varied locations to determine concentration impurities, using colorimeter, turbidimeter and conductivity meter. Makes routine bacteriological analysis of water to determine water purity and to meet state and local health laws. May record data, such as residual content or chemicals, water turbidity, water pressure and varied meter and guage readings. Evaluates logs/reports from operators. Inspects work areas to determine material and equipment needs. Supervises and leads the activities of employees to attain optimum results in terms of costs, quality and morale of a group. Provides instruction and development opportunities for personnel, communicating agency policies and other pertinent information as appropriate. Carries out agency policies and programs as they apply to a unit and performs special assignments as given by a superior, preparing reports with recommendations as appropriate. May also operate primary pumping equipment in order to transfer raw water to treatment plant or to distribute treated water to residential, commercial or industrial establishments.

Requirements – Three (3) years of experience in operating, adjusting, regulating, repairing and maintaining electric motors, pumps, valves and other electrical and mechanical equipment used in a water treatment plant or pumping station or filtration plant.

Licenses/Education – Appointees may be required to possess a valid Public Water Treatment Operator License of the appropriate class depending on the permit level of the facility, issued by the Department of Environmental Protection. Appointees will be required to possess a driver's license valid in New Jersey.

“5-61” Supervisor, Sewer/Supervisor, Water

Job Summary - Under direction, supervises and works with a group of employees engaged in construction, maintenance and repair of sewers and other drainage facilities and in the installation, maintenance and repair of pipes, valves, pumps, hydrants and other water service equipment; does related duties.

Job Duties and Responsibilities – Supervises a group of employees engaged in maintaining cleaning, sewer lines and sewer manholes. Repairs broken sewer lines and replaces worn parts. Installs new sewer pipes. Sets drilling machines and taps water mains to the size required by placing needed sleeves and properly setting valves. Supervises and helps with routine and complex repairs of broken hydrants. Disassembles fire hydrants, removes defective parts, installs new parts and reassembles hydrants. Replaces water valves. Directs the opening of streets to locate defective water pipes and mains and the installation of new pipes. Ensures that streets are properly closed after repair work is completed. Obtains, stores, safeguards and supervises the use of equipment, materials and supplies. Makes recommendations to management concerning disciplinary measures, promotions and appointments of employees.

Requirements – Three (3) years of experience in cleaning, constructing, maintaining and repairing sewers. Three (3) years experience in installation, repair and maintenance of water mains, pipes, valves, hydrants and other water service equipment and/or in varied plumbing work.

Licenses/Education – Appointees may be required to possess a valid Public Water Treatment Distribution License and a Valid Sewer Collection License, both of the appropriate class depending on the permit level of the facility, issued by the Department of Environmental Protection. Appointees will be required to possess a driver's license valid in New Jersey.

SECTION II

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 III

This Ordinance shall take effect upon adoption on December 30, 2008.

This ordinance creates necessary new titles in the Township of Long Beach. Passed as on first reading at a regular meeting held on December 19, 2008 advertised in the BEACH HAVEN TIMES, issue of December 23, 2008.

OPEN PUBLIC HEARING
No Comments
CLOSE PUBLIC HEARING

Motion to adopt Ordinance 08-42C on Second Reading:

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

2. Second Reading Ordinance 08-43: **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".**

ORDINANCE 08-43

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".

STATEMENT OF PURPOSE

THIS ORDINANCE IS THE ANNUAL ADJUSTMENT TO SALARY RANGES FOR ALL EMPLOYEES. NEW JERSEY DEPARTMENT OF PERSONNEL REQUIRES THAT EVERY POSITION HAS A RANGE ESTABLISHED THAT EACH SALARY WILL FALL WITHIN.

THE BOARD OF COMMISSIONERS OF THE TOWNSHIP OF LONG BEACH, IN THE COUNTY OF OCEAN, DO ORDAIN:

SECTION 1. Ordinance No.77-1, as amended, the title of which is set forth in full in the title hereof, is hereby further amended regarding the annual salaries of the officers and employees of the Township of Long Beach as follows:

<u>ADMINISTRATIVE AND EXECUTIVE</u>	<u>MINIMUM</u>	<u>MAXIMUM</u>
<i>Mayor</i>	<i>10,000.00</i>	<i>20,000.00</i>
<i>Secretary to Mayor</i>	<i>3,000.00</i>	<i>5,000.00</i>
<i>Commissioner</i>	<i>8,000.00</i>	<i>18,000.00</i>
Secretary to Commissioner	3,000.00	5,000.00
Municipal Clerk	50,000.00	125,000.00
Municipal Business Administrator	15,000.00	125,000.00
Deputy Municipal Clerk	35,000.00	60,000.00
Assistant Municipal Clerk	30,000.00	55,000.00

Deputy Municipal Department Head	40,000.00	105,000.00
Chief Financial Officer	40,000.00	100,000.00
Chief Financial Officer, part-time	20,000.00 50,000.00	
Municipal Treasurer	40,000.00 70,000.00	
Municipal Treasurer, part-time	17,500.00 50,000.00	
Assistant Municipal Treasurer	35,000.00 65,000.00	
Personnel Clerk	25,000.00	55,000.00
Principal Payroll Clerk	35,000.00	55,000.00
Senior Payroll Clerk	30,000.00	50,000.00
Payroll Clerk	25,000.00	45,000.00
Confidential Assistant	25,000.00	40,000.00
Administrative Clerk	25,000.00	35,000.00
Principal Account Clerk	35,000.00 55,000.00	
Senior Account Clerk	30,000.00	50,000.00
Account Clerk	25,000.00	40,000.00

ASSESSMENT OF TAXES

<u>Tax Assessor</u>	<u>40,000.00</u>	<u>85,000.00</u>
Deputy Tax Assessor	35,000.00	60,000.00
Assistant Assessor	30,000.00	52,000.00
Principal Assessing Clerk	30,000.00 50,000.00	
Senior Assessing Clerk	30,000.00	45,000.00
Assessing Clerk	25,000.00	40,000.00
Assessing Aid	25,000.00	40,000.00

COLLECTION OF TAXES

Tax Collector	40,000.00	85,000.00
Assistant Municipal Tax Collector	25,000.00	50,000.00
Senior Tax Clerk	25,000.00	40,000.00
Tax Clerk	25,000.00	35,000.00

STATE UNIFORM CONSTRUCTION CODE **MINIMUM** **MAXIMUM**

Code Enforcement Officer/Zoning Officer	25,000.00	50,000.00
Construction Official	35,000.00	85,000.00
Assistant Zoning Officer	25,000.00	35,000.00
Code Enforcement Officer	25,000.00	40,000.00
Building Subcode Official	25,000.00	60,000.00
Building Subcode Official, part-time, per hour	7.15	25.00
Building Inspector	25,000.00	65,000.00
Building Inspector, part-time	10,000.00	30,000.00
Building Inspector, part-time, per hour	7.15	30.00
Permit Clerk 25,000.00	35,000.00	
Technical Assistant to the Construction Official	25,000.00	55,000.00

MUNICIPAL COURT

Judge of the Municipal Court	25,000.00	45,000.00
Municipal Court Administrator	35,000.00	70,000.00
Deputy Municipal Court Administrator	30,000.00	55,000.00
Docket Clerk	25,000.00	45,000.00
Violations Clerk	25,000.00	45,000.00
Violations Clerk, part-time, per hour	7.15	15.00
Public Defender	2,500.00	10,000.00
Municipal Prosecutor	23,000.00	40,000.00

WATER/SEWER DEPARTMENT

Municipal Engineer	40,000.00	85,000.00
Water & Sewer Utilities Superintendent	30,000.00	80,000.00
Sewer Superintendent/Water Superintendent	25,000.00	65,000.00
Water Treatment Plant Superintendent	30,000.00	85,000.00
Supervising Water Treatment Plant Operator	30,000.00 80,000.00	
Water Treatment Plant Operator	25,000.00 65,000.00	
Supervisor Sewer/Supervisor Water	30,000.00 80,000.00	
Supervising Pumping Station Operator	25,000.00	65,000.00
Assistant Water Treatment Plant Operator	30,000.00	75,000.00
Plumber	30,000.00	70,000.00
Senior Public Works Repairer	30,000.00	65,000.00
Public Works Repairer	30,000.00	65,000.00

BOARD OF HEALTH

Health Officer	50,000.00	120,000.00
Public Health Nurse Supervisor	30,000.00	75,000.00

Public Health Nurse Supervisor, part-time, per hour	7.15	50.00
Public Health Nurse	25,000.00	70,000.00
Public Health Nurse, part time, per hour	7.15	40.00
Graduate Nurse (Public Health)	30,000.00	65,000.00
Graduate Nurse (Public Health), part-time, per hour	7.15	45.00
Senior Sanitary Inspector	25,000.00	55,000.00
Sanitary Inspector	25,000.00	45,000.00
Sanitary Inspector, part-time, per hour	7.15	35.00
Sanitary Inspector Trainee	25,000.00 40,000.00	
Health Aide, part-time, per hour	7.15	30.00
Water Sample Collector, part-time, per hour	7.15 30.00	

MISCELLANEOUS TOWNSHIP SERVICES	MINIMUM	MAXIMUM
Clerk	23,000.00	50,000.00
Clerk, Part-time, per hour	7.15	25.00
Senior Clerk	25,000.00	50,000.00
Senior Clerk (Stenographer)	25,000.00	55,000.00
Clerk-Typist	25,000.00	45,000.00
Clerk-Typist, part-time, per day	35.00	70.00
Clerk-Typist, part-time, per hour	7.15	20.00
Senior Clerk-Typist	25,000.00	55,000.00
Senior Clerk-Typist (Stenographer)	25,000.00	55,000.00
Principal Clerk Typist	25,000.00	50,000.00
<i>Private Clerk</i>	25,000.00	50,000.00
<i>Cashier</i>	25,000.00	40,000.00
<i>Senior Cashier</i>	25,000.00	60,000.00
<i>Deputy Registrar of Vital Statistics</i>	3,000.00	5,000.00
Office Supervisor	25,000.00	45,000.00
Secretary, Board/Commission	25,000.00	45,000.00
Assistant Secretary, Board/Commission	25,000.00	35,000.00
Technical Assistant Land Use	25,000.00	35,000.00
Receptionist, part-time, per hour	7.15	25.00
Receptionist	23,000.00	30,000.00
Laborer	25,000.00	60,000.00
Laborer, part time, per hour	7.15	40.00
Parking Lot Attendant, part-time, per hour	7.15	17.50
Beach Supervisor	35,000.00	100,000.00
Beach Attendant, part-time, per hour	7.15	20.00
Lifeguard, part-time, per day	30.00	130.00
Lifeguard Chief, part-time, per day	70.00	190.00
Lifeguard Assistant Chief, part time, per day	70.00	175.00
Lifeguard Captain, part time, per day	60.00	150.00
Lifeguard Lieutenant, part time, per day	50.00	125.00
Lifeguard Assistant Lieutenant, part-time, per day	40.00	115.00
Beach Badge Program Supervisor, full-time, per day	90.00	150.00
Beach Badge Program Supervisor, part-time, per hour	7.15	25.00
Beach Badge Program Senior Supervisor, part-time, per hour	7.15	25.00
Beach Badge Program Assistant Supervisor part-time, per hour	7.15	20.00
Beach Badge program Seller/Checker, part-time, per hour	7.15	15.00
<u>POLICE DEPARTMENT</u>		
Police Chief	120,000.00	150,000.00
Deputy Police Chief	110,000.00	140,000.00
Police Captain	105,000.00	120,000.00
Police Lieutenant	95,000.00	110,000.00
Police Sergeant	85,000.00	105,000.00
Police Officer	32,000.00	95,000.00
Special Police Officer Class I part-time, per hour	7.15	17.50
Special Police Officer Class II part-time, per hour	10.00	20.00
Special Police Officer Class III part-time, per hour	10.00	20.00

Senior Police Records Clerk Typing	27,000.00	40,000.00
Police Records Clerk Typing	24,000.00	35,000.00
Academy Attendee, per hour	7.15	20.00
Chief Public Safety Telecommunicator	48,000.00 55,000.00	
Senior Public Safety Telecommunicator	23,000.00	60,000.00

	<u>MINIMUM</u>	<u>MAXIMUM</u>
Public Safety Telecommunicator, Trainee	23,000.00	40,000.00
Public Safety Telecommunicator, Trainee, per hour	8.00	16.00
Public Safety Telecommunicator	23,000.00	50,000.00
Public Safety Telecommunicator, part-time, per hour	8.00	20.00

PUBLIC WORKS AND PROPERTY

Street Superintendent and Superintendent Public Works	40,000.00	95,000.00
Assistant Superintendent of Public Works	30,000.00	95,000.00
Supervisor, Public Works	35,000.00	85,000.00
Supervisor, Parks	40,000.00	65,000.00
Assistant Supervisor, Parks	35,000.00	60,000.00
Senior Building Maintenance Worker	25,000.00	40,000.00
Building Maintenance Worker	25,000.00	45,000.00
Building Maintenance Worker, part-time, per hour	7.15	20.00

ROAD REPAIRS AND MAINTENANCE

Supervisor, Roads	30,000.00	70,000.00
Supervising Road Inspector	35,000.00	80,000.00
Supervisor, Streets	25,000.00	70,000.00
Supervising Mechanic	40,000.00	80,000.00
Senior Mechanic	30,000.00	70,000.00
Mechanic	25,000.00	70,000.00
Mechanic's Helper	25,000.00	55,000.00
Supervising Heavy Equipment Operator	40,000.00	80,000.00
Heavy Equipment Operator	30,000.00	70,000.00
Equipment Operator	25,000.00	65,000.00
Supervisor, Recreation Maintenance	45,000.00	70,000.00
Assistant Supervisor, Recreation Maintenance	30,000.00	47,500.00
Supervising Maintenance Repairer	35,000.00	70,000.00
Senior Public Works Repairer	30,000.00	65,000.00
Public Works Repairer	30,000.00	60,000.00
Sanitation Inspector	25,000.00	50,000.00

SECTION II. Education compensation/stipends for non-contractual employees shall, effective on 1-1-07, be rolled into the employee's base salary and any future college credits for any non-contractual are hereby repealed from the Ordinance.

SECTION III. There shall be created a three (3) month "interim/temporary" salary increase for any employee who replaces a superior who is on an approved Leave of Absence (LOA) or Family Medical Leave of Absence (FMLA). This will be designated by Resolution of the Governing Body on a case-by-case basis when the superior has been absent from his/her position at least 60 days with compensation equal to 10% of the substituting employee's current salary. Said temporary compensation shall not begin until the 61st day of the superior's absence. This amendment shall not apply to a designated Deputy or Assistant of the superior's title.

SECTION IV. There shall be established for all employees a policy whereby one or more employees may donate sick or vacation time to another employee who has utilized all of their allotted/accumulated time due to a lengthy illness or injury. Such donation must be wholly voluntary by the donor. This is designed so that the recipient may remain on the payroll until such time as he or she is able to return to work. The following rules will apply: Donations - Employees donating shall do so in writing to their Dept. Head & Commissioner. Said proposed exchange must be approved by the CFO/payroll dept. and Resolution of the governing body.

No employee may donate more than 50% of his or her sick or vacation time in any given year. Reimbursement – 1) Donors shall be reimbursed by the recipient once an amount of sick or vacation time equal to that which was donated is accumulated. The recipient must use 50% of accumulated time toward reimbursement to donor in any given year. 2) Recipient may use either sick or vacation days to reimburse donor(s); however, donor(s) shall receive reimbursement in that type of time which was originally donated. If the recipient dies or resigns from his/her position prior to the reimbursement of donated time, the donor forfeits the donated time.

SECTION V. All Ordinances inconsistent with the terms of this Ordinance are to the extent or such inconsistency, superseded and repealed. In the event that any section, sentence or clause or this

Ordinance shall be declared unconstitutional by a court of competent jurisdiction, such declaration shall not in any manner prejudice the enforcement or tile remaining provisions.

SECTION VI. This ordinance shall take effect upon adoption on December 30, 2008.

This ordinance is the annual adjustment to salary ranges for all employees, as per NJ DOP.

Passed as on first reading at a regular meeting held on December 19, 2008 advertised in the BEACH HAVEN TIMES, issue of December 23, 2008.

OPEN PUBLIC HEARING

No Comments

CLOSE PUBLIC HEARING

Motion to adopt Ordinance 08-43 on Second Reading:

Motion: Gove Ayes: Bayard, Gove, Mancini

Second: Bayard Nays:

ADOPTIONS AND APPROVALS

3. Resolution 08-1230.01: Approve the appointment of the Long Beach Township 2009 Local Emergency Planning Committee and Hazardous Mitigation Planning Committee

RESOLUTION 08-1230.01

WHEREAS, the Township of Long Beach Office of Emergency Management is required by the State of New Jersey to appoint a Local Emergency Planning Committee (LEPC) and a Hazardous Mitigation Planning Committee (HMPC); and

WHEREAS, the following individuals have agreed to serve as members of the LEPC and the HMPC:

Joseph Mancini	Mayor
DiAnne Gove	Deputy Mayor
Bonnie Leonetti	Municipal Clerk / Administrator
Michael Bradley	Chief of Police
Leslie Houston	Deputy Chief of Police
Steven Melega	Deputy Emergency Management Coordinator
James Hartman	Long Beach Twp. Police
Paul Vereb	Long Beach Twp. Police
Michelle Degeso	Long Beach Twp. Police Chief Telecommunicator
Carol Cerbone	Long Beach Township OEM
JoAnne Tallon	Long Beach Township OEM
Lynda Wells	Long Beach Township OEM
Tom Yurkevicz	Long Beach Township DPW
Peter Maschal	Long Beach Township CERT
Anita Miller	Long Beach Island Board of Health
John Hall	Beach Haven First Aid Squad
George Schnell	Ship Bottom Volunteer Fire Company
Thomas Walsh	Beach Haven Volunteer Fire Company
Angelo Sammartano	St. Francis Community Center
Jessica Hoffman	Business Owner
Donna Weaver	Media Representative
Maria Scandale	Media Representative
David Southwick	Marina Representative
Bill Knarre	Taxpayer Group Representative

WHEREAS, public meetings shall be held concurrently on the following dates and times:

Date	Time	Location
March 3 rd 2009	4:00 p.m.	Municipal Courtroom
June 17 th 2009	4:00 p.m.	Municipal Courtroom
September 16 th 2009	4:00 p.m.	Municipal Courtroom

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach that the above-named individuals be and they are hereby appointed as members of the 2009 Local Emergency Planning Committee and the 2009 Hazardous Mitigation Planning Committee from January 1, 2009 through December 31, 2009.

Bonnie M. Leonetti, Municipal Clerk/Administrator explained the Township of Long Beach Office of Emergency Management was required by the State of New Jersey to appoint a Local Emergency Planning Committee (LEPC) and a Hazardous Mitigation Planning Committee (HMPC) (24 members).

4. Resolution 08-1230.02: Approve a cut-off date for application for the 2009 Healthcare Waiver Incentive

RESOLUTION 08-1230.02

**RESOLUTION REGARDING HEALTH CARE AND FINANCIAL
INCENTIVE TO LONG BEACH TOWNSHIP EMPLOYEES**

WHEREAS, Resolution 08-0208.16, amending Resolution 08-0222.03, and Resolution 08-0919.01, passed by the Board of Commissioners of the Township of Long Beach on February 8th, 22nd, and September 19th 2008 respectively, provided Township employees a healthcare incentive program; and

WHEREAS, the healthcare incentive program permitted any employee who accepts the incentive and secures healthcare through sources other than Long Beach Township, to be eligible to receive compensation in the amount of 40% of the annual cost for the healthcare coverage for such employee to be paid with the employee's last salary period check in December of each year; and

WHEREAS, the Board of Commissioners of the Township of Long Beach has determined that any employee desiring to accept the healthcare incentive for calendar year 2009 must notify the Clerk / Administrator no later than 4:00 p.m., Friday, January 30, 2009 of their decision.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Township of Long Beach at a regular meeting held Tuesday, December 30, 2008 that eligible employees shall notify the Clerk / Administrator no later than 4:00 p.m., Friday, January 30, 2009 in order to receive compensation in the amount of 40% of their 2009 annual cost for healthcare coverage.

Bonnie M. Leonetti, Municipal Clerk/Administrator advised this gave employees the opportunity to waive health care if they so wished; notification cut-off would be January 30th 2009 no later than 4:00 p.m.

5. Resolution 08-1230.03: Authorize settlement of a litigation matter

RESOLUTION NO. 08-1230.03

**RESOLUTION AUTHORIZING AND APPROVING SETTLEMENT OF LITIGATION BROUGHT IN THE
UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW JERSEY BY DONALD MYERS
AGAINST FORMER COMMISSIONER ROBERT PALMER AND THE TOWNSHIP OF LONG BEACH**

WHEREAS, litigation was commenced in the United States District Court for the District of New Jersey by Donald Myers against former Commissioner Robert Palmer and the Township of Long Beach alleging that former Commissioner Robert Palmer, while operating under color of State Law as a member of the Board of Commissioners of the Township of Long Beach, interfered with and deprived the Plaintiff of his Constitutional Rights of free speech; and

WHEREAS, it was anticipated that the costs of defending the litigation could be in such an amount as to exceed the self insured reserve of the Township of Long Beach's insurance policy, said reserve amounts being in the amount of \$30,000.00; and

WHEREAS, former Commissioner Robert Palmer had imposed a four day suspension on Donald Myers without pay; and

WHEREAS, a portion of the monetary damages claimed in the United States District Court suit were loss of salary imposed as a result of the four day suspension without pay; and

WHEREAS, through negotiations with its insurance carrier and counsel representing both the Township and former Commissioner Robert Palmer, a settlement proposal was put into place whereby Long Beach Township's insurance carrier would contribute \$15,000.00 toward a settlement of the litigation and Long Beach Township would contribute \$15,000.00 toward the settlement of the litigation and the litigation would then be settled for the total sum of \$30,000.00; and

WHEREAS, the proposed settlement effectuated a potential savings to Long Beach Township of \$15,000.00; and

WHEREAS, the proposed settlement would also put an end to what could be protracted and bitter litigation having an extreme disruptive effect and impact on the Township of Long Beach; and

WHEREAS, the Board of Commissioners of the Township of Long Beach after thorough discussion and consideration deem it in the best interest of the Township of Long Beach settle the United States District Court litigation with Donald Myers for the sum of \$30,000.00 of which \$15,000.00 would be paid by the Township of Long Beach and \$15,000.00 would be paid by the Municipal Excess Liability Insurance Fund.

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 Tuesday December 30, 2008 that the matter of Donald Myers v. Robert Palmer and the Township of Long Beach venued in United States District Court for the District of New Jersey be settled and the settlement be approved by the payment of the sum of \$30,000.00 to the Plaintiff, Donald Myers, \$15,000.00 to be paid by the Municipal Excess Liability Fund, Long Beach Townships insurance company, and \$15,000.00 to be paid by the Township of Long Beach and such settlement shall be and is hereby approved as a final disposition of this matter.

BE IT FURTHER RESOLVED, that the four day suspension imposed on Donald Myers shall be and is hereby rescinded.

BE IT FURTHER RESOLVED, that Donald Myers Personnel file shall be purged of any documents reflecting any prohibitions issued by former Commissioner Robert Palmer forbidding Donald Myers from enjoying his rights of free speech.

Bonnie M. Leonetti, Municipal Clerk/Administrator stated this pertained to an employee issue.

6. Resolution 08-1230.04: Approve personnel actions: set 2009 base salaries
RESOLUTION 08-1230.04

WHEREAS, there are established salary and wage ranges for the classification of certain Officers and Employees of the Township of Long Beach, pursuant to Ordinance No. 77-1 and any amendments and supplements made thereto; and

WHEREAS, Ordinance No. 77-1 provides that the amount to be paid to each Officer and Employee, within the said salary and wage ranges, shall be fixed from time to time by Resolution of the Board of Commissioners.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach that the annual salaries of the following Officers and Employees of the Township of Long Beach be and hereby are determined and fixed as follows for 2009:

ADMINISTRATION AND EXECUTIVE

MAYOR

Joseph H. Mancini, Director PA&S **\$12,750.00**

COMMISSIONER

Ralph H. Bayard, Director PW&P 11,500.00
DiAnne C. Gove, Director R&F 11,500.00

MUNICIPAL CLERK

Bonnie M. Leonetti 111,101.00

MUNICIPAL BUSINESS ADMINISTRATOR

Bonnie M. Leonetti 14,496.00

DEPUTY MUNICIPAL CLERK

Lynda Wells 48,262.00

CHIEF FINANCIAL OFFICER

Elizabeth Jones 40,171.00

MUNICIPAL TREASURER

Elizabeth Jones 40,171.00

PERSONNEL CLERK/DEPUTY REGISTRAR

Sharon Bongiovani 45,183.00

PAYROLL CLERK

Marianne Murphy 36,983.00

ASSESSMENT OF TAXES

TAX ASSESSOR

Tracy Hafner 69,798.00

ASSISTANT ASSESSOR

Andrew Lacey 39,216.00

COLLECTION OF TAXES

TAX COLLECTOR

Deborah Hample 62,165.00

ASSISTANT MUNICIPAL TAX COLLECTOR

Carol A. Cerbone 42,684.00

STATE UNIFORM CONSTRUCTION CODE

CONSTRUCTION OFFICIAL

Jon D. Sprague 77,195.00

CODE ENFORCEMENT OFFICER/ZONING OFFICER

JoAnne Tallon **40,993.00**

BUILDING INSPECTOR

Gregory Cirillo 58,995.00

PERMIT CLERK**Frank Rowen 23,302.00****TECHNICAL ASSISTANT TO THE
CONSTRUCTION OFFICIAL**

MaryJane McGowan 47,962.00

MUNICIPAL COURT ADMINISTRATOR

Helen-Jean Robinson 64,429.00

VIOLATIONS CLERK

Gisela Olex 34,430.00

DOCKET CLERK

Judy Ridgway 33,274.00

WATER/SEWER DEPARTMENT**WATER/SEWER UTILITIES SUPERINTENDENT****David Ward 69,190.00****ASSISTANT WATER TREATMENT PLANT OPERATOR**

Mark Shields 67,675.00

PLUMBER

Dana C. Vickers 64,827.00

PUBLIC WORKS REPAIRER

Mark E. Riddell 60,608.00

LABORER

Michael Clark 35,736.00

James Heatley 50,952.00

Michael Ott 52,617.00

Robert Pinto 49,922.00

Christopher Stankowski 34,445.00

Michael Stiles 42,929.00

HEALTH DEPARTMENT**HEALTH OFFICER**

Timothy Hilferty 102,012.00

PUBLIC HEALTH NURSE SUPERVISOR

Dana A. O'Connor 71,261.00

GRADUATE NURSE (PUBLIC HEALTH)

Susan F. Parker 54,510.00

PUBLIC HEALTH NURSE

Anita Miller 60,670.00

Alice Schovanec Hourly 31.05

MISCELLANEOUS TOWNSHIP SERVICES**BEACH SUPERVISOR**

Donald Myers 94,295.00

SECRETARY BOARD/COMMISSION

Leslie Krueger 30,507.00

CLERK TYPIST

Renee Gresko 32,865.00

Kyle Ominski 30,015.00

SENIOR CLERK

Carol Beideman 34,331.00

Patricia Grant 25,624.00

Joan Kearney 33,696.00

CLERK

Kathleen Bayley 30,476.00

Barbara Bielawne 30,067.00

Christopher Connors 44,563.00

Nancy Broker-Fritz	31,448.00
Rosemary Hirsekorn	38,992.00
Vera Monahan	32,250.00
Maribeth Pragid	24,632.00
Kelley Sheldon	30,067.00
Debra Thompson	27,919.00

SENIOR CASHIER

Linda S. Appell	54,244.00
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LABORER

Josh Bligh	35,891.00
Tracey Schmidt	39,087.00

POLICE DEPARTMENT

CHIEF PUBLIC SAFETY TELECOMMUNICATOR

Michelle DeGeso	48,392.77
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SENIOR PUBLIC SAFETY TELECOMMUNICATOR

Judith Olson	45,116.77
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PUBLIC SAFETY TELECOMMUNICATOR

Heidi Heipertz	26,083.20
Erika Hershey	37,123.13
Christine Kraus	35,220.08
Linda Mauro	35,220.08
Betty Mulch	33,360.70
Mary Wickert	30,526.08

PUBLIC SAFETY TELECOMMUNICATOR TRAINEE

Lisa Schmied	23,920.00
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PRINCIPAL CLERK TYPIST

Deborah Bonicky	39,916.91
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SENIOR CLERK TYPIST

Kimberly Walker	34,730.21
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PUBLIC WORKS, PARKS & PROPERTY

DEPUTY MUNICIPAL DEPARTMENT HEAD

Andrew Baran	93,150.00
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BE IT RESOLVED that the above salaries shall take effect January 1, 2009; and

BE IT FURTHER RESOLVED that the following actions shall be approved by the Board of Commissioners of the Township of Long Beach:

Reappoint as Commissioners' Secretaries with an annual stipend of \$3,000 for 2009 the following:

Carol Cerbone-Public Safety & Affairs	Sharon Bongiovani-Revenue & Finance
	Kelley Sheldon-Public Works, Parks & Property

Appoint Lynda Wells, Robert Davis and Robert Pinto as Co-Safety Coordinators for the Township of Long Beach with an annual stipend of \$3,000.00 each to be paid from the Revenue & Finance, Public Works & Property and Public Affairs & Safety Salary & Wage effective January 1, 2009.

Remove Lynn Haberek as an employee from the rolls of Long Beach Township records effective December 22, 2008 and discontinue Health Benefits subject to Cobra regulations.

In addition to Teresa Sgro's Department of Personnel Title, Assistant Municipal Clerk, approve an "in house" title of Public Information Officer effective January 1, 2009 with an increase of \$1,500.00 to her base salary until this specific task is no longer performed at which time designation and compensation would be transferred to a new individual. Her new base salary will be \$47,922.00 effective January 1, 2009.

Change Nancy Rawles' title to Provisional Assistant Municipal Treasurer with a new base salary of \$44,547.00 effective January 1, 2009.

Change Mary Brewster's title to Provisional Principal Account Clerk with a new base salary of \$39,291.00 effective January 1, 2009.

Change Mary Cleary's title to Provisional Principal Assessing Clerk with a new base salary of \$34,012.00 effective January 1, 2009.

Change Daniel Krupinski's title to Provisional Senior Sanitary Inspector effective January 1, 2009 with an annual salary of \$38,993.00.

Approve a stipend of \$5,850.00 for Andrew Baran for added Water/Sewer Duties effective January 1, 2009.

7. Resolution 08-1230.05: Appoint a Class III Member to the Land Use Board:
DiAnne C. Gove: One (1) year term

RESOLUTION 08-1230.05

A RESOLUTION APPOINTING A MEMBER TO THE LAND USE BOARD

BE IT RESOLVED THAT in accordance with law, the following Township Official be and is hereby appointed to serve on the Long Beach Township Land Use Board:

Commissioner DiAnne C. Gove as the Class III member for a term commencing January 1, 2009 and expiring December 31, 2009.

BE IT FURTHER RESOLVED that a certified copy of this Resolution will be forwarded to the Secretary of the Long Beach Township Land Use Board.
Bonnie M. Leonetti, Municipal Clerk/Administrator noted Mayor Mancini would statutorily serve as well.

Motion to approve Items 3 - 7:

Motion: Gove Ayes: Bayard, Gove, Mancini

Second: Bayard Nays:

CONTRACTS AND AWARDS

8. Resolution 08-1230.06: Award a contract for the purchase of a of stainless steel hopper spreader (salt spreader), per quote:
Seeley Equipment: \$5,582.95

RESOLUTION 08-1230.06

A RESOLUTION AWARDING A CONTRACT FOR THE PURCHASE OF ONE (1) STAINLESS STEEL HOPPER SPREADER FOR THE PUBLIC WORKS DEPARTMENT IN THE TOWNSHIP OF LONG BEACH, PER QUOTE

WHEREAS, in accordance with N.J.S.A. 40:A11-6.1, the Long Beach Township Public Works Department solicited quotations for the purchase of one (1) stainless steel hopper spreader; and

WHEREAS, in response to the invitation for solicitation two (2) quotations were received; and

WHEREAS, the quotations were reviewed by the Board of Commissioners of the Township of Long Beach and it was determined that Seeley Equipment & Supply, t/a Modern Equipment Sales & Rental Co., 1325 Highway 34, Farmingdale, NJ 07727 provided the lowest qualified quotation in accordance with the specifications, said quotation in the amount of Five Thousand Five Hundred Eighty Two Dollars and Ninety Five Cents (\$5,582.95); and

WHEREAS, it is in the public interest of the Township of Long Beach to award a contract to Seeley Equipment & Supply, t/a Modern Equipment Sales & Rental Co. for the purchase of one (1) stainless steel hopper spreader; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available in the appropriation created by Ordinance 07-40 authorizing the purchase of a box spreader, account #C-04-55-953-901, and Public Works Other Expenses, account #8-01-26-302-029.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long, County of Ocean, State of New Jersey, at a regular meeting held this 30th day of December 2008 that the Mayor and the Municipal Clerk are hereby authorized to execute a contract with Seeley Equipment & Supply, t/a Modern Equipment Sales & Rental Co., 1325 Highway 34, Farmingdale, NJ 07727 in an amount not to exceed Five Thousand Five Hundred Eighty Two Dollars and Ninety Five Cents (\$5,582.95).

9. Resolution 08-1230.07: Approve various Professional Service contracts
- Magee & Magee:
Granville Magee, Esq: Conflict Counsel \$170.00 / hr
 - Capehart & Scatchard:
Armando Riccio, Esq: Personnel Matters and Labor Contract
Negotiation Counsel: \$155.00 / hr

- Parker McCay: Bond Counsel: \$95.00 to \$250.00 / hr
Bond Sales: Max of \$20,000.00
 - Occupational Medicine South:
Random Drug & Alcohol Testing services:
Drug Test per test: \$70.00
Alcohol Testing per test: \$25.00
per retest: \$30.00
 - Citta, Holzapfel & Zabarsky:
Municipal Prosecutors: \$22,367.60 / yr
Steven A. Zabarsky, Esq.: Prosecutor
Colleen Dolcy and John Reilly, Esq's: Alternate Prosecutors
 - John Tkaczyk: Network Support Services \$450.00 / mo
- RESOLUTION 08-1230.07**

RESOLUTION AUTHORIZING AWARD OF CONTRACTS FOR PROFESSIONAL SERVICES

WHEREAS, the Township of Long Beach has a need to acquire various professional services as listed below as an alternative method contract pursuant to the provisions of N.J.S.A.19:44A-20.4 or 20.5; and

WHEREAS, P.L. 195, Chapter 353 of the laws of the State of New Jersey provide that certain professional services are exempt from public bidding; and

WHEREAS, the Township of Long Beach wishes to award contracts without competitive bidding for various professional services pursuant to NJSA 40A:11-5(a)(a)(i). Such contracts and resolutions are available for public inspection at the office of the Township Clerk; and

WHEREAS, the statute defines professional services as services rendered by a person authorized by law to practice a recognized profession, which practice is regulated by law; and

WHEREAS, the listed services are recognized professions, which professions are regulated by law; and

WHEREAS, those listed below completed and submitted Business Entity Disclosure Certifications which certify that they have 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 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, the Chief Financial Officer has provided certification of the availability of funds as per N.J.A.C. 5:30-5.4.

NOW, THEREFORE BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach authorizes the Mayor to enter into contracts from January 1st 2009 through December 31st 2009 as per specific contract terms, or until reappointment or new appointment is made, with the Professionals listed below as described herein; and

<u>NAME</u>	<u>DESCRIPTION OF SERVICES</u>	<u>AMOUNT</u>	
Magee & Magee, LLP	General Conflict Attorney	Hourly Max.	\$170.00
Capehart & Scatchard Armando Riccio, Esq.	Labor & Contract Neg. Counsel	Hourly	\$155.00
Citta, Holzapfel, & Zabarsky Steven A. Zabarsky, Esq. Colleen Dolcy, Esq. & John Reilly, Esq.	Municipal Prosecutor Alt. Municipal Prosecutors	Annual	\$22,367.60
Parker McCay, P.A.	Bond Attorney Statement Prep(hrly) Bond Sales	\$95.00 to Max	\$250.00 \$20,000.00
Occupational Medicine, So.	Drug Testing Alcohol Testing per retest:	per test: per test: \$30.00	\$70.00 \$25.00 \$30.00
John Tkaczyk	Computer Support	Max Monthly	\$450.00

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Political Contribution Disclosure Form be placed on file with the Municipal Clerk; and

BE IT FINALLY RESOLVED that the Municipal Clerk shall send a notice of the alternative method professional appointments and have same published at least once in the official newspaper of the Township of Long Beach and shall keep the resolution and contracts on file for public inspection.

10. Resolution 08-1230.08: Approve the extension of current Professional Service contracts until new appointments have been made:
In accordance with the New Jersey Pay to Play Laws and Regulations for Alternative Method Contracts.

RESOLUTION 08-1230.08

**RESOLUTION EXTENDING ALL PROFESSIONAL SERVICE CONTRACTS DUE TO EXPIRE
DECEMBER 31, 2008**

WHEREAS, the Township of Long Beach has various professional contracts awarded during the year 2008 which are due to expire on December 31, 2008; and

WHEREAS, the State of New Jersey has in 2006 implemented into law Pay to Play regulations which require certain documents to be submitted in advance of awards of alternative method professional service contracts; and

WHEREAS, the Township of Long Beach has a need to award alternative method contracts for various professional services for the year 2009 pursuant to the provisions of N.J.S.A.19:44A-20.4.

NOW, THEREFORE BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach does hereby approve the temporary extension of any and all professional service contracts due to expire on December 31, 2008 until such time as new or renewal appointments, preferably at the scheduled January 23rd meeting, can be made in accordance with the New Jersey Pay to Play Laws and Regulations for alternative method contracts.

Bonnie M. Leonetti, Municipal Clerk/Administrator explained Professional Service Contractors were required to have necessary documents on file with the Township at least ten days prior to the award of their contract.

Motion to approve Items 8 - 10:

Motion: Gove Ayes: Bayard, Gove, Mancini

Second: Bayard Nays:

FINANCIAL APPROVALS

11. Resolution 08-1230.09: Approve the year 2009 Municipal Temporary Budget

Bonnie M. Leonetti, Municipal Clerk/Administrator advised the State of New Jersey allowed the use of up to 25% of the prior year's budget as the temporary budget until the 2009 Municipal Budget was adopted.

RESOLUTION 08-1230.09

WHEREAS, the statutes provide for the making of temporary appropriations for the period of January 1st to the date of adoption of the Local Municipal Budget; and

WHEREAS, the Governing Body of the Township of Long Beach, County of Ocean, desires to provide for an orderly method to meet claims during the foresaid period, prior to the adoption of the Local Municipal Budget.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach that the following appropriations, attached as Schedule A – Temporary Current Fund, Schedule B – Temporary Water/Sewer Budget, exclusive of Debt Service and Public Assistance, are hereby adopted as the 2009 Temporary Budget.

12. Resolution 08-1230.10: Approve the transfer of Budget Appropriations

Bonnie M. Leonetti, Municipal Clerk/Administrator noted these transfers were permitted during the last two months of each year.

RESOLUTION 08-1230.10

WHEREAS, the New Jersey statutes provide for the making of appropriation transfers between the period of November 1, 2008 and December 31, 2008; and

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

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

CURRENT FUND			
FROM:	DEPT	ACCOUNT #	AMOUNT
Sanitary Landfill	O/E	8-01-26-306-029	\$14,000.00
TOTAL			\$14,000.00

TO:	DEPT:	ACCT#	AMOUNT
Engineering	O/E	8-01-20-165-028	\$14,000.00
TOTAL			\$14,000.00

13. Resolution 08-1230.11: Approve Bills & Payroll

Bills in the amount of: \$754,893.07

Payrolls in the amount of: \$354,322.85

RESOLUTION 08-1230.11

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 \$354,322.85.

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 \$754,893.07 be and the same are hereby authorized to be paid on December 30, 2008.

2. The said approved payroll amounting to the sum of \$354,322.85 be and the same are hereby authorized to be paid on December 30, 2008.

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

Motion to approve Items 11 - 13:

Motion: Gove Ayes: Bayard, Gove, Mancini

Second: Bayard Nays:

ITEMS FOR DISCUSSION

Mayor Mancini asked the Municipal Attorney for his comments concerning a contract with MCI (Municipal Code Inspections) that provided inspection services for Long Beach Township.

Richard J. Shackleton, Esq., Municipal Attorney explained an amendment to the contract was necessary and advised the amendment should be formalized by a resolution of the Governing Body. This would allow for MCI to make inspections for three other Long Beach Island towns who formed a Shared Services Agreement with Long Beach Township as the Lead Agency.

Motion to approve Resolution 08-1230.12 amending the contract with MCI:

RESOLUTION NO. 08-1230.12

RESOLUTION AUTHORIZING ADDENDUM TO CONTRACT BETWEEN THE TOWNSHIP OF LONG BEACH AND MUNICIPAL CODE INSPECTION, INC. FOR THE PROVISION OF SUBCODE/INSPECTIONS FOR ELECTRIC, PLUMBING AND FIRE FOR THE TOWNSHIP OF LONG BEACH

WHEREAS, on the 10th day of September 2008 the Township of Long Beach entered into a contract for third party subcode/inspections for electric, plumbing and fire for Long Beach Township with Municipal Code Inspection, Inc.; and

WHEREAS, subsequent to that date Long Beach Township entered into an Interlocal Service Agreement with the Borough of Ship Bottom, the Borough of Harvey Cedars and the Borough of Barnegat Light, to provide through the offices of Municipal Code Inspection, Inc., for third party subcode/inspections for electric, plumbing and fire for those Municipalities; and

WHEREAS, Municipal Code Inspection, Inc., requested that Long Beach Township enter into an Addendum to their contract dated September 10, 2008, recognizing the additional duties to be provided by Municipal Code Inspection, Inc., pursuant to the Interlocal Service Agreement.

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 special meeting held Tuesday December 30, 2008 that an Addendum to the September 10, 2008 contract by and between the Township of Long Beach and Municipal Code Inspection, Inc., shall be and is hereby amended to recognize that Municipal Code Inspection, Inc., agrees to provide for third party subcode/inspections for plumbing, fire and electric

for the other Municipalities on Long Beach Island with whom Long Beach Township has entered into a Interlocal Services Agreement.

BE IT FURTHER RESOLVED, that the Addendum shall be executed by Joseph H. Mancini, Mayor of the Township of Long Beach and attested to by Bonnie M. Leonetti, RMC, CMC, Municipal Clerk of the Township of Long Beach.

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

Richard J. Shackleton, Esq., Municipal Attorney provided his legal opinion regarding the Solid Waste and Recyclable Materials bids received December 19th 2008. He explained an inconsistency in the Consent to Surety submitted by the low bidder, Pinto Brothers; as well as disqualification regarding the disposal of recycled items as submitted in the Meadowbrook Carting bid. He provided information concerning the award of a contract to either party under the circumstances, and asked the Board of Commissioners to discuss and decide any action they deemed prudent.

The Board of Commissioners discussed the presentation made by the Municipal Attorney as related to the award of a contract for the collection and disposal of Solid Waste and Recyclable Materials. A motion to award a contract to Pinto Brothers was offered and adopted as their Surety Bond had been guaranteed by the issuing party.

Motion to approve Resolution 08-1230.13 awarding a contract to Pinto Brothers for the collection and disposal of Solid Waste and Recyclable Materials:

RESOLUTION NO. 08-1230.12

RESOLUTION AUTHORIZING A CONTRACT BETWEEN THE TOWNSHIP OF LONG BEACH AND PINTO BROTHERS DISPOSAL, LLC FOR THE COLLECTION OF SOLID WASTE AND RECYCLABLE MATERIALS

WHEREAS, the Township of Long Beach has advertised pursuant to the New Jersey Local Public Contract Law for the receipt of sealed bids for the collection of solid waste and recyclable materials in the Township of Long Beach; and

WHEREAS, four (4) sealed bids were received by the Township of Long Beach and were opened at 10:00 a.m. Friday December 19, 2008 pursuant to an invitation to bid; and

WHEREAS, Pinto Brothers Disposal, LLC, submitted the lowest bid for a contract for the collection of solid waste and recyclable materials for a period of five (5) years for the price of Five Million Three Hundred and Forty Three Thousand Eight Hundred and Forty Dollar and no cents (\$5,343,840.00); and

WHEREAS, it was called to the attention of the Board of Commissioners on Friday December 19, 2008 that the signatory on the bid bond and consent of surety was executed by a person whose Power of Attorney authorized executions on behalf of the bonding company in an amount not to exceed \$750,000.00; and

WHEREAS, the performance bond would be required in a total amount over five (5) years of Five Million Three Hundred Forty Three Thousand Eight Hundred Forty Dollars and no cents (\$5,343,840.00); and

WHEREAS, during the early afternoon of December 19, 2008, counsel for the Township of Long Beach attempted to reach First Indemnity of America Insurance Company to ascertain the validity of the bid bond and the consent of surety and was unable to get an answer on the telephone presumably because of inclement weather in the Parsippany, New Jersey area; and

WHEREAS, on Monday December 22, 2008, counsel was able to reach the office of First Indemnity of America Insurance Company and was advised that the signatory had been given specific authority to execute the bid bond and consent of surety; and

WHEREAS, on Tuesday morning December 23, 2008, counsel received written confirmation by telefax from First Indemnity of America Insurance Company stating:

This will confirm that First Indemnity of America Insurance Company will issue a performance bond as required by the specifications for the collection of trash for the Township of Long Beach in accordance with the terms and conditions of the aforesaid bid bond providing Pinto Brothers Disposal, LLC, is the successful bidder.;

WHEREAS, the said correspondence was signed by Patrick J. Lynch, President of First Indemnity of America Insurance Company; and

WHEREAS, the Board of Commissioners has considered all of the foregoing in evaluating the bids received by the Township of Long Beach at 10:00 a.m. Friday December 19, 2008; and

WHEREAS, The Board of Commissioners of the Township of Long Beach has determined that Pinto Brothers Disposal, LLC, is a responsible bidder and, in fact the lowest responsible bidder; and

WHEREAS, The Board of Commissioners has determined that it is in the best interest of Long Beach Township to enter into a contract with Pinto Brothers Disposal, LLC, for a period of five (5) years in the amount of \$5,343,840.00, for the collection of solid waste and recyclable materials in the Township.

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 Tuesday December 30, 2008 that the Township shall enter into a contract with Pinto Brothers Disposal, LLC, for the collection of solid waste and recyclable materials for a period of five (5) years commencing January 2, 2009 and ending on January 1, 2014 for and in consideration of:

Year 2009	\$1,056,000.00
Year 2010	\$1,056,000.00
Year 2011	\$1,056,000.00
Year 2012	\$1,077,175.00
Year 2013	\$1,098,665.00
TOTAL FOR 5 YEARS	\$5,343,840.00

BE IT FURTHER RESOLVED, that the Mayor and the Municipal Clerk of the Township of Long Beach are hereby authorized and directed to enter into a contract with Pinto Brothers Disposal, LLC, as above stated.

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

COMMISSIONERS' REPORTS

Commissioner Bayard had no comments.

Commissioner Gove wished members of the public a Happy New Year.

Mayor Mancini announced the next meetings of the Board of Commissioners and the Land Use Board. He wished everyone a Happy Holiday Season.

OPEN PUBLIC SESSION

David Haber, attorney for Meadowbrook Carting advised he would file an Order to Show Cause later in the day with Judge Foster in Toms River regarding the award of the contract for the collection and disposal of Solid Waste and Recyclable Materials to Pinto Brothers.

Richard J. Shackleton, Esq., Municipal Attorney returned the Meadowbrook Carting Performance Bond to Mr. Haber which had been submitted to the Long Beach Township Clerk.

Andy Pinto / Pinto Brothers handed an original executed Performance Bond to Mr. Shackleton, who agreed to make copies of same for each party at the conclusion of the public meeting.

Bill Knarre / Brant Beach asked what plan was in place should there not be an effective contract for the collection and disposal of Solid Waste and Recyclable Materials as of January 1st 2009.

Mayor Mancini assured Mr. Knarre a contingency plan was in place for the collections.

CLOSE PUBLIC SESSION

Adjournment: 10:37 a.m.

Bonnie M. Leonetti, RMC, CMC
Municipal Clerk