

MINUTES
REGULAR SESSION **BOARD OF COMMISSIONERS** **NOVEMBER 9, 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 October 20, 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 16-43: **AN ORDINANCE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY, APPROPRIATING \$300,000 FROM THE CAPITAL IMPROVEMENT FUND (UTILITY CAPITAL ACCOUNT) FOR IMPROVEMENTS TO THE BEACH HAVEN TERRACE WATER TREATMENT PLANT TOWNSHIP OF LONG BEACH, NEW JERSEY
 ORDINANCE NO. 16-43**

AN ORDINANCE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY, APPROPRIATING \$300,000 FROM THE CAPITAL IMPROVEMENT FUND (UTILITY CAPITAL ACCOUNT) FOR IMPROVEMENTS TO THE BEACH HAVEN TERRACE WATER TREATMENT PLANT

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 Capital Improvement Fund (Utility Capital Account) the sum of \$300,000 for the improvements to the Beach Haven Terrace Water Treatment Plant which will include electrical upgrades.

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

Section 3. The capital budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith, and the resolution promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services, is on file with the Municipal 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 All ordinances, or parts of ordinances, inconsistent herewith are hereby repealed to the extent of such inconsistency.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.

Passed on first reading at a regular meeting held on October 3, 2016 and advertised in the BEACH HAVEN TIMES issue of October 6, 2016.

OPEN PUBLIC HEARING
 No Comment
 CLOSE PUBLIC HEARING

Motion to adopt Ordinance 16-43 on Second Reading:

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

2. Resolution 16-1109.01: Authorize the cancellation of various Capital Ordinances

RESOLUTION 16-1109.01

WHEREAS, certain General Capital Improvement and Utility Capital Improvement appropriation balances remain dedicated to projects now completed; and

WHEREAS, it is necessary to formally cancel said balances so that unexpended balances may be returned to each respective Capital Improvement Fund, credited to Surplus, or Reserve for Debt Service, and unused debt authorizations may be cancelled.

NOW, THEREFORE BE IT RESOLVED, by the Board of Commissioners of the Township of Long Beach that the following unexpended and dedicated balances of General Capital Appropriations and Utility Capital Appropriations be cancelled effective November 9, 2016:

CAPITAL RESERVES	AMOUNT
	CANCELLED
New Trailer Acquisition	\$ 4,996.82
Purchase Bucket Truck	\$ 15,000.00
Purchase Pick-up Truck-BP	\$ 2,251.00
Purchase of Sand Bags	\$ 25,000.00
Lighting-Mun Park Lot	\$ 2,382.77

GENERAL CAPITAL:

ORDINANCE	PROJECT	AMOUNT
NO.	DESCRIPTION	CANCELLED
12-22	Repairs to Police Roof	\$ 1,202.12
12-28	Repl Eqp/Lighting	\$ 9,278.99
13-15	Grounding/Lightning	\$105,814.87
13-30	Recons Indiana Ave	\$ 45,748.19

13-37	Install Windows-Add'l	\$ 6,504.57
14-08	Ground/Lightning Protection	\$178,142.00
14-22	Purchase of Property	\$ 39,750.88
15-22	Town Hall Landscape	\$ 8,051.00
15-35	Purch Enforsys/CAD system	<u>\$ 2,223.56</u>
		\$397,087.32

UTILITY CAPITAL

ORDINANCE NO.	PROJECT DESCRIPTION	AMOUNT CANCELLED
08-23	Acq of Meter Reading Comp	\$ 10,000.00
09-25	Acq Valves for Water Mains	\$ 30,780.78
09-26	Acq of Meter Reading Eqp	\$ 39,917.99
11-45	Rpl Sewer Mains (NJEIT S-04)	\$190,765.77
11-46	Rpl Water Mains (NJEIT W-11)	\$697,503.95
12-20	Const of Salt Dome	\$264,475.87
13-31	Water Mains-Indiana	\$ 54,359.79
13-36	Rpl Eqp-NB Pump Station	\$ 32,485.08
14-20	Paint BB/Holgate Towers	\$ 18,477.06
14-28	Supp-Painting of Water Towers	<u>\$149,810.00</u>
		\$1,488,576.29

Motion to approve Item 2:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

3. First Reading Ordinance 16-44: AN ORDINANCE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY, APPROPRIATING \$350,000.00 FROM THE GENERAL CAPITAL ACCOUNT FOR THE PURCHASE OF PROPERTY

Motion to approve Ordinance 16-44 on First Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

ADOPTIONS & APPROVALS

4. Resolution 16-1109.02: Approve various water/sewer changes

RESOLUTION 16-1109.02

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

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

<u>BLOCK LOT/QUAL</u>	<u>ACCT #/ACCT</u>	<u>YEAR</u>	<u>CANCEL/CHANGE</u>	<u>AMOUNT</u>
1.54 5	485-0 Water	2016	Removed Irrigation	\$101.00
6.17 8	1847-0 W/S	2016	Standby credit	\$321.00
12.13 20	4055-0 W/S	2016	Standby credit	\$342.00
12.22 20	4240-0 Water	2016	Standby credit	\$191.00
15.58 16	5491-0 Water	2016	Standby credit	\$174.00

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

5. Resolution 16-1109.03: Support Senate Bill S-2254 / Assembly Bill A-3821:

Uphold the legislative intent of the Fair Housing Act

RESOLUTION 16-1109.03

A RESOLUTION IN SUPPORT OF SENATE BILL S-2254 AND ASSEMBLY BILL A-3821 WHICH AFFIRMS THE LANGUAGE AND LEGISLATIVE INTENT OF THE FAIR HOUSING ACT

WHEREAS, the Township of Long Beach supports the provision of affordable housing in a reasonable, rational and achievable way, consistent with economic realities and sound planning; and

WHEREAS, pursuant to the March 2015 New Jersey Supreme Court order which transferred oversight of the Fair Housing Act (FHA) to the courts, hundreds of municipalities filed declaratory judgment actions to voluntarily comply with their State imposed affordable housing requirements; and

WHEREAS, in February, the Ocean County Superior Court included a distinct "gap period" analysis retroactively over an additional 16-year period, separate and apart from the normal 10 year present and prospective need; and

WHEREAS, the Appellate Division recently in a unanimous decision overturned the February Ocean County Superior Court decision and held that municipalities are only responsible to address the ten-year present and prospective need, not any "gap period" number; and

WHEREAS, the New Jersey Supreme Court has, for the stated purposes of, "... *judicial economy and efficiency based on the large number of actions involved. The Court makes no findings as to the reasonable probability of success on the merits, irreparable harm, of the relative hardship to the parties,*" agreed to hear an appeal of the Appellate Division ruling in late November; and

WHEREAS the Fair Housing Act (FHA) and existing case law, requires that "present and prospective fair share of the housing need in a given region ... shall be computed for a 10-year period." [N.J.S.A. 52:27D-307(c)]; and

WHEREAS, the "gap issue" arises out of the inability of the New Jersey Council on Affordable Housing to promulgate third round regulations from 1999 to the present or make any final determination as to state and regional housing need, as well as constant litigation by certain groups; and

WHEREAS, any retroactive "gap" obligations could have significant and unfunded impacts on municipalities, may double count households under both present and prospective need, and will likely result in forcing municipalities and their property taxpayers to subsidize development; and

WHEREAS, this issue needs a resolution which provides both certainty and an achievable path forward so municipalities can proceed with planning for and implementing their affordable housing obligations; and

WHEREAS, Senate Bill S-2254, sponsored by Senators Greenstein and Bateman, and Assembly Bill A-3821, sponsored by Assemblymen DeAngelo and Benson, re-affirm the language and legislative intent of the Fair Housing Act, so as to preclude significant unfair impacts and instead further progress toward a more rational statewide housing policy, including reasonable and achievable obligations for municipalities, facilitate municipal compliance and the actual provision of affordable housing.

NOW, THEREFORE, BE IT RESOLVED, on this 9th day of November, 2016 by the Township of Long Beach, County of Ocean, that:

1. Long Beach Township strongly urges New Jersey Legislators to immediately reaffirm the language and legislative intent of the Fair Housing Act (FHA) and expressly clarify that the municipal affordable housing share is the sum of present and prospective need for the enumerated ten year period.
2. Long Beach Township supports Senate Bill S-2254 and Assembly Bill A-3821.
3. Copies of this resolution be distributed to the Governor, the Lieutenant Governor, the President of the New Jersey Senate, the Speaker of the New Jersey General Assembly, the Legislative Sponsors, Congressman Frank LoBiondo, Senator Christopher Connors, State Assembly Members Brian Rumpf and DiAnne Gove, the New Jersey League of Municipalities and the New Jersey Conference of Mayors.
6. Resolution 16-1109.04: Approve various personnel matters

RESOLUTION 16-1109.04

Administration

Authorize the execution of the Municipal Administrator Services Contract for the following employee

Kyle Ominski

Approve a Leave of Absence for employee with Civil Service # ****14066 effective November 14, 2016.

End the previous Family Medical Leave Act (FMLA) for employee with Civil Service number ****74665 retroactive to October 5, 2016.

Accept and Approve the Family Medical Leave Act (FMLA) for employee with Civil Service number ****74665 effective retroactive to October 13, 2016.

Construction

Change the following employee's annual base salary to \$42,258.00 to be paid from Construction Salary & Wage effective retroactive to November 5, 2016.

Jennifer Diodata

Police

Change the following employee's annual base salary to \$169,151.99 effective retroactive to September 1, 2016.

Anthony Deely

Change the following employee's annual base salary to \$149,151.99 effective retroactive to October 1, 2016.

Kevin Mahon

Public Works

Hire the following employee as a Seasonal Full-Time Laborer 1 at the rate of \$12.00 per hour to be paid from Public Works Salary & Wage effective retroactive to November 7, 2016.

Joseph Bonicky

Transportation

Hire the following employees as Seasonal Bus Drivers at the rate of \$25.00 per hour to be paid from Transportation Salary & Wage effective retroactive to October 8, 2016.

Gladys Callo	James Ciccone	Walter Dean
Mike DeVirgilus	Yvette Davis	Lisa Heitzman
Richard McKean	LuAnn Rozek	John Young

Motion to approve Items 4 thru 6:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

PURCHASES, CONTRACTS & AWARDS

7. Resolution 16-1109.05(a-e): Authorize the execution of various Shared Service Agreements with the County of Ocean:

- a. Electrical service to new traffic signals installed on Long Beach Blvd pursuant to Resolution 15-0619.10 (68th, 75th, 79th, 82nd, 92nd, 100th, and 113th Streets)
- b. Amend Agreements for Electrical service to new traffic signals installed on Long Beach Blvd authorized pursuant to Resolution 16-1003.09(a):
35th, 38th, 44th, 48th, 54th, 59th Streets (omit Battery Back-up)
- c. Ocean County DWIEP Program – Driving While Intoxicated Enforcement Program 2016-2017
- d. Ocean County DRECP Program – Drug Recognition Expert Callout Program 2016-2017
- e. Ocean County Utilities Authority: Provide potassium permanganate to LBT
- f. Ocean County Gang, Gun and Narcotics Task Force (SOG)

RESOLUTION 16-1109.05(a)

A RESOLUTION AUTHORIZING THE TOWNSHIP OF LONG BEACH TO PROVIDE ELECTRIC CURRENT TO VARIOUS TRAFFIC SIGNALS INSTALLED PURSUANT TO THE OCEAN COUNTY TRAFFIC SIGNAL UPGRADE PROJECT

WHEREAS, the Township of Long Beach entered into a Shared Service Agreement (N.J.S.A.40A:65-4(3)(b)) with the County of Ocean for the Pedestrian Safety and Traffic signal Upgrades Project pursuant to Resolution 15-0619.10 passed on June 19th 2015; and

WHEREAS, the Township of Long Beach has agreed to supply and pay for electric current to operate four (4) new traffic signals located on Long Beach Boulevard at the intersections of 68th, 75th, 79th, 82nd, 92nd, 100th, and 113th Streets; and

WHEREAS, it is deemed to be in the public interest for the Township of Long Beach to execute such an agreement.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach, County of Ocean, State of New Jersey that the Mayor and Township Clerk are hereby authorized to execute an agreement for the Township to provide and pay for electric current for four (4) new traffic signals authorized pursuant to the Ocean County Traffic Signal Upgrades Project.

RESOLUTION 16-1109.05(b)

A RESOLUTION APPROVING AN AMENDMENT TO THE AGREEMENT AUTHORIZED PURSUANT TO RESOLUTION 16-1003.09(a) BETWEEN THE TOWNSHIP OF LONG BEACH AND THE COUNTY OF OCEAN TO PROVIDE ELECTRIC CURRENT TO VARIOUS TRAFFIC SIGNALS ON LONG BEACH BOULEVARD

WHEREAS, the Township of Long Beach entered into a Shared Service Agreement (N.J.S.A.40A:65-4(3)(b) with the County of Ocean for the Pedestrian Safety and Traffic Signal Upgrades Project pursuant to Resolution 15-0619.10 passed on June 19th 2015; and

WHEREAS, the Township of Long Beach, pursuant to Resolution 16-1003.09(a) passed on October 3rd 2016, agreed to supply and pay for electric current to operate new traffic signals authorized pursuant to the Ocean County Traffic Signal Upgrades Project located on Long Beach Boulevard at the intersections of 35th, 38th, 44th, 48th, 54th and 59th Streets; and

WHEREAS, the County of Ocean has requested said agreements be amended to omit the reference to battery back-up at the traffic signals that was included in the original agreements provided to Long Beach Township by the Ocean County Engineer's Office.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach, County of Ocean, State of New Jersey that the Mayor and Township Clerk are hereby authorized to execute amended agreements for the Township to provide and pay for electric current for new traffic signals located on Long Beach Boulevard at the intersections of 35th, 38th, 44th, 48th, 54th and 59th Streets authorized pursuant to the Ocean County Traffic Signal Upgrades Project.

RESOLUTION 16-1109.05(c)

A RESOLUTION AUTHORIZING THE RENEWAL OF A SHARED SERVICES AGREEMENT WITH OCEAN COUNTY FOR THE DRIVING WHILE INTOXICATED ENFORCEMENT 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, there is a continued need for Police Officers to be assigned to various DWI checkpoints; and

WHEREAS, the Township of Long Beach desires to continue to participate in the Ocean County Driving While Intoxicated Enforcement Program; and

WHEREAS, funds for these services are received from the State of New Jersey and County of Ocean.

NOW, THEREFORE, BE IT RESOLVED the Board of Commissioners of the Township of Long Beach does hereby authorize the execution of the Ocean County Driving While Intoxicated Enforcement Program Shared Services Agreement effective October 1, 2016 through September 30, 2017 with compensation to the Township set at the rate of Fifty-Five Dollars (\$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.

RESOLUTION 16-1109.05(d)

A RESOLUTION AUTHORIZING A SHARED SERVICES AGREEMENT WITH OCEAN COUNTY POLICE SERVICES, DRUG RECOGNITION EXPERT CALLOUT 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 wishes to enter into an agreement with the County for the purpose of setting forth the terms and conditions regarding the assignment of police officers employed by the Township to the Drug Recognition Expert Callout Program; and

WHEREAS, the Drug Recognition Expert Callout Program is a traffic safety program run by the Ocean County Prosecutors Office utilizing a Drug Recognition Expert to assist with identifying/removing Intoxicated drivers from the roadway; and

WHEREAS, funds for these services are received from the State of New Jersey and County of Ocean.

NOW, THEREFORE, BE IT RESOLVED the Board of Commissioners of the Township of Long Beach does hereby authorize the execution of the of the Ocean County Drug Recognition Expert Callout Program Shared Services Agreement effective October 1, 2016 through September 30, 2017 with compensation to the Township set at the rate of Fifty-Five Dollars (\$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.

RESOLUTION 16-1109.05(e)

RESOLUTION AUTHORIZING THE EXTENSION OF A SHARED SERVICE AGREEMENT WITH OCEAN COUNTY UTILITIES AUTHORITY FOR THE PROVISION OF POTASSIUM PERMANGANATE FOR THE TOWNSHIP OF LONG BEACH

WHEREAS, pursuant to Resolutions 14-0808.06 dated August 8, 2014, 12-0803.05 dated August 3, 2012 and Resolution 10-0820.10 dated August 20, 2010, the Township entered into a shared service agreement, effective 9/01/10 through 8/31/12, with the following vendor:

Ocean County Utilities Authority
501 Hickory Lane
Bayville, NJ 08721

WHEREAS, the said contract referred to specifications and prices and provided for a two-year option to extend the contract; and

WHEREAS, pursuant to Resolution 12-0803.05, both parties agreed to extend the contract for two years from September 1, 2012 through August 31, 2014; and

WHEREAS, pursuant to Resolution 14-0803.05, both parties agreed to extend the contract for two years from September 1, 2014 through August 31, 2016; and

WHEREAS, Ocean County Utilities Authority and Long Beach Township have again agreed to extend the contract for an additional two years from September 1, 2016 through August 31, 2018 as follows: The Ocean County Utilities Authority (OCUA) and the Township of Long Beach, having determined that it is beneficial to both to have the OCUA continue to provide potassium permanganate to Long Beach for the High Bar Harbor Pump Station (SPS-9) (required to control sulfite levels), with no change to the agreed upon cost; and

WHEREAS, the Resolution shall be deemed to be the extension and any changes in the original contract shall be incorporated hereby and this Resolution shall serve as the written contract extension.

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach at their regularly scheduled meeting held Wednesday, November 9, 2016 that the aforesaid contract shall be and is hereby retroactively extended for a period of two years pursuant to the terms and conditions stated herein.

RESOLUTION 16-1109.05(f)

A RESOLUTION AUTHORIZING A SHARED SERVICES AGREEMENT WITH OCEAN COUNTY POLICE SERVICES: GANG, GUN AND NARCOTICS TASK FORCE (SOG)

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 wishes to enter into an agreement with the County for the purpose of setting forth the terms and conditions regarding the assignment of police officers employed by the Township to the Ocean County Gang, Gun and Narcotics Task Force; and

WHEREAS, the Ocean County Gang, Gun and Narcotics Task Force is a program run by the Ocean County Prosecutors Office for the purpose of combating the growing Gang element and enforcing the firearm and anti-drug laws of the State of New Jersey; and

WHEREAS, funds for these services are received from the State of New Jersey and the Local Law Enforcement Assistance Formula Grant Program.

NOW, THEREFORE, BE IT RESOLVED the Board of Commissioners of the Township of Long Beach does hereby authorize the execution of the of the Ocean County Gang, Gun and Narcotics Task Force Shared Services Agreement effective retroactively from July 1, 2016 through June 30, 2017.

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

8. Resolution 16-1109.06: Award various Professional Service contracts:
Construction Director, Municipal Solicitor

RESOLUTION 16-1109.06

RESOLUTION AUTHORIZING THE AWARD OF CONTRACTS FOR 2017 PROFESSIONAL SERVICES

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

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

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

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

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

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

WHEREAS, the Board of Commissioners of Township of Long Beach has determined and certified in writing that the value of the services 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 contracts from January 1st 2017 through December 31st 2017 as per specific contract terms with the Professionals listed below as described herein; and

<u>NAME</u>	<u>DESCRIPTION OF SERVICES</u>	<u>AMOUNT</u>
<u>Tennant Magee Law</u>		
Tennant D. Magee, Sr.	Municipal Solicitor	Hourly \$175.00
<u>RPL Consulting, LLC</u>	Construction Consultant	Annual: \$100,128.00

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification, Political Contribution Disclosure Form, Affirmative Action Compliance and Investment Activities Disclosure have been received and placed on file with the Municipal Clerk; and

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

9. Resolution 16-1109.07(a-c): Award various contracts, per Co-op:
- Mansfield Oil Company: Regular Grade Gasoline
 - Petroleum Traders: Mid-Grade Gasoline
 - Riggins: Super Gasoline

RESOLUTION 16-1109.07(a)

RESOLUTION AUTHORIZING A CONTRACT FOR THE SUPPLY AND DELIVERY OF REGULAR-GRADE GASOLINE FUEL BASED ON THE PROCUREMENT OBTAINED THROUGH THE STAFFORD TOWNSHIP COOPERATIVE PRICING SYSTEM

WHEREAS, Long Beach Township is a participating entity of the Stafford Township Cooperative Pricing System, Identifier #33-OCCPS; and

WHEREAS, the Township wishes to utilize the Stafford Township Cooperative Pricing System to contract for the supply and delivery of regular-grade gasoline fuel as may be required for various municipal vehicles; and

WHEREAS, the governing body deems this contract to be necessary for Township use, and is in the best interest of the Township; and

WHEREAS, Mansfield Oil Co., 1025 Airport Parkway, SW, Gainesville, GA 30501-6813 was the lowest qualified bidder whose bid agreed to extend its prices for the supply and delivery of regular-grade gasoline to the Stafford Township Cooperative Pricing Members.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach at a regular meeting held Wednesday, November 9, 2016 that the Mayor and Municipal Clerk shall be and are hereby authorized execute a contract for the supply and delivery of regular- grade gasoline effective October 19, 2016 through October 18, 2018 at a fixed margin of \$0.1136 in accordance with the bid received and awarded by the Stafford Township Cooperative Pricing System.

RESOLUTION 16-1109.07(b)

RESOLUTION AUTHORIZING A CONTRACT FOR THE SUPPLY AND DELIVERY OF MID-GRADE GASOLINE FUEL BASED ON THE PROCUREMENT OBTAINED THROUGH THE STAFFORD TOWNSHIP COOPERATIVE PRICING SYSTEM

WHEREAS, Long Beach Township is a participating entity of the Stafford Township Cooperative Pricing System, Identifier #33-OCCPS; and

WHEREAS, the Township wishes to utilize the Stafford Township Cooperative Pricing System to contract for the supply and delivery of mid-grade gasoline fuel as may be required for various municipal vehicles; and

WHEREAS, the governing body deems this contract to be necessary for Township use, and is in the best interest of the Township; and

WHEREAS, Petroleum Traders Corp., 7120 Point Inverness Way, Fort Wayne, IN 46804 was the lowest qualified bidder whose bid agreed to extend its prices for the supply and delivery of mid-grade gasoline to the Stafford Township Cooperative Pricing Members.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach at a regular meeting held Wednesday, November 9, 2016 that the Mayor and Municipal Clerk shall be and are hereby authorized execute a contract for the supply and delivery of mid-grade gasoline effective October 19, 2016 through October 18, 2018 at a fixed margin of \$0.0798 in accordance with the bid received and awarded by the Stafford Township Cooperative Pricing System.

RESOLUTION 16-1109.07(c)

RESOLUTION AUTHORIZING A CONTRACT FOR THE SUPPLY AND DELIVERY OF SUPER-GRADE GASOLINE FUEL BASED ON THE PROCUREMENT OBTAINED THROUGH THE STAFFORD TOWNSHIP COOPERATIVE PRICING SYSTEM

WHEREAS, Long Beach Township is a participating entity of the Stafford Township Cooperative Pricing System, Identifier #33-OCCPS; and

WHEREAS, the Township wishes to utilize the Stafford Township Cooperative Pricing System to contract for the supply and delivery of super-grade gasoline fuel as may be required for various municipal vehicles; and

WHEREAS, the governing body deems this contract to be necessary for Township use, and is in the best interest of the Township; and

WHEREAS, Riggins, Inc., 3938 S. Main Road, Vineland, NJ 08360 was the lowest qualified bidder whose bid agreed to extend its prices for the supply and delivery of super-grade gasoline to the Stafford Township Cooperative Pricing Members.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach at a regular meeting held Wednesday, November 9, 2016 that the Mayor and Municipal Clerk shall be and are hereby authorized execute a contract for the supply and delivery of super-grade gasoline effective October 19, 2016 through October 18, 2018 at a fixed margin of \$0.1475 in accordance with the bid received and awarded by the Stafford Township Cooperative Pricing System.

10. Resolution 16-1109.08: Award an Extraordinary Unspecifiable Service
contract: Stockton University Coastal Research
Center for evaluation/re-design of timber-pile-rock
groin in Holgate

RESOLUTION 16-1109.08

A RESOLUTION AWARDED AN EXTRAORDINARY UNSPECIFIABLE PROFESSIONAL SERVICES CONTRACT TO RETAIN AN EXPERT IN SHORELINE TRENDS AND ENVIRONMENTAL FORCING MECHANISMS PERTAINING TO TOWNSHIP'S TERMINAL GROIN LOCATED IN THE HOLGATE SECTION OF LONG BEACH TOWNSHIP

WHEREAS, N.J.S.A. 40A:11-5, *et seq.*, permits a municipality to award a contract without public advertising for bids and bidding thereof under certain circumstances for contracts for goods and services that exceed the bid threshold of \$40,000.00; and

WHEREAS, the Township's Beach Replenishment Project was completed in the Holgate Section of Long Beach Township; however as a result of the impact of the remnants of Hurricane Hermine in September 2016, serious erosion to the ocean beach was sustained; and

WHEREAS, there exists the need to retain the services of a qualified expert to evaluate and prepare reports relating to shoreline changes along the length of Long Beach Island as well as determining shoreline trends and environmental forcing mechanisms surrounding the shore-perpendicular timber-pile-rock terminal groin located at the boundary between Long Beach Township and the Forsythe National Wildlife Refuge, Holgate Unit; and

WHEREAS, the hiring of an expert to evaluate and provide recommendations for the construction of a new shore-perpendicular timber-pile-rock terminal groin in order to stem serious erosion has been acknowledged by the State of New Jersey and is generally recognized as squarely fitting within the

WHEREAS, Billy Reed's disability effective date was December 9, 2015, qualifying him for the cancellation of property tax as follows:

- 2015: \$733.36 + \$15.28 for the disallowed veteran deduction totaling \$748.64.
- 2016: \$12,012.88 + \$250.00 for the disallowed veteran deduction totaling \$12,262.88.

WHEREAS, Billy Reed had made payment on a portion of the exempt tax levy and is entitled to be refunded for this exempt time period in the following amounts:

2015: \$ 733.36

2016: \$3,069.27

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach, County of Ocean, State of New Jersey that the taxes shall be canceled and refunded as set forth above in the total amount of Three Thousand Eight Hundred Two Dollars and Sixty-Three Cents (\$3,802.63) and the Tax Collector is directed to make the appropriate adjustments to the records.

13. Resolution 16-1109.11(a-d): Approve various Performance Bonds:

- a. Extend LUB 11-12
- b. Extend LUB 27-07
- c. Extend LUB 41-05
- d. Accept LUB-49-15

RESOLUTION 16-1109.11(a)

WHEREAS, pursuant to Resolution 12-1019.09(c), the Township of Long Beach received from ACME Markets, Inc., a Performance Surety Bond drawn on Fidelity and Deposit Company of Maryland in the amount of Fourteen Thousand Seven Hundred Dollars (\$14,700.00) and check #05710108 drawn on Supervalu, Inc., Wachovia Bank, N.A. dated September 27, 2012 in the amount of Six Thousand Seven Hundred Ninety Eight Dollars and Seventy Five Cents (\$6,798.75), in payment of a portion of the required Performance Bond (\$5,512.50) and also for the required inspection fee of (\$1,286.25) for subdivision #LUB-11-12-PF, Block 11.35, Lot 28 (Long Beach Blvd., Beach Haven Gardens, NJ); and

WHEREAS, pursuant to Resolution 14-0912.11(b) the Township of Long Beach also received from New Albertsons, Inc. check # 01088090 in the amount of Forty-Seven Thousand, Three Hundred Forty-Three Dollars and Twenty-Nine Cents, (\$47,343.29) and a Performance and Payment Bond # 023029260 in the amount of Four Hundred Twenty-Six Thousand, Eighty-Nine Dollars and Fifty-Seven Cents (\$426,089.57), as payment for the revised Performance Bond by the Municipal Engineer; and

WHEREAS, the property was inspected on October 5, 2016 by the Municipal Engineer who concluded that the work had not been completed and recommended the performance bond be extended for one additional year, to October 5, 2017.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners approves the extension of this Performance Bond as recommended by the Township Engineer.

RESOLUTION 16-1109.11(b)

WHEREAS, pursuant to Resolution 08-0320.15(b), the Township of Long Beach accepted from Reginald J. Raban Cashier's Check No. 0935893 dated March 14, 2008 in the amount of Five Thousand Five Hundred Dollars (\$5,500.00) drawn on Wachovia Bank, as the required Performance Bond for Minor Sub-division #LUB-27-07, Block 20.26, Lot 1 (26 Long Beach Blvd., Loveladies); and

WHEREAS, pursuant to Resolutions 10-0709.15(a), 11-1104.13(c), 12-1005.05(c), 13-1004.05(c), 14-0926.10(a) and 15-1109.06(a) the property was inspected by the Township Engineer who determined various work items remained incomplete and he recommended the Performance Bond be extended for one year subsequent to each inspection; and

WHEREAS, the property was inspected on October 5, 2016 by the Municipal Engineer who concluded that the work was not complete and recommended the performance bond be extended again, for one additional year, to October 5, 2017.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners approves the extension of this Performance Bond as recommended by the Township Engineer.

RESOLUTION 16-1109.11(c)

WHEREAS, pursuant to Resolution 06-0721.14, the Township of Long Beach received Commerce Bank Check #805-02588 in the amount of Forty-Six Thousand Seven Hundred Seventy-Two Dollars (\$46,722.00) as a Performance Bond for Sub-Division Application #LUB-41-05, Block 4.45, Lots 1 & 1.01 (2000 Waverly Place, North Beach Haven); and

WHEREAS, upon inspection of the property by the Township Engineer, and pursuant to Resolutions 08-0620.15(c), 09-0807.07(a), 10-1008.03(c), 11-1104.13(b), 12-1005.05(b), 13-1004.05(b), 14-0912.11(e) and 15-1109.06(b) it was determined various work items remained incomplete and he recommended the Performance Bond be extended for one year subsequently to each inspection; and

WHEREAS, on October 5, 2016 another inspection was done by the Municipal Engineer, who again concluded that the work was not complete and recommended the performance bond be extended for an addition year to October 5, 2017.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners approves the extension of this Performance Bond as recommended by the Township Engineer.

RESOLUTION 16-1109.11(d)

WHEREAS, the Township of Long Beach has accepted from Donald Demato, Official Check No. 52949286-0 drawn on TD Bank, dated October 20, 2016 in the amount of Eight Thousand One Hundred Forty Dollars (\$8,140.00), as the required Performance Bond for Minor Sub-division #LUB-49-15, Block 8.03, Lot 2&3 (W. Ohio Ave., Beach Haven Terrace).

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

14. Resolution 16-1109.12(a-d): Approve various reverse change orders:

- a. ASAP: Peahala Park Tennis Court Project
- b. ASAP: Municipal Parking Lot Project
- c. ASAP: North Beach Tennis Court Project
- d. American Pipe Cleaning: Cleaning and Video Inspection of the Sanitary Sewer System

RESOLUTION 16-1109.12(a)

RESOLUTION AUTHORIZING A REVERSE CHANGE ORDER FOR THE PEHALA PARK TENNIS COURT PROJECT IN THE TOWNSHIP OF LONG BEACH

WHEREAS A.S.A.P., Inc., was awarded a contract for the 2014 Peahala Park Tennis Court Project in the Township of Long Beach pursuant Resolution 14-0912.09(b), in a total amount not to exceed Two Hundred Sixty-One Thousand Dollars (\$261,000.00) as per the bid received September 9, 2014; and

WHEREAS, as a result of the final work quantities a reduction in cost occurred; the final cost of the project was Two Hundred Fifty-Seven Thousand Two Hundred Dollars (\$257,200.00); and

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

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach does hereby approve Reverse Change Order #1 in the amount of Three Thousand Eight Hundred Dollars (\$3,800.00) for the 2014 Peahala Park Tennis Court Project in the Township of Long Beach.

RESOLUTION 16-1109.12(b)

RESOLUTION AUTHORIZING A REVERSE CHANGE ORDER FOR THE TOWNSHIP OF LONG BEACH MUNICIPAL PARKING LOT PROJECT

WHEREAS A.S.A.P., Inc., was awarded a contract for the 2015 Long Beach Township Municipal Parking Lot Project pursuant to Resolution 15-0420.10, in a total amount not to exceed One Hundred Fifty-Eight Thousand Three Hundred Twenty-Two Dollars and Fifty-Five Cents (\$158,322.55) as per the bid received April 16, 2015; and

WHEREAS, the inadequate sub-base encountered in the parking lot and tennis court area, additional milling depth and asphalt paving was required; resulting in Change Order #1 approved pursuant to Resolution 15-0504.13 in the amount of Twenty Thousand Dollars (\$20,000.00) increasing the total project cost to One Hundred Seventy-Eight Thousand Three Hundred Twenty-Two Dollars and Fifty-Five Cents (\$178,322.55); and

WHEREAS, a decrease in the final work quantities have resulted in a reduction in cost; the final cost of the project was One Hundred Sixty-Eight Thousand Five Hundred Eighteen Dollars and Eighty Cents (\$168,518.80); and

WHEREAS, these additional cost reductions have resulted in Reverse Change Order #2 of the original contract and has been approved and certified by the Municipal Engineer. Said detailed Certification contains all the facts associated with this Reverse Change Order in accordance with state statutes and is attached hereto.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach does hereby approve Reverse Change Order #2 in the amount of Nine Thousand Eight Hundred Three Dollars and Seventy-Five Cents (\$9,803.75) for the 2015 Long Beach Township Municipal Parking Lot Project.

RESOLUTION 16-1109.12(c)

RESOLUTION AUTHORIZING A REVERSE CHANGE ORDER FOR THE SANDY 2012 RECONSTRUCTION PROJECT FOR FACILITIES AT THE HOLGATE AND NORTH BEACH TENNIS COURTS IN THE TOWNSHIP OF LONG BEACH

WHEREAS A.S.A.P., Inc., was awarded a contract for the Sandy 2012 Reconstruction Project for Facilities at the Holgate and North Beach Tennis Courts in the Township of Long Beach pursuant Resolution 14-0425.06(c), in a total amount not to exceed Three Hundred Eighty-Three Thousand Ninety Nine Dollars and Fifty Cents (\$383,099.50) as per the bid received April 22, 2014; and

WHEREAS, unexpected changes to the scope of the project resulted in additional costs of Thirty-Three Thousand Six Hundred Forty-Five Dollars and Fifty Cents (\$33,645.50) which were described in Change Order #1, increasing the total project cost to Four Hundred Sixteen Thousand Seven Hundred Forty-Five Dollars (\$416,745.00) approved by Resolution 15-1207.09 and passed on December 7th 2015; and

WHEREAS, as a result of a decrease in the final work quantities a reduction in cost has occurred; the final cost of the project was Three Hundred Ninety-Seven Thousand Six Hundred Fifty-Four Dollars (\$397,654.00); and

WHEREAS, these changes have resulted in Reverse Change Order #2 of the original contract and has been approved and certified by the Municipal Engineer. Said detailed Certification contains all the facts associated with this Reverse Change Order in accordance with state statutes and is attached hereto.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach does hereby approve Reverse Change Order #2 in the amount of Nineteen Thousand Ninety-One Dollars (\$19,091.00) for the Sandy 2012 Reconstruction Project for Facilities at the Holgate and North Beach Tennis Courts in the Township of Long Beach.

RESOLUTION 16-1109.12(d)

RESOLUTION AUTHORIZING A REVERSE CHANGE ORDER FOR THE 2015 CLEANING AND VIDEO INSPECTION OF THE SANITARY SEWER SYSTEM IN THE TOWNSHIP OF LONG BEACH

WHEREAS American Pipe Cleaning, LLC, was awarded a contract for the 2015 Cleaning and Video Inspection of the Sanitary Sewer System in the Township of Long Beach pursuant to Resolution 15-0710.11, in a total amount not to exceed Thirty-Six Thousand One Hundred Twenty-Five Dollars and Sixty-Four Cents (\$36,125.64) as per the bid received July 7, 2015; and

WHEREAS, as a result of the final "As-built Quantities" a reduction in cost occurred; the final cost of the project was Thirty-Four Thousand Three Hundred Forty-Seven Dollars and Seventy-Nine Cents (\$34,347.79); and

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

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach does hereby approve Reverse Change Order #1 in the amount of One Thousand Seven Hundred Seventy-Seven Dollars and Eighty-Five Cents (\$1,777.85) for the 2015 Cleaning and Video Inspection of the Sanitary Sewer System in the Township of Long Beach.

15. Resolution 16-1109.13: Approve a Chapter 159:

966 Grant: \$14,349.00 for Generator Tanks

RESOLUTION 16-1109.13

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) 966 REIMBURSEMENT (2016) – FOUR (4) PROPANE TANKS FOR GENERATOR

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 New Jersey State Office of Emergency Management has approved a reimbursement for the purchase of a laptop computer in the amount of \$789.09; 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 2016 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:

NJ State Office of Emergency Management: \$14,347.00

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:

966 Reimbursement Grant (2016): \$14,347.00

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.

- 16. Resolution 16-1109.14:** Approve Bills & Payroll
- | | |
|---------------------------|------------------|
| Bills in the amount of: | \$ 12,811,911.19 |
| Payroll in the amount of: | \$ 834,424.53 |

RESOLUTION 16-1109.14

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 \$ 834,424.53.

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 \$ 12,811,911.19 be and the same are hereby authorized to be paid on Wednesday, November 9, 2016.

2. The said approved payroll amounting to the sum of \$ 834,424.53 be and the same are hereby authorized to be paid on Wednesday, November 9, 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 11 thru 16:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

Mayor Mancini stated the Tax Collector's Report for the months of September and October and the Treasurer's Report for the month of September are on file in the Municipal Clerk's Office.

COMMISSIONERS' REPORTS

Mayor Mancini, Commissioner Lattanzi and Commissioner Bayard thanked Long Beach Township voters for their support at yesterday's Local Election. Each was looking forward to their new term commencing 1/1/17 and reminded the public their doors were always open to speak with them.

Mayor Mancini announced the meeting of the Land Use Board would be held tonight at 7:00 pm in the upstairs multi-purpose room. Their next meeting would take place on December 14th at 7:00.

OPEN PUBLIC SESSION

Donn O'Brien/Brant Beach provided an update on the status of the Surfflight Theatre, hoping it would re-open for the Summer 2017 season. He complimented the Commissioners and employees of the Township for their dedication to the township and its residents and visitors.

Mike Widico/Holgate asked for information regarding walkways and dune grass on Holgate beaches.

Kyle Ominski/Administrator assured Mr. Widico that walkways and plantings would be in place in February 2017.

Bill Hutson/Holgate congratulated the Board of Commissioners for their success in the Local Election held November 8th. He noted the Governing Body has always been friendly and accommodating to residents

