

MINUTES
REGULAR SESSION BOARD OF COMMISSIONERS AUGUST 1, 2016

Flag Salute

Meeting called to order: 4:02 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

ORDINANCES & PUBLIC HEARINGS

1. Second Reading Ordinance 16-33C: **AN ORDINANCE AMENDING AN ORDINANCE ENTITLED, "CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, (1997)" IN CHAPTER 193 PERTAINS TO THE STORAGE OF RECREATIONAL VEHICLES**

ORDINANCE 16-33C

AN ORDINANCE AMENDING AN ORDINANCE ENTITLED, "CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, (1997)" IN CHAPTER 193 PERTAINS TO THE STORAGE OF RECREATIONAL VEHICLES

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

STATEMENT OF PURPOSE

This Ordinance provides additional storage, set back, and occupancy regulations for various Recreational Vehicles on residential and commercial properties.

SECTION I

§193-2. Parking and storage at residential lots. is hereby amended as follows:

In the first sentence, delete "Between Nov. 1st and May 31st of each calendar year," and amend the next word "it" to "It".

SECTION II

§193-2. Subsections H and I are hereby added as follows:

- H. A recreational vehicle may be stored in the front yard of a lot provided that it shall:
 - (1) Not exceed the dimensions of the structure or 30" in length, whichever is less.
 - (2) Shall comply with the minimum accessory setbacks of the lot.
 - (3) Shall not be stored or parked in any manner in any front yard that creates a sight obstruction for pedestrian, bicycle, or vehicular traffic.
- I. For purposes of the restrictions on the limited number of recreational vehicles permitted to be stored on residential lots, when a boat or jet ski are stored on a boat or jet ski trailer in compliance with the number of boats and jet skis the trailer is designed to support, the boat or jet ski and trailer shall count as 1 Recreational Vehicle together. A trailer without any boat or jet ski stored upon it shall count as 1 independent and separate recreational vehicle.

SECTION III

§193-3. Subsection A(5) is hereby added as follows:

- (5) shall not be stored or parked in any manner in any front yard that creates a sight obstruction for pedestrian, bicycle, or vehicular traffic.

SECTION IV

§193-5. Prohibitive storage. Is hereby repealed.

SECTION VI

All Ordinances or parts of Ordinances inconsistent herewith are 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.

SECTION VIII

This Ordinance shall take effect upon publication thereof after final passage according to law. Passed on first reading at a regular meeting held on July 11, 2016 and advertised in the BEACH HAVEN TIMES issue of July 14, 2016.

OPEN PUBLIC HEARING

No Comment

CLOSE PUBLIC HEARING

Motion to adopt Ordinance 16-33C on Second Reading:

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

2. Second Reading Ordinance 16-34: **AN ORDINANCE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY, APPROPRIATING \$75,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT FUND OF THE PURCHASE OF TRUCK LIFT AND ACCESSORIES FOR THE PUBLIC WORKS DEPARTMENT**

TOWNSHIP OF LONG BEACH, NEW JERSEY

ORDINANCE NO. 16-34

AN ORDINANCE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY, APPROPRIATING \$75,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT FUND FOR THE PURCHASE OF TRUCK LIFT AND ACCESSORIES FOR THE PUBLIC WORKS DEPARTMENT.

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

Section 1. There is hereby appropriated from the General Capital Improvement Fund the sum of \$75,000.00 to provide funding for the purchase of a truck lift and accessories to help with the maintenance and repairs of the Township buses.

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

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

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

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

Date of Introduction: July 11, 2016

Date of Final Adoption: August 1, 2016

Passed on first reading at a regular meeting held on July 11, 2016 and advertised in the BEACH HAVEN TIMES issue of July 14, 2016.

OPEN PUBLIC HEARING

No Comment

CLOSE PUBLIC HEARING

Motion to adopt Ordinance 16-34 on Second Reading:

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

3. First Reading Ordinance 16-35C: **AN ORDINANCE AMENDING AN ORDINANCE ENTITLED, "CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, (1997)" IN CHAPTER 189 PERTAINS TO PARKING**

Motion to approve Ordinance 16-35C on First Reading:

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

4. First Reading Ordinance 16-36C: **AN ORDINANCE AMENDING AN ORDINANCE ENTITLED, "CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, (1997)" IN CHAPTER 5 PERTAINING TO ADMINISTRATION**

Motion to approve Ordinance 16-36C on First Reading:

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

5. First Reading Ordinance 16-37C: **AN ORDINANCE AMENDING AN ORDINANCE ENTITLED, "CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY (1997)," IN CHAPTER 82 PERTAINS TO WATER AND SEWER PAYMENTS**

Motion to approve Ordinance 16-37C on First Reading:

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

ADOPTIONS & APPROVALS

6. Resolution 16-0801.01: Appoint Municipal Registrars of Vital Statistics
RESOLUTION 16-0801.01

BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach, County of Ocean, State of New Jersey, that Sharon Bongiovani be designated as Registrar of Vital Statistics for the Township of Long Beach, effective August 1, 2016 for a term of 3 (three) years; and

BE IT FURTHER RESOLVED that the Board of Commissioners of the Township of Long Beach do hereby designate Katlyn Forsyth as Deputy Registrar of Vital Statistics for the Township of Long Beach, effective August 1, 2016 for a term of 3 (three) years; and

BE IT FURTHER RESOLVED that the Board of Commissioners of the Township of Long Beach do hereby designate Kyle Ominski as Alternate Deputy Registrar of Vital Statistics for the Township of Long Beach, effective August 1, 2016 for a term of 3 (three); and

BE IT FINALLY RESOLVED that the Board of Commissioners of the Township of Long Beach do hereby designate Lynda Wells as Sub-Registrar of Vital Statistics for the Township of Long Beach, effective August 1, 2016 for a term of 3 (three).

7. Resolution 16-0801.02: Authorize parking regulations for the Long Beach Island Garden Club: Suspend no parking regulations on Beach Avenue in the area of New Jersey & Indiana Avenues from September 2016 through April 2017 for monthly meetings held at the First United Methodist Church.

RESOLUTION 16-0801.02

WHEREAS, the Terrace First United Methodist Church has approved the use of their building for scheduled meetings of the Garden Club of Long Beach Island (10:00 a.m. thru 3:00 p.m.), wherein temporary conditions shall exist causing the need to suspend the No Parking regulations on Beach Avenue in the area of New Jersey and Indiana Avenues on the following dates:

- Thursday, September 8, 2016
- Thursday, October 13, 2016
- Thursday, November 10, 2016
- Thursday January 12, 2017
- Thursday, February 9, 2017
- Thursday, March 9, 2017
- Thursday, April 13, 2017
- Thursday, May 11, 2017

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 allowances as requested.

8. Resolution 16-0801.03(a-f): Approve various special events:
- a) DQ Events: Swim-Run Splash & Dash Thursday, Aug 18th; 5:00 pm to 8:00 pm
DQ Events Triathlon: Sunday, Sept 18th; 5:00am to 11:00am via Bayview Park on Long Beach Blvd, Bayview Ave, and 68th Street
 - b) 70th Annual World Series of Surf Fishing Tournament: Saturday, September 24th; 6am-1pm
 - c) Cycle 4 Awareness: Bike-a-thon Sunday, Sept 25th; 8am-2pm on Long Beach Blvd.
 - d) Beautiful Yoga Company: Yoga Instruction - August 4,5,6,11,12,13, 2016; 9-10am at the Nevada Street Beach
 - e) Bowkers South Beach Deli: August 11,2016; 6-8pm at Holgate Parking Lot
 - f) Holgate Taxpayers Assn: September 10, 2016; 5-8pm at Holgate Tennis Courts

RESOLUTION 16-0801.03(a)

WHEREAS, the Board of Commissioners of the Township of Long Beach have received and reviewed applications for the below-listed events:

WHEREAS, to accommodate the triathlon participants, Long Beach Boulevard will be closed to traffic between the hours of 5:00am to 11:00am between 67th Street and 114th Street; and

- DQ Events: Splash & Dash and SUP & Dash on Thursday, August 18, 2016 between the hours of 5:00 pm and 8:00 pm in Bayview Park and portions of Long Beach Blvd from 54th to 68th Streets, Brant Beach. The southbound right lane of Long Beach Blvd. shall be closed to traffic 5:00 pm to 8:00 pm from 64th Street to 70th Street in order to accommodate the safe passage of participants.
- DQ Events: USA Triathlon on Sunday, September 18, 2016 between the hours of 5:00 am and 11:00 am in Bayview Park and portions of Long Beach Blvd from 67th St., Brant Beach, to 114th Street, Beach Haven Park. Long Beach Blvd. shall be closed to traffic 6:00 am to 11:00 am from 66th Street to 118th Street in order to accommodate the safe passage of participants.

NOW, THEREFORE, BE IT RESOLVED, the Board of Commissioners of the Township of Long Beach does hereby approve the events and traffic regulations as noted above.

RESOLUTION 16-0801.03(b)

WHEREAS, the Long Beach Island Fishing Club is holding its 70th Annual "World Series of Surf Fishing Invitational Tournament", on Saturday, September 24, 2016 between the hours of 6:00 a.m. and 1:00 p.m.; and

WHEREAS, permission has been requested for portions of the tournament to take place in the North Beach and Loveladies sections of the Township.

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

RESOLUTION 16-0801.03(c)

WHEREAS, the following event is scheduled to be held in the Township of Long Beach as follows:

HOST	DESCRIPTION	TIME & DATE(S)
Cycle 4 Awareness	Bike-Athon	September 25, 2016 9am-2pm

Barneget Light to Holgate via Long Beach Blvd.

WHEREAS, all the necessary and required insurance documents have been submitted, received and are on file with the Township of Long Beach.

NOW, THEREFORE BE IT RESOLVED, that the Board of Commissioners of the Township of Long Beach does hereby grant permission for the above cited event.

RESOLUTION 15-0801.03(d)

NOW, THEREFORE, BE IT RESOLVED the Board of Commissioners of the Township of Long Beach have received and reviewed applications for the below-listed events:

HOST	DESCRIPTION	TIME & DATE(S)
Beautiful Yoga Company	Yoga Instruction	August 4-6, 2016
Nevada Street Beach, Haven Beach	August 11-13 2016	9am-10am

WHEREAS, all the necessary and required insurance documents have been submitted, received and are on file with the Township of Long Beach.

NOW, THEREFORE BE IT RESOLVED, that the Board of Commissioners of the Township of Long Beach does hereby grant permission for the above cited event.

RESOLUTION 15-0801.03(e)

NOW, THEREFORE, BE IT RESOLVED the Board of Commissioners of the Township of Long Beach have received and reviewed applications for the below-listed events:

HOST	DESCRIPTION	TIME & DATE(S)
Bowkers South Beach Deli	Beach Social Family fun	August 11, 2016
¼ of Holgate Parking Lot	6pm-8pm	

WHEREAS, all the necessary and required insurance documents have been submitted, received and are on file with the Township of Long Beach.

NOW, THEREFORE BE IT RESOLVED, that the Board of Commissioners of the Township of Long Beach does hereby grant permission for the above cited event.

RESOLUTION 15-0801.03(f)

WHEREAS the Board of Commissioners of the Township of Long Beach have received and reviewed applications for the below-listed events:

- Holgate Taxpayers Association: Annual BBQ & Semi-Annual Membership Meeting on September 10th at the Holgate Tennis Court Area from 5:00 pm to 8:00 pm

WHEREAS, all the necessary and required insurance documents have been submitted, received and are on file with the Township of Long Beach.

NOW, THEREFORE BE IT RESOLVED, that the Board of Commissioners of the Township of Long Beach does hereby grant permission for the above cited event.

9. Resolution 16-0801.04: Approve various personnel matters

RESOLUTION 16-0801.04

Beach Patrol

Hire the following employee as Seasonal Beach Badge Seller/Checkers at the rate of \$8.50 per hour to be paid from Beach Badge Salary & Wage effective retroactive to July 12, 2016.

Shannon Boyle Michael Stepanski Luke Orlando

Hire the following employee as a Seasonal Beach Badge Seller/Checker at the rate of \$8.50 per hour to be paid from Beach Badge Salary & Wage effective retroactive to July 20, 2016.

Robert Thomas

Hire the following employee as a Seasonal Lifeguard at the rate of \$78.33 per day to be paid from Lifeguard Salary & Wage effective retroactive to June 18, 2016.

Nicholas Delfico

Hire the following employees as Seasonal Beach Badge Sellers/Checkers at the rate of \$8.90 per hour to be paid from Beach Badge Salary & Wage effective retroactive to July 12, 2016.

Mariell Conwell Will Herte

Hire the following employee as a Seasonal Lifeguard at the rate of \$78.33 per day to be paid from Lifeguard Salary & Wage effective retroactive to July 18, 2016.

Katherine Kazaba Nicholas Delfico

Hire the following employee as a Seasonal Part-Time Lifeguard at the rate of \$90.00 per day to be paid from Lifeguard Salary & Wage effective retroactive to June 18, 2016.

Allison Linkevich

Construction

Approve the donation of 35 hours of sick time from Beth Brewster to Linda Middleton as per Ordinance 08-43.

Approve the donation of 35 hours of sick time from Marianne Murphy to Linda Middleton as per Ordinance 08-43.

Approve the donation of 35 hours of sick time from Katy Browne to Linda Middleton as per Ordinance 08-43.

Approve the donation of 35 hours of sick time from Deb Thompson to Linda Middleton as per Ordinance 08-43.

Approve the donation of 35 hours of sick time from Joan Kearney to Linda Middleton as per Ordinance 08-43.

Approve the donation of 35 hours of sick time from Leslie Krueger to Linda Middleton as per Ordinance 08-43.

Approve the donation of 35 hours of sick time from Susan LeVance to Linda Middleton as per Ordinance 08-43.

Approve the donation of 35 hours of sick time from Kimberely Walker to Linda Middleton as per Ordinance 08-43.

Approve the donation of 28 hours of sick time from Kyle Ominski to Linda Middleton as per Ordinance 08-43.

Approve the donation of 28 hours of sick time from Chris Connors to Linda Middleton as per Ordinance 08-43.

Transportation

Hire the following employee as a Part-Time Seasonal Bus Driver at the rate of \$14.00 per hour to be paid from Transportation Salary & Wage effective retroactive to July 17, 2016.

Kevin Lanahan

Change the following employee's rate of pay to \$13.00 per hour to be paid from Transportation Salary & Wage effective July 23, 2016.

Noreen McGowan

Hire the following employees as Seasonal Part-Time drivers at the rate of \$10.00 per hour to be paid from Transportation Salary & Wage effective retroactive to July 30, 2016.

Leslie Houston Malinda Fritz

Water/Sewer

Hire the following employee as a Seasonal Part-Time Laborer 1 at the rate of \$10.00 per hour to be paid from Water/Sewer Salary & Wage effective July 16, 2016.

Zachary Oddo

Hire the following employee as a Permanent Full-Time Laborer 1 with a base salary of \$30,000 to be paid from Water/Sewer Salary & Wage effective August 1, 2016.

Bruce Caporusso

10. Resolution 16-0801.05: Support Governor Christie's Fairness Formula

RESOLUTION 16-0801.05

RESOLUTION OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY SUPPORTING GOVERNOR CHRISTIE'S FAIRNESS FORMULA

WHEREAS, the state currently gives about \$9.1 billion dollars in direct support to its districts using a weighted constitutionally mandated formula; and

WHEREAS, of that \$9.1 billion about \$5.1 billion goes to 31 districts while the other \$4 billion goes to the remaining 546 districts; and

WHEREAS, Governor Christie's proposal would dramatically reallocate that money giving every district the same per-pupil aid and eliminating the extra funding for certain students, with the exception of money for special education students; and

WHEREAS, the reallocation will help reduce New Jersey's highest in-the nation property taxes while ending the overabundance of funding to urban districts with low graduation rates; and

WHEREAS, Governor's Christie's proposal would provide \$6499 per student to every district.

NOW THEREFORE BE IT RESOLVED by the Board of Commissioners for the Township of Long Beach supports Governor Christie's Fairness Formula as it would alleviate the school tax burden on Long Beach Township residents and disperse state aid fairly to all school districts throughout New Jersey.

BE IT FURTHER RESOLVED that a certified copy of this resolution be sent to the following:

WHEREAS, the Local Bond Law, constituting Chapter 169 of the Laws of the State of New Jersey ("State"), as amended and supplemented, N.J.S.A. 40A:2-51 *et seq.* ("Local Bond Law"), authorizes municipalities to issue refunding bonds to fund temporary emergency appropriations, including the Appropriation; and

WHEREAS, on February 1, 2013, the Board of Commissioners introduced a refunding bond ordinance entitled "REFUNDING BOND ORDINANCE PROVIDING FUNDS TO PAY A SPECIAL EMERGENCY APPROPRIATION (HURRICANE SANDY); AUTHORIZING THE ISSUANCE OF UP TO \$5,000,000 OF GENERAL OBLIGATION REFUNDING BONDS OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY, TO FINANCE THE COSTS THEREOF; MAKING CERTAIN DETERMINATIONS AND COVENANTS IN CONNECTION THEREWITH; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING" ("Refunding Bond Ordinance"); and

WHEREAS, pursuant to N.J.S.A. 40A:2-51 *et seq.*, the Local Finance Board, Division of Local Government Services, New Jersey Department of Community Affairs ("Local Finance Board"), at a meeting held on March 13, 2013, adopted a resolution authorizing the Township to finally adopt the Refunding Bond Ordinance; and

WHEREAS, on March 1, 2013, the Board of Commissioners, after a public hearing, finally adopted the Refunding Bond Ordinance; and

WHEREAS, pursuant to the Refunding Bond Ordinance, the Township is authorized to issue its refunding bond anticipation notes, in the aggregate principal amount of up to \$5,000,000 to fund the Appropriation; and

WHEREAS, the Township has heretofore issued its refunding bond anticipation notes in the principal amount of \$4,333,000 ("Prior Notes") to finance the costs of the Appropriation; and

WHEREAS, the Prior Notes mature on September 1, 2016; and

WHEREAS, it is the intent of the Board of Commissioners hereby to authorize and approve the issuance and sale of its refunding bond anticipation notes in the principal amount of up to \$3,833,000 to pay a portion of the principal of the Prior Notes at maturity ("Notes"); and

WHEREAS, it is necessary for the Township to adopt this resolution to authorize and effectuate the issuance and sale of said Notes.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE TOWNSHIP OF LONG BEACH, IN THE COUNTY OF OCEAN, STATE OF NEW JERSEY (NOT LESS THAN TWO-THIRDS OF ALL THE MEMBERS THEREOF AFFIRMATIVELY CONCURRING), AS FOLLOWS:

Section 1. Pursuant to the Local Bond Law, the issuance of refunding bond anticipation notes of the Township, to be designated, substantially, "Township of Long Beach, County of Ocean, New Jersey, Refunding Bond Anticipation Note of 2016, Series A" ("Notes"), in an aggregate principal amount of up to \$3,833,000, is hereby authorized and approved.

Section 2. The Notes shall be dated the date of delivery thereof and mature no later than one year from said date. The Notes will not be subject to redemption prior to maturity but may be renewed from time to time, subject to the terms of the Refunding Bond Ordinance. The Notes shall be issued in bearer or registered form in minimum denominations of \$100,000 or greater and shall be in the form permitted by the Local Bond Law and as Bond Counsel shall approve.

Section 3. The Notes shall be executed in the name of the Township by the manual or facsimile signature of the Mayor and Chief Financial Officer, and shall be under the corporate seal of the Township affixed, imprinted, or reproduced thereon, and attested by the manual signature of the Township Clerk or Deputy Township Clerk.

Section 4. The Chief Financial Officer, with the assistance of the law firm of Parker McCay P.A., Bond Counsel, is hereby authorized and directed to award and sell the Notes at a public or private sale at a price of not less than par, and to deliver the same to the purchaser thereof upon receipt of payment of the purchase price plus accrued interest (if any) from the dated date of the Notes to the date of delivery thereof.

Section 5. At the next meeting after the sale of the Notes, the Chief Financial Officer is authorized and directed to report, in writing, to the Board of Commissioners, the principal amount, rate of interest and name of the purchaser of the Notes.

Section 6. The Notes shall be general obligations of the Township. The full faith and credit of the Township are irrevocably pledged to the punctual payment of the principal of and interest on the Notes 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 7. The Township hereby covenants that it will not make any use of the proceeds of the Notes or do or suffer any other action that would cause: (i) the Notes to be "arbitrage bonds" as such term is defined in Section 148(a) of the Internal Revenue Code of 1986, as amended ("Code") and the Regulations promulgated thereunder; (ii) the interest on the Notes to be included in the gross income of the owners thereof for federal income taxation purposes; or (iii) the interest on the Notes to be treated as an item of tax preference under Section 57(a)(5) of the Code.

Section 8. The Township hereby covenants as follows: (i) 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 (ii) it shall take no action that would cause the Notes to be "federally guaranteed" within the meaning of Section 149(b) of the Code.

Section 9. The Township hereby covenants that it shall make, or cause to be made, the rebate required by Section 148(f) of the Code in the manner described in Treasury Regulation Sections 1.148-1 through 1.148-11, 1.149(b)-1, 1.149(d)-1, 1.149(g)-1, 1.150-1 and 1.150-2, as such regulations and statutory provisions may be modified insofar as they apply to the Notes.

Section 10. The Township hereby designates the Notes as "qualified tax-exempt obligations" as defined in and for the purposes of Section 265(b)(3) of the Code. For purposes of this designation, the Township hereby represents that it reasonably anticipates that the amount of tax-exempt obligations to be issued by the Township during the period from January 1, 2016 to December 31, 2016, and the amount of obligations designated as "qualified tax-exempt obligations" by it, will not exceed \$10,000,000 when added to the aggregate principal amount of the Notes.

For purposes of this Section 10, the following obligations are not taken into account in determining the aggregate principal amount of tax-exempt obligations issued by the Township: (i) a private activity bond as defined in Section 141 of the Code (other than a qualified 501(c)(3) bond, as defined in Section

145 of the Code); and (ii) any obligation issued to currently refund any other tax-exempt obligation (other than to advance refund within the meaning of Section 149(d)(5) of the Code) as provided in Section 265(b)(3)(c) of the Code.

Section 11. All actions heretofore taken and documents prepared or executed by or on behalf of the Township by the Mayor, Chief Financial Officer, Township Clerk, Deputy Township Clerk, other Township officials or by the Township's professional advisors, in connection with the issuance and sale of the Notes are hereby ratified, confirmed, approved and adopted.

Section 12. The Mayor, Chief Financial Officer, Township Clerk and Deputy Township Clerk are each hereby authorized and directed to determine all matters and execute all documents and instruments in connection with the Notes not determined or otherwise directed to be executed by the Local Bond Law or by this or any subsequent resolution, and the signatures of the Mayor, Chief Financial Officer, Township Clerk and Deputy Township Clerk, on such documents or instruments shall be conclusive as to such determinations.

Section 13. All resolutions or parts thereof, inconsistent herewith are hereby rescinded and repealed to the extent of any such inconsistency.

Section 14. This resolution shall take effect immediately upon adoption this 1st day of August, 2016.

Passed On: August 1, 2016

Exhibit "A"

Ordinance Number	Notes Authorized	Notes Outstanding	Available Amount	Notes to be Issued
13-03	\$5,000,000	\$4,333,000	\$500,000	\$3,833,000

18. Resolution 16-0801.13: Approve various fees: Trolley Rentals and Equipment Rack Rentals

RESOLUTION 16-0801.13

RESOLUTION OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY SETTING VARIOUS RENTAL RATES FOR BAYVIEW PARK RECREATIONAL APPARATUS RACKS AND MUNICIPAL TRANSPORTATION VEHICLES

WHEREAS, pursuant to and in accordance with state law, the Township of Long Beach created and implemented a Municipal Transportation System ("LBI Shuttle") by and through the adoption of Ordinance 14-07C; and

WHEREAS, pursuant to Ordinance 14-07C and in accordance with state law, the Township of Long Beach has elected to contract with third-parties for their destination and fee-based use of the shuttle buses that comprise the LBI Shuttle during the off-season from Labor Day to Memorial Day ("Off-Season Shuttle"); and

WHEREAS, the Township of Long Beach finds and declares that the Off-Season Shuttle shall provide additional support to the LBI Shuttle and shall support the public health, welfare, safety, as well as provide additional economic benefits to the businesses, citizens, and visitor of Township of Long Beach and Long Beach Island region as a whole; and

WHEREAS, the Board of Commissioners sets the fee for the Off-Season Shuttle as follows:

- (1) Trolley Bus: 2-hour minimum \$300.00
- Each Additional hour \$75.00; and

WHEREAS, recent improvements to Bayview Park in the Brant Beach section of the Township of Long Beach included the construction of recreational equipment storage racks; and

WHEREAS, the Board of Commissioners sets the fee for the seasonal rental of recreational equipment storage racks as follows:

- (1) Storage Rack: May 1st through October 1 \$200.00; and

WHEREAS, any recreational equipment stored in Bayview Park racks that has not been removed prior to October 11th shall be deemed abandoned and offered for public auction pursuant to N.J.S.A.40A:157(a).

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of the Township of Long Beach hereby authorizes the above-noted fees and regulations effective through December 31, 2016.

19. Resolution 16-0801.14: Chapter 159: Pedestrian Safety \$15,000

RESOLUTION 16-0801.14

RESOLUTION OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING AN AMENDMENT TO THE 2016 BUDGET TO ALLOW FOR THE INSERTION OF A SPECIAL ITEM OF REVENUE AND APPROPRIATION PURSUANT TO N.J.S.A. 40A:4-87 (CHAPTER 159) PEDESTRIAN SAFETY, EDUCATION & ENFORCEMENT

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 System for Administering Grants Electronically have allocated \$15,000.00 for Pedestrian Safety Education and Enforcement; and

WHEREAS, it is the desire of the Board of Commissioners of the Township of Long Beach to amend the 2016 Municipal Budget to provide for the insertion of this reimbursement as a source of revenue and an expenditure appropriation.

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

- 1. That the Board of Commissioners does hereby authorize an amendment to the 2015 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:

Pedestrian Safety, Education and Enforcement: \$15,000.00

- 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:

Pedestrian Safety, Education and Enforcement: [\$15,000.00

- 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.

- 20. Resolution 16-0801.15: Approve change order >20%: P&A Construction – Change Order #3: \$142,113.16

RESOLUTION 16-0801.15

RESOLUTION AUTHORIZING CHANGE ORDER #3 FOR THE 2012 SUPER STORM SANDY RECONSTRUCTION PROJECT-SANITARY SEWER REPLACEMENT-HOLGATE PROJECT IN THE TOWNSHIP OF LONG BEACH

WHEREAS, N.J.A.C. 5:30-11.9 et seq. provides for a procedure wherein a contract previously awarded may be increased more than 20%; and

WHEREAS P & A Construction Co., Inc. was awarded a contract for the 2012 Holgate Sewer Main Installation Project in the Township of Long Beach in the amount of Three Million, Six Hundred Sixty-Seven Thousand, Nine Hundred Forty-Four Dollars and Forty-Six Cents (\$3,667,944.46) as per Resolution 14-1024.08; and

WHEREAS, based on the actual project, changes to the scope of the project resulting in unexpected additional costs were incurred which exceeded 20% of the original contract; and

WHEREAS, those changes resulted in the following Change Orders:

- Change Order #1: \$147,762.84 approved pursuant to Resolution 15-0710.14 @
- Change Order #2: \$609,766.27 approved pursuant to Resolution 16-0307.16(a)

WHEREAS, additional work was required to mitigate and repair collapsed water mains, stabilize and pave of the associated roadway, and abate unforeseen surface conditions which has resulted in Change Order #3 of the original contract and has been approved and certified by the Municipal Engineer. Said detailed Certification contains all the facts associated with this Change Order in accordance with state statutes and is attached hereto; and

WHEREAS, the Chief Financial Officer of the Township of Long Beach has issued a Certificate of Availability of Funds in the appropriation created by: Ordinance 15-03: Supp Holgate Pump Station – Account #U-08-55-970-901 in the amount of \$107,069.98, and Ordinance 14-04: Repairs to Holgate Sew/Pump Account #U-08-55-961-951 in the amount of \$35,043.18.

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 1st day of August 2016 that P & A Construction Co., Inc, P.O. Box 28, Colonia, NJ 07067 be and is hereby awarded Change Order #3 in the amount of One Hundred Forty Two Thousand, One Hundred Thirteen Dollars and Sixteen Cents (\$142,113.16), representing a 3.87% increase over the original contract price, for payment of the work required to complete the 2012 Super Storm Sandy Reconstruction Project-Sanitary Sewer Replacement-Holgate Project for the Township of Long Beach.

BE IT FURTHER RESOLVED by the Board of Commissioners that the Municipal Clerk is hereby directed to have published in the official newspaper at least once, a notice indicating the amount awarded to Mathis Construction and a brief description of why it was necessary to expend such additional funds; and

BE IT FURTHER RESOLVED that the Municipal Clerk is hereby directed to maintain a copy of said advertisement for public inspection.

- 21. Resolution 16-0801.16: Approve Bills & Payroll
Bills in the amount of: \$ 6,513,970.78
Payroll in the amount of: \$ 1,463,647.25

RESOLUTION 16-0801.16

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

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

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

WHEREAS, Payroll Department has certified and submitted a request for approval of Township payroll in the amount of \$1,463,647.25.

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 \$6,513,970.78 be and the same are hereby authorized to be paid on Monday, August 1, 2016.
- 2. The said approved payroll amounting to the sum of \$ 1,463,647.25 be and the same are hereby authorized to be paid on Monday, August 1, 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 Items 17 thru 21:

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

COMMISSIONERS' REPORTS

Commissioner Lattanzi thanked Health Officer Dan Krupinski for a successful "Choose Your Cover" annual skin cancer screening event. He provided information regarding the popular and heavily utilized free Trolley and Gator Services for residents and visitors. He thanked the public for their generous donations that are necessary to keep these services viable.

Commissioner Bayard had no comments.

Mayor Mancini announced the next meeting of the Land Use Board would be held on Wednesday, August 10th at 7:00 pm in the upstairs multi-purpose room. Second Reading and Public Hearing for Ordinances 16-35C, 36C & 37C would take place at the public meeting held on Thursday, September 15, 2016 at 4:00 pm. The Mayor reminded the public Tuesday, August 2nd was National Night Out and the event would take place at Bayview Park. He noted that immediately following this meeting, the new Municipal Park in front of the Administration Building would be officially opened and the Gazebo would be dedicated to the Memory of Bill Kunz. Mr. Kunz passed away unexpectedly in late 2015. He had been the President of the Brant Beach Taxpayers Association and dedicated his time, energy and expertise to many civic projects. He was a man of conviction who deeply cared for Long Beach Township and all of Long Beach Island; he strove to make our community a better place, and succeeded.

OPEN PUBLIC SESSION

Bill Hutson/Holgate thanked the Commissioners for the well-deserved recognition of Bill Kunz.

Don O'Brien/Brant Beach advised there was a movement underway to bring the Surfflight Theatre back to Long Beach Island. He noted the many positive accomplishments of the Theatre over its long history on Long Beach Island and the numerous happy memories held by all who attended its productions.

Mayor Mancini supported efforts to restore the Theatre and hoped it would soon be once again available for the public to enjoy.

CLOSE PUBLIC SESSION

Motion for adjournment at: 4:20 p.m.

Motion: Lattanzi

Ayes: Lattanzi, Bayard, Mancini

Second: Bayard

Nays:

Lynda J. Wells, RMC
Municipal Clerk

Joseph H. Mancini, Mayor

Ralph H. Bayard, Commissioner

Dr. Joseph P. Lattanzi, Commissioner