

**MINUTES**  
**REGULAR SESSION BOARD OF COMMISSIONERS April 4, 2016**  
**Flag Salute**

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

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

Also in attendance: Lynda J. Wells, Municipal Clerk  
Kyle Ominski, Administrator

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, ATLANTIC CITY PRESS and ASBURY PARK PRESS on January 28, 2016; 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: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

**AGENDA**

**PROCLAMATIONS**

- National Youth Sports Safety Month April 2016
- National Alcohol Awareness Month April 2016
- National Service Recognition Day April 5, 2016
- National Volunteer Week April 10-16, 2016
- National Library Week April 10-16, 2016
- National Infant Immunization Week April 16-23, 2016

**PROCLAMATION**

**NATIONAL ALCOHOL AWARENESS MONTH 2016**

**WHEREAS**, alcohol is the number one drug of choice for America's young people and a primary factor in the four leading causes of death for young persons aged 10-21 years; and

**WHEREAS**, the month of April 2016 will be filled with local, state, and national events aimed at educating people in schools, colleges, churches and countless other community organizations about the treatment and prevention of alcoholism; and

**WHEREAS**, this year's theme is "For the Health of It: Early Education on Alcoholism and Addiction" aimed at educating people about the treatment and prevention of alcoholism, particularly among our youth, and the benefits of providing early education to give kids a better understanding of the impact that alcohol can have on their lives; and

**WHEREAS**, alcohol use by young people is extremely dangerous - both to themselves and to society, and is directly associated with traffic fatalities, violence, suicide, educational failure, alcohol overdose, unsafe sex and other destructive behaviors. Annually, over 6,500 people under the age of 21 die from alcohol-related accidents and thousands more are injured; and

**WHEREAS**, additionally, 7,000 kids in the United States under the age of 16 take their first drink; those who begin drinking before age 15 are four times more likely to develop alcoholism than those who begin after the age of 21; and

**WHEREAS**, more than 1,700 college students in the United States are killed each year - about 4.65 per day - as a result of alcohol-related injuries ; and

**WHEREAS**, 25% of United States children are exposed to alcohol-use disorders in their family; and

**WHEREAS**, underage alcohol use costs the nation an estimated \$62 billion annually.

**NOW, THEREFORE, BE IT PROCLAIMED**, that the Board of Commissioners for the Township of Long Beach does hereby designate April as **NATIONAL ALCOHOL AWARENESS MONTH 2016** in order to increase awareness of the dangers and issues associated with alcohol abuse.

**BE IT FURTHER PROCLAIMED** that certified copies of this proclamation shall be sent to the Ocean County Board of Chosen Freeholders and LBI Board of Health.

**PROCLAMATION**

**National Infant Immunization Week April 16-23, 2016**

**WHEREAS**, giving babies the recommended immunizations by age two is the best way to protect them from 14 serious childhood diseases; and

**WHEREAS**, the United States has the safest, most effective vaccine supply in its history; and

**WHEREAS**, vaccine preventable diseases still circulate in the United States and the world and even when disease are rare in the U.S they can be brought into the country, putting unvaccinated children at risk; and

**WHEREAS**, most parents vaccinate their children, with high vaccine coverage rates in the U.S.; and

**WHEREAS**, National Infant Immunization Week (NIIW) is an annual observance to highlight the important of protecting infants from vaccine preventable diseases and to celebrate the achievements of immunization programs in promoting healthy communities throughout the United States; and

**WHEREAS**, it is important to vaccinate children on time, according to the childhood immunization schedule, to provide the best protection early in life when babies are vulnerable and before they are likely to be exposed to diseases; and

**WHEREAS**, this year, National Infant Immunization Week will be celebrated as part of World Immunization Week, an initiative of the World Health Organization (WHO) where all six WHO regions, including more than 180 Member States, Territories, and areas will simultaneously promote immunization, advance equity in the use of vaccines and universal access to vaccination services, and enable cooperation on cross-border immunization activities in April 2016.

**NOW, THEREFORE, BE IT PROCLAIMED**, that the Board of Commissioners of the Township of Long Beach does hereby designate the week of April 16-23, 2016 as NATIONAL INFANT IMMUNIZATION WEEK in Long Beach Township and encourage all parents to vaccinate their infants and children in a timely manner and referring those without medical insurance to Federally Qualified Health Centers to assure proper vaccination and medical care of infants, children and adults.

**BE IT FURTHER RESOLVED** that a copy of the resolution shall be forwarded to the Ocean County Board of Chosen Freeholders and the Ocean County Board of Health.

#### **PROCLAMATION**

##### **NATIONAL LIBRARY WEEK: APRIL 10-16, 2016**

**WHEREAS**, libraries are not just about what they have for people, but what they do for and with people; and

**WHEREAS**, libraries have long served as trusted and treasured institutions, and library workers and librarians fuel efforts to better their communities, campuses and schools; and

**WHEREAS**, libraries are evolving in order to serve their communities and to continue to fulfill their role in leveling the playing field for all who seek information and access to technologies; and

**WHEREAS**, libraries and librarians open up a world of possibilities through innovative STEAM programming, Makerspaces, job-seeking resources and the power of reading; and

**WHEREAS**, library and librarians are looking beyond their traditional roles and are providing more opportunities for community engagement and are delivering new services that connect closely with patrons' needs; and

**WHEREAS**, libraries support democracy and effect social change through their commitment to provide equitable access to information for all library users regardless of race, ethnicity, creed, ability, sexual orientation, gender identity or socio-economic status; and

**WHEREAS**, libraries, librarians, library workers and supporters across America are celebrating National Library Week.

**NOW, THEREFORE, BE IT PROCLAIMED**, that the Board of Commissioners of the Township of Long Beach does hereby designate April 10-16, 2016 as National Library Week and encourages all residents to visit the Ocean County Library this week to explore what's new at the library and to engage with your librarian. Because of you, Libraries Transform.

#### **PROCLAMATION**

##### **Long Beach Township and Ocean County Recognition Day for National Service, and for National Volunteer Week**

**WHEREAS**, April 5, 2016 has been so proclaimed Mayor and County Recognition Day for National Service; and the week of April 10-16, 2016 has been so proclaimed National Volunteer Week in recognition of the Retired and Senior Volunteer Program (RSVP) sponsored by the Ocean County Board of Social Services; and

**WHEREAS**, the recognition this year focuses on the theme, "Cheers to the Volunteers". Mayor and County Recognition Day for National Service and National Volunteer Week are about inspiring, recognizing and encouraging people to seek out imaginative ways to engage in their communities. The impact and power of volunteerism and service is an integral aspect of our civic leadership. It is a time to recognize individuals, families, nonprofit organizations and government entities for the tremendous impact they are making on our country's most critical challenges year-round; and

**WHEREAS**, the Board of Commissioners of the Township of Long Beach recognizes the support given by volunteers to the needs of the communities of Ocean County, such as increasing the capacity of agencies and organizations to provide services; increasing the ability of recipients of service to lead more productive and independent lives and fostering the concept of service to the community.

**NOW, THEREFORE, BE IT PROCLAIMED** that the Board of Commissioners of the Township of Long Beach does hereby designate the week of April 5, 2016 as Mayor and County Recognition Day for National Service; and April 10-16, 2016 as National Volunteer Week honoring all of the volunteers of Ocean County for their outstanding service to the communities of Ocean County; and

**BE IT FURTHER PROCLAIMED** that a certified copy of this proclamation be forwarded to the Ocean County Board of Chosen Freeholders, Ocean County Board of Social Services, Senator Connors, Assemblywoman Gove and Assemblyman Rumpf.

#### **PROCLAMATION**

#### **NATIONAL YOUTH SPORTS SAFETY MONTH**

**WHEREAS**, each year, approximately 30 million kids and teens, in the U.S., participate in some form of organized sports in which 3 million suffer serious sports-related injuries and more than 3.5 million children, 14 years of age and younger, receive medical treatment for sports-related injuries; and

**WHEREAS**, sprains, strains, overuse injuries and fractures are the most common youth sports injuries and children going through growth spurts or exercising without adequate rest periods are most vulnerable ; and

**WHEREAS**, basketball, track, baseball, gymnastics and swimming are the most common sports in which overuse injuries are seen. In addition to traumatic brain injuries, 8% of all spinal cord injuries are sports related injuries; and

**WHEREAS**, children are especially vulnerable to extremes of temperature and there have been deaths of high school football players due to heat stroke; and

**WHEREAS**, concussion legislation has now passed in 43 states and urges schools to adopt safety measures to protect students from injury or illness that occur in certain areas; and

**WHEREAS**, the plan requires that all schools have a comprehensive athletic care program and a health care team and assure safe practice and play facilities that are regularly inspected and cleaned.

**NOW, THEREFORE, BE IT PROCLAIMED**, that the Board of Commissioners for the Township of Long Beach does hereby designate April 2016 as NATIONAL YOUTH SPORTS SAFETY MONTH and encourages and supports the efforts of our schools in providing safety equipment to our youth and sports safety knowledge to all children involved in sports in addition to their parents.

**BE IT FURTHER PROCLAIMED** that certified copies of this proclamation shall be sent to the Ocean County Board of Chosen Freeholders and LBI Board of Health.

#### **ORDINANCES & PUBLIC HEARINGS**

1. Second Reading Ordinance 16-08C: **AN ORDINANCE AMENDING AN ORDINANCE ENTITLED, "CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, (1997)" IN CHAPTERS 51 AND 82 PERTAINING TO BEACHES**

#### **ORDINANCE 16-08C**

**AN ORDINANCE AMENDING AN ORDINANCE ENTITLED, "CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, (1997)" IN CHAPTERS 51 AND 82 PERTAINING TO BEACHES**

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

#### **STATEMENT OF PURPOSE**

2016 Daily Beach Badges shall be sold at a cost of \$7.00 per badge.

#### **SECTION I**

#### **Article IV – Fees**

**51-25. Fees established** is amended as follows:

F. Repeal "Five dollars" and replace in lieu thereof with "Seven dollars".

**SECTION II**

**82-8.C.(4)** is amended as follows:

Remove the number "5" and replace in lieu thereof with the number "7".

**SECTION III**

All Ordinances or part of Ordinances inconsistent herewith 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.

**SECTION V**

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

Passed on first reading at a regular meeting held on March 7, 2016 and advertised in the BEACH HAVEN TIMES issue of March 10, 2016.

OPEN PUBLIC HEARING

No Comment

CLOSE PUBLIC HEARING

Motion to adopt Ordinance 16-08C on Second Reading:

Motion: Lattanzi

Ayes: Lattanzi, Bayard, Mancini

Second: Bayard

Nays:

- 2. Second Reading Ordinance 16-09C: AN ORDINANCE AMENDING AN ORDINANCE ENTITLED, "CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, (1997)" IN CHAPTER 94 PERTAINING TO SPECIFIC CONSTRUCTION STANDARDS**

**ORDINANCE 16-09C**

**AN ORDINANCE AMENDING AN ORDINANCE ENTITLED, "CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, (1997)" IN CHAPTER 94 PERTAINING TO SPECIFIC CONSTRUCTION STANDARDS**

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

**STATEMENT OF PURPOSE**

This Ordinance adds a new sub-section to Chapter 94-9.A. requiring a soil erosion application and plan be submitted to the Township Engineer for lots in the AE and AO flood zones, under certain conditions.

**SECTION I**

**Chapter §94-9.A.** is hereby amended by the addition of a new sub-section, "(4)" as follows:

- (4) Increasing the grade in excess of eighteen (18) inches on all lots in the AE and AO flood zones shall require a soil erosion application and plan be submitted to the Long Beach Township Engineer for review and approval prior to the placement of any additional fill or a grade change on the lot.

**SECTION II**

All Ordinances or parts of Ordinances inconsistent herewith are 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 upon publication thereof after final passage according to law.

Passed on first reading at a regular meeting held on March 7, 2016 and advertised in the BEACH HAVEN TIMES issue of March 10, 2016.

OPEN PUBLIC HEARING

**John Connolly/Beach Haven Crest** asked for additional information.

**Lynda Wells, Municipal Clerk** explained the ordinance created a provision in Chapter 94 of the Code to require the submission of a Soil Erosion Plan for properties located in the AE and AO Zones. The Ordinance would be effective on April 7<sup>th</sup> 2016.

CLOSE PUBLIC HEARING

Motion to adopt Ordinance 16-09C on Second Reading:

Motion: Lattanzi

Ayes: Lattanzi, Bayard, Mancini

Second: Bayard

Nays:

**3. Second Reading Ordinance 16-10C: AN ORDINANCE AMENDING AN ORDINANCE ENTITLED, "CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY (1997)," AS THE SAME IN CHAPTER 5 PERTAINS TO THE DEPARTMENT OF REVENUE AND FINANCE**

**ORDINANCE 16-10C**

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

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

**STATEMENT OF PURPOSE**

The purpose of this Ordinance is to amend §5-7 to designate and appoint a "certifying and approval officer" for Township of Long Beach, who shall have the authority to certify and approve the payment of claims pursuant to and in accordance with the Township Code and Local Public Contracts Law during the time period between the public meetings of the Township Board of Commissioners pursuant to the authority granted by and requirements set forth in N.J.S.A. 40A:5-17.

**SECTION I**

§5-7D. is hereby repealed in its entirety.

**SECTION II**

The existing §5-7E. is hereby retitled §5-7D.

**SECTION III**

§5-7E. is hereby added as follows:

**E. Certifying and Approval Officer**

(1) Within the Department of Revenue and Finance, there shall be appointed a Certifying and Approval Officer pursuant to N.J.S.A. 40A:5-17, who the Board of Commissioners shall appoint by annual resolution, which appointment shall be effective through the end of the calendar year during which the resolution was adopted, and the Board of Commissioners shall make the appointment from one (1) of the following Township Officers: Chief Financial Officer; Business Administrator; or Municipal Clerk.

(2) The Board of Commissioners may further appoint by annual resolution, which appointment shall be effective through the end of the calendar year during which the resolution was adopted, either the Chief Financial Officer, the Business Administrator, or the Municipal Clerk as the emergency/substitute Certifying and Approval Officer ("Acting Approval Officer"). The Acting Approval Officer shall be authorized to act in place of the Certifying and Approval Officer in the event that the Certifying and Approval Officer is unable to perform his/her duties for a period of at least five (5) consecutive business days. On the return of the Certifying and Approval Officer from the aforesaid leave, the Acting Approval Officer's duties shall cease.

(3) The Certifying and Approval Officer, or, the Acting Approval Officer, as the case may be, shall possess the authority set forth in and granted by N.J.S.A. 40A:5-17 and in Chapter 25 of the Township Code.

**SECTION IV**

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

**SECTION V**

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.

**Effective date.**

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

Passed on first reading at a regular meeting held on March 7, 2016 and advertised in the BEACH HAVEN TIMES issue of March 10, 2016.

OPEN PUBLIC HEARING

No Comment  
CLOSE PUBLIC HEARING

Motion to adopt Ordinance 16-10C on Second Reading:

Motion: Lattanzi

Ayes: Lattanzi, Bayard, Mancini

Second: Bayard

Nays:

**4. Second Reading Ordinance 16-11C: 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 25 PERTAINS TO THE DEPARTMENT OF REVENUE AND FINANCE**

**ORDINANCE 16-11C**

**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 25 PERTAINS TO THE DEPARTMENT OF REVENUE AND FINANCE**

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

**STATEMENT OF PURPOSE**

The purpose of this Ordinance is to amend §25 in order to update and clarify the procurement policies and procedures of the Township of Long Beach and to comply with the applicable provisions of the Local Public Contracts Law, as well as to set forth the procurement policies and procedures for the Township of Long Beach elected officials, officers, employees and the newly created position of Certifying and Approval Officer in Chapter 5 of the Township Code.

**SECTION I**

§25-3., including the title "Governing Law," is hereby repealed in its entirety and replaced with the following:

**§25-3. Procurement Procedures.**

The purchase by Long Beach Township and all employees and elected officials thereof of both goods and services shall comply with the provisions of the New Jersey Local Public Contracts Law set forth at N.J.S.A. 40A:1 1-1, *et seq.*, and the procurement policies and procedures manual adopted by the Board of Commissioners by resolution, as set forth in §25-6, except that where stricter purchasing requirements are set forth in this Chapter and the procurement policies and procedures manual, the stricter requirements shall govern.

**SECTION II**

§25-5., §25-6., and §25-7. are hereby repealed in their entirety.

**SECTION III**

§25-8. And §25-9. are hereby retitled as §25-5 and §25-6, respectively.

**SECTION IV**

A new §25-7. is hereby added as follows:

**§25-7. Procurement Policies and Procedures Manual.**

The Board of Commissioners may adopt by way of resolution a procurement policies and procedures manual that shall set forth the day-to-day and annual procurement policies and procedures which shall be followed by the elected officials, officers, and employees of Township of Long Beach. Upon adoption, copies of the manual shall be provided to each Department and copies shall be available to all officers, employees, and the public at the Office of the Municipal Clerk.

**SECTION V**

A new §25-8. is hereby added as follows:

**§25-8. Certification and Approval of Disbursements by Certifying and Approval Officer.**

A. Upon receipt of claims for approval and payment pursuant to this Chapter and the procurement policies and procedures manual, the Certifying and Approval Officer shall review all of the claims, and, if the documents and proofs establish same, the Certifying and Approval Officer shall certify in the written certification form (paper or electronic) in accordance with N.J.S.A. 40A:5-17 and N.J.S.A. 40A:5-16(b) that:

- (1) The Certifying and Approval Officer has reviewed the claims;
  - (2) Sufficient proof has been provided or reviewed that establishes that the Township received the goods and/or services claimed;
  - (3) Township previously authorized the goods and/or services received and that the fees and costs claimed were authorized by Township;
  - (4) Proper and sufficient appropriations for the payment of the claim exist;
- and
- (5) There exists the legal authority to make the payments as evidenced by action taken by Township or the authorized Township agent, officer, or employee.

B. Upon the completion of the certification set forth in §25-8(A) by the Certifying and Approval Officer, the Certifying and Approval Officer shall submit an electronic or paper copy of the certification and the bill list to the Commissioner of Revenue and Finance.

C. Provided that the Commissioner of Revenue and Finance has no objection to the certification and the bill list submitted by the Certifying and Approval Officer within twenty-four (24) hours of the submission of same, the Certifying and Approval Officer shall provide the certification and the bill list to the Treasurer's office, who shall forthwith prepare the necessary checks for the payment thereof and shall record them in proper books of account. The checks shall then be signed by the Mayor, one other Commissioner, and the Chief Financial Officer, and, thereafter, a designated agent shall mail or otherwise distribute payment of the claims.

D. At least three (3) days prior to the next public meeting held by the Board of Commissioners, the Certifying and Approval Officer shall present copies of the proofs, the bill list, and the certification to each Commissioner for review and ratification or disapproval at the public meeting.

E. Ratification or Disapproval of Claims Paid by Certifying and Approval Officer by Board of Commissioners

(1) The Board of Commissioners may, based upon the proofs provided by the Certifying and Approval Officer and the Certifying and Approval Officer's compliance with this Chapter, ratify or disapprove the payment of each claim certified and approved by the Certifying and Approval Officer at the next public meeting immediately following the payment of each claim.

(2) In the event that the Board of Commissioners declines to ratify and disapproves the claim(s) certified and approved by the Certifying and Approval Officer, the Board of Commissioners may, on its own initiative, or by designation of an appropriate Township agent, officer, or employee, conduct an investigation into each such claim. The investigation shall be conducted in a reasonably expeditious matter and the results of same shall be reviewed by the Board of Commissioners prior to the next public meeting, if feasible. Following review of the results of the investigation, the Board of Commissioners may either elect to ratify the payment of any disputed claim at the next public meeting or further disapprove of the payment of the claim, and may authorize and direct any remedial and/or legal action relating to the further disapproved payment of the claim(s).

#### **SECTION VI**

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

#### **SECTION VII**

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.

#### **Effective date.**

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

Passed on first reading at a regular meeting held on March 7, 2016 and advertised in the BEACH HAVEN TIMES issue of March 10, 2016.

OPEN PUBLIC HEARING

No Comment

CLOSE PUBLIC HEARING

Motion to adopt Ordinance 16-11C on Second Reading:

Motion: Lattanzi

Ayes: Lattanzi, Bayard, Mancini

Second: Bayard

Nays:

5. Second Reading Ordinance 16-12: **AN ORDINANCE AMENDING AN ORDINANCE ENTITLED: "AN ORDINANCE FIXING AND DETERMINING THE ANNUAL SALARIES, DESIGNATING HOLIDAYS AND PROVIDING FOR OVERTIME COMPENSATION OF CERTAIN OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY".**

#### **ORDINANCE 16-12**

AN ORDINANCE AMENDING AN ORDINANCE ENTITLED: "AN ORDINANCE FIXING AND DETERMINING THE ANNUAL SALARIES, DESIGNATING HOLIDAYS AND PROVIDING FOR OVERTIME COMPENSATION OF CERTAIN OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY".

#### **STATEMENT OF PURPOSE**

THIS ORDINANCE SETS SALARY RANGES FOR SPECIFIC JOB TITLES; DEPUTY MUNICIPAL COURT ADMINISTRATOR, DOCKET CLERK, AND VIOLATIONS CLERK IN ACCORDANCE WITH NEW JERSEY DEPARTMENT OF PERSONNEL REQUIREMENTS.

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

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

<u>Municipal Court</u>	<u>Minimum</u>	<u>Maximum</u>
Deputy Municipal Court Administrator	30,000.00	75,000.00
Docket Clerk	25,000.00	65,000.00
Violations Clerk	25,000.000	60,000.00

**SECTION II:** All Ordinances or parts of Ordinances inconsistent herewith are repealed to the extent of such inconsistency.

**SECTION III.** All Ordinances inconsistent with the terms of this Ordinance are to the extent or such inconsistency, superseded and repealed. In the event that any section, sentence or clause of this Ordinance shall be declared unconstitutional by a court of competent jurisdiction, such declaration shall not in any manner prejudice the enforcement or file remaining provisions.

**SECTION IV.** This ordinance shall take effect April 7, 2016.

Passed on first reading at a regular meeting held on March 7, 2016 and advertised in the BEACH HAVEN TIMES issue of March 10, 2016.

OPEN PUBLIC HEARING

No Comment

CLOSE PUBLIC HEARING

Motion to adopt Ordinance 16-12 on Second Reading:

Motion: Lattanzi

Ayes: Lattanzi, Bayard, Mancini

Second: Bayard

Nays:

6. Second Reading Ordinance 16-13: **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 195 PERTAINS TO THE MUNICIPAL TRANSPORTATION SYSTEM.**

**ORDINANCE 16-13**

**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 195 PERTAINS TO THE MUNICIPAL TRANSPORTATION SYSTEM.**

**WHEREAS**, Township of Long Beach (hereinafter "Township") deemed it appropriate, necessary, and proper for the good government, order, the protection of persons and property, and for the preservation of the public health, welfare, and safety of Township and its inhabitants, and to protect, enhance, and support the economic activity of Township and the region to provide a municipal transportation for Township's residents, seasonal population, and visitors; and

**WHEREAS**, the year-round population of Township presently exceeds 3,000 persons, the year-round population of Township and the five additional municipalities on Long Beach Island combined presently exceeds 20,000 persons, and the seasonal population of Long Beach Island is estimated to annually exceed 100,000 persons at any given time; and

**WHEREAS**, Township is a non-contiguous, approximately twelve-mile-long municipality, and one of six municipalities located on Long Beach Island, an eighteen-mile-long barrier island with one bridge connecting it to the mainland and one main thoroughfare running the length of the island on a north-south axis; and

**WHEREAS**, Super-Storm Sandy struck Long Beach Island on October 29, 2012, causing widespread and catastrophic damage to residential and commercial properties in Township and its aftermath continues to cause ongoing economic challenges to the residents, businesses, and overall economy of Township and Long Beach Island as a whole; and

**WHEREAS**, Super-Storm Sandy and the ongoing dangers presented by future storm activity created a need for the creation of additional means of transportation during times of declared emergencies to assist with the orderly evacuation and transportation of the residents and visitors of Township and Long Beach Island as a whole; and

**WHEREAS**, the large increase in motor vehicle traffic during the peak season of the summer and portions of the spring and fall created significant traffic and parking issues, the influx of summer visitors during evening and night-time hours presented

increased dangers relating to vehicular and pedestrian traffic, and the increased traffic and seasonal visitors pose significant dangers to the public health, welfare, and safety; and

**WHEREAS**, after successfully testing the feasibility of a municipal transportation system on a limited basis during 2013 and the receipt of positive feedback and support from Township's residents, businesses, and visitors, Township adopted Ordinance No. 14-07C, which created a free municipal transportation system on March 21, 2014; and

**WHEREAS**, the municipal transportation system has been enthusiastically received by Township's citizens, business, and visitors, had approximately 42,282 riders in 2014 and 72,326 riders in 2015, and has otherwise been deemed an unqualified success; and

**WHEREAS**, to date, the municipal transportation system has helped address the real and present needs for additional public transportation, supported the important goal of the alleviation of traffic and parking problems, filled a need for an immediately available emergency transportation system required during declared emergencies, enhanced and supported the economic activities in Township and region as a whole, and benefitted the experience and way of life of Township's residents, businesses, and visitors, as well as generally helped protect the public health, welfare, and safety; and

**WHEREAS**, Township entered into shared service agreements with the five additional municipalities on Long Beach Island, and each municipality has expressed a positive response to the ridership and services provided, and each municipality has expressed its intent to enter into additional shared service agreements to permit the municipal transportation system to drop off and pick up passengers with their respective municipal boundaries going forward; and

**WHEREAS**, Township has purchased and presently operates six Ford E350 fourteen passenger mini-buses with handicap lifts, which are at full capacity in light of the increased popularity of the municipal transportation system;

**WHEREAS**, due, in part, to the popularity and support for the municipal transportation system, the costs associated with and relating to its operation have increased and shall continue to increase, including, but not limited to, the purchase of additional buses, increased maintenance costs, increased operation costs, increased employee and security costs, and increased administrative costs; and

**WHEREAS**, to continue to successfully operate the municipal transportation system and ensure its financial viability, the Board of Commissioners, pursuant to N.J.S.A. 40:62-35, *et seq.*, have elected to authorize a referendum seeking approval for Township to charge bus fares to support the operation of the municipal transportation system, and, therefore, potentially "engage in the business of transportation" in the event that a majority of the voters approve the referendum; and

**WHEREAS**, all funds raised by Township by way of bus fares shall be solely used for costs relating to and arising out of the maintenance and operation of the municipal transportation system.

**NOW THEREFORE, BE IT ORDAINED** by the Board of Commissioners of the Township of Long Beach, Ocean County, State of New Jersey, in accordance with the aforesaid recitals, which are incorporated herein by reference, that:

#### **STATEMENT OF PURPOSE**

The purpose of this Ordinance is to amend §111, which authorized the creation, operation, and maintenance of a municipal transportation system to be operated and maintained by Township of Long Beach, to authorize Township of Long Beach to hold a referendum pursuant to N.J.S.A. 40:62-35, *et seq.*, in order to "engage in the business of transportation" and charge a fee for the transportation services provided.

#### **SECTION I**

§111-1 is hereby amended by the addition of new subsections, subsection E and F, as follows.

E. A referendum is authorized for submission to the voters on the next general election to decide the question of whether Township may engage in the "business of transportation," meaning whether Township is authorized by the voters to charge money to the public for the use of the Transportation System. The referendum question shall be as follows:

Shall the Township of Long Beach be permitted to engage in the business of transportation, and, therefore, be authorized to charge fares to persons to use the existing municipal transportation system, as described in an ordinance of the Board of Commissioners of the Township of Long Beach entitled "**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 195 PERTAINS TO THE MUNICIPAL TRANSPORTATION SYSTEM.”**, which was passed on April 4, 2016?

F. In the event that the referendum is passed by a majority of the citizens, Township shall be authorized to charge the public money for the use of the Transportation System in a manner determined by the resolution of the Board of Commissioners, including, but not limited to, daily rates, monthly passes, and/or seasonal passes, and otherwise “engage in the business of transportation” in substantially the same form as the Transportation System. All funds raised by engaging in the business of transportation shall be applied to purchases and costs relating to and arising out of the maintenance and operation of the Transportation System only. In the event of passage of the referendum, the authority to charge fees and fares shall by operation of law amend Chapter 111 and this subsection shall supersede the provision of §111-1(B) which precludes fees, fares, or any other financial consideration from being imposed and/or charged relating to the Transportation System.

**SECTION II**

All Ordinances or parts of Ordinances inconsistent herewith are 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 upon publication thereof after final passage according to law.

Passed on first reading at a regular meeting held on March 7, 2016 and advertised in the BEACH HAVEN TIMES issue of March 10, 2016.

OPEN PUBLIC HEARING

No Comment

CLOSE PUBLIC HEARING

Motion to adopt Ordinance 16-13 on Second Reading:

Motion: Lattanzi

Ayes: Lattanzi, Bayard, Mancini

Second: Bayard

Nays:

7. Second Reading Ordinance 16-14C: **AN ORDINANCE AMENDING AN ORDINANCE ENTITLED, “CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY (1997),” IN CHAPTER 1 and CHAPTER 189 PERTAINING TO PARKING REGULATIONS AND FINES**

**ORDINANCE 16-14C**

**AN ORDINANCE AMENDING AN ORDINANCE ENTITLED, “CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY (1997),” IN CHAPTER 189 PERTAINING TO PARKING REGULATIONS**

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

**STATEMENT OF PURPOSE**

This Ordinance establishes minimum parking distance regulations for vehicles parked or standing at crosswalks, stop signs, sidelines of streets or intersecting highways, and school zones in the Township of Long Beach, revises certain existing restrictions, and further revised the fines for certain parking violations.

**SECTION I**

§189-23. is hereby amended to add the following provisions preceding the existing first sentence:

A. In accordance with the provisions of §189-5, the following are the established and required parking distances from crosswalks, sidelines of streets, intersecting highways, and stop signs.

1. Pursuant to the provisions of N.J.S.A.39:4-138, except when necessary to avoid conflict with other traffic, or in compliance with the directions of a police or traffic officer, traffic sign, or traffic signal, no operator of a vehicle shall stand or park any vehicle in any of the following places.
  - (a) Within ten (10) feet of a “stop” sign.
  - (b) Within twenty-five (25) feet of a marked crosswalk or sideline of a street or intersecting highway.
2. Fines for violations shall be in accordance with N.J.S.A. 39:4-138, et seq., and N.J.S.A. 39:4-203.

**SECTION II**

§189-23. is hereby further amended to delete the sentence "In accordance with the provisions of §189-5, no person shall park a vehicle at any time upon any of the following streets or parts of streets:" and shall be replaced with the following:

B. In accordance with the provisions of §189-5, no person shall park a vehicle at any time upon any of the following streets or parts of streets:

**SECTION III**

§189-23. is hereby further amended to delete the following provision and replace it with the subsequent provision:

Jerome Avenue in Beach Haven Park North Within 25 feet of any driveway and within 50 feet of intersection with Long Beach Boulevard

And replace the foregoing with the following:

West Jerome Avenue in Beach Haven Park North Within 25 feet of any driveway

**SECTION IV**

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.

**Effective date.**

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

Passed on first reading at a regular meeting held on March 7, 2016 and advertised in the BEACH HAVEN TIMES issue of March 10, 2016.

OPEN PUBLIC HEARING

No Comment

CLOSE PUBLIC HEARING

Motion to adopt Ordinance 16-14C on Second Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

**8. First Reading Ordinance 16-15: AN ORDINANCE AUTHORIZING THE EXECUTION OF A DEED FOR THE CONVEYANCE OF A DRAINAGE EASEMENT LOCATED ON BLOCK 15.11, LOTS 1 AND 2 ON THE TAX MAP OF TOWNSHIP OF LONG BEACH TO THE COUNTY OF OCEAN**

Motion to approve Ordinance 16-15 on First Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

**9. First Reading Ordinance 16-16C: AN ORDINANCE AMENDING AN ORDINANCE ENTITLED, "CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY (1997)," AND CREATING A NEW CHAPTER 59 ENTITLED VOLUNTARY SURVEILLANCE REGISTRY WHICH AUTHORIZES AND CREATES A VOLUNTARY REGISTRY OF OUTDOOR VIDEO SURVEILLANCE CAMERAS TO ASSIST LAW ENFORCEMENT AND PROTECT THE PUBLIC HEALTH, WELFARE, AND SAFETY**

Motion to approve Ordinance 16-16C on First Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

**10. First Reading Ordinance 16-17C: 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 64 AND CHAPTER 205 PERTAIN TO CERTIFICATES OF OCCUPANCY AND ZONING, RESPECTIVELY**

Motion to approve Ordinance 16-17C on First Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

**11. First Reading Ordinance 16-18: AN ORDINANCE OF THE TOWNSHIP OF LONG BEACH VACATING THE PUBLIC INTEREST IN A PORTION OF A CERTAIN FIFTEEN-FOOT (15') ALLEY LYING BETWEEN LOTS 1.01, 1.02, 2, AND 13 IN BLOCK 15.145 LOCATED IN THE TOWNSHIP OF LONG BEACH, OCEAN COUNTY, NEW JERSEY**

Motion to approve Ordinance 16-18 on First Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

**ADOPTIONS & APPROVALS**

- 12.** Resolution 16-0404.01: Approve traffic regulations:  
Suspend parking regulations on Auburn Ave from  
September 10<sup>th</sup> at 8am till September 11<sup>th</sup> at 12:00pm

**RESOLUTION 16-0404.01**

**WHEREAS**, Kaitlyn Robinson, 100 Auburn Avenue, High Bar Harbor has request the suspension of parking regulations on Auburn Avenue to accommodate wedding guest parking.

**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 parking allowance effective from September 10<sup>th</sup> 6:00 a.m. to September 11<sup>th</sup> 12:00 p.m., as requested.

- 13.** Resolution 16-0404.02: Approve various 3-year appointments:  
Emergency Management Coordinator:  
Chief Michael Bradley  
Deputy Emergency Management Coordinators:  
Ptl. Brendan Kerlin and Sgt. James Hartmann

**RESOLUTION 16-0404.02**

**NOW, THEREFORE, BE IT RESOLVED** by Board of Commissioners of the Township of Long Beach, County of Ocean, State of New Jersey, that Michael Bradley be and is hereby re-appointed Emergency Management Coordinator of the Township of Long Beach, and that Brendan Kerlin and James Hartmann be and are hereby re-appointed Deputy Emergency Management Coordinators of the Township of Long Beach, each for a term of three (3) years effective January 1, 2016 thru December 31, 2018; and

**BE IT FURTHER RESOLVED** that a certified copy of this resolution shall be provided by the Township Clerk to the Ocean County Office of Emergency Management.

- 14.** Resolution 16-0404.03: Oppose NJ Assembly Bill 2589  
Proposes consolidation of the Boroughs of Beach Haven, Barnegat Light, Harvey Cedars, Surf City, Ship Bottom and Long Beach Township into a single municipality, to be known as Long Beach Island Township.

**RESOLUTION 16-0404.03**

**RESOLUTION OPPOSING NEW JERSEY ASSEMBLY BILL 2589, WHICH REQUIRES THE CONSOLIDATION OF VARIOUS MUNICIPALITIES INTO NEW THE NEW MUNICIPALITIES OF LONG BEACH ISLAND TOWNSHIP AND SEASIDE TOWNSHIP, OR ALTERNATIVELY REQUIRING A SINGLE SHARED SERVICE AGREEMENT FOR ALL MAJOR MUNICIPAL SERVICES AND FUNCTIONS**

**WHEREAS**, A-2589 was introduced by Assemblyman Reed Gusciora (District 15) on February 8, 2016 proposing consolidation of the Borough of Beach Haven, Long Beach Township, Borough of Barnegat Light, Borough of Harvey Cedars, Borough of Surf City, and the Borough of Ship Bottom into a single municipality to be known as Long Beach Island Township; and

**WHEREAS**, A-2589 also proposes to consolidate the Borough of Mantoloking, Borough of Lavallette, Borough of Seaside Heights, Borough of Seaside Park, Brick Township Beaches, and Township of Toms River into a single municipality to be known as Seaside Township; and

**WHEREAS**, A-2589 alternatively purports to require all of the above municipalities to enter into a single shared services agreement for every major municipal service and function; and

**WHEREAS**, this legislation was introduced without any study, evaluation, or consultation with any of the potentially affected municipalities (and/or their constituents); and

**WHEREAS**, it is the opinion of the Board of Commissioners of the Township of Long Beach that proposing this type of legislation without the necessary study or evaluation is irresponsible and diminishes the value of other more meaningful legislation, and the processing of said legislation is a significant waste of taxpayer funds and municipal resources; and

**WHEREAS**, it is in the opinion of the Commissioners of the Township of Long Beach that proposing this type of legislation is inappropriate when municipalities within the sponsoring politician's district are similarly situated yet unaffected by his bill; and

**WHEREAS**, the Township of Long Beach incorporated on December 11, 1894, is a small beach community fiscally responsible and financially sound. Long Beach Township shares many services with the other Island Communities and Stafford Township on the mainland. Our taxpayers are very pleased with the management of the Township, evidenced by the longevity of our Governing Body. Long Beach



**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.

Motion to approve Items 12-16:

Motion: Lattanzi

Ayes: Lattanzi, Bayard, Mancini

Second: Bayard

Nays:

**LICENSES & PERMITS**

17. Resolution 16-0404.06: Approve an Application for a Social Affair Permit: 8200 Blvd. Corp d/b/a Kubel's Too: June 18, 2016 from 4pm - 8pm at the Kick off to Summer Event

**RESOLUTION 16-0404.06**

**BE IT RESOLVED** that the Board of Commissioners of the Township of Long Beach grants a SPECIAL PERMIT FOR SOCIAL AFFAIR to 8200 Blvd. Corp d/b/a Kubel's Too. This permit will allow 8200 Blvd. Corp d/b/a Kubel's Too to serve alcoholic beverages at the Kick off to Summer event to be held June 18, 2016 between the hours of 4:00 P.M. and 8:00 P.M. at the Kubel's Too Restaurant.

Motion to approve Item 17:

Motion: Lattanzi

Ayes: Lattanzi, Bayard, Mancini

Second: Bayard

Nays:

**PURCHASES, CONTRACTS & AWARDS**

18. Resolution 16-0404.07: Approve an annual Police Off-Duty contract: Effective Jan – Dec 2016: Atlantic City Electric

**RESOLUTION 16-0404.07**

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Township of Long Beach that the Mayor and/or the Municipal Clerk be and they hereby are authorized and directed to execute an annual contract with the following vendor for various Police Off-Duty Services during the 2016 calendar year:

- Atlantic City Electric

19. Resolution 16-0404.08: Approve various Professional Service contracts: Tetra Tech- Water Sampling

**RESOLUTION 16-0404.08**

**RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR 2016 PROFESSIONAL SERVICES**

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

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

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

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

**WHEREAS**, the listed service is a recognized profession, which profession is regulated by law; and

**WHEREAS**, the vendor listed below completed and submitted a Business Entity Disclosure and Political Contribution Disclosure Certification which certify that they have not made any reportable contributions to a political or candidate committee in the Township of Long Beach in the previous one year, and that the contract will prohibit this vendor from making any reportable contributions through the term of the contract; and

**WHEREAS**, the Board of Commissioners of Township of Long Beach has determined and certified in writing that the value of the service may meet or exceed \$17,500.00; and

**WHEREAS**, the Chief Financial Officer has provided certification of the availability of funds as per N.J.A.C. 5:30-5.4.

**NOW, THEREFORE BE IT RESOLVED** that the Board of Commissioners of the Township of Long Beach authorizes the Mayor to enter into a contract from January 1<sup>st</sup> 2016 through December 31<sup>st</sup> 2016 as per specific contract terms with the Professional listed below as described herein; and

<u>NAME</u>	<u>DESCRIPTION OF SERVICES</u>	<u>AMOUNT</u>
Tetra Tech	Ground Water Sampling	Hourly: \$46.00 To: \$341.00

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

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

- 20.** Resolution 16-0404.09(a&b): Authorize the execution of various Shared Services
- a) Borough of Harvey Cedars: Licensed Water Operator services
  - b) Ocean County Prosecutor's Office: Prosecutors Program FY 2016 (Fatal accident investigations, traffic enforcement and education)

**RESOLUTION 16-0404.09(a)**

**RESOLUTION AUTHORIZING AN AMENDMENT TO THE SHARED SERVICE AGREEMENT FOR THE SUPPLY OF POTABLE WATER TO LONG BEACH TOWNSHIP BY THE BOROUGH OF HARVEY CEDARS**

**WHEREAS**, the Township of Long Beach and the Borough of Harvey Cedars executed a Shared Service Agreement for the supply of potable water to a portion of Loveladies section of Long Beach Township effective January 1, 2016 through December 31, 2018; and

**WHEREAS**, it is the desire of the Borough of Harvey Cedars to amend said agreement to include Licensed Water Operator Services provided to the Borough by the Township.

**NOW, THEREFORE BE IT RESOLVED** by the Board of Commissioners of the Township of Long Beach that the Mayor and Municipal Clerk are hereby authorized to execute an amended Shared Service Agreement with the Borough of Harvey Cedars to include the services of Long Beach Township's Licensed Water Operator in accordance with the terms and conditions as described in the attached Amended Agreement effective from January 1, 2016 through December 31, 2018.

**RESOLUTION 16-0404.09(b)**

**A RESOLUTION AUTHORIZING THE RENEWAL OF A SHARED SERVICES AGREEMENT WITH OCEAN COUNTY FOR THE PROSECUTOR'S PROGRAM**

**WHEREAS**, the Shared Services Act, N.J.S.A. 40A:65-1 et seq., authorizes local units as defined in the Act to enter into joint agreements for the provision of governmental services; and

**WHEREAS**, the Township of Long Beach desires to continue to participate in the County of Ocean Police Services Prosecutor's Program formerly known as the Fatal Accident Support Team (F.A.S.T.); and

**WHEREAS**, there is a need for Traffic Safety Officers to attend accidents when a fatality has occurred; and

**WHEREAS**, these Traffic Safety Officers are available through the municipalities within the County of Ocean; and

**WHEREAS**, funds for the Prosecutor's Program are available in the Ocean County 2016 Budget.

**NOW, THEREFORE, BE IT RESOLVED** the Board of Commissioners of the Township of Long Beach does hereby authorize the execution of the Prosecutor's Program Shared Services Agreement effective January 1, 2016 through December 31, 2016 with compensation to the Township set at the rate of sixty (\$55.00) per hour per officer.

**BE IT FURTHER RESOLVED**, certified copies of this Resolution shall be forwarded to the Ocean County Office of the Prosecutor and Department of Finance.

- 21.** Resolution 16-0404.10: Award a contract, per state contract:  
GovDeals: Internet Auctioneering Services  
Two (2) years with one (1) 2-yr option to extend

**RESOLUTION 16-0404.10**

**WHEREAS**, pursuant to New Jersey Department of Community Affairs Local Finance Notice #LFN 2008-9 dated April 28, 2008 approval has been granted for the sale of surplus personal property no longer needed for public use through online auctions by approved vendors; and

**WHEREAS**, Resolution 08-0222.12(c) approved participation by Township of Long Beach in the E-Procurement Pilot Program, waiver requests and online auctions for

disposal of Township surplus property pursuant to the above-noted LFN, and the requirements of N.J.S.A. 40A:11-36; and

**WHEREAS**, GovDeals, Inc., 100 Capitol Commerce Blvd., Suite 110, Montgomery, AL 36117 has been awarded New Jersey State Contract No. A83453, T2581 for Auctioneering Services for Internet Auctions to Sell Surplus Property effective January 29, 2013 to January 28, 2017; and is one of the four vendors approved in LFN#2008-09; and

**WHEREAS**, the Commissioner of Public Works, Parks and Property recommends the utilization of this contract for various items from time to time on the grounds that it represents the most cost effective method for the needs of the Township; and

**WHEREAS**, the Township of Long Beach shall collect and remit payment to GovDeals in accordance with the fee schedule below for the provision of Auctioneering Services for the Online Sale of Surplus Property:

- 7.5% of sales from \$0.00 to \$100,000.00 total
- 5.5% of sales from \$100,000.01 to \$500,000.00 total
- 3.5% for all sales in excess of \$500,000.00

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Township of Long Beach that GovDeals, Inc., 100 Capitol Commerce Blvd., Suite 110, Montgomery, AL 36117 be awarded a contract for Auctioneering Services, upon written request from Long Beach Township for each specified auction date, for the Online Sale of Surplus Property in accordance with the above noted fee schedule. Authorization is also hereby granted for the execution of related documents between Gov Deals and Long Beach Township pursuant to LFN# 2008-09 and NJSA 40A:11-36.

Motion to approve Items 18-21:

Motion: Lattanzi

Ayes: Lattanzi, Bayard, Mancini

Second: Bayard

Nays:

#### **FINANCIAL APPROVALS**

**22.** Resolution 16-0404.11: Approve Bills & Payroll  
Bills in the amount of: \$ 2,394,192.67  
Payroll in the amount of: \$ 825,767.61

#### **RESOLUTION 16-0404.11**

#### **RESOLUTION OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY AUTHORIZING THE PAYMENT OF TOWNSHIP BILLS**

**WHEREAS**, the Chief Financial Officer and various Department Heads of the Township of Long Beach have carefully examined all vouchers presented for the payment of claims; and

**WHEREAS**, after due consideration of the said vouchers, the Board of Commissioners of the Township of Long Beach has approved payment of same; and

**WHEREAS**, Payroll Department has certified and submitted a request for approval of Township payroll in the amount of \$825,767.61 .

**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 \$2,394,192.67 be and the same are hereby authorized to be paid on Monday, April 4, 2016

2. The said approved payroll amounting to the sum of \$ 825,767.61 be and the same are hereby authorized to be paid on Monday, April 4, 2016.

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 Item 22:

Motion: Lattanzi

Ayes: Lattanzi, Bayard, Mancini

Second: Bayard

Nays:

**23.** Resolution 16-0404.12: Authorization to read the 2016 Municipal Budget by title only

#### **RESOLUTION 16-0404.12**

**WHEREAS**, N.J.S.A.40A:4-8 provides that the budget be read by title only at the time of the Public Hearing if a Resolution is passed by not less than a majority of the full governing body, providing that at least one week prior to the date of hearing a complete copy of the approved budget as advertised has been posted in the Municipal Building and copies have been made available by the Clerk to persons requiring them; and

**WHEREAS**, these two conditions have been met.

**NOW, THEREFORE, BE IT RESOLVED** that the Budget shall be read by title only.

MOTION:  
LATTANZI

SECOND:  
BAYARD

ROLL CALL:  
LATTANZI  
BAYARD  
MANCINI

Motion to approve Item 23:

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

Motion to open the Public Hearing for the 2016 Municipal Budget

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

**Commissioner Lattanzi** provided specific information regarding the 2016 Municipal Budget and the challenges faced in order to maintain a stable tax rate. He thanked Auditor Brian Logan, CFO Lisa Jones and Administrator Kyle Ominski for their hard work in preparing the Budget.

**Mayor Mancini** appreciated the efforts of all involved and was pleased with the final budget.

#### PUBLIC HEARING

No Comments

Motion to close the Public Hearing for the 2016 Municipal Budget

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

**24.** Resolution 16-0404.13: Adopt the 2016 Municipal Budget

**Lynda Wells, Municipal Clerk** read the Resolution aloud.

#### RESOLUTION 16-0404.13

**BE IT RESOLVED** by the Board of Commissioners of the Township of Long Beach, County of Ocean that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of \$27,430,000.00 for municipal purposes, and certification to the County Board of Taxation of the following summary of general revenues and appropriations on this 4<sup>th</sup> day of April 2016.

**BE IT FURTHER RESOLVED** the amount to be raised by taxes for support of the municipal budget is \$18,050,015.00.

Motion to approve Item 24:

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

**Mayor Mancini** stated the Treasurer's Report for the month of February 2016 was on file in the Municipal Clerk's Office.

**Kyle Ominski, Administrator** provided an update on the Army Corp of Engineers Beach Replenishment Project Schedule to the Public.

#### COMMISSIONERS' REPORTS

**Commissioner Lattanzi** had no comments.

**Commissioner Bayard** announced April 16<sup>th</sup> was Hazardous Waste Day in Stafford Township. Those interested in disposing of hazardous items would need to call for an appointment in advance.

**Mayor Mancini** stated the next meeting of the Land Use Board would be held on Wednesday, April 6, 2016 at 7:00 pm in the upstairs multi-purpose room. Second Reading and Public Hearings for Ordinances 16-15, 16C, 17C and 18 would take place at the public meeting held on May 2, 2016 at 4:00 pm. He announced the Long Beach Township Office of Emergency Management was making application for a "966 Grant", in the amount of \$14,000. The money would be used to install two underground propane tanks, which if needed, would keep the generator operational and power the entire Long Beach Municipal complex, including the Administrative offices and Police Department should gas lines fail or become compromised.

#### OPEN PUBLIC SESSION

**Donn O'Brien/Brant Beach** asked for additional information regarding Resolution 16-0404.03. He asked for an exact schedule for the Army Corp of Engineer Project.

**Mayor Mancini** explained a legislator from Mercer County has proposed the merging of the six Long Beach Island Municipalities into a single municipality. The Mayor noted all Island Municipalities shared many services and the local tax rates were some of the lowest in New Jersey. For these reasons, the Board of Commissioners opposed the merging of municipalities as there would be no real financial benefit.

**Kyle Ominski, Administrator** provided Mr. O'Brien with the most recent information received by Long Beach Township from the ACE, but noted the schedule was subject to change due to weather or equipment considerations.

**Linda Feaster, Ocean County Librarian: Surf City Branch** spoke of the many resources available in the library and thanked the Commissioners for Proclaiming National Library Week.

**Joni Bakum, Brant Beach** noted various events the Library would host during the 2016 Summer Season.

**CLOSE PUBLIC SESSION**

Motion for adjournment at: 4:32 p.m.

Motion: Lattanzi

Ayes: Lattanzi, Bayard, Mancini

Second: Bayard

Nays:

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Lynda J. Wells, RMC  
Municipal Clerk

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Joseph H. Mancini, Mayor

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Ralph H. Bayard, Commissioner

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Dr. Joseph P. Lattanzi, Commissioner