

**MINUTES**  
**REGULAR SESSION      BOARD OF COMMISSIONERS      SEPTEMBER 14, 2020**  
**Flag Salute**

Meeting came to order: 4:00 p.m.  
Clerk calls the roll: Mayor Joseph H. Mancini ABSENT  
Commissioner Ralph H. Bayard PRESENT  
Commissioner Joseph P. Lattanzi PRESENT  
Also, in attendance: Danielle La Valle, Municipal Clerk  
Kyle Ominski, Administrator

Municipal Clerk announces: Notice of the time and place of this meeting has been posted in the office of the Municipal Clerk, published by the BEACH HAVEN TIMES and ASBURY PARK PRESS on December 5, 2019; and filed with the Municipal Clerk.

Motion: To dispense with the reading of the minutes of the previous meeting and to approve the same as recorded in the minute book:

Motion: Bayard      Ayes: Bayard, Lattanzi  
Second: Lattanzi      Nays:

**AGENDA**

**ORDINANCES & PUBLIC HEARINGS**

1. Second Reading Ordinance 20-21C: **AN ORDINANCE AMENDING AN ORDINANCE ENTITLED, "CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, (1997)" AS THE SAME IN CHAPTER 205, WHICH PERTAINS TO ZONING AND THE PARKING OF COMMERCIAL VEHICLES AND THE STORAGE OF COMMERCIAL EQUIPMENT**

Passed on first reading at a regular meeting held on August 3, 2020 and advertised in the BEACH HAVEN TIMES issue of August 6, 2020. This ordinance was reviewed and approved by the Land Use Board at their September 9, 2020 meeting.

**STATEMENT OF PURPOSE**

This Ordinance amends Chapter 205 to revise the regulations relating to the parking of commercial vehicles and the storage of commercial equipment for construction purposes.

**SECTION I**

- §205-8.1C is hereby repealed and replaced with the following.
- C. Commercial vehicles and commercial equipment shall be permitted to be on site for active and ongoing construction purposes authorized by the required zoning and construction permits only and shall be removed from a site in accordance with the following.
    - (1) All commercial vehicles and commercial equipment shall be immediately removed from the site if the required permits have not been issued, expire, or otherwise become invalid.
    - (2) All commercial vehicles and commercial equipment shall be immediately removed from the site if construction activity is suspended or if the site is abandoned for a period of thirty (30) days or more.
    - (3) All commercial vehicles and commercial equipment shall be immediately removed from the site if once all work has been completed and prior to and as a condition of the issuance of a certificate of approval or certificate of occupancy.

**SECTION II**

§205-2 is hereby amended to repeal and replace the following definitions of COMMERCIAL EQUIPMENT and COMMERCIAL VEHICLE.

**COMMERCIAL EQUIPMENT**

Any equipment designated for use for commercial purposes, including, but not limited to, backhoes, dumpsters, plows, trailers, and equipment relating to construction purposes.

**COMMERCIAL VEHICLE**

Any motor vehicle, truck, pickup truck, or van licensed or designated for use or used for the transportation of property or other commercial purposes, whether or not same is registered as a commercial vehicle with the Motor Vehicle Commission, and includes, but is not limited to, vehicles providing and delivery of goods, wares, merchandise, and services, advertising or intending to promote the interest of business, providing commercial services and/or construction services.

**SECTION III**

All ordinances, or parts of ordinances, inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

**SECTION IV**

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.

OPEN PUBLIC HEARING

**No Comment**

CLOSE PUBLIC HEARING

Motion to Adopt Ordinance 20-21C on Second Reading:

Motion: Bayard Ayes: Bayard, Lattanzi

Second: Lattanzi Nays:

2. Second Reading Ordinance 20-22: **BOND ORDINANCE AUTHORIZING THE COMPLETION OF VARIOUS IMPROVEMENTS TO THE PEAHALA PARK WATER TOWER IN AND FOR THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$300,000 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 \$300,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

Passed on first reading at a regular meeting held on August 3, 2020 and advertised in the BEACH HAVEN TIMES issue of August 6, 2020.

**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 \$300,000; and

(b) the estimated amount of bonds or bond anticipation notes to be issued for the purposes stated in Section 7 hereof is \$300,000.

**Section 3.** The sum of \$300,000, to be raised by the issuance of bonds or bond anticipation notes, is hereby appropriated for the purposes stated in this bond ordinance ("Bond Ordinance").

**Section 4.** The issuance of negotiable bonds of the Township in an amount not to exceed \$300,000 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 \$300,000 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 \$60,000.

**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>
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	<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
A.	Various Improvements to the Peahala Park Water Tower including, but not limited to, the Relocation of Power and Electrical Lines in accordance with the requirements set forth by the Occupational Health and Safety Administration; together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	\$300,000	\$0	\$300,000	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 \$300,000 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 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.

**OPEN PUBLIC HEARING**



**WHEREAS**, during the meantime in the absence of a member, the Board of Public Utilities should designate one of its current members as liaison to the Monmouth and Ocean County area in order to address growing concerns; and

**WHEREAS**, the counties are renewing this effort following wide-spread and lengthy power outages from Tropical Storm Isaias which impacted the Shore area on August 4, 2020; and

**WHEREAS**, due to the length of these outages many residents and businesses, both full-time and seasonal, experienced a financial loss as a result of having to discard food and medication; and

**WHEREAS**, during the height of the recent power outages almost 359,000 Jersey Central Power & Light Company customers in Monmouth and Ocean counties were without power, in some cases for several days. Ocean County is also serviced by Atlantic City Electric and 52,641 customers were without power after Isaias; and

**WHEREAS**, without a representative on the Board of Public Utilities, the Jersey Shore faces an uphill battle with the power companies in receiving timely aid for residents whether it be from a Tropical Storm like Isaias, other coastal storms or failures on behalf of the utility companies; and

**WHEREAS**, lengthy power outages also negatively affect tourism which is an economic benefit for both Monmouth and Ocean County; and

**WHEREAS**, power outages also cause significant hardships for senior communities and busy families. These groups of people are either on a fixed income/salary that does not allow supplementary money to be available in order to replace perishable foods and prescriptions spoiled by power outages; and

**WHEREAS**, coastal areas like Monmouth and Ocean County have unique characteristics and concerns that the current members of the Board of Public Utilities are not as familiar with as compared to a resident of one of these counties; and

**WHEREAS**, Monmouth and Ocean County have a wide range of geography from farmland to dense downtown regions and beach towns, all of which serve as tourism destinations, thus there is a broader understanding on the effects caused by power outages on these specific areas as compared to adjacent counties; and

**WHEREAS**, in Ocean County, the population of 600,000 year-round residents expands to 1.2 million people and in Monmouth County, the population of 617,000 increases to more than 8.9 million visitors, with the majority occurring during the summer season; and

**WHEREAS**, tourism revenue in Ocean County totals an approximate \$5 billion and in Monmouth County totals around \$2.6 billion; and

**WHEREAS**, the current Board of Public Utilities consists of representatives from the following counties: Essex, Camden, Morris, Somerset and Bergen.

**NOW, THEREFORE, BE IT RESOLVED**, that the Freeholders of Monmouth and Ocean County want the next position on the Board of Public Utilities to go to a qualified individual from this shore region in order to ensure the proper representation on behalf of the residents and businesses of Monmouth and Ocean County.

**BE IT FURTHER RESOLVED**, that the beforementioned counties urge Governor Murphy and the Senate to acknowledge that as the population continues to increase in Monmouth and Ocean County, the need for the appropriate representation on the Board of Public Utilities be accommodated, providing the area's varying communities with much-needed representation on the Board. And, in the absence of a member from the Shore area, the Board of Public Utilities should designate a liaison to this area to address the growing concerns.

**BE IT FINALLY RESOLVED**, that the Board of Commissioners of the Township of Long Beach approve certified copies of this Resolution to be made available to Governor Phil Murphy, State of New Jersey Board of Public Utilities, Monmouth County Board of Chosen Freeholders, and Ocean County Board of Chosen Freeholders.

5. Resolution 20-0914.02: Approve Amendment to Resolution 20-0803.03(a)  
Appointment of Municipal Court Judge

**WHEREAS**, pursuant to Resolution 20-0803.03(a), the Township of Long Beach appointed the Honorable Damian Murray to serve the unexpired term of Judge James Liguori; and

**WHEREAS**, a typographical error existed in Resolution 20-0803.03 (a) concerning the dates of the unexpired term and should have read that the Honorable James Liguori was appointed to a three-year term as Judge of the Municipal Court by the Board of Commissioners on January 1, 2019, and his term expires on December 31, 2021; and

**WHEREAS**, Damian Murray shall be appointed to serve the unexpired and remaining term of the Honorable James Liguori pursuant to the existing terms and compensation previously established for the position on January 1, 2019, by the Board of Commissioners; and

**WHEREAS**, the Chief Financial Officer previously certified to the Board of Commissioners that sufficient funds are available under General Funds for the existing, unexpired term.

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Commissioners, County of Ocean, and State of New Jersey, in accordance with the foregoing recitals, which are expressly adopted and incorporated by reference herein, that the Honorable Damian Murray is hereby appointed Judge for the Municipal Court of the Township of Long Beach, commencing upon the effective retirement date of the Honorable James Liguori and ending on December 31, 2021.

6. Resolution 20-0914.03: Approve the Change in Custodian of Petty Cash Funds

**WHEREAS**, Nancy Fritz was designated custodian of the Long Beach Township Finance Department Petty Cash fund; and

**WHEREAS**, in accordance with N.J.S.A. 40:5-21, the Board of Commissioners wishes to change custodian to Courtney Palughi; and

**WHEREAS**, Courtney Palughi of the Long Beach Township Water/Sewer Department is bonded in the amount of \$1,000,000.00 by virtue of a blanket bond issued by the Ocean County Joint Insurance Fund.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Commissioners of the Township of Long Beach, County of Ocean, State of New Jersey hereby authorizes such action and directs two copies of this resolution be filed with the Division of Local Government Services, New Jersey Department of Community Affairs for approval.

7. Resolution 20-0914.04: Approve Various Personnel Matters  
Accept & Approve Families First Coronavirus Response Act's FMLA for employee with Civil Service number \*\*\*\*\*9315  
Accept & Approve Families First Coronavirus Response Act's FMLA for employee with Civil Service number \*\*\*\*\*1978  
Accept & Approve Families First Coronavirus Response Act's FMLA for employee with Civil Service number \*\*\*\*\*5618  
Accept & Approve Families First Coronavirus Response Act's FMLA for employee with Civil Service number \*\*\*\*\*5950  
Accept & Approve Families First Coronavirus Response Act's FMLA for employee with Civil Service number \*\*\*\*\*6592  
Accept & Approve Families First Coronavirus Response Act's FMLA for employee with Civil Service number \*\*\*\*\*9122  
Accept & Approve Families First Coronavirus Response Act's FMLA for employee with Civil Service number \*\*\*\*\*7933

#### **Beach Patrol**

Change the following employee's payroll account to Lifeguard Salary & Wage effective retroactive to August 20, 2020:

Renee Gresko

#### **Finance**

Change the following employee's annual base salary to \$38,500.00 to be paid from Tax Collection Salary & Wage effective retroactive to September 5, 2020:

Lisa Kenny

#### **Health Department**

Approve a one-time stipend to the following employee in the amount of \$2,000.00 for significant job duties to be paid from Health Department Salary & Wage effective September 18, 2020:

Casey Wolf

Hire the following employee as a Permanent Full-Time Field Representative in Health Education at the annual base salary of \$38,000.00 to be paid from Health Department Salary & Wage effective retroactive to September 12, 2020.

Sara Sexton

#### **Municipal Clerk**

Change the following employee's annual base salary to \$40,070.00 effective August 22, 2020:

Scott Lawrence

#### **Police**

Hire the following employee as a Part-Time Dispatch Communications Officer at the rate of \$11.00 per hour to be paid from Police Salary & Wage effective September 15, 2020:

Jason Maldonado

Adjust the following employee's annual base salary to \$57,710.16 to be paid from Police Salary & Wage effective retroactive to September 2, 2020:

Christine Eberle

**Tax Assessor**

Change the following employee's hourly rate to \$17.00 per hour to be paid from Tax Assessor Salary & Wage effective September 14, 2020:

Vera Monahan

**Tax Collection**

Change the following employee's annual base salary to \$51,244.00 to be paid from Tax Collection Salary & Wage effective retroactive to September 5, 2020:

Katy Mancini

**Water/sewer**

Hire the following employee as a Clerk 1 at the rate of \$15.00 per hour to be paid from Water/Sewer Salary & Wage effective retroactive to September 5, 2020:

Stacy Catalano

8. Resolution 20-0914.05: Approve Application Filed by Verizon Wireless for the Collocation of Small Wireless Facilities

**WHEREAS**, on July 16, 2020, New York SMS Limited Partnership d/b/a Verizon Wireless ("Verizon Wireless") filed an application pursuant to Chapter 205 of the Code and the Township designated that as Verizon Application No.15; and

**WHEREAS**, the Township sent a deficiency notice to Verizon Wireless regarding Application No. 15 and Verizon Wireless withdrew Application No. 15 and ultimately refilled request for those locations within Verizon Application No. 26, which is addressed herein; and

**WHEREAS**, on August 7, 2020, Verizon Wireless filed ten (10) separate applications, each of which seeking to install a new small wireless facility pole and the Township has designated those applications as Verizon Nos. 16 through 25; and

**WHEREAS**, on August 13, 2020, Verizon Wireless filed an application seeking to collocate small wireless facilities on utility poles and replace existing utility poles at five (5) locations and the Township designated that as Verizon No. 26; and

**WHEREAS**, pursuant to the Code, the Township Attorney, the Township Engineer, and the appropriate Township officials reviewed the applications and noted certain deficiencies in the applications, and, therefore, deemed them deficient and served a deficiency notice upon Verizon Wireless; and

**WHEREAS**, Verizon Wireless responded to the deficiency notice and provided additional, supporting documentation, as requested; and

**WHEREAS**, Verizon Wireless has filed the required Chapter 205 application fees for the wireless communications facilities; and

**WHEREAS**, in accordance with the applicable Federal and State law, the requirements of the Code, and pursuant to the discretion granted to the Board of Commissioners by the Code, the Township has elected to deny and approve the applications as follows. In addition, all applications are so approved, provided that the installation complies with all the requirements set forth in the Code, including, but not limited to, the restrictions relating to the location of the existing utility poles and replacement utility poles and all additional required permits and fees.

Verizon No. 15 – the application was withdrawn by Verizon Wireless, and, to the extent required, the Township nevertheless also denies the application.

Verizon No. 16 – this application for a small wireless facility pole and wireless communications facilities at 170A Long Beach Boulevard is denied. The proposed site location fails to comply with §205-38O(5)(c).

Verizon No. 17 – this application for a small wireless facility pole and wireless communications facilities at 1 Collier Road is denied. The proposed site location fails to comply with §205-38O(5)(c).

Verizon No. 18 – this application for a small wireless facility pole and wireless communications facilities at 2 South Lagoon Drive is approved.

Verizon No. 19 – this application for a small wireless facility pole and wireless communications facilities at 5401 Long Beach Boulevard is approved.

Verizon No. 20 – this application for a small wireless facility pole and wireless communications facilities at 5001 Long Beach Boulevard is approved.

Verizon No. 21 – this application for a small wireless facility pole and wireless communications facilities at East 41<sup>st</sup> Street is approved.

Verizon No. 22 – this application for a small wireless facility pole and wireless communications facilities at 1 East Kimberly is denied. The proposed site location fails to comply with §205-38O(5)(c).

Verizon No. 23 – this application for a small wireless facility pole and wireless communications facilities at 8 East Dayton is denied. The proposed site location fails to comply with §205-38O(5)(c).

Verizon No. 24 – this application for a small wireless facility pole and wireless communications facilities at 1 Amherst is approved.

Verizon No. 25 – this application for a small wireless facility pole and wireless communications facilities at 85 Auburn is approved.

Verizon No. 26 – this application included requests for collocation, replacement utility poles, wireless communications facilities at 5301 Long Beach Boulevard, 4601 Long Beach Boulevard, 38 Adrian Drive, 204 West 18<sup>th</sup> Street, and 1 West Harrington Street. The proposed replacement utility poles at 1 West Harrington and 205 West 18<sup>th</sup> Street are approved. The proposed collocation at 38 Adrian Drive is approved subject to the correction that the site location is Block 23.03, Lot 11 (Lot 29 was incorrectly set forth on the application). The proposed collocations at 4601 Long Beach Boulevard and 5301 Long Beach Boulevard are approved with the requested waiver, as the proposed locations are further from the residential properties, and, therefore, compliant with the intent of §205-38O(5)(c).

**NOW, THEREFORE, BE IT RESOLVED**, based upon the foregoing Recitals, which are incorporated herein by reference, the Mayor and Board of Commissioners of the Township of Long Beach, County of Ocean, State of New Jersey, hereby approve and deny the Verizon Applications and site locations as aforesaid.

Motion to Approve Items 4-8:

Motion: Bayard                      Ayes: Bayard, Lattanzi  
Second: Lattanzi                      Nays:

#### **LICENSES & PERMITS**

9. Resolution 20-0914.06:                      Approve the Renewal of Local Liquor Licenses for the 2020/2021 Licensing Year (11 licenses)

**WHEREAS**, the following applicants have made application for renewal of their licenses for the period October 1, 2020 through June 30, 2021:

- Sweeney Enterprises, LLC., t/a Terrace Tavern / Oyster House, holder of plenary retail consumption license 1517-33-001-005
- Nardi's, LLC., t/a Nardi's, holder of plenary retail consumption license 1517-33-002-007
- BI F&B, LLC., t/a Kubel's Too, holder of plenary retail consumption license with broad package privilege 1517-32-003-009
- Beach Haven Wines & Liquors, LLC., t/a Fritzie's Wines & Liquors, holder of plenary retail distribution license 1517-44-004-005
- Felten Enterprises, Inc., t/a Hudson House Bar, holder of plenary retail consumption license 1517-33-005-003
- Daddy O Restaurant, LLC., holder of plenary retail consumption license with broad package privilege 1517-32-006-005
- Woolley Holding Co., t/a Spray Beach Motor Inn, holder of plenary retail consumption license with hotel / motel exception 1517-36-007-001
- Brant Beach Yacht Club, holder of club license 1517-31-008-002
- Barnegat Light Post #3729, Veterans of Foreign Wars, Inc., holder of club license 1517-31-009-001
- Haven Beach Association, holder of club license 1517-31-010-001
- Spray Beach Yacht Club, holder of club license 1517-31-012-001

**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 above liquor licenses.

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Commissioners of the Township of Long Beach at a regular meeting held on Monday, September 14, 2020 that the above liquor licenses shall be and are hereby renewed for the period October 1, 2020 through June 30, 2021, subject to payment of the sum of \$1,500.00 to the Township of Long Beach for retail license, or payment of the sum of \$180.00 to the Township of Long Beach for Club Fee.

10. Resolution 20-0914.07:                      Approve Street Closing Application for Social Event:

-E 34<sup>th</sup> Street between Ocean Blvd and Long Beach Blvd, September 5, 2020 4:00pm-10:00pm for a Block Party

**WHEREAS**, in response to a homeowner's request for the following:

- Permission to close E 34<sup>th</sup> Street between Ocean Blvd and Long Beach Blvd from 4:00pm to 10:00pm on September 5, 2020 for a block party

**NOW, THEREFORE, BE IT RESOLVED**, that the Board of Commissioners of the Township of Long Beach does hereby grant permission for the above cited temporary closure as requested with provisions for an open lane for emergency vehicles and flashing lights on barriers from dusk to close of each event.

Motion to Approve Items 9-10:

Motion: Bayard                      Ayes: Bayard, Lattanzi

Second: Lattanzi                      Nays:

**PURCHASES, CONTRACTS & AWARDS**

11. Resolution 20-0914.08:                      Authorizing the Extension of a Contract, Third Party Inspection Services, Trinity Code Inspection, LLC.

**WHEREAS**, pursuant to Resolution 19-0909.08 dated September 9<sup>th</sup> 2019, the Township entered into an agreement, effective October 1, 2019 through September 20, 2020, procured by competitive bid, with the following vendor:

Trinity Code Inspection, LLC  
735 Shunpike Road  
Cape May, NJ 08204

**WHEREAS**, said contract referred to specifications and fees, and provided for two (2), one-year options to extend the contract; and

**WHEREAS**, both parties have agreed to extend the contract for one (1) year from October 1, 2020 through September 30, 2021 as follows:

**WHEREAS**, Trinity Code Inspection, LLC., shall provide third party inspection services at the rate of 75% of the fees established by the Code of Long Beach Township for current inspections; the fee for inspection of existing open permits shall be \$15.00 per permit; and

**WHEREAS**, said rates were contained in the bid submitted on August 20, 2019 to provide inspection services for electric, plumbing, and fire sub-codes for the Township of Long Beach; and

**WHEREAS**, this Resolution shall be deemed to be the extension and any changes in the original contract shall be incorporated hereby; and

**WHEREAS**, this Resolution shall serve as the written contract extension.

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Commissioners of the Township of Long Beach at their regularly scheduled meeting held this 14<sup>th</sup> day of September, 2020 that the above-mentioned contract shall be and is hereby extended for a period of one (1) year pursuant to the terms and conditions stated herein.

12. Resolution 20-0914.09:                      Award a Contract per Bid  
Swim Shorts for Beach Patrol:  
Jetty Life LLC

**WHEREAS**, the Township of Long Beach has solicited bids for the purchase of lifeguard swim trunk uniforms for the Township; and

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

**WHEREAS**, Jetty Life, LLC submitted a responsive, qualified bid as per the Township's Municipal Solicitor and Qualified Purchasing Agent's review and approval.

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Commissioners of the Township of Long Beach this 14<sup>th</sup> day of September, for the reasons aforesaid, that one (1) two-year contract in amounts submitted pursuant to their bid received by Long Beach Township on September 10, 2020 be awarded to the following organization effective October 1, 2020 through September 31, 2022:

Jetty Life, LLC  
509 N. Main Street Unit 3  
Manahawkin, NJ 08050

Motion to Approve Items 11-12:

Motion: Bayard                      Ayes: Bayard, Lattanzi

Second: Lattanzi                      Nays:

**FINANCIAL APPROVALS**

13. Resolution 20-0914.10:                      Accept a Performance Bond  
Sharon Karmazin LUB-8-20

Block 18.93 Lot 2 & 3 \$5,500

**WHEREAS**, the Township of Long Beach accepted from Sharon Karmazin Check No. 1509912850 drawn on Bank of America dated August 18, 2020 in the amount of Four Thousand Dollars (\$4,000.00) and Check No. 4433 drawn on Bank of America dated August 18, 2020 in the amount of One Thousand Five Hundred (\$1,500.00) as the required Performance Bond for Minor Sub-Division #LUB-8-20, Block 18.93, Lot 2 & 3 (1093-C Long Beach Boulevard, North Beach, Long Beach Township).

**NOW, THEREFORE, BE IT RESOLVED**, that the Board of Commissioners accepts this Performance Bond as per its Municipal Ordinance and as recommended by the Municipal Engineer.

14. Resolution 20-0914.11: Approve Refunds to Various Tax Accounts for Overpayment

**WHEREAS**, the following Tax Accounts are to be refunded due to overpayment of taxes; and

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

<u>BLOCK</u>	<u>LOT</u>	<u>ADDRESS</u>	<u>PAYEE</u>	<u>AMOUNT</u>
11.35	19 & 20	9309 North Susan Lane	William & Michele Cianci 22 Rillo Drive Wayne, NJ 07470	\$1,842.87
5.23	14	6 East 26 <sup>th</sup> Street	Andrea Madori 103 Winding Ridge Road White Plains, NY 10603	\$945.25

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Commissioners of the Township of Long Beach that the Chief Financial Officer be and is hereby authorized to make the above-noted refunds.

15. Resolution 20-0914.12: Approve Change Order #1: 2018 Road Reconstruction and Improvement Project (Harmony Avenue) & Township Drainage Construction Project (Kimberly Avenue and Bayview Avenue)

**WHEREAS**, Shore Top Construction Corp. was awarded a contract for 2018 Harmony Ave & Township Drainage Construction – Kimberly Ave & Bayview Ave and 2018 Road Reconstruction Project – Kimberly Ave & Bayview Ave in the Township of Long Beach for a total amount of Three Hundred Eighty-Six Thousand One Hundred Thirty-Three Dollars (\$386,133.00) with the amount of One Hundred Seventy Four Thousand Three Hundred and Eleven Dollars (\$174,311.00) for the 2018 Harmony Ave & Township Drainage Construction and Two Hundred Eleven Thousand Eight Hundred Twenty Two Dollars (\$211,822.00) for the 2018 Road Reconstruction Project – Kimberly Ave & Bayview Ave as per resolution 19-1216.05(a); and

**WHEREAS**, based on the actual project, unforeseen circumstances resulted in the need for additional work and personnel; and

**WHEREAS**, these changes have resulted in Change Order #1 of the original contract and has been approved and certified by the Municipal Engineer. Said Certification contains all of the detailed facts associated with this Change Order in accordance with state statutes; and

**WHEREAS**, sufficient funds are available and certified by the Chief Financial Officer from the Appropriation made by Ordinance 20-19 Various Paving and Drainage Improvements: Account # C-04-56-165-901 in the amount of Twenty-One Thousand Nine Hundred Thirteen Dollars and Eighty Cents (\$21,913.80) for the 2018 Harmony Ave & Township Drainage Construction and Ordinance 20-19 Various Paving and Drainage Improvements: Account # C-04-56-165-901 in the amount of Four Thousand Eight Hundred Eleven Dollars and Seventy Cents (\$4,811.70) for the 2018 Road Reconstruction Project – Kimberly Ave and Bayview Ave.

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Commissioners of the Township of Long Beach at a regular scheduled meeting, (not less than two-thirds (2/3) of the members thereof affirmatively concurring) this 14<sup>th</sup> day of September 2020 that Shore Top Construction Corp., 390 Toms River Road, Jackson, New Jersey 08527 be and is hereby awarded Change Order #1 in the amount of Twenty One Thousand Nine Hundred Thirteen Dollars (\$21,913.00) representing a 12.57% increase over the original contract price for payment of the work required to complete the 2018 Harmony Ave and Township Drainage Construction – Kimberly Ave and Bayview Ave, and hereby awarded Change Order #1-Final for Four Thousand Eight Hundred Eleven Dollars and Seventy Cents (4,811.70) representing a 2.27% increase over the original contract price

for the 2018 Road Reconstruction Project – Kimberly Ave & Bayview Ave in the Township of Long Beach.

16. Resolution 20-0914.13: Approve a Chapter 159:  
NJ Association of County and City Health Officials  
\$16,555.00

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

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

**WHEREAS**, the State of New Jersey has approved a grant with an additional amount of \$16,555.00; and

**WHEREAS**, it is the desire of the Board of Commissioners of the Township of Long Beach to amend the 2020 Municipal Budget to provide for the insertion of this grant as a source of revenue and an expenditure appropriation.

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

1. That the Board of Commissioners does hereby authorize an amendment to the 2020 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:

ADDITIONAL AMOUNT OF: \$16,555.00

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

GENERAL APPROPRIATION:

(A) OPERATIONS – Excluded from CAPS:

Public and private programs offset by revenues:

ADDITIONAL AMOUNT OF: \$16,555.00

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.

17. Resolution 20-0914.14: Approve Various Changes to Water/Sewer Accounts

**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><u>BLOCK</u></b>	<b><u>LOT/QUAL</u></b>	<b><u>ACCT #/ACCT</u></b>	<b><u>YEAR</u></b>	<b><u>CANCEL/CHANGE</u></b>	<b><u>AMOUNT</u></b>
1.53	45	8449-0 Water	2020	Returned Meter	\$282.00
4.45	1.03	8155-0 Water	2020	Returned Meter	\$190.00
15.130	2.03	6103-0 Water	2020	Returned Meter	\$34.00
20.18	1	6830-0 Water	2020	Returned Meter	\$301.00
20.25	1.02	6839-0 Water	2020	Returned Meter	\$190.00

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

18. Resolution 20-0914.15(a&b): Authorizing the Cancellations of Two (2) Tax Levies and One (1) Refund of Overpayment:

(a) Mrs. Gutowski

Block 10.40 Lot 1.02

(b) Township Property

Block 1.63 Lot 1

Block 1.64 Lot 1

Block 1.66 Lot 1

Block 1.68 Lot 1

**RESOLUTION 20-0914.15(a)**

**WHEREAS**, the governing body, by appropriate resolution, may return all taxes collected on property which would have otherwise been exempt had the proper claim in writing been made (N.J.S.A. 54:4-3.30 et seq.); and

**WHEREAS**, Barbara Gutowski is entitled to a total tax exemption on 3 E. Virginia Ave., Block 10.40 Lot 1.02, due to the wartime service-connected disability on behalf of her deceased husband; and

**WHEREAS**, Mrs. Gutowski's widow of a veteran disability became effective as of July 16, 2019 with \$4,633.82 in taxes to be cancelled for the remainder of 2019 and \$11,011.53 to be cancelled in 2020 totaling an amount of \$15,645.35; and

**WHEREAS**, the amount to be refunded as a result of overpayment prior to cancellation in 2019 is \$4,633.82 and \$8,287.59 in 2020 for a total of \$12,921.41.

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Commissioners of the Township of Long Beach, County of Ocean, State of New Jersey that the taxes be cancelled and refunded as set forth above, and the Tax Collector be directed to make the appropriate adjustments to the record.

**RESOLUTION 20-0914.15(b)**

**WHEREAS**, the Township of Long Beach purchased and accepted ownership block 1.63 lot 1, block 1.64 lot 1, block 1.66 lot 1, and block 1.68 lot 1; and

**WHEREAS**, the Tax Collector is authorized to cancel the remainder of taxes for 2020 and the upcoming year, 2021, in addition to updating the status of the property mentioned above as tax exempt moving forward and for as long as the Township has ownership.

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Commissioners of the Township of Long Beach, that the Tax Collector be, and is hereby authorized to cancel the before listed taxes and to make the appropriate adjustments to the records.

19. Resolution 20-0914.16:                      Approve Bills & Payroll  
   Bills in the amount of: \$14,202,656.52  
   Payroll in the amount of: \$1,575,886.32

**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 \$1,575,886.32.

**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 \$14,202,656.52 be and the same are hereby authorized to be paid on Monday, September 14, 2020.
2. The said approved payroll amounting to the sum of \$1,575,886.32 be and the same are hereby authorized to be paid on Monday, September 14, 2020.

The Municipal Clerk be, and 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 13-19:  
Motion: Bayard                      Ayes: Bayard, Lattanzi  
Second: Lattanzi                      Nays:

**Administrator's Report:** Delivered detailed explanation of beaches staying open seven days a week during the month of September; beaches providing lifeguards listed online per streets.

**COMMISSIONERS' REPORTS**

**Commissioner Bayard:** Discussed upcoming hazardous waste day to take place on Saturday, September 19<sup>th</sup> located at the Public Works garage; an appointment is needed, and the number is listed on website. Next week marks the beginning of the winter recycle schedule; one pickup per week.

**Commissioner Lattanzi:** The next meeting of the Land Use Board will be held on Wednesday, October 14<sup>th</sup> at 7:00 pm in the upstairs multi-purpose room. Second Reading and Public Hearing for Ordinance 20-24 will take place at the public meeting held on Monday, October 5 at 4:00 pm.

**OPEN PUBLIC SESSION**

Ann Barkey, Loveladies: Wrote the township concerning elections and the provided two polling locations.

Commissioner Lattanzi: Meeting with Board of Elections on October 7<sup>th</sup>; additional voting information to be provided via SandPaper and/or social media. Discussed the availability of shuttles and gators throughout the month of September as well as the lifeguards last day on duty; acknowledged a less-than-normal summer season but budget for beach tags good.

John Fiore, Brant Beach: Mentioned the marking of sidewalks with regards to the designation of utilities on 9<sup>th</sup> Street concerning traffic circle construction in Ship Bottom. Not surprised the census has him listed as living in Beach Haven; asked if the township knows anything about what's going on with regards to the before mentioned.

Complimented the Public Works Department for a job-well-done all summer.

Brian Tierney, Holgate: Questioned the tabling of ordinance 20-23C and the section in said ordinance making mention of properties containing less than one RV/motorhome not being required to have a license such as the marina.

Kyle Ominski, Business Administrator: Ordinance tabled as a result of revisions still currently being made; stated marina has been spoken to.

Ann Barkey, Loveladies: Asked for further clarification on items 3 and 4; giving small easement to Ocean County to construct, operate, and maintain traffic signal utilities.

Bill Hutson, Holgate: Requested a lifeguard be moved to Holgate.

Kyle Ominski, Business Administrator: Pending personnel.

John Fiore, Brant Beach: Requested voting ballot online and received a response stating it was not necessary to request a ballot; the state will be mailing everyone ballots anyway.

#### **CLOSE PUBLIC SESSION**

Motion for Adjournment: 4:22pm

Motion: Bayard Ayes: Bayard, Lattanzi

Second: Lattanzi Nays:

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Danielle La Valle, RMC  
Municipal Clerk

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Ralph H. Bayard  
Commissioner

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Dr. Joseph P. Lattanzi  
Commissioner