

**MINUTES**  
**REGULAR SESSION      BOARD OF COMMISSIONERS      July 10, 2008**

**Flag Salute**

Meeting came to order: 7:05 p.m.

Clerk calls 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. Wilkie, Deputy Municipal Clerk  
                                 Richard J. Shackleton, Esq.

Municipal Clerk announced: Notice of the time and place of this meeting has been posted in the office of the Municipal Clerk, published by the BEACH HAVEN TIMES; 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 June 6<sup>th</sup> and June 20<sup>th</sup> 2008 and to approve the same as recorded in the minute book:

Motion:      Gove      Ayes: Bayard, Gove, Mancini

Second:      Bayard      Nays:

**Mayor Joseph Mancini** introduced graphic artist Megan Devine who had created a pictorial collage in tribute of former Mayor James J. Mancini. **Mayor Joseph Mancini** displayed the collage to the public, provided a brief history of each photo, and thanked Ms. Devine for the collage that would be on display in his office.

**AGENDA**

**ORDINANCES/PUBLIC HEARINGS**

1. Second Reading Ordinance 08-11: **BOND ORDINANCE AUTHORIZING THE RESURFACING OF NORTH OHIO AVENUE IN THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$120,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$114,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

**TOWNSHIP OF LONG BEACH, NEW JERSEY**

**ORDINANCE 08-11**

**BOND ORDINANCE AUTHORIZING THE RESURFACING OF NORTH OHIO AVENUE IN THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$120,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$114,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

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

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

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

(a) the estimated amount to be raised by the Township from all sources for the purposes stated in Section 7 hereof is \$120,000; and

(b) the estimated amount of bonds or bond anticipation notes to be issued for the purposes stated in Section 7 hereof is \$114,000; and

(c) a down payment in the amount of \$6,000 for the purposes stated in Section 7 hereof is currently available in accordance with the requirements of Section 11 of the Local Bond Law, N.J.S.A. 40A:2-11.

**Section 3.** The sum of \$114,000, to be raised by the issuance of bonds or bond anticipation notes, together with the sum of \$6,000, which amount represents the required down payment, are hereby appropriated for the purposes stated in this bond ordinance ("Bond Ordinance").

**Section 4.** The issuance of negotiable bonds of the Township in an amount not to exceed \$114,000 to finance the costs of the purposes described in Section 7 hereof is hereby authorized. Said bonds shall be sold in accordance with the requirements of the Local Bond Law.

**Section 5.** In order to temporarily finance the purposes described in Section 7 hereof, the issuance of bond anticipation notes of the Township in an amount not to exceed \$114,000 is hereby authorized. Pursuant to the Local Bond Law, the Chief Financial Officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver the same to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their date to delivery thereof. The Chief Financial Officer is hereby directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this Bond Ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

**Section 6.** The amount of the proceeds of the obligations authorized by this Bond Ordinance which may be used for the payment of interest on such obligations, accounting, engineering, legal fees and other items as provided in Section 20 of the Local Bond Law, N.J.S.A. 40A:2-20, shall not exceed the sum of \$30,000.

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

<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
A. Reconstruction and/or Resurfacing of North Ohio Avenue, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	\$120,000	\$6,000	\$114,000	10 years

**Section 8.** The supplemental debt statement provided for in Section 10 of the Local Bond Law, N.J.S.A. 40A:2-10, was duly filed in the office of the Clerk prior to the passage of this Bond Ordinance on first reading and a complete executed duplicate original thereof has been filed in the Office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. The supplemental debt statement shows that the gross debt of the Township, as defined in Section 43 of the Local Bond Law, N.J.S.A. 40A:2-43, is increased by this Bond Ordinance by \$114,000 and that the obligations authorized by this Bond Ordinance will be within all debt limitations prescribed by said Local Bond Law.

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

**Section 10.** The full faith and credit of the Township are irrevocably pledged to the punctual payment of the principal of and interest on the bonds or bond anticipation notes authorized by this Bond Ordinance, and to the extent payment is not otherwise provided, the Township shall levy ad valorem taxes on all taxable real property without limitation as to rate or amount for the payment thereof.

**Section 11.** The Capital Budget is hereby amended to conform with the provisions of this Bond Ordinance to the extent of any inconsistency therewith, and the resolution promulgated by the Local Finance Board showing full detail of the amended Capital Budget and Capital Program as approved by the Director of the Division of Local Government Services, is on file with the Clerk and available for inspection.

**Section 12.** The Township hereby declares its intent to reimburse itself from the proceeds of the bonds or bond anticipation notes authorized by this Bond Ordinance pursuant to Income Tax Regulation Section 1.150-2(e), promulgated under the Internal Revenue Code of 1986, as amended ("Code"), for "original expenditures", as defined in Income Tax Regulation Section 1.150-2(c)(2), made by the Township prior to the issuance of such bonds or bond anticipation notes.

**Section 13.** The Township hereby covenants as follows:

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

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

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

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

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

**Section 14.** The improvements authorized hereby are not current expenses and are improvements that the Township may lawfully make. No part of the cost of the improvements authorized hereby has been or shall be specially assessed on any property specially benefited thereby.

**Section 15.** All ordinances, or parts of ordinances, inconsistent herewith are hereby repealed to the extent of such inconsistency.

**Section 16.** In accordance with the Local Bond Law, this Bond Ordinance shall take effect twenty (20) days after the first publication thereof after final passage.

**Date of Introduction: June 20, 2008**

**Date of Final Adoption: July 10, 2008**

**08-11**

**Notice of Pending Bond Ordinance and Summary.**

The bond ordinance, the summary terms of which are included herein, was introduced and passed upon first reading at a meeting of the Board of Commissioners of the Township of Long Beach, in the County of Ocean, State of New Jersey, on June 20, 2008. It will be further considered for final passage, after public hearing thereon, at a meeting of the Board of Commissioners to be held at the Public Safety Building, 6805 Long Beach Boulevard, Brant Beach, New Jersey on July 10, 2008, at 7:00 P.M. During the week prior to and up to and including the date of such meeting copies of the full ordinance will be available at no cost and during regular business hours, at the Township Clerk's office for the members of the general public who shall request the same. The summary of the terms of such bond ordinance follows:

Title: **BOND ORDINANCE AUTHORIZING THE RESURFACING OF NORTH OHIO AVENUE IN THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$120,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$114,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
A. Reconstruction and/or Resurfacing of North Ohio Avenue, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	\$120,000	\$6,000	\$114,000	10 years
Appropriation:	\$120,000			
Bonds/Notes Authorized:	\$114,000			
Grants (if any) Appropriated:	None			
Section 20 Costs:	\$30,000			
Useful Life:	10 years			

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BONNIE M. LEONETTI, R.M.C., C.M.C.,  
Municipal Clerk

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

**08-11**

**Bond Ordinance Statements and Summary**

The bond ordinance, the summary terms of which are included herein, has been finally adopted by the Board of Commissioners of the Township of Long Beach, in the County of Ocean, State of New Jersey on July 10, 2008 and the twenty (20) day period of limitation within which a suit, action or proceeding questioning the validity of such ordinance can be commenced, as provided in the Local Bond Law, has begun to run from the date of the first publication of this statement. Copies of the full ordinance are available at no cost and during regular business hours, at the Township Clerk's office at 6805 Brant Beach Boulevard, Brant Beach, New Jersey for members of the general public who request the same. The summary of the terms of such bond ordinance follows:

Title: **BOND ORDINANCE AUTHORIZING THE RESURFACING OF NORTH OHIO AVENUE IN THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$120,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$114,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
A. Reconstruction and/or Resurfacing of North Ohio Avenue, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	\$120,000	\$6,000	\$114,000	10 years
Appropriation:	\$120,000			
Bonds/Notes Authorized:	\$114,000			
Grants (if any) Appropriated:	None			
Section 20 Costs:	\$30,000			
Useful Life:	10 years			

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BONNIE M. LEONETTI, R.M.C., C.M.C.  
Municipal Clerk

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

Passed as on first reading at a regular meeting held on June 20, 2008 advertised in the BEACH HAVEN TIMES, issue of June 25, 2008.

OPEN PUBLIC HEARING

No comment.

CLOSE PUBLIC HEARING

Motion to adopt Ordinance 08-11 on Second Reading:

Motion: Gove Ayes: Bayard, Gove, Mancini

Second: Bayard Nays:

2. Second Reading Ordinance 08-12: **BOND ORDINANCE AUTHORIZING VARIOUS ROAD IMPROVEMENTS IN THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$200,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY IN THE AGGREGATE PRINCIPAL**

**AMOUNT OF UP TO \$190,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND  
AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING  
TOWNSHIP OF LONG BEACH, NEW JERSEY  
ORDINANCE 08-12**

**BOND ORDINANCE AUTHORIZING VARIOUS ROAD IMPROVEMENTS IN THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$200,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$190,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

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

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

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

(a) the estimated amount to be raised by the Township from all sources for the purposes stated in Section 7 hereof is \$200,000; and

(b) the estimated amount of bonds or bond anticipation notes to be issued for the purposes stated in Section 7 hereof is \$190,000; and

(c) a down payment in the amount of \$10,000 for the purposes stated in Section 7 hereof is currently available in accordance with the requirements of Section 11 of the Local Bond Law, N.J.S.A. 40A:2-11.

**Section 3.** The sum of \$190,000, to be raised by the issuance of bonds or bond anticipation notes, together with the sum of \$10,000, which amount represents the required down payment, are hereby appropriated for the purposes stated in this bond ordinance ("Bond Ordinance").

**Section 4.** The issuance of negotiable bonds of the Township in an amount not to exceed \$190,000 to finance the costs of the purposes described in Section 7 hereof is hereby authorized. Said bonds shall be sold in accordance with the requirements of the Local Bond Law.

**Section 5.** In order to temporarily finance the purposes described in Section 7 hereof, the issuance of bond anticipation notes of the Township in an amount not to exceed \$190,000 is hereby authorized. Pursuant to the Local Bond Law, the Chief Financial Officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver the same to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their date to delivery thereof. The Chief Financial Officer is hereby directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this Bond Ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

**Section 6.** The amount of the proceeds of the obligations authorized by this Bond Ordinance which may be used for the payment of interest on such obligations, accounting, engineering, legal fees and other items as provided in Section 20 of the Local Bond Law, N.J.S.A. 40A:2-20, shall not exceed the sum of \$10,000.

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

<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
A. 2008 Road Improvement Program, as Contracted with Ocean County, all as more particularly described in the documentation on file in the Office of the Township Clerk and available for inspection during normal Township hours, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto,	\$200,000	\$10,000	\$190,000	10 years

**Section 8.** The supplemental debt statement provided for in Section 10 of the Local Bond Law, N.J.S.A. 40A:2-10, was duly filed in the office of the Clerk prior to the passage of this Bond Ordinance on first reading and a complete executed duplicate original thereof has been filed in the Office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. The supplemental debt statement shows that the gross debt of the Township, as defined in Section 43 of the Local Bond Law, N.J.S.A. 40A:2-43, is increased by this Bond Ordinance by \$190,000 and that the obligations authorized by this Bond Ordinance will be within all debt limitations prescribed by said Local Bond Law.

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

**Section 10.** The full faith and credit of the Township are irrevocably pledged to the punctual payment of the principal of and interest on the bonds or bond anticipation notes authorized by this Bond Ordinance, and to the extent payment is not otherwise provided, the Township shall levy ad valorem taxes on all taxable real property without limitation as to rate or amount for the payment thereof.

**Section 11.** The Capital Budget is hereby amended to conform with the provisions of this Bond Ordinance to the extent of any inconsistency therewith, and the resolution promulgated by the Local Finance Board showing full detail of the amended Capital Budget and Capital Program as approved by the Director of the Division of Local Government Services, is on file with the Clerk and available for inspection.

**Section 12.** The Township hereby declares its intent to reimburse itself from the proceeds of the bonds or bond anticipation notes authorized by this Bond Ordinance pursuant to Income Tax Regulation Section 1.150-2(e), promulgated under the Internal Revenue Code of 1986, as amended ("Code"), for "original expenditures", as defined in Income Tax Regulation Section 1.150-2(c)(2), made by the Township prior to the issuance of such bonds or bond anticipation notes.

**Section 13.** The Township hereby covenants as follows:

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

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

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

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

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

**Section 14.** The improvements authorized hereby are not current expenses and are improvements that the Township may lawfully make. No part of the cost of the improvements authorized hereby has been or shall be specially assessed on any property specially benefited thereby.

**Section 15.** All ordinances, or parts of ordinances, inconsistent herewith are hereby repealed to the extent of such inconsistency.

**Section 16.** In accordance with the Local Bond Law, this Bond Ordinance shall take effect twenty (20) days after the first publication thereof after final passage.

**Date of Introduction: June 20, 2008**

**Date of Final Adoption: July 10, 2008**

**08-12**

**Notice of Pending Bond Ordinance and Summary.**

The bond ordinance, the summary terms of which are included herein, was introduced and passed upon first reading at a meeting of the Board of Commissioners of the Township of Long Beach, in the County of Ocean, State of New Jersey, on June 20, 2008. It will be further considered for final passage, after public hearing thereon, at a meeting of the Board of Commissioners to be held at the Public Safety Building, 6805 Long Beach Boulevard, Brant Beach, New Jersey on July 10, 2008, at 7:00 P.M. During the week prior to and up to and including the date of such meeting copies of the full ordinance will be available at no cost and during regular business hours, at the Township Clerk's office for the members of the general public who shall request the same. The summary of the terms of such bond ordinance follows:

Title: **BOND ORDINANCE AUTHORIZING VARIOUS ROAD IMPROVEMENTS IN THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$200,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$190,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
A. 2008 Road Improvement Program, as Contracted with Ocean County, all as more particularly described in the documentation on file in the Office of the Township Clerk and available for inspection during normal Township hours, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto,	\$200,000	\$10,000	\$190,000	10 years

Appropriation: \$200,000  
 Bonds/Notes Authorized: \$190,000  
 Grants (if any) Appropriated: None  
 Section 20 Costs: \$10,000  
 Useful Life: 10 years

BONNIE M. LEONETTI, R.M.C., C.M.C.,  
Municipal Clerk

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

**08-12**

**Bond Ordinance Statements and Summary**

The bond ordinance, the summary terms of which are included herein, has been finally adopted by the Board of Commissioners of the Township of Long Beach, in the County of Ocean, State of New Jersey on July 10, 2008 and the twenty (20) day period of limitation within which a suit, action or proceeding questioning the validity of such ordinance can be commenced, as provided in the Local Bond Law, has begun to run from the date of the first publication of this statement. Copies of the full ordinance are available at no cost and during regular business hours, at the Township Clerk's office at 6805 Brant Beach Boulevard, Brant Beach, New Jersey for members of the general public who request the same. The summary of the terms of such bond ordinance follows:

Title: **BOND ORDINANCE AUTHORIZING VARIOUS ROAD IMPROVEMENTS IN THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$200,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$190,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
A. 2008 Road Improvement Program, as Contracted with Ocean County, all as more particularly described in the documentation on file in the Office of the Township Clerk and available for inspection during normal Township hours, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto,	\$200,000	\$10,000	\$190,000	10 years

Appropriation: \$200,000  
Bonds/Notes Authorized: \$190,000  
Grants (if any) Appropriated: None  
Section 20 Costs: \$10,000  
Useful Life: 10 years

BONNIE M. LEONETTI, R.M.C., C.M.C.  
Municipal Clerk

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

Passed as on first reading at a regular meeting held on June 20, 2008 advertised in the BEACH HAVEN TIMES, issue of June 25, 2008.

OPEN PUBLIC HEARING  
No comment.  
CLOSE PUBLIC HEARING

Motion to adopt Ordinance 08-12 on Second Reading:

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

3. Second Reading Ordinance 08-13: **BOND ORDINANCE AUTHORIZING THE ACQUISITION OF A BULLDOZER FOR THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$120,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$114,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING TOWNSHIP OF LONG BEACH, NEW JERSEY**

**ORDINANCE 08-13**

**BOND ORDINANCE AUTHORIZING THE ACQUISITION OF A BULLDOZER FOR THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$120,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$114,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

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

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

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

(a) the estimated amount to be raised by the Township from all sources for the purposes stated in Section 7 hereof is \$120,000; and

(b) the estimated amount of bonds or bond anticipation notes to be issued for the purposes stated in Section 7 hereof is \$114,000; and

(c) a down payment in the amount of \$6,000 for the purposes stated in Section 7 hereof is currently available in accordance with the requirements of Section 11 of the Local Bond Law, N.J.S.A. 40A:2-11.

**Section 3.** The sum of \$114,000, to be raised by the issuance of bonds or bond anticipation notes, together with the sum of \$6,000, which amount represents the required down payment, are hereby appropriated for the purposes stated in this bond ordinance ("Bond Ordinance").

**Section 4.** The issuance of negotiable bonds of the Township in an amount not to exceed \$114,000 to finance the costs of the purposes described in Section 7 hereof is hereby authorized. Said bonds shall be sold in accordance with the requirements of the Local Bond Law.

**Section 5.** In order to temporarily finance the purposes described in Section 7 hereof, the issuance of bond anticipation notes of the Township in an amount not to exceed \$114,000 is hereby authorized. Pursuant to the Local Bond Law, the Chief Financial Officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver the same to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their date of delivery thereof. The Chief Financial Officer is hereby directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this Bond Ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

**Section 6.** The amount of the proceeds of the obligations authorized by this Bond Ordinance which may be used for the payment of interest on such obligations, accounting, engineering, legal fees and other items as provided in Section 20 of the Local Bond Law, N.J.S.A. 40A:2-20, shall not exceed the sum of \$1,000.

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

<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
A. Acquisition of a Bulldozer, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	\$120,000	\$6,000	\$114,000	15 years

**Section 8.** The supplemental debt statement provided for in Section 10 of the Local Bond Law, N.J.S.A. 40A:2-10, was duly filed in the office of the Clerk prior to the passage of this Bond Ordinance on first reading and a complete executed duplicate original thereof has been filed in the Office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. The supplemental debt statement shows that the gross debt of the Township, as defined in Section 43 of the Local Bond Law, N.J.S.A. 40A:2-43, is increased by this Bond Ordinance by \$114,000 and that the obligations authorized by this Bond Ordinance will be within all debt limitations prescribed by said Local Bond Law.

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

**Section 10.** The full faith and credit of the Township are irrevocably pledged to the punctual payment of the principal of and interest on the bonds or bond anticipation notes authorized by this Bond Ordinance, and to the extent payment is not otherwise provided, the Township shall levy ad valorem taxes on all taxable real property without limitation as to rate or amount for the payment thereof.

**Section 11.** The Capital Budget is hereby amended to conform with the provisions of this Bond Ordinance to the extent of any inconsistency therewith, and the resolution promulgated by the Local Finance Board showing full detail of the amended Capital Budget and Capital Program as approved by the Director of the Division of Local Government Services, is on file with the Clerk and available for inspection.

**Section 12.** The Township hereby declares its intent to reimburse itself from the proceeds of the bonds or bond anticipation notes authorized by this Bond Ordinance pursuant to Income Tax Regulation Section 1.150-2(e), promulgated under the Internal Revenue Code of 1986, as amended ("Code"), for "original expenditures", as defined in Income Tax Regulation Section 1.150-2(c)(2), made by the Township prior to the issuance of such bonds or bond anticipation notes.

**Section 13.** The Township hereby covenants as follows:

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

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

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

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

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

**Section 14.** The improvements authorized hereby are not current expenses and are improvements that the Township may lawfully make. No part of the cost of the improvements authorized hereby has been or shall be specially assessed on any property specially benefited thereby.

**Section 15.** All ordinances, or parts of ordinances, inconsistent herewith are hereby repealed to the extent of such inconsistency.

**Section 16.** In accordance with the Local Bond Law, this Bond Ordinance shall take effect twenty (20) days after the first publication thereof after final passage.

**Date of Introduction: June 20, 2008**

**Date of Final Adoption: July 10, 2008**

**08-13**

**Notice of Pending Bond Ordinance and Summary.**

The bond ordinance, the summary terms of which are included herein, was introduced and passed upon first reading at a meeting of the Board of Commissioners of the Township of Long Beach, in the County of Ocean, State of New Jersey, on June 20, 2008. It will be further considered for final passage, after public hearing thereon, at a meeting of the Board of Commissioners to be held at the Public Safety Building, 6805 Long Beach Boulevard, Brant Beach, New Jersey on July 10, 2008, at 7:00 P.M. During the week prior to and up to and including the date of such meeting copies of the full ordinance will be available at no cost and during regular business hours, at the Township Clerk's office for the members of the general public who shall request the same. The summary of the terms of such bond ordinance follows:

Title: **BOND ORDINANCE AUTHORIZING THE ACQUISITION OF A BULLDOZER FOR THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$120,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$114,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
A. Acquisition of a Bulldozer, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	\$120,000	\$6,000	\$114,000	15 years
Appropriation:	\$120,000			
Bonds/Notes Authorized:	\$114,000			
Grants (if any) Appropriated:	None			
Section 20 Costs:	\$1,000			
Useful Life:	15 years			

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BONNIE M. LEONETTI, R.M.C., C.M.C.,  
Municipal Clerk

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

**08-13**

**Bond Ordinance Statements and Summary**

The bond ordinance, the summary terms of which are included herein, has been finally adopted by the Board of Commissioners of the Township of Long Beach, in the County of Ocean, State of New Jersey on July 10, 2008 and the twenty (20) day period of limitation within which a suit, action or proceeding questioning the validity of such ordinance can be commenced, as provided in the Local Bond Law, has begun to run from the date of the first publication of this statement. Copies of the full ordinance are available at no cost and during regular business hours, at the Township Clerk's office at 6805 Brant Beach Boulevard, Brant Beach, New Jersey for members of the general public who request the same. The summary of the terms of such bond ordinance follows:

Title: **BOND ORDINANCE AUTHORIZING THE ACQUISITION OF A BULLDOZER FOR THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$120,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$114,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
A. Acquisition of a Bulldozer, together with	\$120,000	\$6,000	\$114,000	15 years



<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto				
Appropriation:	\$120,000			
Bonds/Notes Authorized:	\$114,000			
Grants (if any) Appropriated:	None			
Section 20 Costs:	\$1,000			
Useful Life:	15 years			

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BONNIE M. LEONETTI, R.M.C., C.M.C.,  
Municipal Clerk

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

Passed as on first reading at a regular meeting held on June 20, 2008 advertised in the BEACH HAVEN TIMES, issue of June 25, 2008.

OPEN PUBLIC HEARING

No comment.

CLOSE PUBLIC HEARING

Motion to adopt Ordinance 08-13 on Second Reading:

Motion: Gove Ayes: Bayard, Gove, Mancini

Second: Bayard Nays:

4. Second Reading Ordinance 08-14: **BOND ORDINANCE AUTHORIZING THE ACQUISITION OF BULLDOZER UNDERCARRIAGE FOR THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$25,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$23,750; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

**TOWNSHIP OF LONG BEACH, NEW JERSEY**

**ORDINANCE 08-14**

**BOND ORDINANCE AUTHORIZING THE ACQUISITION OF BULLDOZER UNDERCARRIAGE FOR THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$25,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$23,750; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

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

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

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

(a) the estimated amount to be raised by the Township from all sources for the purposes stated in Section 7 hereof is \$25,000; and

(b) the estimated amount of bonds or bond anticipation notes to be issued for the purposes stated in Section 7 hereof is \$23,750; and

(c) a down payment in the amount of \$1,250 for the purposes stated in Section 7 hereof is currently available in accordance with the requirements of Section 11 of the Local Bond Law, N.J.S.A. 40A:2-11.

**Section 3.** The sum of \$23,750, to be raised by the issuance of bonds or bond anticipation notes, together with the sum of \$1,250, which amount represents the required down payment, are hereby appropriated for the purposes stated in this bond ordinance ("Bond Ordinance").

**Section 4.** The issuance of negotiable bonds of the Township in an amount not to exceed \$23,750 to finance the costs of the purposes described in Section 7 hereof is hereby authorized. Said bonds shall be sold in accordance with the requirements of the Local Bond Law.

**Section 5.** In order to temporarily finance the purposes described in Section 7 hereof, the issuance of bond anticipation notes of the Township in an amount not to exceed \$23,750 is hereby authorized. Pursuant to the Local Bond Law, the Chief Financial Officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver the same to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their date to delivery thereof. The Chief Financial Officer is hereby directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this Bond Ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

**Section 6.** The amount of the proceeds of the obligations authorized by this Bond Ordinance which may be used for the payment of interest on such obligations, accounting, engineering, legal fees and other items as provided in Section 20 of the Local Bond Law, N.J.S.A. 40A:2-20, shall not exceed the sum of \$1,000.

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

<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
A. Acquisition of Bulldozer Undercarriage, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	\$25,000	\$1,250	\$23,750	5 years

**Section 8.** The supplemental debt statement provided for in Section 10 of the Local Bond Law, N.J.S.A. 40A:2-10, was duly filed in the office of the Clerk prior to the passage of this Bond Ordinance on first reading and a complete executed duplicate original thereof has been filed in the Office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. The supplemental debt statement shows that the gross debt of the Township, as defined in Section 43 of the Local Bond Law, N.J.S.A. 40A:2-43, is increased by this Bond Ordinance by \$23,750 and that the obligations authorized by this Bond Ordinance will be within all debt limitations prescribed by said Local Bond Law.

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

**Section 10.** The full faith and credit of the Township are irrevocably pledged to the punctual payment of the principal of and interest on the bonds or bond anticipation notes authorized by this Bond Ordinance, and to the extent payment is not otherwise provided, the Township shall levy ad valorem taxes on all taxable real property without limitation as to rate or amount for the payment thereof.

**Section 11.** The Capital Budget is hereby amended to conform with the provisions of this Bond Ordinance to the extent of any inconsistency therewith, and the resolution promulgated by the Local Finance Board showing full detail of the amended Capital Budget and Capital Program as approved by the Director of the Division of Local Government Services, is on file with the Clerk and available for inspection.

**Section 12.** The Township hereby declares its intent to reimburse itself from the proceeds of the bonds or bond anticipation notes authorized by this Bond Ordinance pursuant to Income Tax Regulation Section 1.150-2(e), promulgated under the Internal Revenue Code of 1986, as amended ("Code"), for "original expenditures", as defined in Income Tax Regulation Section 1.150-2(c)(2), made by the Township prior to the issuance of such bonds or bond anticipation notes.

**Section 13.** The Township hereby covenants as follows:

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

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

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

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

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

**Section 14.** The improvements authorized hereby are not current expenses and are improvements that the Township may lawfully make. No part of the cost of the improvements authorized hereby has been or shall be specially assessed on any property specially benefited thereby.

**Section 15.** All ordinances, or parts of ordinances, inconsistent herewith are hereby repealed to the extent of such inconsistency.

**Section 16.** In accordance with the Local Bond Law, this Bond Ordinance shall take effect twenty (20) days after the first publication thereof after final passage.

**Date of Introduction: June 20, 2008**

**Date of Final Adoption: July 10, 2008**

**08-14**

**Notice of Pending Bond Ordinance and Summary.**

The bond ordinance, the summary terms of which are included herein, was introduced and passed upon first reading at a meeting of the Board of Commissioners of the Township of Long Beach, in the County of Ocean, State of New Jersey, on June 20, 2008. It will be further considered for final passage, after public hearing thereon, at a meeting of the Board of Commissioners to be held at the Public Safety Building, 6805 Long Beach Boulevard, Brant Beach, New Jersey on July 10, 2008, at 7:00 P.M. During the week prior to and up to and including the date of such meeting copies of the full ordinance will be available at no cost and during regular business hours, at the Township Clerk's office for the members of the general public who shall request the same. The summary of the terms of such bond ordinance follows:

Title: **BOND ORDINANCE AUTHORIZING THE ACQUISITION OF BULLDOZER UNDERCARRIAGE FOR THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$25,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION**

**NOTES OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$23,750; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
A. Acquisition of Bulldozer Undercarriage, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	\$25,000	\$1,250	\$23,750	5 years
Appropriation:	\$25,000			
Bonds/Notes Authorized:	\$23,750			
Grants (if any) Appropriated:	None			
Section 20 Costs:	\$1,000			
Useful Life:	5 years			

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BONNIE M. LEONETTI, R.M.C., C.M.C.,  
Municipal Clerk

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

**08-14**

**Bond Ordinance Statements and Summary**

The bond ordinance, the summary terms of which are included herein, has been finally adopted by the Board of Commissioners of the Township of Long Beach, in the County of Ocean, State of New Jersey on July 10, 2008 and the twenty (20) day period of limitation within which a suit, action or proceeding questioning the validity of such ordinance can be commenced, as provided in the Local Bond Law, has begun to run from the date of the first publication of this statement. Copies of the full ordinance are available at no cost and during regular business hours, at the Township Clerk's office at 6805 Brant Beach Boulevard, Brant Beach, New Jersey for members of the general public who request the same. The summary of the terms of such bond ordinance follows:

Title: **BOND ORDINANCE AUTHORIZING THE ACQUISITION OF BULLDOZER UNDERCARRIAGE FOR THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$25,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$23,750; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
A. Acquisition of Bulldozer Undercarriage, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	\$25,000	\$1,250	\$23,750	5 years

Appropriation: \$25,000  
 Bonds/Notes Authorized: \$23,750  
 Grants (if any) Appropriated: None  
 Section 20 Costs: \$1,000  
 Useful Life: 5 years

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BONNIE M. LEONETTI, R.M.C., C.M.C.  
Municipal Clerk

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

Passed as on first reading at a regular meeting held on June 20, 2008 advertised in the BEACH HAVEN TIMES, issue of June 25, 2008.

OPEN PUBLIC HEARING

No comment.

CLOSE PUBLIC HEARING

Motion to adopt Ordinance 08-14 on Second Reading:

Motion: Gove Ayes: Bayard, Gove, Mancini

Second: Bayard Nays:

5. Second Reading Ordinance 08-15: **BOND ORDINANCE AUTHORIZING THE COMPLETION OF VARIOUS DRAINAGE IMPROVEMENTS IN THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$50,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$47,500; MAKING CERTAIN DETERMINATIONS AND**

**COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

**TOWNSHIP OF LONG BEACH, NEW JERSEY**

**ORDINANCE 08-15**

**BOND ORDINANCE AUTHORIZING THE COMPLETION OF VARIOUS DRAINAGE IMPROVEMENTS IN THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$50,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$47,500; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

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

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

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

(a) the estimated amount to be raised by the Township from all sources for the purposes stated in Section 7 hereof is \$50,000; and

(b) the estimated amount of bonds or bond anticipation notes to be issued for the purposes stated in Section 7 hereof is \$47,500; and

(c) a down payment in the amount of \$2,500 for the purposes stated in Section 7 hereof is currently available in accordance with the requirements of Section 11 of the Local Bond Law, N.J.S.A. 40A:2-11.

**Section 3.** The sum of \$47,500, to be raised by the issuance of bonds or bond anticipation notes, together with the sum of \$2,500, which amount represents the required down payment, are hereby appropriated for the purposes stated in this bond ordinance ("Bond Ordinance").

**Section 4.** The issuance of negotiable bonds of the Township in an amount not to exceed \$47,500 to finance the costs of the purposes described in Section 7 hereof is hereby authorized. Said bonds shall be sold in accordance with the requirements of the Local Bond Law.

**Section 5.** In order to temporarily finance the purposes described in Section 7 hereof, the issuance of bond anticipation notes of the Township in an amount not to exceed \$47,500 is hereby authorized. Pursuant to the Local Bond Law, the Chief Financial Officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver the same to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their date to delivery thereof. The Chief Financial Officer is hereby directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this Bond Ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

**Section 6.** The amount of the proceeds of the obligations authorized by this Bond Ordinance which may be used for the payment of interest on such obligations, accounting, engineering, legal fees and other items as provided in Section 20 of the Local Bond Law, N.J.S.A. 40A:2-20, shall not exceed the sum of \$10,000.

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

<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
A. Completion of Various Drainage Improvements, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	\$50,000	\$2,500	\$47,500	15 years

**Section 8.** The supplemental debt statement provided for in Section 10 of the Local Bond Law, N.J.S.A. 40A:2-10, was duly filed in the office of the Clerk prior to the passage of this Bond Ordinance on first reading and a complete executed duplicate original thereof has been filed in the Office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. The supplemental debt statement shows that the gross debt of the Township, as defined in Section 43 of the Local Bond Law, N.J.S.A. 40A:2-43, is increased by this Bond Ordinance by \$47,500 and that the obligations authorized by this Bond Ordinance will be within all debt limitations prescribed by said Local Bond Law.

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

**Section 10.** The full faith and credit of the Township are irrevocably pledged to the punctual payment of the principal of and interest on the bonds or bond anticipation notes authorized by this Bond Ordinance, and to the extent payment is not otherwise provided, the Township shall levy ad valorem taxes on all taxable real property without limitation as to rate or amount for the payment thereof.

**Section 11.** The Capital Budget is hereby amended to conform with the provisions of this Bond Ordinance to the extent of any inconsistency therewith, and the resolution promulgated by the Local Finance

Board showing full detail of the amended Capital Budget and Capital Program as approved by the Director of the Division of Local Government Services, is on file with the Clerk and available for inspection.

**Section 12.** The Township hereby declares its intent to reimburse itself from the proceeds of the bonds or bond anticipation notes authorized by this Bond Ordinance pursuant to Income Tax Regulation Section 1.150-2(e), promulgated under the Internal Revenue Code of 1986, as amended ("Code"), for "original expenditures", as defined in Income Tax Regulation Section 1.150-2(c)(2), made by the Township prior to the issuance of such bonds or bond anticipation notes.

**Section 13.** The Township hereby covenants as follows:

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

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

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

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

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

**Section 14.** The improvements authorized hereby are not current expenses and are improvements that the Township may lawfully make. No part of the cost of the improvements authorized hereby has been or shall be specially assessed on any property specially benefited thereby.

**Section 15.** All ordinances, or parts of ordinances, inconsistent herewith are hereby repealed to the extent of such inconsistency.

**Section 16.** In accordance with the Local Bond Law, this Bond Ordinance shall take effect twenty (20) days after the first publication thereof after final passage.

**Date of Introduction: June 20, 2008**

**Date of Final Adoption: July 10, 2008**

**08-15**

**Notice of Pending Bond Ordinance and Summary.**

The bond ordinance, the summary terms of which are included herein, was introduced and passed upon first reading at a meeting of the Board of Commissioners of the Township of Long Beach, in the County of Ocean, State of New Jersey, on June 20, 2008. It will be further considered for final passage, after public hearing thereon, at a meeting of the Board of Commissioners to be held at the Public Safety Building, 6805 Long Beach Boulevard, Brant Beach, New Jersey on July 10, 2008, at 7:00 P.M. During the week prior to and up to and including the date of such meeting copies of the full ordinance will be available at no cost and during regular business hours, at the Township Clerk's office for the members of the general public who shall request the same. The summary of the terms of such bond ordinance follows:

Title: **BOND ORDINANCE AUTHORIZING THE COMPLETION OF VARIOUS DRAINAGE IMPROVEMENTS IN THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$50,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$47,500; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
A. Completion of Various Drainage Improvements, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	\$50,000	\$2,500	\$47,500	15 years
Appropriation:	\$50,000			
Bonds/Notes Authorized:	\$47,500			
Grants (if any) Appropriated:	None			
Section 20 Costs:	\$10,000			
Useful Life:	15 years			

\_\_\_\_\_  
 BONNIE M. LEONETTI, R.M.C., C.M.C.,  
 Municipal Clerk

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

**08-15**

**Bond Ordinance Statements and Summary**

The bond ordinance, the summary terms of which are included herein, has been finally adopted by the Board of Commissioners of the Township of Long Beach, in the County of Ocean, State of New Jersey on July 10, 2008 and the twenty (20) day period of limitation within which a suit, action or proceeding questioning the validity of such ordinance can be commenced, as provided in the Local Bond Law, has begun to run from the date of the first publication of this statement. Copies of the full ordinance are

available at no cost and during regular business hours, at the Township Clerk's office at 6805 Brant Beach Boulevard, Brant Beach, New Jersey for members of the general public who request the same. The summary of the terms of such bond ordinance follows:

Title: **BOND ORDINANCE AUTHORIZING THE COMPLETION OF VARIOUS DRAINAGE IMPROVEMENTS IN THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$50,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$47,500; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
A. Completion of Various Drainage Improvements, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	\$50,000	\$2,500	\$47,500	15 years
Appropriation:	\$50,000			
Bonds/Notes Authorized:	\$47,500			
Grants (if any) Appropriated:	None			
Section 20 Costs:	\$10,000			
Useful Life:	15 years			

\_\_\_\_\_  
 BONNIE M. LEONETTI, R.M.C., C.M.C.  
 Municipal Clerk

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

Passed as on first reading at a regular meeting held on June 20, 2008 advertised in the BEACH HAVEN TIMES, issue of June 25, 2008.

OPEN PUBLIC HEARING

No comment.

CLOSE PUBLIC HEARING

Motion to adopt Ordinance 08-15 on Second Reading:

Motion: Gove Ayes: Bayard, Gove, Mancini

Second: Bayard Nays:

6. Second Reading Ordinance 08-16: **BOND ORDINANCE AUTHORIZING THE COMPLETION OF VARIOUS RECREATION IMPROVEMENTS IN THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$100,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$95,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

**TOWNSHIP OF LONG BEACH, NEW JERSEY  
 ORDINANCE 08-16**

**BOND ORDINANCE AUTHORIZING THE COMPLETION OF VARIOUS RECREATION IMPROVEMENTS IN THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$100,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$95,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

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

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

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

- (a) the estimated amount to be raised by the Township from all sources for the purposes stated in Section 7 hereof is \$100,000; and
- (b) the estimated amount of bonds or bond anticipation notes to be issued for the purposes stated in Section 7 hereof is \$95,000; and
- (c) a down payment in the amount of \$5,000 for the purposes stated in Section 7 hereof is currently available in accordance with the requirements of Section 11 of the Local Bond Law, N.J.S.A. 40A:2-11.

**Section 3.** The sum of \$95,000, to be raised by the issuance of bonds or bond anticipation notes, together with the sum of \$5,000, which amount represents the required down payment, are hereby appropriated for the purposes stated in this bond ordinance ("Bond Ordinance").

**Section 4.** The issuance of negotiable bonds of the Township in an amount not to exceed \$95,000 to finance the costs of the purposes described in Section 7 hereof is hereby authorized. Said bonds shall be sold in accordance with the requirements of the Local Bond Law.

**Section 5.** In order to temporarily finance the purposes described in Section 7 hereof, the issuance of bond anticipation notes of the Township in an amount not to exceed \$95,000 is hereby authorized. Pursuant to the Local Bond Law, the Chief Financial Officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver the same to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their date to delivery thereof. The Chief Financial Officer is hereby directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this Bond Ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

**Section 6.** The amount of the proceeds of the obligations authorized by this Bond Ordinance which may be used for the payment of interest on such obligations, accounting, engineering, legal fees and other items as provided in Section 20 of the Local Bond Law, N.J.S.A. 40A:2-20, shall not exceed the sum of \$5,000.

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

<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
A. Completion of Various Recreation (Park and Playgrounds) Improvements, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	\$100,000	\$5,000	\$95,000	15 years

**Section 8.** The supplemental debt statement provided for in Section 10 of the Local Bond Law, N.J.S.A. 40A:2-10, was duly filed in the office of the Clerk prior to the passage of this Bond Ordinance on first reading and a complete executed duplicate original thereof has been filed in the Office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. The supplemental debt statement shows that the gross debt of the Township, as defined in Section 43 of the Local Bond Law, N.J.S.A. 40A:2-43, is increased by this Bond Ordinance by \$95,000 and that the obligations authorized by this Bond Ordinance will be within all debt limitations prescribed by said Local Bond Law.

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

**Section 10.** The full faith and credit of the Township are irrevocably pledged to the punctual payment of the principal of and interest on the bonds or bond anticipation notes authorized by this Bond Ordinance, and to the extent payment is not otherwise provided, the Township shall levy ad valorem taxes on all taxable real property without limitation as to rate or amount for the payment thereof.

**Section 11.** The Capital Budget is hereby amended to conform with the provisions of this Bond Ordinance to the extent of any inconsistency therewith, and the resolution promulgated by the Local Finance Board showing full detail of the amended Capital Budget and Capital Program as approved by the Director of the Division of Local Government Services, is on file with the Clerk and available for inspection.

**Section 12.** The Township hereby declares its intent to reimburse itself from the proceeds of the bonds or bond anticipation notes authorized by this Bond Ordinance pursuant to Income Tax Regulation Section 1.150-2(e), promulgated under the Internal Revenue Code of 1986, as amended ("Code"), for "original expenditures", as defined in Income Tax Regulation Section 1.150-2(c)(2), made by the Township prior to the issuance of such bonds or bond anticipation notes.

**Section 13.** The Township hereby covenants as follows:

- (a) it shall take all actions necessary to ensure that the interest paid on the bonds or bond anticipation notes authorized by this Bond Ordinance is exempt from the gross income of the owners thereof for federal income taxation purposes, and will not become a specific item of tax preference pursuant to Section 57(a)(5) of the Code;
- (b) it will not make any use of the proceeds of the bonds or bond anticipation notes or do or suffer any other action that would cause the bonds or bond anticipation notes to be "arbitrage bonds" as such term is defined in Section 148(a) of the Code and the Regulations promulgated thereunder;
- (c) it shall calculate or cause to be calculated and pay, when due, the rebatable arbitrage with respect to the "gross proceeds" (as such term is used in Section 148(f) of the Code) of the bonds or bond anticipation notes;
- (d) it shall timely file with the Ogden, Utah Service Center of the Internal Revenue Service, such information report or reports as may be required by Sections 148(f) and 149(e) of the Code; and
- (e) it shall take no action that would cause the bonds or bond anticipation notes to be "federally guaranteed" within the meaning of Section 149(b) of the Code.

**Section 14.** The improvements authorized hereby are not current expenses and are improvements that the Township may lawfully make. No part of the cost of the improvements authorized hereby has been or shall be specially assessed on any property specially benefited thereby.

**Section 15.** All ordinances, or parts of ordinances, inconsistent herewith are hereby repealed to the extent of such inconsistency.

**Section 16.** In accordance with the Local Bond Law, this Bond Ordinance shall take effect twenty (20) days after the first publication thereof after final passage.

**Date of Introduction: June 20, 2008**

**Date of Final Adoption: July 10, 2008**

**08-16**

**Notice of Pending Bond Ordinance and Summary.**

The bond ordinance, the summary terms of which are included herein, was introduced and passed upon first reading at a meeting of the Board of Commissioners of the Township of Long Beach, in the County of Ocean, State of New Jersey, on June 20, 2008. It will be further considered for final passage, after public hearing thereon, at a meeting of the Board of Commissioners to be held at the Public Safety Building, 6805 Long Beach Boulevard, Brant Beach, New Jersey on July 10 2008, at 7:00 P.M. During the week prior to and up to and including the date of such meeting copies of the full ordinance will be available at no cost and during regular business hours, at the Township Clerk's office for the members of the general public who shall request the same. The summary of the terms of such bond ordinance follows:

Title: **BOND ORDINANCE AUTHORIZING THE COMPLETION OF VARIOUS RECREATION IMPROVEMENTS IN THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$100,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$95,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
A. Completion of Various Recreation (Park and Playgrounds) Improvements, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	\$100,000	\$5,000	\$95,000	15 years
Appropriation:	\$100,000			
Bonds/Notes Authorized:	\$95,000			
Grants (if any) Appropriated:	None			
Section 20 Costs:	\$5,000			
Useful Life:	15 years			

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BONNIE M. LEONETTI, R.M.C., C.M.C.,  
Municipal Clerk

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

**08-16**

**Bond Ordinance Statements and Summary**

The bond ordinance, the summary terms of which are included herein, has been finally adopted by the Board of Commissioners of the Township of Long Beach, in the County of Ocean, State of New Jersey on July 10, 2008 and the twenty (20) day period of limitation within which a suit, action or proceeding questioning the validity of such ordinance can be commenced, as provided in the Local Bond Law, has begun to run from the date of the first publication of this statement. Copies of the full ordinance are available at no cost and during regular business hours, at the Township Clerk's office at 6805 Brant Beach Boulevard, Brant Beach, New Jersey for members of the general public who request the same. The summary of the terms of such bond ordinance follows:

Title: **BOND ORDINANCE AUTHORIZING THE COMPLETION OF VARIOUS RECREATION IMPROVEMENTS IN THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$100,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$95,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
A. Completion of Various Recreation (Park and Playgrounds) Improvements, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	\$100,000	\$5,000	\$95,000	15 years
Appropriation:	\$100,000			
Bonds/Notes Authorized:	\$95,000			
Grants (if any) Appropriated:	None			
Section 20 Costs:	\$5,000			
Useful Life:	15 years			

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BONNIE M. LEONETTI, R.M.C., C.M.C.,  
Municipal Clerk

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



Passed as on first reading at a regular meeting held on June 20, 2008 advertised in the BEACH HAVEN TIMES, issue of June 25, 2008.

OPEN PUBLIC HEARING  
No comment.  
CLOSE PUBLIC HEARING

Motion to adopt Ordinance 08-16 on Second Reading:

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

7. Second Reading Ordinance 08-17: **BOND ORDINANCE AUTHORIZING THE ACQUISITION OF A PICK-UP TRUCK FOR THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$17,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$16,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING TOWNSHIP OF LONG BEACH, NEW JERSEY**

**ORDINANCE 08-17**

**BOND ORDINANCE AUTHORIZING THE ACQUISITION OF A PICK-UP TRUCK FOR THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$17,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$16,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

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

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

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

(a) the estimated amount to be raised by the Township from all sources for the purposes stated in Section 7 hereof is \$17,000; and

(b) the estimated amount of bonds or bond anticipation notes to be issued for the purposes stated in Section 7 hereof is \$16,000; and

(c) a down payment in the amount of \$1,000 for the purposes stated in Section 7 hereof is currently available in accordance with the requirements of Section 11 of the Local Bond Law, N.J.S.A. 40A:2-11.

**Section 3.** The sum of \$16,000, to be raised by the issuance of bonds or bond anticipation notes, together with the sum of \$1,000, which amount represents the required down payment, are hereby appropriated for the purposes stated in this bond ordinance ("Bond Ordinance").

**Section 4.** The issuance of negotiable bonds of the Township in an amount not to exceed \$16,000 to finance the costs of the purposes described in Section 7 hereof is hereby authorized. Said bonds shall be sold in accordance with the requirements of the Local Bond Law.

**Section 5.** In order to temporarily finance the purposes described in Section 7 hereof, the issuance of bond anticipation notes of the Township in an amount not to exceed \$16,000 is hereby authorized. Pursuant to the Local Bond Law, the Chief Financial Officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver the same to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their date to delivery thereof. The Chief Financial Officer is hereby directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this Bond Ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

**Section 6.** The amount of the proceeds of the obligations authorized by this Bond Ordinance which may be used for the payment of interest on such obligations, accounting, engineering, legal fees and other items as provided in Section 20 of the Local Bond Law, N.J.S.A. 40A:2-20, shall not exceed the sum of \$1,000.

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

<b><u>Purpose/Improvement</u></b>	<b><u>Estimated Total Cost</u></b>	<b><u>Down Payment</u></b>	<b><u>Amount of Obligations</u></b>	<b><u>Period of Usefulness</u></b>
A. Acquisition of a Pick-Up Truck for the Assessor's Office, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	\$17,000	\$1,000	\$16,000	5 years

**Section 8.** The supplemental debt statement provided for in Section 10 of the Local Bond Law, N.J.S.A. 40A:2-10, was duly filed in the office of the Clerk prior to the passage of this Bond Ordinance on first reading and a complete executed duplicate original thereof has been filed in the Office of the Director of the

Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. The supplemental debt statement shows that the gross debt of the Township, as defined in Section 43 of the Local Bond Law, N.J.S.A. 40A:2-43, is increased by this Bond Ordinance by \$16,000 and that the obligations authorized by this Bond Ordinance will be within all debt limitations prescribed by said Local Bond Law.

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

**Section 10.** The full faith and credit of the Township are irrevocably pledged to the punctual payment of the principal of and interest on the bonds or bond anticipation notes authorized by this Bond Ordinance, and to the extent payment is not otherwise provided, the Township shall levy ad valorem taxes on all taxable real property without limitation as to rate or amount for the payment thereof.

**Section 11.** The Capital Budget is hereby amended to conform with the provisions of this Bond Ordinance to the extent of any inconsistency therewith, and the resolution promulgated by the Local Finance Board showing full detail of the amended Capital Budget and Capital Program as approved by the Director of the Division of Local Government Services, is on file with the Clerk and available for inspection.

**Section 12.** The Township hereby declares its intent to reimburse itself from the proceeds of the bonds or bond anticipation notes authorized by this Bond Ordinance pursuant to Income Tax Regulation Section 1.150-2(e), promulgated under the Internal Revenue Code of 1986, as amended ("Code"), for "original expenditures", as defined in Income Tax Regulation Section 1.150-2(c)(2), made by the Township prior to the issuance of such bonds or bond anticipation notes.

**Section 13.** The Township hereby covenants as follows:

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

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

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

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

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

**Section 14.** The improvements authorized hereby are not current expenses and are improvements that the Township may lawfully make. No part of the cost of the improvements authorized hereby has been or shall be specially assessed on any property specially benefited thereby.

**Section 15.** All ordinances, or parts of ordinances, inconsistent herewith are hereby repealed to the extent of such inconsistency.

**Section 16.** In accordance with the Local Bond Law, this Bond Ordinance shall take effect twenty (20) days after the first publication thereof after final passage.

**Date of Introduction: June 20, 2008**

**Date of Final Adoption: June 10, 2008**

**08-17**

**Notice of Pending Bond Ordinance and Summary.**

The bond ordinance, the summary terms of which are included herein, was introduced and passed upon first reading at a meeting of the Board of Commissioners of the Township of Long Beach, in the County of Ocean, State of New Jersey, on June 20, 2008. It will be further considered for final passage, after public hearing thereon, at a meeting of the Board of Commissioners to be held at the Public Safety Building, 6805 Long Beach Boulevard, Brant Beach, New Jersey on July 10, 2008, at 7:00 P.M. During the week prior to and up to and including the date of such meeting copies of the full ordinance will be available at no cost and during regular business hours, at the Township Clerk's office for the members of the general public who shall request the same. The summary of the terms of such bond ordinance follows:

Title: **BOND ORDINANCE AUTHORIZING THE ACQUISITION OF A PICK-UP TRUCK FOR THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$17,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$16,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
A. Acquisition of a Pick-Up Truck for the Assessor's Office, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	\$17,000	\$1,000	\$16,000	5 years

Appropriation: \$17,000

Bonds/Notes Authorized: \$16,000

Grants (if any) Appropriated: None

Section 20 Costs: \$1,000  
Useful Life: 5 years

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BONNIE M. LEONETTI, R.M.C., C.M.C.,  
Municipal Clerk

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

**08-17**

**Bond Ordinance Statements and Summary**

The bond ordinance, the summary terms of which are included herein, has been finally adopted by the Board of Commissioners of the Township of Long Beach, in the County of Ocean, State of New Jersey on July 10, 2008 and the twenty (20) day period of limitation within which a suit, action or proceeding questioning the validity of such ordinance can be commenced, as provided in the Local Bond Law, has begun to run from the date of the first publication of this statement. Copies of the full ordinance are available at no cost and during regular business hours, at the Township Clerk's office at 6805 Brant Beach Boulevard, Brant Beach, New Jersey for members of the general public who request the same. The summary of the terms of such bond ordinance follows:

Title: **BOND ORDINANCE AUTHORIZING THE ACQUISITION OF A PICK-UP TRUCK FOR THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$17,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$16,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
A. Acquisition of a Pick-Up Truck for the Assessor's Office, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	\$17,000	\$1,000	\$16,000	5 years

Appropriation: \$17,000  
Bonds/Notes Authorized: \$16,000  
Grants (if any) Appropriated: None  
Section 20 Costs: \$1,000  
Useful Life: 5 years

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BONNIE M. LEONETTI, R.M.C., C.M.C.,  
Municipal Clerk

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

Passed as on first reading at a regular meeting held on June 20, 2008 advertised in the BEACH HAVEN TIMES, issue of June 25, 2008.

CLOSE PUBLIC HEARING

No comment.

CLOSE PUBLIC HEARING

**Mayor Mancini** noted that it had been decided a used police vehicle would be designated for use by the Assessor's Office and therefore this Ordinance was not required.

Motion to withdraw Ordinance 08-17 on Second Reading:

Motion: Gove Ayes: Bayard, Gove, Mancini

Second: Bayard Nays:

8. Second Reading Ordinance 08-18: **BOND ORDINANCE AUTHORIZING THE ACQUISITION OF GENERATORS FOR THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$200,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$190,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING TOWNSHIP OF LONG BEACH, NEW JERSEY**

**ORDINANCE 08-18**

**BOND ORDINANCE AUTHORIZING THE ACQUISITION OF GENERATORS FOR THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$200,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$190,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

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

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

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

- (a) the estimated amount to be raised by the Township from all sources for the purposes stated in Section 7 hereof is \$200,000; and
- (b) the estimated amount of bonds or bond anticipation notes to be issued for the purposes stated in Section 7 hereof is \$190,000; and
- (c) a down payment in the amount of \$10,000 for the purposes stated in Section 7 hereof is currently available in accordance with the requirements of Section 11 of the Local Bond Law, N.J.S.A. 40A:2-11.

**Section 3.** The sum of \$190,000, to be raised by the issuance of bonds or bond anticipation notes, together with the sum of \$10,000, which amount represents the required down payment, are hereby appropriated for the purposes stated in this bond ordinance ("Bond Ordinance").

**Section 4.** The issuance of negotiable bonds of the Township in an amount not to exceed \$190,000 to finance the costs of the purposes described in Section 7 hereof is hereby authorized. Said bonds shall be sold in accordance with the requirements of the Local Bond Law.

**Section 5.** In order to temporarily finance the purposes described in Section 7 hereof, the issuance of bond anticipation notes of the Township in an amount not to exceed \$190,000 is hereby authorized. Pursuant to the Local Bond Law, the Chief Financial Officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver the same to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their date to delivery thereof. The Chief Financial Officer is hereby directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this Bond Ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

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

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

<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
A. Acquisition of Generators, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	\$200,000	\$10,000	\$190,000	10 years

**Section 8.** The supplemental debt statement provided for in Section 10 of the Local Bond Law, N.J.S.A. 40A:2-10, was duly filed in the office of the Clerk prior to the passage of this Bond Ordinance on first reading and a complete executed duplicate original thereof has been filed in the Office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. The supplemental debt statement shows that the gross debt of the Township, as defined in Section 43 of the Local Bond Law, N.J.S.A. 40A:2-43, is increased by this Bond Ordinance by \$190,000 and that the obligations authorized by this Bond Ordinance will be within all debt limitations prescribed by said Local Bond Law.

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

**Section 10.** The full faith and credit of the Township are irrevocably pledged to the punctual payment of the principal of and interest on the bonds or bond anticipation notes authorized by this Bond Ordinance, and to the extent payment is not otherwise provided, the Township shall levy ad valorem taxes on all taxable real property without limitation as to rate or amount for the payment thereof.

**Section 11.** The Capital Budget is hereby amended to conform with the provisions of this Bond Ordinance to the extent of any inconsistency therewith, and the resolution promulgated by the Local Finance Board showing full detail of the amended Capital Budget and Capital Program as approved by the Director of the Division of Local Government Services, is on file with the Clerk and available for inspection.

**Section 12.** The Township hereby declares its intent to reimburse itself from the proceeds of the bonds or bond anticipation notes authorized by this Bond Ordinance pursuant to Income Tax Regulation Section 1.150-2(e), promulgated under the Internal Revenue Code of 1986, as amended ("Code"), for "original expenditures", as defined in Income Tax Regulation Section 1.150-2(c)(2), made by the Township prior to the issuance of such bonds or bond anticipation notes.

**Section 13.** The Township hereby covenants as follows:

- (a) it shall take all actions necessary to ensure that the interest paid on the bonds or bond anticipation notes authorized by this Bond Ordinance is exempt from the gross income of the owners thereof for federal income taxation purposes, and will not become a specific item of tax preference pursuant to Section 57(a)(5) of the Code;
- (b) it will not make any use of the proceeds of the bonds or bond anticipation notes or do or suffer any other action that would cause the bonds or bond anticipation notes to be "arbitrage bonds" as such term is defined in Section 148(a) of the Code and the Regulations promulgated thereunder;
- (c) it shall calculate or cause to be calculated and pay, when due, the rebatable arbitrage with respect to the "gross proceeds" (as such term is used in Section 148(f) of the Code) of the bonds or bond anticipation notes;

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

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

**Section 14.** The improvements authorized hereby are not current expenses and are improvements that the Township may lawfully make. No part of the cost of the improvements authorized hereby has been or shall be specially assessed on any property specially benefited thereby.

**Section 15.** All ordinances, or parts of ordinances, inconsistent herewith are hereby repealed to the extent of such inconsistency.

**Section 16.** In accordance with the Local Bond Law, this Bond Ordinance shall take effect twenty (20) days after the first publication thereof after final passage.

**Date of Introduction: June 20, 2008**

**Date of Final Adoption: July 10, 2008**

**08-18**

**Notice of Pending Bond Ordinance and Summary.**

The bond ordinance, the summary terms of which are included herein, was introduced and passed upon first reading at a meeting of the Board of Commissioners of the Township of Long Beach, in the County of Ocean, State of New Jersey, on June 20, 2008. It will be further considered for final passage, after public hearing thereon, at a meeting of the Board of Commissioners to be held at the Public Safety Building, 6805 Long Beach Boulevard, Brant Beach, New Jersey on July 10, 2008, at 7:00 P.M. During the week prior to and up to and including the date of such meeting copies of the full ordinance will be available at no cost and during regular business hours, at the Township Clerk's office for the members of the general public who shall request the same. The summary of the terms of such bond ordinance follows:

Title: **BOND ORDINANCE AUTHORIZING THE ACQUISITION OF GENERATORS FOR THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$200,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$190,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
A. Acquisition of Generators, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	\$200,000	\$10,000	\$190,000	10 years
Appropriation:	\$200,000			
Bonds/Notes Authorized:	\$190,000			
Grants (if any) Appropriated:	None			
Section 20 Costs:	\$20,000			
Useful Life:	10 years			

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 BONNIE M. LEONETTI, R.M.C., C.M.C.  
 Municipal Clerk

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

**08-18**

**Bond Ordinance Statements and Summary**

The bond ordinance, the summary terms of which are included herein, has been finally adopted by the Board of Commissioners of the Township of Long Beach, in the County of Ocean, State of New Jersey on July 10, 2008 and the twenty (20) day period of limitation within which a suit, action or proceeding questioning the validity of such ordinance can be commenced, as provided in the Local Bond Law, has begun to run from the date of the first publication of this statement. Copies of the full ordinance are available at no cost and during regular business hours, at the Township Clerk's office at 6805 Brant Beach Boulevard, Brant Beach, New Jersey for members of the general public who request the same. The summary of the terms of such bond ordinance follows:

Title: **BOND ORDINANCE AUTHORIZING THE ACQUISITION OF GENERATORS FOR THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$200,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$190,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
A. Acquisition of Generators, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	\$200,000	\$10,000	\$190,000	10 years

Appropriation: \$200,000  
Bonds/Notes Authorized: \$190,000  
Grants (if any) Appropriated: None  
Section 20 Costs: \$20,000  
Useful Life: 10 years

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BONNIE M. LEONETTI, R.M.C., C.M.C.,  
Municipal Clerk

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

Passed as on first reading at a regular meeting held on June 20, 2008 advertised in the BEACH HAVEN TIMES, issue of June 25, 2008.

CLOSE PUBLIC HEARING

No comment.

CLOSE PUBLIC HEARING

Motion to adopt Ordinance 08-18 on Second Reading:

Motion: Gove Ayes: Bayard, Gove, Mancini

Second: Bayard Nays:

9. Second Reading Ordinance 08-19: **BOND ORDINANCE AUTHORIZING THE ACQUISITION OF TWO (2) PICK-UP TRUCKS FOR THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$60,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$57,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

**TOWNSHIP OF LONG BEACH, NEW JERSEY**

**ORDINANCE 08-19**

**BOND ORDINANCE AUTHORIZING THE ACQUISITION OF TWO (2) PICK-UP TRUCKS FOR THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$60,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$57,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

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

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

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

(a) the estimated amount to be raised by the Township from all sources for the purposes stated in Section 7 hereof is \$60,000; and

(b) the estimated amount of bonds or bond anticipation notes to be issued for the purposes stated in Section 7 hereof is \$57,000; and

(c) a down payment in the amount of \$3,000 for the purposes stated in Section 7 hereof is currently available in accordance with the requirements of Section 11 of the Local Bond Law, N.J.S.A. 40A:2-11.

**Section 3.** The sum of \$57,000, to be raised by the issuance of bonds or bond anticipation notes, together with the sum of \$3,000, which amount represents the required down payment, are hereby appropriated for the purposes stated in this bond ordinance ("Bond Ordinance").

**Section 4.** The issuance of negotiable bonds of the Township in an amount not to exceed \$57,000 to finance the costs of the purposes described in Section 7 hereof is hereby authorized. Said bonds shall be sold in accordance with the requirements of the Local Bond Law.

**Section 5.** In order to temporarily finance the purposes described in Section 7 hereof, the issuance of bond anticipation notes of the Township in an amount not to exceed \$57,000 is hereby authorized. Pursuant to the Local Bond Law, the Chief Financial Officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver the same to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their date to delivery thereof. The Chief Financial Officer is hereby directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this Bond Ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

**Section 6.** The amount of the proceeds of the obligations authorized by this Bond Ordinance which may be used for the payment of interest on such obligations, accounting, engineering, legal fees and other items as provided in Section 20 of the Local Bond Law, N.J.S.A. 40A:2-20, shall not exceed the sum of \$1,000.

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

<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
A. Acquisition of two (2) Pick-Up Trucks for the Water/Sewer Department, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	\$60,000	\$3,000	\$57,000	5 years

**Section 8.** The supplemental debt statement provided for in Section 10 of the Local Bond Law, N.J.S.A. 40A:2-10, was duly filed in the office of the Clerk prior to the passage of this Bond Ordinance on first reading and a complete executed duplicate original thereof has been filed in the Office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. The supplemental debt statement shows that the gross debt of the Township, as defined in Section 43 of the Local Bond Law, N.J.S.A. 40A:2-43, is increased by this Bond Ordinance by \$57,000 and that the obligations authorized by this Bond Ordinance will be within all debt limitations prescribed by said Local Bond Law.

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

**Section 10.** The full faith and credit of the Township are irrevocably pledged to the punctual payment of the principal of and interest on the bonds or bond anticipation notes authorized by this Bond Ordinance, and to the extent payment is not otherwise provided, the Township shall levy ad valorem taxes on all taxable real property without limitation as to rate or amount for the payment thereof.

**Section 11.** The Capital Budget is hereby amended to conform with the provisions of this Bond Ordinance to the extent of any inconsistency therewith, and the resolution promulgated by the Local Finance Board showing full detail of the amended Capital Budget and Capital Program as approved by the Director of the Division of Local Government Services, is on file with the Clerk and available for inspection.

**Section 12.** The Township hereby declares its intent to reimburse itself from the proceeds of the bonds or bond anticipation notes authorized by this Bond Ordinance pursuant to Income Tax Regulation Section 1.150-2(e), promulgated under the Internal Revenue Code of 1986, as amended ("Code"), for "original expenditures", as defined in Income Tax Regulation Section 1.150-2(c)(2), made by the Township prior to the issuance of such bonds or bond anticipation notes.

**Section 13.** The Township hereby covenants as follows:

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

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

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

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

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

**Section 14.** The improvements authorized hereby are not current expenses and are improvements that the Township may lawfully make. No part of the cost of the improvements authorized hereby has been or shall be specially assessed on any property specially benefited thereby.

**Section 15.** All ordinances, or parts of ordinances, inconsistent herewith are hereby repealed to the extent of such inconsistency.

**Section 16.** In accordance with the Local Bond Law, this Bond Ordinance shall take effect twenty (20) days after the first publication thereof after final passage.

**Date of Introduction:** June 20, 2008

**Date of Final Adoption:** July 10, 2008

#### **08-19**

#### **Notice of Pending Bond Ordinance and Summary.**

The bond ordinance, the summary terms of which are included herein, was introduced and passed upon first reading at a meeting of the Board of Commissioners of the Township of Long Beach, in the County of Ocean, State of New Jersey, on June 20, 2008. It will be further considered for final passage, after public hearing thereon, at a meeting of the Board of Commissioners to be held at the Public Safety Building, 6805 Long Beach Boulevard, Brant Beach, New Jersey on July 10, 2008, at 7:00 P.M. During the week prior to and up to and including the date of such meeting copies of the full ordinance will be available at no cost and during regular business hours, at the Township Clerk's office for the members of the general public who shall request the same. The summary of the terms of such bond ordinance follows:

Title: **BOND ORDINANCE AUTHORIZING THE ACQUISITION OF TWO (2) PICK-UP TRUCKS FOR THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$60,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$57,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
A. Acquisition of two (2) Pick-Up Trucks for the Water/Sewer Department, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	\$60,000	\$3,000	\$57,000	5 years
Appropriation:	\$60,000			
Bonds/Notes Authorized:	\$57,000			
Grants (if any) Appropriated:	None			
Section 20 Costs:	\$1,000			
Useful Life:	5 years			

BONNIE M. LEONETTI, R.M.C., C.M.C., Municipal Clerk

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

**08-19**

**Bond Ordinance Statements and Summary**

The bond ordinance, the summary terms of which are included herein, has been finally adopted by the Board of Commissioners of the Township of Long Beach, in the County of Ocean, State of New Jersey on July 10, 2008 and the twenty (20) day period of limitation within which a suit, action or proceeding questioning the validity of such ordinance can be commenced, as provided in the Local Bond Law, has begun to run from the date of the first publication of this statement. Copies of the full ordinance are available at no cost and during regular business hours, at the Township Clerk's office at 6805 Brant Beach Boulevard, Brant Beach, New Jersey for members of the general public who request the same. The summary of the terms of such bond ordinance follows:

Title: **BOND ORDINANCE AUTHORIZING THE ACQUISITION OF TWO (2) PICK-UP TRUCKS FOR THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$60,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$57,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
A. Acquisition of two (2) Pick-Up Trucks for the Water/Sewer Department, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	\$60,000	\$3,000	\$57,000	5 years
Appropriation:	\$60,000			
Bonds/Notes Authorized:	\$57,000			
Grants (if any) Appropriated:	None			
Section 20 Costs:	\$1,000			
Useful Life:	5 years			

BONNIE M. LEONETTI, R.M.C., C.M.C.,  
Municipal Clerk

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

Passed as on first reading at a regular meeting held on June 20, 2008 advertised in the BEACH HAVEN TIMES, issue of June 25, 2008.

CLOSE PUBLIC HEARING

No comment.

CLOSE PUBLIC HEARING

Motion to adopt Ordinance 08-19 on Second Reading:

Motion: Gove Ayes: Bayard, Gove, Mancini

Second: Bayard Nays:

**10. Second Reading Ordinance 08-20: BOND ORDINANCE AUTHORIZING IMPROVE-MENTS TO THE BEACH HAVEN TERRACE DETENTION BASIN IN THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$100,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$95,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

**TOWNSHIP OF LONG BEACH, NEW JERSEY**

**ORDINANCE 08-20**

**BOND ORDINANCE AUTHORIZING IMPROVE-MENTS TO THE BEACH HAVEN TERRACE DETENTION BASIN IN THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$100,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$95,000; MAKING**



**CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

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

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

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

(a) the estimated amount to be raised by the Township from all sources for the purposes stated in Section 7 hereof is \$100,000; and

(b) the estimated amount of bonds or bond anticipation notes to be issued for the purposes stated in Section 7 hereof is \$95,000; and

(c) a down payment in the amount of \$5,000 for the purposes stated in Section 7 hereof is currently available in accordance with the requirements of Section 11 of the Local Bond Law, N.J.S.A. 40A:2-11.

**Section 3.** The sum of \$95,000, to be raised by the issuance of bonds or bond anticipation notes, together with the sum of \$5,000, which amount represents the required down payment, are hereby appropriated for the purposes stated in this bond ordinance ("Bond Ordinance").

**Section 4.** The issuance of negotiable bonds of the Township in an amount not to exceed \$95,000 to finance the costs of the purposes described in Section 7 hereof is hereby authorized. Said bonds shall be sold in accordance with the requirements of the Local Bond Law.

**Section 5.** In order to temporarily finance the purposes described in Section 7 hereof, the issuance of bond anticipation notes of the Township in an amount not to exceed \$95,000 is hereby authorized. Pursuant to the Local Bond Law, the Chief Financial Officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver the same to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their date to delivery thereof. The Chief Financial Officer is hereby directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this Bond Ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

**Section 6.** The amount of the proceeds of the obligations authorized by this Bond Ordinance which may be used for the payment of interest on such obligations, accounting, engineering, legal fees and other items as provided in Section 20 of the Local Bond Law, N.J.S.A. 40A:2-20, shall not exceed the sum of \$10,000.

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

<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
A. Improvements to the Beach Haven Terrace Detention Basin, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	\$100,000	\$5,000	\$95,000	15 years

**Section 8.** The supplemental debt statement provided for in Section 10 of the Local Bond Law, N.J.S.A. 40A:2-10, was duly filed in the office of the Clerk prior to the passage of this Bond Ordinance on first reading and a complete executed duplicate original thereof has been filed in the Office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. The supplemental debt statement shows that the gross debt of the Township, as defined in Section 43 of the Local Bond Law, N.J.S.A. 40A:2-43, is increased by this Bond Ordinance by \$95,000 and that the obligations authorized by this Bond Ordinance will be within all debt limitations prescribed by said Local Bond Law.

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

**Section 10.** The full faith and credit of the Township are irrevocably pledged to the punctual payment of the principal of and interest on the bonds or bond anticipation notes authorized by this Bond Ordinance, and to the extent payment is not otherwise provided, the Township shall levy ad valorem taxes on all taxable real property without limitation as to rate or amount for the payment thereof.

**Section 11.** The Capital Budget is hereby amended to conform with the provisions of this Bond Ordinance to the extent of any inconsistency therewith, and the resolution promulgated by the Local Finance Board showing full detail of the amended Capital Budget and Capital Program as approved by the Director of the Division of Local Government Services, is on file with the Clerk and available for inspection.

**Section 12.** The Township hereby declares its intent to reimburse itself from the proceeds of the bonds or bond anticipation notes authorized by this Bond Ordinance pursuant to Income Tax Regulation Section 1.150-2(e), promulgated under the Internal Revenue Code of 1986, as amended ("Code"), for "original expenditures", as defined in Income Tax Regulation Section 1.150-2(c)(2), made by the Township prior to the issuance of such bonds or bond anticipation notes.

**Section 13.** The Township hereby covenants as follows:

(a) it shall take all actions necessary to ensure that the interest paid on the bonds or bond anticipation notes authorized by this Bond Ordinance is exempt from the gross income of the owners

thereof for federal income taxation purposes, and will not become a specific item of tax preference pursuant to Section 57(a)(5) of the Code;

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

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

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

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

**Section 14.** The improvements authorized hereby are not current expenses and are improvements that the Township may lawfully make. No part of the cost of the improvements authorized hereby has been or shall be specially assessed on any property specially benefited thereby.

**Section 15.** All ordinances, or parts of ordinances, inconsistent herewith are hereby repealed to the extent of such inconsistency.

**Section 16.** In accordance with the Local Bond Law, this Bond Ordinance shall take effect twenty (20) days after the first publication thereof after final passage.

**Date of Introduction: June 20, 2008**

**Date of Final Adoption: July 10, 2008**

**08-20**

**Notice of Pending Bond Ordinance and Summary.**

The bond ordinance, the summary terms of which are included herein, was introduced and passed upon first reading at a meeting of the Board of Commissioners of the Township of Long Beach, in the County of Ocean, State of New Jersey, on June 20, 2008. It will be further considered for final passage, after public hearing thereon, at a meeting of the Board of Commissioners to be held at the Public Safety Building, 6805 Long Beach Boulevard, Brant Beach, New Jersey on July 10, 2008, at 7:00 P.M. During the week prior to and up to and including the date of such meeting copies of the full ordinance will be available at no cost and during regular business hours, at the Township Clerk's office for the members of the general public who shall request the same. The summary of the terms of such bond ordinance follows:

Title: **BOND ORDINANCE AUTHORIZING IMPROVE-MENTS TO THE BEACH HAVEN TERRACE DETENTION BASIN IN THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$100,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$95,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
A. Improvements to the Beach Haven Terrace Detention Basin, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	\$100,000	\$5,000	\$95,000	15 years
Appropriation:	\$100,000			
Bonds/Notes Authorized:	\$95,000			
Grants (if any) Appropriated:	None			
Section 20 Costs:	\$10,000			
Useful Life:	15 years			

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BONNIE M. LEONETTI, R.M.C., C.M.C.,  
Municipal Clerk

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

**08-20**

**Bond Ordinance Statements and Summary**

The bond ordinance, the summary terms of which are included herein, has been finally adopted by the Board of Commissioners of the Township of Long Beach, in the County of Ocean, State of New Jersey on July 10, 2008 and the twenty (20) day period of limitation within which a suit, action or proceeding questioning the validity of such ordinance can be commenced, as provided in the Local Bond Law, has begun to run from the date of the first publication of this statement. Copies of the full ordinance are available at no cost and during regular business hours, at the Township Clerk's office at 6805 Brant Beach Boulevard, Brant Beach, New Jersey for members of the general public who request the same. The summary of the terms of such bond ordinance follows:

Title: **BOND ORDINANCE AUTHORIZING IMPROVE-MENTS TO THE BEACH HAVEN TERRACE DETENTION BASIN IN THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$100,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$95,000;**

**MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
A. Improvements to the Beach Haven Terrace Detention Basin, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	\$100,000	\$5,000	\$95,000	15 years
Appropriation:	\$100,000			
Bonds/Notes Authorized:	\$95,000			
Grants (if any) Appropriated:	None			
Section 20 Costs:	\$10,000			
Useful Life:	15 years			

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BONNIE M. LEONETTI, R.M.C., C.M.C.,  
Municipal Clerk

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

Passed as on first reading at a regular meeting held on June 20, 2008 advertised in the BEACH HAVEN TIMES, issue of June 25, 2008.

CLOSE PUBLIC HEARING

No comment.

CLOSE PUBLIC HEARING

Motion to adopt Ordinance 08-20 on Second Reading:

Motion: Gove Ayes: Bayard, Gove, Mancini

Second: Bayard Nays:

**11. Second Reading Ordinance 08-21: BOND ORDINANCE AUTHORIZING THE COMPLETION OF VARIOUS IMPROVEMENTS TO THE NORTH BEACH SEWER STATION IN THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$150,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$142,500; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

**TOWNSHIP OF LONG BEACH, NEW JERSEY**

**ORDINANCE 08-21**

**BOND ORDINANCE AUTHORIZING THE COMPLETION OF VARIOUS IMPROVEMENTS TO THE NORTH BEACH SEWER STATION IN THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$150,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$142,500; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

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

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

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

(a) the estimated amount to be raised by the Township from all sources for the purposes stated in Section 7 hereof is \$150,000; and

(b) the estimated amount of bonds or bond anticipation notes to be issued for the purposes stated in Section 7 hereof is \$142,500; and

(c) a down payment in the amount of \$7,500 for the purposes stated in Section 7 hereof is currently available in accordance with the requirements of Section 11 of the Local Bond Law, N.J.S.A. 40A:2-11.

**Section 3.** The sum of \$142,500, to be raised by the issuance of bonds or bond anticipation notes, together with the sum of \$7,500, which amount represents the required down payment, are hereby appropriated for the purposes stated in this bond ordinance ("Bond Ordinance").

**Section 4.** The issuance of negotiable bonds of the Township in an amount not to exceed \$142,500 to finance the costs of the purposes described in Section 7 hereof is hereby authorized. Said bonds shall be sold in accordance with the requirements of the Local Bond Law.

**Section 5.** In order to temporarily finance the purposes described in Section 7 hereof, the issuance of bond anticipation notes of the Township in an amount not to exceed \$142,500 is hereby authorized. Pursuant to the Local Bond Law, the Chief Financial Officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver the same to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their date to delivery thereof. The Chief Financial Officer is hereby directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this Bond Ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

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

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

<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
A. Completion of Various Improvements to the North Beach Sewer Station, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	\$150,000	\$7,500	\$142,500	40 years

**Section 8.** The supplemental debt statement provided for in Section 10 of the Local Bond Law, N.J.S.A. 40A:2-10, was duly filed in the office of the Clerk prior to the passage of this Bond Ordinance on first reading and a complete executed duplicate original thereof has been filed in the Office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. The supplemental debt statement shows that the gross debt of the Township, as defined in Section 43 of the Local Bond Law, N.J.S.A. 40A:2-43, is increased by this Bond Ordinance by \$142,500 and that the obligations authorized by this Bond Ordinance will be within all debt limitations prescribed by said Local Bond Law.

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

**Section 10.** The full faith and credit of the Township are irrevocably pledged to the punctual payment of the principal of and interest on the bonds or bond anticipation notes authorized by this Bond Ordinance, and to the extent payment is not otherwise provided, the Township shall levy ad valorem taxes on all taxable real property without limitation as to rate or amount for the payment thereof.

**Section 11.** The Capital Budget is hereby amended to conform with the provisions of this Bond Ordinance to the extent of any inconsistency therewith, and the resolution promulgated by the Local Finance Board showing full detail of the amended Capital Budget and Capital Program as approved by the Director of the Division of Local Government Services, is on file with the Clerk and available for inspection.

**Section 12.** The Township hereby declares its intent to reimburse itself from the proceeds of the bonds or bond anticipation notes authorized by this Bond Ordinance pursuant to Income Tax Regulation Section 1.150-2(e), promulgated under the Internal Revenue Code of 1986, as amended ("Code"), for "original expenditures", as defined in Income Tax Regulation Section 1.150-2(c)(2), made by the Township prior to the issuance of such bonds or bond anticipation notes.

**Section 13.** The Township hereby covenants as follows:

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

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

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

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

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

**Section 14.** The improvements authorized hereby are not current expenses and are improvements that the Township may lawfully make. No part of the cost of the improvements authorized hereby has been or shall be specially assessed on any property specially benefited thereby.

**Section 15.** All ordinances, or parts of ordinances, inconsistent herewith are hereby repealed to the extent of such inconsistency.

**Section 16.** In accordance with the Local Bond Law, this Bond Ordinance shall take effect twenty (20) days after the first publication thereof after final passage.

**Date of Introduction: June 20, 2008**

**Date of Final Adoption: July 10, 2008**

**08-21**

**Notice of Pending Bond Ordinance and Summary.**

The bond ordinance, the summary terms of which are included herein, was introduced and passed upon first reading at a meeting of the Board of Commissioners of the Township of Long Beach, in the County of Ocean, State of New Jersey, on June 20, 2008. It will be further considered for final passage, after public hearing thereon, at a meeting of the Board of Commissioners to be held at the Public Safety Building, 6805 Long Beach Boulevard, Brant Beach, New Jersey on July 10, 2008, at 7:00 P.M.. During the week prior to and up to and including the date of such meeting copies of the full ordinance will be available at no cost and during regular business hours, at the Township Clerk's office for the members of the general public who shall request the same. The summary of the terms of such bond ordinance follows:

Title: **BOND ORDINANCE AUTHORIZING THE COMPLETION OF VARIOUS IMPROVEMENTS TO THE NORTH BEACH SEWER STATION IN THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$150,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$142,500; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
A. Completion of Various Improvements to the North Beach Sewer Station, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	\$150,000	\$7,500	\$142,500	40 years
Appropriation:	\$150,000			
Bonds/Notes Authorized:	\$142,500			
Grants (if any) Appropriated:	None			
Section 20 Costs:	\$20,000			
Useful Life:	40 years			

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BONNIE M. LEONETTI, R.M.C., C.M.C.,  
Municipal Clerk

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

**08-21**

**Bond Ordinance Statements and Summary**

The bond ordinance, the summary terms of which are included herein, has been finally adopted by the Board of Commissioners of the Township of Long Beach, in the County of Ocean, State of New Jersey on July 10, 2008 and the twenty (20) day period of limitation within which a suit, action or proceeding questioning the validity of such ordinance can be commenced, as provided in the Local Bond Law, has begun to run from the date of the first publication of this statement. Copies of the full ordinance are available at no cost and during regular business hours, at the Township Clerk's office at 6805 Brant Beach Boulevard, Brant Beach, New Jersey for members of the general public who request the same. The summary of the terms of such bond ordinance follows:

Title: **BOND ORDINANCE AUTHORIZING THE COMPLETION OF VARIOUS IMPROVEMENTS TO THE NORTH BEACH SEWER STATION IN THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$150,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$142,500; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
A. Completion of Various Improvements to the North Beach Sewer Station, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	\$150,000	\$7,500	\$142,500	40 years
Appropriation:	\$150,000			
Bonds/Notes Authorized:	\$142,500			
Grants (if any) Appropriated:	None			
Section 20 Costs:	\$20,000			
Useful Life:	40 years			

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BONNIE M. LEONETTI, R.M.C., C.M.C.,  
Municipal Clerk

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

Passed as on first reading at a regular meeting held on June 20, 2008 advertised in the BEACH HAVEN TIMES, issue of June 25, 2008.

CLOSE PUBLIC HEARING  
No comment.  
CLOSE PUBLIC HEARING

Motion to adopt Ordinance 08-21 on Second Reading:

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

12. Second Reading Ordinance 08-22: **BOND ORDINANCE AUTHORIZING THE ACQUISITION OF VARIOUS PIECES OF EQUIPMENT FOR THE LONG BEACH TOWNSHIP BEACH PATROL IN THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$30,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$28,500; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING TOWNSHIP OF LONG BEACH, NEW JERSEY**

**ORDINANCE 08-22**

**BOND ORDINANCE AUTHORIZING THE ACQUISITION OF VARIOUS PIECES OF EQUIPMENT FOR THE LONG BEACH TOWNSHIP BEACH PATROL IN THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$30,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$28,500; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

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

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

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

(a) the estimated amount to be raised by the Township from all sources for the purposes stated in Section 7 hereof is \$30,000; and

(b) the estimated amount of bonds or bond anticipation notes to be issued for the purposes stated in Section 7 hereof is \$28,500; and

(c) a down payment in the amount of \$1,500 for the purposes stated in Section 7 hereof is currently available in accordance with the requirements of Section 11 of the Local Bond Law, N.J.S.A. 40A:2-11.

**Section 3.** The sum of \$28,500, to be raised by the issuance of bonds or bond anticipation notes, together with the sum of \$1,500, which amount represents the required down payment, are hereby appropriated for the purposes stated in this bond ordinance ("Bond Ordinance").

**Section 4.** The issuance of negotiable bonds of the Township in an amount not to exceed \$28,500 to finance the costs of the purposes described in Section 7 hereof is hereby authorized. Said bonds shall be sold in accordance with the requirements of the Local Bond Law.

**Section 5.** In order to temporarily finance the purposes described in Section 7 hereof, the issuance of bond anticipation notes of the Township in an amount not to exceed \$28,500 is hereby authorized. Pursuant to the Local Bond Law, the Chief Financial Officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver the same to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their date to delivery thereof. The Chief Financial Officer is hereby directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this Bond Ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

**Section 6.** The amount of the proceeds of the obligations authorized by this Bond Ordinance which may be used for the payment of interest on such obligations, accounting, engineering, legal fees and other items as provided in Section 20 of the Local Bond Law, N.J.S.A. 40A:2-20, shall not exceed the sum of \$1,000.

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

<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
A. Acquisition of an All Terrain Vehicle, with Rack System, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	\$6,000	\$300	\$5,700	5 years
B. Acquisition of a Fiberglass Surf Boat, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	8,000	400	7,600	20 years
C. Acquisition of an IRB (RIB) Boat, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	13,500	675	12,825	10 years
D. Acquisition of two (2) Trailers, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	2,500	125	2,375	5 years
<b>Total</b>	<b>\$30,000</b>	<b>\$1,500</b>	<b>\$28,500</b>	

**Section 8.** The average period of useful life of the several purposes for the financing of which this Bond Ordinance authorizes the issuance of bonds or bond anticipation notes, taking into consideration the respective amounts of bonds or bond anticipation notes authorized for said several purposes, is not less than 11.25 years.

**Section 9.** The supplemental debt statement provided for in Section 10 of the Local Bond Law, N.J.S.A. 40A:2-10, was duly filed in the office of the Clerk prior to the passage of this Bond Ordinance on first reading and a complete executed duplicate original thereof has been filed in the Office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. The supplemental debt statement shows that the gross debt of the Township, as defined in Section 43 of the Local Bond Law, N.J.S.A. 40A:2-43, is increased by this Bond Ordinance by \$28,500 and that the obligations authorized by this Bond Ordinance will be within all debt limitations prescribed by said Local Bond Law.

**Section 10.** Grants or other monies received from any governmental entity, if any, will be applied to the payment of or repayment of obligations issued to finance the costs of the improvements described in Section 7 above.

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

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

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

**Section 14.** The Township hereby covenants as follows:

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

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

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

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

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

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

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

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

**Date of Introduction: June 20, 2008**

**Date of Final Adoption: July 10, 2008**

**08-22**

**Notice of Pending Bond Ordinance and Summary.**

The bond ordinance, the summary terms of which are included herein, was introduced and passed upon first reading at a meeting of the Board of Commissioners of the Township of Long Beach, in the County of Ocean, State of New Jersey, on June 20, 2008. It will be further considered for final passage, after public hearing thereon, at a meeting of the Board of Commissioners to be held at the Public Safety Building, 6805 Long Beach Boulevard, Brant Beach, New Jersey on July 10, 2008, at 7:00 P.M. During the week prior to and up to and including the date of such meeting copies of the full ordinance will be available at no cost and during regular business hours, at the Township Clerk's office for the members of the general public who shall request the same. The summary of the terms of such bond ordinance follows:

Title: **BOND ORDINANCE AUTHORIZING THE ACQUISITION OF VARIOUS PIECES OF EQUIPMENT FOR THE LONG BEACH TOWNSHIP BEACH PATROL IN THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$30,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$28,500; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
A. Acquisition of an All Terrain Vehicle, with Rack System, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	\$6,000	\$300	\$5,700	5 years
B. Acquisition of a Fiberglass Surf Boat, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	8,000	400	7,600	20 years
C. Acquisition of an IRB (RIB) Boat, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	13,500	675	12,825	10 years
D. Acquisition of two (2) Trailers, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	2,500	125	2,375	5 years
<b>Total</b>	<b>\$30,000</b>	<b>\$1,500</b>	<b>\$28,500</b>	
Appropriation:	\$30,000			
Bonds/Notes Authorized:	\$28,500			
Grants (if any) Appropriated:	None			
Section 20 Costs:	\$1,000			
Useful Life:	11.25 years			

\_\_\_\_\_  
 BONNIE M. LEONETTI, R.M.C., C.M.C.,  
 Municipal Clerk

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

**08-22**

**Bond Ordinance Statements and Summary**

The bond ordinance, the summary terms of which are included herein, has been finally adopted by the Board of Commissioners of the Township of Long Beach, in the County of Ocean, State of New Jersey on July 10, 2008 and the twenty (20) day period of limitation within which a suit, action or proceeding questioning the validity of such ordinance can be commenced, as provided in the Local Bond Law, has begun to run from the date of the first publication of this statement. Copies of the full ordinance are available at no cost and during regular business hours, at the Township Clerk's office at 6805 Brant Beach Boulevard, Brant Beach, New Jersey for members of the general public who request the same. The summary of the terms of such bond ordinance follows:

Title: **BOND ORDINANCE AUTHORIZING THE ACQUISITION OF VARIOUS PIECES OF EQUIPMENT FOR THE LONG BEACH TOWNSHIP BEACH PATROL IN THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$30,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$28,500; MAKING CERTAIN DETERMINATIONS AND**



**COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
A. Acquisition of an All Terrain Vehicle, with Rack System, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	\$6,000	\$300	\$5,700	5 years
B. Acquisition of a Fiberglass Surf Boat, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	8,000	400	7,600	20 years
C. Acquisition of an IRB (RIB) Boat, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	13,500	675	12,825	10 years
D. Acquisition of two (2) Trailers, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	2,500	125	2,375	5 years
<b>Total</b>	<b>\$30,000</b>	<b>\$1,500</b>	<b>\$28,500</b>	
Appropriation:	\$30,000			
Bonds/Notes Authorized:	\$28,500			
Grants (if any) Appropriated:	None			
Section 20 Costs:	\$1,000			
Useful Life:	11.25 years			

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BONNIE M. LEONETTI, R.M.C., C.M.C.,  
Municipal Clerk

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

Passed as on first reading at a regular meeting held on June 20, 2008 advertised in the BEACH HAVEN TIMES, issue of June 25, 2008.

OPEN PUBLIC HEARING

**Hank DiPasquale / Brant Beach** asked why there was a difference between the appropriation dollar amount and the aggregate principal dollar amount in the title of the bond ordinances on the Agenda.

**Mayor Mancini** and **Richard J. Shackleton, Esq.** explained the difference represented a 5% down payment from the General Capital Fund that was required in order to bond for the balance of the project / equipment.

CLOSE PUBLIC HEARING

Motion to adopt Ordinance 08-22 on Second Reading:

Motion: Gove Ayes: Bayard, Gove, Mancini

Second: Bayard Nays:

13. Second Reading Ordinance 08-23: **AN ORDINANCE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY, APPROPRIATING \$10,000 FROM THE GENERAL CAPITAL FUND FOR THE ACQUISITION OF METER READING COMPUTER AND RELATED SOFTWARE**

**TOWNSHIP OF LONG BEACH, NEW JERSEY**

**ORDINANCE 08-23**

**AN ORDINANCE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY, APPROPRIATING \$10,000 FROM THE GENERAL CAPITAL FUND FOR THE ACQUISITION OF METER READING COMPUTER AND RELATED SOFTWARE**

**BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, AS FOLLOWS:**

**Section 1.** There is hereby appropriated from the General Capital Fund the sum of \$10,000 for the acquisition of computer and related equipment and software for meter reading.

**Section 2.** It is hereby determined and stated that each of the improvements set forth in Section 1. is a general capital improvement and is not a current expense.

**Section 3.** The capital budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith, and the resolution promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services, is on file with the Township Clerk and available for inspection.

**Section 4.** All ordinances, or parts of ordinances, inconsistent herewith are hereby repealed to the extent of such inconsistency.

**Section 5.** This ordinance shall take effect after final adoption and publication as required by law.

**Date of Introduction: June 20, 2008**

**Date of Final Adoption: July 10, 2008**

**NOTICE**

Public Notice is hereby given that the foregoing Ordinance was introduced and passed on the first reading at a regular meeting of the Board of Commissioners of the Township of Long Beach, County of Ocean, State of New Jersey, held on Friday June 20, 2008 at 4:00 p.m.

Further public notice is hereby given that said ordinance shall be considered for final passage and adoption at a regular meeting of the Board of Commissioners to be held on Thursday, July 10, 2008 at 4:00 p.m. at the Public Safety Building, 6805 Long Beach Blvd., Brant Beach, NJ 08008.

**CERTIFICATION**

I, **BONNIE M. LEONETTI, RMC, CMC** Municipal Clerk for the Township of Long Beach do hereby certify that the foregoing Ordinance 08-23 was duly adopted by the Board of Commissioners at their meeting held on Thursday, July 10, 2008 at 4:00 p.m.

Passed as on first reading at a regular meeting held on June 20, 2008 advertised in the BEACH HAVEN TIMES, issue of June 25, 2008.

CLOSE PUBLIC HEARING

No comment.

CLOSE PUBLIC HEARING

Motion to adopt Ordinance 08-23 on Second Reading:

Motion: Gove Ayes: Bayard, Gove, Mancini

Second: Bayard Nays:

**14. Second Reading Ordinance 08-24C: 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 §5-8A(6) DEALS WITH PAID LEAVE OF ABSENCES**

**ORDINANCE 08-24C**

**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 §5-8A(6) deals with paid leaves of absence.**

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

**STATEMENT OF PURPOSE**

At present, the Township Code provides for paid leaves of absence for police personnel for a period of one year only. This does not accommodate agreements wherein the Policemen's Benevolent Assoc. (PBA) and the Township (Twp.) wish to allow an employee to work fulltime for the PBA with full salary reimbursement to the Twp. as per an agreement executed by both parties. This Ordinance will allow for said leaves of more than one year at the sole discretion of the Board of Commissioners to fulltime officers.

**SECTION I**

**§5-8A(6)** of an Ordinance entitled "Code of the Township of Long Beach, County of Ocean, State of New Jersey, (1997)" is hereby repealed and in lieu and instead thereof the following is enacted and adopted:

(6) Leaves of Absence with pay.

(a) Injury in the line of duty. Leave of absence with pay, not to exceed one year, may be granted to an injured, ill or disabled police officer, provided that the police surgeon appointed by the Board of Commissioners shall certify that such injury occurred in the line of duty. The granting of such leave of absence with pay shall be discretionary with the Board of Commissioners.

(b) Leave of absence with pay may be granted for more than one year in the sole discretion of the Board of Commissioners to any full time police officer to take a position with the New Jersey State Policemen's Benevolent Association as a full time employee thereof provided that the said New Jersey State Policemen's Benevolent Association shall pay to the Township reimbursement for the police officer's gross base salary which would normally be paid to him including base pay, clothing allowance, college, EMT, holiday, longevity, shift work and shift differential pay as normally calculated in the Township. Such reimbursement shall be made no less frequently than quarterly from the New Jersey State Policemen's Benevolent Association. Such leave of absence may be terminated by the Township on sixty (60) days written notice if the reimbursement paid to the Township does not provide sufficient monies to temporarily fill the position of the officer who is on paid leave of absence with replacement personnel. If expenditure in salary, wages and benefits provided for in the then current collective negotiation agreement between Long Beach Township and its police officers for such replacement personnel exceeds the reimbursement being received by the Township from the New Jersey State Policemen's Benevolent Association the sixty (60) day notice of termination of paid leave will be issued by the Township and such paid leave of absence shall then be terminated in accordance with such notice.

**SECTION II**

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

**SECTION III**

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 IV**

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

**NOTICE**

Public Notice is hereby given that the foregoing Ordinance was introduced and passed on the first reading at a regular meeting of the Board of Commissioners of the Township of Long Beach, County of Ocean, State of New Jersey, held on Friday, June 20, 2008 at 4:00 p.m. Further public notice is hereby given that said ordinance shall be considered for final passage and adoption at a regular meeting of the Board of Commissioners to be held on Thursday, July 10, 2008 at 7:00 p.m. at the Public Safety Building, 6805 Long Beach Blvd., Brant Beach, NJ 08008. Passed as on first reading at a regular meeting held on June 20, 2008 advertised in the BEACH HAVEN TIMES, issue of June 25, 2008.

**CERTIFICATION**

I, **BONNIE M. LEONETTI, RMC, CMC** Municipal Clerk for the Township of Long Beach do hereby certify that the foregoing Ordinance 08-24C was duly adopted by the Board of Commissioners at their meeting held on Thursday, July 10, 2008 at 4:00 p.m.

CLOSE PUBLIC HEARING

No comment.

CLOSE PUBLIC HEARING

Motion to adopt Ordinance 08-24C on Second Reading:

Motion: Gove Ayes: Bayard, Gove, Mancini

Second: Bayard Nays:

**15. Second Reading Ordinance 08-25C: AN ORDINANCE SUPPLEMENTING THE CODE OF THE TOWNSHIP OF LONG BEACH TO ADD TO CHAPTER 5, ENTITLED "ADMINISTRATION", SECTION 5-12.C. ENTITLED "POSITIONS ELIGIBLE FOR THE DEFINED CONTRIBUTION RETIREMENT PROGRAM"**

**ORDINANCE 08-25C**

**AN ORDINANCE SUPPLEMENTING THE CODE OF THE TOWNSHIP OF LONG BEACH TO ADD TO CHAPTER 5, ENTITLED "ADMINISTRATION", SECTION 5-12.C. ENTITLED "POSITIONS ELIGIBLE FOR THE DEFINED CONTRIBUTION RETIREMENT PROGRAM"**

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

**STATEMENT OF PURPOSE**

New Jersey's Local Finance Board has issued a Notice that after 7-1-07, certain designated elected or appointed officials of a municipality shall be entered into a new state pension system known as the Defined Contribution Benefits Program which more closely resembles a traditional 401k plan. Each town is required to define, by Ordinance or Resolution, the positions that would be affected in its particular form of government before a deadline of 7-1-08.

**WHEREAS** the State Legislature recently adopted Chapter 92 of the Laws of 2007 (N.J.S. 43:15C-1 et seq.) to create the Defined Contribution Retirement Program to provide retirement benefits to various county and municipal officials; and

**WHEREAS** N.J.S. 43:15C-2 requires the governing body of each county, municipality, and other local entity to adopt, as appropriate, either a resolution or ordinance to determine the positions that are substantially similar in nature to the advice and consent of the Senate for appointments by the Governor of the State, pursuant to guidelines or policy that shall be established by the Local Finance Board in the Department of Community Affairs, and for which officials appointed to such positions shall be eligible for and shall participate in the Defined Contribution Retirement Program, subject to the provisions of law; and

**WHEREAS** the Board of Commissioners of the Township of Long Beach has considered the guidelines issues by the Local Finance Board.

**BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE TOWNSHIP OF LONG BEACH,** as follows:

Section 1. Pursuant to N.J.S. 43:15C-2, the following positions are deemed to be eligible for and shall participate in the Defined Contribution Retirement Program:

- a. Administrator
- b. Municipal Court Judge
- c. Commissioner

Section 2. Individuals serving in the following positions are exempt from Defined Contribution Retirement Program membership, pursuant to N.J.S. 43:15C-2:

- a. Tax Collector
- b. Chief Financial Officer
- c. Construction Code Official
- d. Qualified Purchasing Agent
- e. Tax Assessor
- f. Registered Municipal Clerk
- g. Licensed Uniform Subcode Inspector
- h. Principal Public Works Manager.

Section 3. This ordinance shall be implemented, construed and subject to the aforesaid Chapter 92 of the Laws of 2007 (N.J.S. 43:15C-1 et seq.) as amended from time to time, and any regulations or guidance documents from the Local Finance Board or the Division of Pensions and Benefits.

Section 4. Should any part or parts of this ordinance be held to be invalid by any competent court of law, such invalidity shall only affect the part or parts held to be invalid, and all other parts shall remain in effect.

Section 5. A copy of this ordinance shall be filed with the Director of the Division of Pensions & Benefits of the New Jersey Department of the Treasury.

Section 6. This Ordinance shall take effect upon final adoption after publication in accordance with law.

**NOTICE**

NOTICE is hereby given that the foregoing Ordinance was duly introduced and passed on the first reading at a regular meeting of the Board of Commissioners of the Township of Long Beach held on June 20, 2008. Further notice is given that said Ordinance shall be considered for final passage and adoption at a regular meeting of said Board of Commissioners to be held on July 10, 2008 at 7:00pm at the Public Safety Building, 6805 Long Beach Blvd., Brant Beach, NJ 08008 at which time and place any person desiring to be heard will be given an opportunity to be so heard.

**CERTIFICATION**

I, **BONNIE M. LEONETTI, RMC, CMC** Municipal Clerk for the Township of Long Beach do hereby certify that the foregoing Ordinance 08-25C was duly adopted by the Board of Commissioners at their meeting held on Thursday, July 10, 2008 at 4:00 p.m.

Passed as on first reading at a regular meeting held on June 20, 2008 advertised in the BEACH HAVEN TIMES, issue of June 25, 2008.

CLOSE PUBLIC HEARING

No comment.

CLOSE PUBLIC HEARING

Motion to adopt Ordinance 08-25C on Second Reading:

Motion: Gove Ayes: Bayard, Gove, Mancini

Second: Bayard Nays:

**ADOPTIONS & APPROVALS**

16. Resolution 08-0710.01: Approve changes to various Water/Sewer accounts

**RESOLUTION 08-0710.01**

**WHEREAS**, the following Water/Sewer accounts require changes in their billing and/or classification due to various reasons; and

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

<b>Blk:</b>	<b>Lot:</b>	<b>Acct:</b>	<b>Year:</b>	<b>Cancel/Change:</b>	<b>Amount:</b>
6.29	4	1979-0 Water	2008	To Stand-by	\$ 45.00
10.27	8	3187-0 Water	2008	To Stand-by	104.00
15.62	17.02	5552-0 Sewer	2008	Remove Gar. Disp.	89.50
18.10	6	6256-0 Water	2008	To Stand-by	221.00
20.172	13	7681-0 Water	2008	To Stand-by	119.00

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

17. Resolution 08-0710.02: Authorize a cut-off date regarding receipt of background

Check applications for seasonal employees: 7/11/08

**RESOLUTION 08-0710.02**

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Commissioners of the Township of Long Beach, pursuant to Ordinance 07-19C, hereby authorizes a cut-off date of July 11<sup>th</sup> 2008 for the submission of Long Beach Township seasonal employee New Jersey State Police Background Investigation applications as those applications received subsequent to July 11<sup>th</sup> cannot be processed, completed and returned by the State Police before the conclusion of the 2008 summer season.

**Bonnie Leonetti, Municipal Clerk / Administrator** explained applications received after July 11<sup>th</sup> could not be processed, completed or returned by the State Police before the conclusion of the 2008 summer season.

18. Resolution 08-0710.03: Approve Long Beach Island Fishing Club 61<sup>st</sup> Annual Tournament on Saturday Sept. 27, 2008

**RESOLUTION 08-0710.03**

**WHEREAS**, the Long Beach Island Fishing Club is holding its 62<sup>nd</sup> Annual "World Series of Surf Fishing Invitational Tournament", on Saturday, September 27, 2008 between the hours of 6:30 a.m. and 1:00 p.m.; and

**WHEREAS**, permission has been requested for the tournament to take place in the North Beach section of the Township.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Commissioners grants permission and waives the beach buggy fees for this special event.

**Bonnie Leonetti, Municipal Clerk / Administrator** noted this waived beach buggy fees for participants.

19. Resolution 08-0710.04: Approve personnel actions

**RESOLUTION 08-0710.04**

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

**BEACH PATROL**

**Approval of the following hiring actions are subject to submission of all required paperwork.**

Change the following Seasonal Lifeguard's rate of pay to \$75.00 per day to be paid from the Lifeguard Salary & Wage effective retro-active to June 22, 2008.

Erin Curtiss

Hire the following as a Seasonal Lifeguard Lieutenant at the rate of \$120.00 per day to be paid from the Lifeguard Salary & Wage effective retro-active to June 22, 2008.

Joseph Howarth

Hire the following Seasonal Beach Badge Program Seller/Checker at the rate of \$7.85 per hour to be paid from the Beach Badge Salary & Wage effective retro-active to June 22, 2008.

Justin Stroud

Hire the following Seasonal Beach Badge Program Seller/Checkers at the rate of \$7.95 per hour to be paid from the Beach Badge Salary & Wage effective retro-active to June 22, 2008.

Kellen McGinley

Elizabeth Rechenburg

Hire the following Seasonal Beach Badge Program Seller/Checker at the rate of \$8.05 per hour to be paid from the Beach Badge Salary & Wage effective retro-active to June 22, 2008.

Elaine Josefowski

Hire the following Seasonal Beach Badge Program Seller/Checker at the rate of \$8.35 per hour to be paid from the Beach Badge Salary & Wage effective retro-active to June 22, 2008.

Jennifer O'Neil

Hire the following Seasonal Beach Badge Program Seller/Checker at the rate of \$7.85 per hour to be paid from the Beach Badge Salary & Wage effective retro-active to June 27, 2008.

Ashley Kennedy

Hire the following as Seasonal Lifeguards at a rate of \$71.67 per day to be paid from the Lifeguard Salary & Wage effective retro-active to June 27, 2008.

Justin Brearley

Taylor Collins

Matthew Danback

Alex Delgado

Toni Dworkin

Timothy Mernar

Brett Meyers

Andrew Morrison

Lucy Page

Claudio Polo

Ryan Taglang

Hire the following as a Seasonal Lifeguard at a rate of \$75.00 per day to be paid from the Lifeguard Salary & Wage effective retro-active to June 27, 2008.

Taylor Bonanni

Hire the following as a Seasonal Lifeguard at a rate of \$71.67 per day to be paid from the Lifeguard Salary & Wage effective retro-active to June 28, 2008.

Kelly Kiefer

Hire the following as a Seasonal Lifeguard at a rate of \$81.67 per day to be paid from the Lifeguard Salary & Wage effective retro-active to June 28, 2008.

Carly Bargiel

Hire the following as a Seasonal Lifeguard at a rate of \$85.00 per day to be paid from the Lifeguard Salary & Wage effective retro-active to June 28, 2008.

Kendell Moore

Hire the following as Seasonal Lifeguards at a rate of \$88.34 per day to be paid from the Lifeguard Salary & Wage effective retro-active to June 28, 2008.

Andrew Stutz

Christopher Stutz

Hire the following as Seasonal Lifeguards at a rate of \$91.67 per day to be paid from the Lifeguard Salary & Wage effective retro-active to June 28, 2008.

James Aaron Gross

Brian Hawk

David Hawk

Brian Meenan

Hire the following as Seasonal Lifeguards at a rate of \$95.00 per day to be paid from the Lifeguard Salary & Wage effective retro-active to June 28, 2008.

Mateusz Kwasniewski

Lukasz Michalski

Konrad Piotrowski

Hire the following as a Seasonal Lifeguard Lieutenant at the rate of \$122.00 per day to be paid from the Lifeguard Salary & Wage effective retro-active to June 28, 2008.

Daniel Meenan

Hire the following as a Seasonal Part Time Laborer at the rate of \$9.85 per hour to be paid from the Lifeguard Salary & Wage effective retro-active to June 28, 2008.

Neil Marine

Change the following Seasonal Lifeguards' rates of pay to \$75.00 per day to be paid from the Lifeguard Salary & Wage effective July 12, 2008.

Jen Holly

Jen Nelson

Lucy Page

#### **POLICE**

Approve a \$5,000.00 annual stipend for Leslie Houston as Emergency Management Coordinator for the Township of Long Beach for the year 2008 to be paid from the Emergency Management Salary & Wage effective retro-active to January 1, 2008.

Approve a \$2,500.00 annual stipend for Steven Melega as Deputy Emergency Management Coordinator for the Township of Long Beach for the year 2008 to be paid from the Emergency Management Salary & Wage effective retro-active to January 1, 2008.

Approve the annual stipends of \$1,000.00 for the year 2008 for the following Emergency Management Annex Coordinators for the Township of Long Beach to be paid from the Emergency Management Salary & Wage effective retro-active to January 1, 2008.

Carol Cerbone

JoAnne Tallon

Lynda Wilkie

Paul Vereb

Designate the following employee as an Emergency Management Annex Coordinator for the Township of Long Beach effective retro-active to January 1, 2008.

Michelle DeGeso

Approve an intermittent paid leave of absence using accumulated sick days for Sgt. Thomas Hartman effective retro-active to July 2, 2008.

#### **PUBLIC WORKS**

Extend the unpaid medical leave of absence for Suzette Meoni effective July 2, 2008 to July 20, 2008 as per Doctor's Certification. It is hereby noted that her request to be put on a Family Medical Leave Act (FMLA) cannot be approved as she does not qualify under the required 1250 hours of service immediately prior to the designation. Also noted is that her paid medical benefits will end on July 14, 2008 making her eligible to opt for COBRA coverage as of August 1, 2008.

**Bonnie Leonetti, Municipal Clerk / Administrator** listed the various proposed actions to be taken.

20. Resolution 08-0710.05(a&b): Authorize Municipal Clerk to advertise for bids:

a. (1) 2009 Super Duty Dual Rear Dump Truck or equivalent

b. Request for Proposal for Plumbing, Electrical & Fire Inspection Services

**RESOLUTION 08-0710.05(a)**

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

- One (1) 2009 Super Duty Dual Rear Dump Truck or equivalent for the Public Works Department

**RESOLUTION 08-0710.05(b)**

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

- Electrical, Plumbing and Fire Inspection Services
21. Resolution 08-0710.06: Authorize application for the 2009 Ocean County Municipal Alliance: Tim Hilferty \$24,975.00

**RESOLUTION 08-0710.06**

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Township of Long Beach that Health Officer Timothy Hilferty and the Municipal Alliance Chairperson be and they hereby are authorized and directed to apply for the Municipal Alliance agreement for the prevention of alcoholism and drug abuse with the County of Ocean for the term of January 1, 2009 to December 31, 2009 in the amount of \$24,975.00.

22. Resolution 08-0710.07: Authorize application for a grant: Ocean County Cancer Coalition for Breast Cancer:  
Dana O'Connor, RN, BSN LBI Board of Health \$500.00

**RESOLUTION 08-0710.07**

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Township of Long Beach that Public Health Nurse Supervisor, Dana Ann O'Connor, RN, BSN be and she hereby is authorized and directed to apply for Ocean County Cancer Coalition funding for a Breast Cancer Grant in the amount of \$500.00 to supply educational materials, educational giveaways, and refreshments during the October 20<sup>th</sup> RNS Mobil Mammography Unit event.

**Bonnie Leonetti, Municipal Clerk / Administrator** stated this would defray costs to supply educational materials, educational giveaways, and refreshments during the October 20<sup>th</sup> RNS Mobil Mammography Unit event.

23. Resolution 08-0710.08: Approve the donation of (6) Merlin telephones to the Surf City Branch of the Ocean County Library

**RESOLUTION 08-0710.08**

**WHEREAS**, the Township of Long Beach Police Department possesses six (6) Merlin telephones that are no longer of use; and

**WHEREAS**, the Surf City branch of the Ocean County Library has a need and a use for said items; and

**WHEREAS**, N.J.S.A. 40A:11-5(2) permits a municipality to donate to a duly authorized agency of the state, county or municipality of the State of New Jersey such personal property as these items; and

**WHEREAS**, the Township of Long Beach Police Department wishes to donate six (6) Merlin telephones to the Surf City branch of the Ocean County Library.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Commissioners of the Township of Long Beach does hereby authorize the conveyance to the Surf City branch of the Ocean County Library for its use, the above noted telephones.

**Bonnie Leonetti, Municipal Clerk / Administrator** explained the Police Department possessed six (6) Merlin telephones that were no longer in use.

24. Resolution 08-0710.09: Authorize various events / traffic regulations:
- Eastern Surfing Association competitions:  
Surfing contests on the 67<sup>th</sup> Street and 106<sup>th</sup> Street Beaches in the Brant Beach and Beach Haven Park Sections of the Township during the months of July and / or August (weather conditions permitting); and at the Holgate Parking Lot Beach area in the Holgate Section of the Township during the month of August.
  - Bike Rodeo: July 20<sup>th</sup>
  - LBI Arts Foundation:  
Art Show 7/26 & 7/27, and House Tour 8/6
  - Waterfest: August 6th
  - Alliance for a Living Ocean:  
Coastal Clean-up September 20<sup>th</sup>

**RESOLUTION 08-0710.09**

**WHEREAS**, various annual events held in Long Beach Township require the suspension of certain traffic regulations in order to insure the safety and welfare of residents and summer visitors, and the safe flow of traffic within the Municipality.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Township of Long Beach that the following actions shall be taken:

- Eastern Surfing Association, Central New Jersey Chapter:  
Approve surfing contests on the 67<sup>th</sup> Street and 106<sup>th</sup> Street beaches in the Brant Beach and Beach Haven Park Sections of the Township during the months of July and / or August (subject to weather conditions); and at the Holgate Parking Lot beach area in the Holgate Section of the Township during the month of August, 2008.
- Long Beach Township Bike Rodeo:  
Alternate side parking will be suspended on July 20<sup>th</sup> from 10:00 a.m. until 4:00 p.m. on the following streets to accommodate participants:  
East 67<sup>th</sup> Street: From Long Beach Blvd. to Ocean Blvd.  
East 68<sup>th</sup> Street: From Long Beach Blvd. to Ocean Blvd.  
East 69<sup>th</sup> Street: From Long Beach Blvd. to Ocean Blvd.

- Long Beach Island Foundation of the Arts and Sciences:
  1. Arts & Crafts Festival: Suspend parking regulations on the west side of Long Beach Blvd. in Loveladies July 25<sup>th</sup> at 6:00 P.M. through July 27<sup>th</sup> at 7:00 P.M.
  2. House Tour: Suspend parking regulations on Long Beach Blvd. in Loveladies and North Beach on August 6<sup>th</sup> from 7:00 A.M. to 7:00 P.M.
- Long Beach Township Waterfest:
  1. Bayview Park will be closed to transient visitors from 8:00 p.m. on August 5, 2008 until 8:00 a.m. on August 7, 2008.
  2. Alternate side parking will be suspended all day on August 6, 2008 from 6:00 a.m. until 6:00 p.m. to accommodate exhibitors and visitors on the following streets:
    - Goodrich: Entire Length
    - Brownson: From Long Beach Blvd. to Ocean Blvd.
    - Dayton: From Long Beach Blvd. to Ocean Blvd.
    - Burwell: From Long Beach Blvd. to Ocean Blvd.
    - Coughlin: From Long Beach Blvd. to Ocean Blvd.
- Alliance for a Living Ocean:

Allow participants of the annual Inter-coastal Clean-up Program on various portions of Long Beach Township beaches on September 20<sup>th</sup> 2008.

25. Resolution 08-0710.10: **TABLED** Designate location of an additional surfing beach: 100<sup>th</sup> Street in Beach Haven Park

**Mayor Mancini** announced this Resolution would be tabled at the present time for further consideration at a later date.

Motion to table Item 25:

Motion: Gove Ayes: Bayard, Gove, Mancini

Second: Bayard Nays:

26. Resolution 08-0710.11: Adopt amendments to the Long Beach Township Floodplain Management Plan pursuant to the Annual Review

**RESOLUTION 08-0710.11**

**A RESOLUTION RE-ADOPTING THE FLOODPLAIN MANAGEMENT PLAN AND AMENDMENTS, AS PER THE ANNUAL REVIEW, FOR THE TOWNSHIP OF LONG BEACH**

**WHEREAS**, the Township of Long Beach participates in the Community Rating System (CRS) program of the National Flood Insurance Program (NFIP); and

**WHEREAS**, the CRS program requires that a Floodplain Management Plan be formulated and adopted as a planning document to reduce flooding and repetitive flood losses; and

**WHEREAS**, this planning effort began August 1997 with the establishment of a Planning Committee adopted by Resolution 97-0905.05 on September 5, 1997; and the original Floodplain Management Plan was adopted on April 17, 1998 under Resolution 98-0417.03; and

**WHEREAS**, a document has been developed by the Committee titled a Floodplain Management Plan for Long Beach Township that contains an Action Plan for reducing flooding and flood losses and this Floodplain Management Plan and Action Plan was the subject of a public hearing on April 4, 1998 and since then has been reviewed, evaluated and updated each year at the annual Floodplain Management Committee Meeting. At this year's meeting various amendments were proposed and the overall plan and current action plan have been updated.

**NOW THEREFORE BE IT RESOLVED**, by the Board of Commissioners of the Township of Long Beach that the Floodplain Management Plan, Action Plan, and Amendments as discussed above are hereby adopted as a planning document for the Township of Long Beach; and

**BE IT FURTHER RESOLVED**, that the implementation of the Action Plan shall continue to be reviewed on a yearly basis by the Planning Committee.

27. Resolution 08-0710.12 Designate and authorize signor for the Public Works and Water/Sewer Departments

**RESOLUTION 08-0710.12**

**BE IT RESOLVED** by the Board of Commissioners of the Township of Long Beach, County of Ocean, State of New Jersey, at the Public Meeting held this 10<sup>th</sup> day of July, 2008 that Commissioner Ralph H. Bayard be and he is hereby appointed the authorized signatory for official documents regarding various agencies, including but not limited to, the NJ Department of Environmental Protection for the Public Works and Water / Sewer Departments of the Township of Long Beach.

Motion to approve Items 16 – 24, 26, and 27:

Motion: Gove Ayes: Bayard, Gove, Mancini

Second: Bayard Nays:

**LICENSES AND PERMITS**

28. Resolution 08-0710.13: Approve annual renewal of a liquor license: Daddy O

**RESOLUTION 08-0710.13**

**WHEREAS**, Daddy O Restaurant, LLC. t/a Daddy O Restaurant, holder of plenary retail consumption license with broad package privilege 1517-32-006-004 has made application for renewal of that license for the period July 1, 2008 through June 30, 2009; and

**WHEREAS**, the Board of Commissioners of the Township of Long Beach has determined that it is in the best interest of the community to renew the liquor license subject to the restrictions hereinbelow set forth.

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Commissioners of the Township of Long Beach at a regular meeting held on Friday, June 20, 2008 that liquor license number 1517-32-006-004, in the name of Daddy O Restaurant, LLC t/a Daddy O Restaurant, shall be and is hereby renewed for the period July 1, 2007 through June 30, 2008, subject to the following conditions:

- (1) Payment of the sum of \$1,224.00 to the Township of Long Beach;
- (2) Subject to the provision that upon ten (10) days notice given by the Board of Commissioners to Daddy O Restaurant LLC, t/a Daddy O Restaurant, the holder of said license number 1517-32-006-004, hereinafter called licensee, the said licensee shall provide security guards as directed by the Board of

Commissioners in a number not to exceed four (4) to maintain the peace and order of said licensed establishment and the adjacent parking provided by the licensee for the patrons of that establishment. The security guards to be provided shall be approved in advance by the Chief of Police of Long Beach Township, after they have been fingerprinted, photographed and a security clearance check has been run on said guards by the Long Beach Township Police Department. Off duty police officers employed by any municipality, other than Long Beach, may be cleared without the necessity of fingerprinting and photographing, however, such off-duty police officers shall not be so employed without the prior approval of the Chief of Police of Long Beach Township. Long Beach Township Police Officers shall not be so employed. During the ten (10) days following the notice to supply such guards, the licensee may request a public hearing before the Board of Commissioners and show cause why the employment of such security personnel is not necessary, a request for such hearings shall be in writing, delivered to the Clerk of the Township of Long Beach within five (5) days of the receipt of the notice to employ such security personnel. Should the licensee fail to make application for a hearing within the said five (5) day period the licensee shall comply with the orders of the Board of Commissioners. The Board of Commissioners of the Township of Long Beach shall, in determining whether security personnel is necessary, consider recommendations of the Long Beach Township Police Department as to public safety, health, morals, and welfare and requests from surrounding property owners as to the necessity of security personnel, which said requests shall be made only for good cause, which said good cause shall be verified, to the extent possible, by the Police Department of the Township of Long Beach.

**Bonnie Leonetti, Municipal Clerk / Administrator** advised the required paperwork had not been received in time for inclusion with the other liquor license renewals at the last public meeting of the Board of Commissioners.

29. Resolution 08-0710.14(a&b):
- (a) Approve place to place transfer of liquor license for Ann, Bob Carol, Inc. t/a Terrace Tavern 1517-33-001-002 (expansion of premises licensed)
  - (b) Approve place to place transfer of liquor license for 11801 Boulevard Corp. t/a Kubel's Too 1517-32-003-004 (decrease in licensed area)

**RESOLUTION 08-0710.14(a)**

**RESOLUTION OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING AND APPROVING A PLACE-TO-PLACE TRANSFER OF LIQUOR LICENSE NO. 1517-33-001-003 TO ANN, BOB CAROL, INC. T/A TERRACE TAVERN**

**WHEREAS**, the New Jersey Alcoholic Beverage Law, N.J.S.A. 33:1-1, et seq., requires that a governing body must approve a transfer of a liquor license from one person to another or from one place to another; and

**WHEREAS**, Ann, Bob Carol, Inc. t/a Terrace Tavern Inc., has applied for a place-to-place transfer of Plenary Distribution License No. 1517-33-001-003 in regard to the transfer of said license premise 13201 Long Beach Blvd., Beach Haven Terrace for an expansion of premises to allow for the building directly adjacent to the east be utilized for storage of supplies, liquor and/or records; and

**WHEREAS**, an application for a place-to-place transfer has been submitted in accordance with the requirements of the Division of Alcoholic Beverage Control, the required publications have been made, and the applicants have been reviewed and approved by the Long Beach Township Police Department.

**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 a place-to-place transfer of the License No. 1517-33-001-003 for Ann, Bob Carol, Inc. t/a Terrace Tavern Inc., is hereby approved and authorized by the Board of Commissioners of the Township of Long Beach.
2. That the transferee shall comply with all requirements of the New Jersey Alcoholic Beverage Law, N.J.S.A. 33:1-1, et seq., as well as the regulations of the Division of Alcoholic Beverage Control.
3. That a certified copy of this resolution be forwarded to the Division of Alcoholic Beverage Control and Ann, Bob Carol, Inc. t/a Terrace Tavern Inc.

**RESOLUTION 08-0710.14(b)**

**RESOLUTION OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING AND APPROVING A PLACE-TO-PLACE TRANSFER OF LIQUOR LICENSE NO. 1517-32-003-005 TO 8200 BOULEVARD CORP. T/A KUBEL'S TOO**

**WHEREAS**, the New Jersey Alcoholic Beverage Law, N.J.S.A. 33:1-1, et seq., requires that a governing body must approve a transfer of a liquor license from one person to another or from one place to another; and

**WHEREAS**, 8200 Boulevard Corp. t/a Kubel's Too has applied for a place-to-place transfer of License No. 1517-32-003-005 in regard to the transfer of said license premise 8200 Long Beach Blvd., for a decrease of the licensed premises in regards to licensed areas on the second floor; and

**WHEREAS**, an application for a place-to-place transfer has been submitted in accordance with the requirements of the Division of Alcoholic Beverage Control and the applicants have been reviewed and approved by the Long Beach Township Police Department.

**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 a place-to-place transfer of the License No. 1517-32-003-005 for 8200 Boulevard Corp. t/a Kubel's Too, is hereby approved and authorized by the Board of Commissioners of the Township of Long Beach.
2. That the transferee shall comply with all requirements of the New Jersey Alcoholic Beverage Law, N.J.S.A. 33:1-1, et seq., as well as the regulations of the Division of Alcoholic Beverage Control.
3. That said approval is conditioned on the transferee providing proof of publication of its notice of application after second publication in accordance with N.J.A.C. 13:2-7.4.



4. That a certified copy of this resolution be forwarded to the Division of Alcoholic Beverage Control and 8200 Boulevard Corp. t/a Kubel's Too.

Motion to approve Items 28 & 29:

Motion: Gove Ayes: Bayard, Gove, Mancini

Second: Bayard Nays:

**CONTRACTS AND AWARDS**

30. Resolution 08-0710.15: Award a contract for the Water/Sewer Dept., per quote Rebuild/repair the Brant Beach Water Treatment Plant pump and motor: Willier Electric Motor Repair, Inc. \$5,201.00

**RESOLUTION 08-0710.15**

**RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT TO REPAIR AND REBUILD THE PEERLESS PUMP AND MOTOR IN THE BRANT BEACH WATER TREATMENT PLANT FOR THE WATER / SEWER DEPARTMENT OF THE TOWNSHIP OF LONG BEACH, PER QUOTATION**

**WHEREAS**, the Township of Long Beach has solicited quotes to repair and rebuild the Peerless pump and motor in the Brant Beach Water Treatment Plant for the Township Water/Sewer Department; and

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

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

**WHEREAS**, the Willier Electric Motor Repair Company gave the lowest qualified quote.

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

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Township of Long Beach this 10<sup>th</sup> day of July 2008, for the reasons aforesaid, that a contract be and is hereby awarded to:

Willier Electric Motor Repair Company

1 Linden Avenue

P.O. Box 98

Gibbsboro, NJ 08026

to repair and rebuild the Peerless pump and motor in the Brant Beach Water Treatment Plant in an amount not to exceed Five Thousand Two Hundred One Dollars (\$5,201.00) as per quote received June 19, 2008.

Motion to approve Item 30:

Motion: Gove Ayes: Bayard, Gove, Mancini

Second: Bayard Nays:

**FINANCIAL APPROVALS**

31. Resolution 08-0710.16: Authorize increase to MDT fees: \$85.00 effective 1/1/09

**RESOLUTION 08-0710.16**

**WHEREAS**, the Interlocal Services Act., N.J.S.A. 40:8A-1 et seq. authorizes the Township of Long Beach to enter into contracts with other municipalities for the provision of certain governmental services with other municipalities; and

**WHEREAS**, the Long Beach Township Police Department operates and maintains a server-based Mobile Data Terminal system to link mobile computers to various contracted agencies' systems in order to increase the sworn officers' ability to perform, report and record checks in the field.

**NOW, THEREFORE, BE IT RESOLVED**, that the Board of Commissioners of the Township of Long Beach hereby authorizes the Long Beach Township Police Department to provide the aforesaid services to contracted agencies at a rate of \$85.00 per Mobile Data Terminal or other device connected to the MDT system server effective January 1, 2009.

**Bonnie Leonetti, Municipal Clerk / Administrator** explained Long Beach Township was the Lead Agency for this Interlocal Service and that the fee per unit would be increased from \$75.00 to \$85.00 effective January 2009.

32. Resolution 08-0710.17: Approve the transfer of a Change Fund from the Finance Dept to the Construction Dept and appoint a new Custodian: \$100.00 Mary Jane McGowan, Custodian

**RESOLUTION 08-0710.17**

**WHEREAS**, the Chief Financial Officer has determined a Change Fund in the amount of \$100.00 maintained by the Finance Department is no longer of use to the office; and

**WHEREAS**, the Zoning / Construction Department has a need and a use for said Change Fund.

**NOW, THEREFORE, BE IT RESOLVED** that the Chief Financial Officer be and she is hereby authorized to transfer said Change Fund in the amount of \$100.00 to the Zoning / Construction Department with Mary Jane McGowan appointed Custodian.

33. Resolution 08-0710.18: Authorize reimbursement of a tax overpayment

**RESOLUTION 08-0710.18**

**A RESOLUTION AUTHORIZING REIMBURSEMENT OF EXCESS REAL ESTATE TAXES PAID**

**WHEREAS**, a State Appeal resulted in a settlement for a reduction in the assessed value of Block 6.27, Lot 1 for the years 2006 and 2007; and

**WHEREAS**, as a result of the agreed upon reduction, the prior years' total taxes were overpaid and these overpayments need to be reimbursed as set forth below:

<u>Block / Lot</u>	<u>Reason</u>	<u>Name</u>	<u>Amount</u>
6.27/ 1	State Appeal-2006	Getty Petroleum Marketing	\$470.02
6.27/ 1	State Appeal-2007	Getty Petroleum Marketing	\$482.39

**WHEREAS**, Section 5 of the agreed upon settlement dictates that the refund be made payable to: Zipp & Tannenbaum, LLC, Attorney Trust Fund and Getty Petroleum Marketing.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Township of Long Beach, County of Ocean and State of New Jersey that the above listed overpayments in the total amount

of \$952.41 shall be reimbursed to Zipp & Tannenbaum, LLC, Attorney Trust Fund and Getty Petroleum Marketing and the Tax Collector is hereby directed to make the appropriate adjustments to the records.

**Bonnie Leonetti, Municipal Clerk / Administrator** stated this resulted from a tax appeal.

34. Resolution 08-0710.19: Approve a Chapter 159:  
Lifeguard in Training Tournament \$900.00

**RESOLUTION 08-0710.19**

**RESOLUTION OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING AN AMENDMENT TO THE 2008 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): LIFEGUARD IN TRAINING (LIT) TOURNAMENT**

**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 items have been made available by law and the amount thereof was not 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 Ocean County Board of Chosen Freeholders and the Ocean County Tourism Advisory Council has approved a donation to the Township of Long Beach in the amount of \$900.00; and

**WHEREAS**, it is the desire of the Township of Long Beach to amend the 2008 Municipal Budget to provide for the insertion of this donation 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, in the County of Ocean, State of New Jersey, as follows:

1. That the Board of Commissioners do hereby authorize an Amendment to the 2008 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:

OCEAN COUNTY TOURISM – LIFEGUARD IN TRAINING

(LIT) TOURNAMENT

\$900.00

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

**GENERAL APPROPRIATION:**

OPERATIONS – Excluded from CAPS:

Public and Private Programs Offset by Revenues:

OCEAN COUNTY TOURISM – LIFEGUARD IN TRAINING

(LIT) TOURNAMENT

\$900.00

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.

**Bonnie Leonetti, Municipal Clerk / Administrator** noted this allowed the insertion of revenue into the adopted budget.

35. Resolution 08-0710.20: Approve Bills & Payroll
- |                            |                |
|----------------------------|----------------|
| Bills in the amount of:    | \$2,679,330.76 |
| Payrolls in the amount of: | \$1,100,317.29 |

**RESOLUTION 08-0710.20**

**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 \$1,100,317.29.

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

1. The said approved vouchers amounting to the sum of \$2,679,330.76 be and the same are hereby authorized to be paid on July 10, 2008.

2. The said approved payroll amounting to the sum of \$1,100,317.29 be and the same are hereby authorized to be paid on July 10, 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 31 - 35:

Motion: Gove Ayes: Bayard, Gove, Mancini

Second: Bayard Nays:

**Mayor Mancini** abstained from Southern Ocean County Hospital vouchers.

**Commissioner Gove** abstained from Ocean County Utility vouchers and invoked the Doctrine of Necessity in order to vote on Southern Ocean County vouchers.

**Mayor Mancini** stated the Tax Collector's Report for the month of June 2008 was on file in the Municipal Clerk's Office.

**COMMISSIONERS' REPORTS**

**Commissioner Bayard** announced surfing beaches were now marked with signs. He noted the Public Works Department had worked hard to restore beaches eroded by recent winds and asked the public to report any pedestrian activity on the dunes. He stated a Recycling Committee was being organized with Bob Irvine as the Chairperson.

**Commissioner Gove** thanked the Activities Committee for a successful evening on July 3<sup>rd</sup> with the showing of "Pirates of the Caribbean". She announced the next events would be held on July 24<sup>th</sup>; an art show and a free concert at the Township Municipal Complex.

**Mayor Mancini** provided information regarding the Floodplain Management Plan and announced Long Beach Township had achieved a Class 6 rating that would result in a 20% savings in premiums. He announced the successful anti-fireworks campaign; Hurricane Awareness Month at the LBI Arts Foundation; a Bicycle Rodeo to be held on July 20<sup>th</sup> to enhance bicycle safety; a free ice cream incentive from the Police Department for children who wear helmets while bicycling; and the next meetings of the Board of Commissioners and the Land Use Board.

**OPEN PUBLIC SESSION**

**Dick Jeffries / Beach Haven Terrace** related his unfortunate past experiences with drunk drivers. He felt that the DWI Police Roadblock was, nonetheless, an inconvenience to the many sober drivers stopped during the event.

**Mayor Mancini** felt the DWI Police Roadblock was necessary to increase awareness and was beneficial to the public.

**Robert Irvine / Beach Haven Crest** recommended the Hurricane Awareness Month program at the LBI Arts Foundation which he had found interesting and relevant.

**Pat Kaletkowski / Brant Beach** stated she felt it important that specific signs be posted on the dunes, especially if dune fencing was not present.

**John Connelly / Beach Haven Crest** asked if there was a plan for a comprehensive review of the Water/Sewer systems in Long Beach Township, and if so, how the review would be funded.

**Commissioner Bayard** planned to review all pertinent records with the Municipal Auditor then formulate a 5-year plan and a 10-year plan. The analysis would be completed first and then the funding strategy would be examined.

**CLOSE PUBLIC SESSION**

Motion for adjournment at:

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

\_\_\_\_\_  
Bonnie M. Leonetti, RMC, CMC  
Municipal Clerk

\_\_\_\_\_  
Joseph H. Mancini, Mayor

\_\_\_\_\_  
DiAnne C. Gove, Comm.

\_\_\_\_\_  
Ralph H. Bayard, Comm.