

MINUTES
REGULAR SESSION BOARD OF COMMISSIONERS APRIL 3, 2017

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 and ASBURY PARK PRESS on December 22, 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 Public Health Week: April 3rd - 9th, recognizes public health promotes and protects the health of people and the community where they learn, live, work and play.

PROCLAMATION

2017 NATIONAL PUBLIC HEALTH WEEK, APRIL 3-9th

WHEREAS, public health promotes and protects the health of people and the community where they learn, live, work and play; and

WHEREAS, public health promotes wellness by encouraging healthy behaviors and prevents illness and injury from happening; and

WHEREAS, chronic diseases are the leading cause of death and disability in the US and is expensive, but preventative; and

WHEREAS, with the public health practice of disease prevention and health promotion, environmental factors and health behaviors that contribute to chronic conditions are targeted and reduced; and

WHEREAS, public health saves money and improves quality of life. A healthy public gets sick less often and spends less money on health care, therefore improving the economy as well as quality of life; and

WHEREAS, due to public health, children thrive and grow into healthy adults. Public Health professionals are vigilant in ensuring kids grow in a healthy environment with proper resources; and

WHEREAS, public health educates the nation of the consequences of lifestyle choices on their health; and

WHEREAS, public health education lowers the impact of disasters by preparing people for catastrophes such as hurricanes or tornadoes; and

WHEREAS, rather than being a single discipline, public health in Ocean County includes professionals from many fields with the common purpose of protecting the health of a population.

NOW THEREFORE BE IT RESOLVED, the Board of Commissioners of the Township of Long Beach and Long Beach Island Health Department do hereby designate April 3rd -9th as National Public Health Awareness Week in order to recognize the contributions and importance of public health.

National Service Day: April 4th is Recognition Day for National Service which encourages people to seek out imaginative ways to engage in their communities.

PROCLAMATION

WHEREAS, April 4th 2017 has been so proclaimed Long Beach Township **Recognition Day for National Service**, and the week of April 23 – April 29, 2017 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, "Service Unites"; recognition of National Service Day and National Volunteer Week is about inspiring, motivating 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. This is a time to recognize individuals, families, nonprofit organizations and government entities and 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 by the Board of Commissioners for the Township of Long Beach that **April 4th 2017** is proclaimed **Recognition Day for National Service** and the week of **April 6 – April 12, 2017** is proclaimed **National Volunteer Week** and honors 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, LBI municipalities, Ocean County Board of Social Services, Senator Connors, Assemblywoman Gove and Assemblyman Rumpf.

National Library Week: April 9th - 15th marks the annual celebration of the contributions of our nation's libraries, librarians and library staff

Proclamation

National Library Week 2017

WHEREAS, libraries are not just about what we have for people, but what we 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, librarians are organizers and information experts who for centuries have guided people to the best information resources. Librarians provide more than facts. They provide the expertise and services that add meaning to those facts; and

WHEREAS, librarians continue to fulfill their role in leveling the playing field for all who seek information and access to technologies, especially as our society is at a critical juncture regarding the changing information landscape and the skills needed to thrive in our digital world; and

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

WHEREAS, libraries and librarians open a world of possibilities through innovative STEAM programming, Makerspaces, job-seeking resources and the power of reading; 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 work to serve all community members, including people of color, immigrants, people with disabilities, and the most vulnerable in our communities, offering services and educational resources that transform communities, open minds and promote inclusion and diversity; and

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

NOW, THEREFORE, be it resolved that the Board of Commissioners of the Township of Long Beach proclaim National Library Week, April 9-15, 2017. We encourage all residents to visit the library this week and explore what's new at your library, and engage with your librarian. Because of you and our experts in the library, Libraries Transform.

National Volunteer Week: April 23rd - 29th to recognize retired and senior volunteers who assist others in leading more productive and independent lives.

Sexual Assault Awareness Month: April 2017 focuses on decreasing frequency, punishing offenders and healing lives affected by this violence.

PROCLAMATION

April 3, 2017

Whereas, every day, women, men, and children across America suffer the pain and trauma of sexual assault. From verbal harassment and intimidation to molestation and rape, this crime occurs far too frequently, goes unreported far too often, and leaves long-lasting physical and emotional scars; and

Whereas, while sexual violence disproportionately affects women, many men and boys are also affected. An estimated one in six American women will experience an attempted or completed rape at some point in her life. Alarming rates of sexual violence occur among young women attending college, and among people with disabilities, isolation may lead to repeated assaults and an inability to seek and locate help; and

Whereas, survivors too often suffer in silence because of fear and stigma with feelings of isolation that are often compounded with suicidal feelings, depression, and post-traumatic stress disorder, which only exacerbate victims' sense of hopelessness; and

Whereas, as a community, we share the responsibility for protecting each other from sexual assault, supporting victims when it does occur, and bringing perpetrators to justice. We can lead this charge by confronting and changing insensitive attitudes wherever they persist. Together, we can increase awareness about sexual violence, decrease its frequency, punish offenders, help victims, and heal lives.

NOW, THEREFORE BE IT RESOLVED THAT THE BOARD OF COMMISSIONERS FOR THE TOWNSHIP OF LONG BEACH AND LONG BEACH ISLAND HEALTH DEPARTMENT do hereby proclaim the Month of April 2017 as:

“SEXUAL ASSAULT AWARENESS MONTH”

in Ocean County, and recommit ourselves not only to lifting the veil of secrecy and shame surrounding sexual violence, but also to raising awareness and strengthening prevention by encouraging all residents to participate in an **ENGAGING NEW VOICES** Campaign and Workshop offered on April 25, 2017 at the Ocean County Library.

ORDINANCES & PUBLIC HEARINGS

1. Second Reading Ordinance 17-04: **AN ORDINANCE OF THE TOWNSHIP OF LONG BEACH VACATING A PORTION OF THE WAVERLY AVENUE RIGHT OF WAY** (Brighton Beach)

ORDINANCE 17-04

AN ORDINANCE OF THE TOWNSHIP OF LONG BEACH VACATING A PORTION OF THE WAVERLY AVENUE RIGHT OF WAY

WHEREAS, pursuant to N.J.S.A. 40:67-1, *et seq.*, the governing body of a municipality may make, amend, repeal, and enforce an ordinance to vacate any public street, highway, lane or alley, or any portion thereof; and

WHEREAS, Township of Long Beach ("Township") has received a request from the owners of certain property located on West Rhode Island Avenue and West Connecticut Avenue to vacate a portion of Waverly Avenue, which presently exists as an unimproved right of way; and

WHEREAS, the 16,000 +/- square foot area to be vacated ("Property") is more particularly described by the three (3) legal descriptions attached hereto as Exhibit A, Exhibit B, and Exhibit C, and which is graphically depicted in the three (3) separate maps entitled "Map to Accompany the New Vacation of a Portion of Waverly Avenue Block 13.16, Lot 1, and Block 13.23, Lots 1 & 2," "Map to Accompany the New Vacation of a Portion of Waverly Avenue Block 13.19, Lot 4, and Block 13.24, Lots 1 & 2," and "Map to Accompany the New Vacation of a Portion of Waverly Avenue Block 14.02, Lots 1 & 3" prepared by William J. Berg, P.L.S., attached hereto as Exhibit D, Exhibit E, and Exhibit F; and

WHEREAS, Township has determined that the Property to be vacated has not been improved, does not provide public access, and is no longer needed for public purposes; and

WHEREAS, Township finds that it is in the best interests of Township and its citizenry to abandon, vacate, release, and extinguish any and all public rights in and to the Property as described in Exhibit A, Exhibit B, and Exhibit C, and as depicted in Exhibit D, Exhibit E, and Exhibit F which area is no longer needed for a public purpose; and

WHEREAS, the vacation is expressly made without recourse, warranty, or representation of any type or kind and subject to any and all easements, claims of easements, restrictions, defects, liens, encumbrances, adverse claims or circumstances, encroachments, violations, variances, rights, riparian rights, and privileges possessed by any person or entity, including, but not limited to, the State and public utility or cable television companies on, over, under, and across the described portion of the Property.

NOW, THEREFORE, BE IT ORDAINED, by the Board of Commissioners of the Township of Long Beach, County of Ocean, State of New Jersey, in accordance with the aforesaid Recitals, which are expressly adopted and incorporated herein by reference as if set forth fully herein, does hereby vacate the Property as follows.

STATEMENT OF PURPOSE

The purpose of this Ordinance is to vacate the Township's unimproved right of way on a portion of Waverly Avenue adjacent to Block 13.16, Lots 1 and 2, Block 13.23, Lot 1, Block 13.19, Lot 4, Block 13.24, Lots 1 and 2, and Block 14.02, Lots 1 and 3.

§1. Vacation of Property. Subject to the conditions set forth herein, the rights of the public in and to Property to be vacated as described in Exhibit A, Exhibit B, and Exhibit C, and depicted in Exhibit D, Exhibit E, and Exhibit F, all of which are attached hereto and incorporated and made a part hereof by reference herein, are hereby released, extinguished, and vacated.

§2. Conveyance and Merger. The area of the Property hereby vacated is conveyed and shall merge, consolidate with, and become a part of the adjoining lands as provided for by operation of law. Specifically, as provided by the operation of law, the Property adjoining Block 13.23, Lot 1, Block 13.16, Lot 2, Block 13.16, Lot 1, Block 13.24, Lot 2, Block 13.19, Lot 4, Block 14.02, Lot 1, and Block 14.02, Lot 3, shall receive those portions of the vacated Property up to the center line of the former unimproved right of way as a result of the vacation as described and depicted in Exhibit A, Exhibit B, Exhibit C, Exhibit D, Exhibit E, and Exhibit F.

§3. Reservation of Rights. The vacation hereby enacted expressly reserves and excepts from vacation all rights and privileges possessed by the State and public utilities, as defined by R.S. 48:2-13, and by any cable television company, as defined in the "Cable Television Act" (N.J.S.A. 48:5A-1, *et seq.*), to maintain, repair, and replace their existing facilities in, adjacent to, over or under the vacated right-of-way.

§4. Warranties. The vacation hereby enacted is expressly made without recourse, warranty, or representation of any type or kind and subject to any and all easements, claims of easements, restrictions, defects, liens, encumbrances, adverse claims or circumstances, encroachments, violations, variances, riparian rights, rights, and privileges possessed by any person or entity on, over, under and across the described portion of Property. It is the intent of Township to vacate the aforementioned interests that the public may have in the aforementioned right-of-way, subject, however, to the reservations set forth herein, and to provide that the property shall be conveyed in its "as is," "where is," and "with all faults" condition for no further consideration.

§5. Notice. At least ten (10) days prior to the time fixed for the consideration of this Ordinance for final passage, a copy hereof, together with a notice for the introduction thereof and the time and place when and where the Ordinance shall be further considered for final passage, shall be mailed to every person whose land may be affected by this Ordinance so far as may be ascertained. Said notices shall be mailed by the Township Clerk in accordance with the provisions of N.J.S.A. 40:49-6.

§6. Recording. Township Clerk shall file and record, within sixty (60) days of the effective date of this Ordinance, a copy of this Ordinance certified by her under the seal of Township to be a true copy thereof, together with proof of publication thereof, in the office of the Clerk of the County of Ocean in accordance with applicable law.

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

§8. Severability. 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 February 6, 2017 and advertised in the BEACH HAVEN TIMES issue of February 9th and March 9th 2017.

OPEN PUBLIC HEARING
No Comment
CLOSE PUBLIC HEARING

Motion to adopt Ordinance 17-04 on Second Reading:

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

2. Second Reading Ordinance 17-09C: **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 160 AS IT PERTAINS TO THE REGULATION OF CONSTRUCTION SIGNS**

ORDINANCE 17-09C

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 160 AS IT PERTAINS TO THE REGULATION OF CONSTRUCTION SIGNS

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

STATEMENT OF PURPOSE

The purpose of this Ordinance is to amend §160-24 in order to comply with the sign regulations set forth in Chapter 205 of the Township Code, Zoning, as they pertain to Chapter 160.

SECTION I

§160-24A(1) is hereby repealed and deleted.

SECTION II

§160-24A is hereby deleted and replaced with the following.

A. Construction Signs. Construction signs for which a valid building permit has been issued shall comply with the provisions of Chapter 205, Zoning.

SECTION III

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

SECTION IV

If any word, phrase, clause, section, or provision of this ordinance shall be found by any Court of competent jurisdiction to be unenforceable, illegal, or unconstitutional, such word, phrase, clause, section, or provision shall be severable from the balance of the ordinance and the remainder of the ordinance shall remain in full force and effect.

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 6, 2017 and advertised in the BEACH HAVEN TIMES issue of March 9th 2017.

OPEN PUBLIC HEARING
No Comment
CLOSE PUBLIC HEARING

Motion to adopt Ordinance 17-09C on Second Reading:

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

3. Second Reading Ordinance 17-10C: **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 AND CHAPTER 111 PERTAINS TO THE**

REGULATIONS OF THE TRANSPORTATION DEPARTMENT IN THE TOWNSHIP OF LONG BEACH

ORDINANCE 17-10C

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 AND CHAPTER 111 PERTAINS TO THE REGULATIONS OF THE TRANSPORTATION DEPARTMENT IN THE TOWNSHIP OF LONG BEACH

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

STATEMENT OF PURPOSE

The purpose of this Ordinance is to amend and revise Chapter 5 in order to set forth and codify the regulations relating to the Transportation Department in the Township of Long Beach, as it pertains to Chapter 5. Chapter 111 is amended to designate the Commissioner of Revenue and Finance as the Director of the Transportation Department.

SECTION I

§5-7.F. is hereby adopted as follows.

- E. Transportation Department. The Transportation Department of the Township of Long Beach shall be under the jurisdiction and control of the Commissioner of Revenue and Finance. The Transportation Department shall consist of such Supervisor(s), Dispatcher(s), Clerk(s), Drivers, and other personnel as the Board of Commissioners from time to time shall deem necessary. Township shall engage, hire, and pay such staff and other personnel as shall be required.
- (1) The Commissioner of Revenue and Finance ("Commissioner") and his/her designee ("Supervisor"), who shall be selected from the Township Administrator, Chief of Police, or Captain of Police, shall control, direct, and supervise the operations of the Transportation Department.
 - (2) The Commissioner shall annually select certain Supervisor(s) or other such personnel, who shall report to the Commissioner and his/her designee and shall supervise the day-to-day operations of the Municipal Transportation System, including, but not limited to, compliance with Chapter 111, shuttle assignment(s), routes, scheduling, vehicle maintenance, communications, and departmental personnel.
 - (3) Authority and Duties of the Supervisor. Subject to the authority, control, and supervision of the Commissioner, the authority and duties of the Supervisor are as follows.
 - (a) Shall determine the required qualifications of the drivers and other personnel, and shall set forth the scope and nature of their duties and hours of employment.
 - (b) Shall report to the Commissioner or his/her designee and shall supervise and direct personnel pursuant to and in accordance with the direction of the Commissioner.
 - (c) Shall supervise the operating of the Municipal Transportation System in accordance with Chapter 111.
 - (4) Duties of the Transportation Department. The Transportation Department shall: (a) adequately staff the Transportation Building for the on-season and off-season, as necessary; (b) oversee the maintenance and good working condition of the Municipal Transportation System vehicle fleet; (c) prepare shuttle routes and schedules; (d) ensure adequate staffing of the Transportation Office and Vehicle Operators as the schedule requires; (e) communicate, receive, respond and provide information to the public or other interested persons; and (f) otherwise fulfill the duties set forth in this Section and as required by Chapter 111.
 - (5) Licensing/Training. Township shall require each operator of the shuttles to possess a New Jersey CDL license. Township may provide and/or require any personnel to obtain any additional training and/or certifications as deemed necessary.

SECTION II

§111-2.B. is hereby amended as follows.

In the first and second sentences delete the words "Public Safety" and replace in lieu thereof with the words "Revenue and Finance".

SECTION III

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

SECTION IV

If any word, phrase, clause, section, or provision of this ordinance shall be found by any Court of competent jurisdiction to be unenforceable, illegal, or unconstitutional, such word, phrase, clause, section, or provision shall be severable from the balance of the ordinance and the remainder of the ordinance shall remain in full force and effect.

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 6, 2017 and advertised in the BEACH HAVEN TIMES issue of March 9th 2017.

OPEN PUBLIC HEARING

No Comment

CLOSE PUBLIC HEARING

Motion to adopt Ordinance 17-10C on Second Reading:

Motion: Lattanzi

Ayes: Lattanzi, Bayard, Mancini

Second: Bayard

Nays:

4. Second Reading Ordinance 17-11: **BOND ORDINANCE AUTHORIZING STREET SCAPING IMPROVEMENTS IN THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$250,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$237,500; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING ORDINANCE 17-11**

BOND ORDINANCE AUTHORIZING STREET SCAPING IMPROVEMENTS IN THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$250,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$237,500; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING

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

Section 1. The purpose described in Section 7 hereof is hereby authorized as a general improvement to be made or acquired by the Township of Long Beach, County of Ocean, New Jersey ("Township").

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

(a) the estimated amount to be raised by the Township from all sources for the purpose stated in Section 7 hereof is \$250,000; and

(b) the estimated amount of bonds or bond anticipation notes to be issued for the purpose stated in Section 7 hereof is \$237,500; and

(c) a down payment in the amount of \$12,500 for the purpose stated in Section 7 hereof is currently available in accordance with the requirements of Section 11 of the Local Bond Law, N.J.S.A. 40A:2-11.

Section 3. The sum of \$237,500, to be raised by the issuance of bonds or bond anticipation notes, together with the sum of \$12,500, which amount represents the required down payment, are hereby appropriated for the purpose stated in this bond ordinance ("Bond Ordinance").

Section 4. The issuance of negotiable bonds of the Township in an amount not to exceed \$237,500 to finance the costs of the purpose described in Section 7 hereof is hereby authorized. Said bonds shall be sold in accordance with the requirements of the Local Bond Law.

Section 5. In order to temporarily finance the purpose described in Section 7 hereof, the issuance of bond anticipation notes of the Township in an amount not to exceed \$237,500 is hereby authorized. Pursuant to the Local Bond Law, the Chief Financial Officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver the same to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their date to delivery thereof. The Chief Financial Officer is hereby directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this Bond Ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 6. The amount of the proceeds of the obligations authorized by this Bond Ordinance which may be used for the payment of interest on such obligations, accounting, engineering, legal fees and other items as provided in Section 20 of the Local Bond Law, N.J.S.A. 40A:2-20, shall not exceed the sum of \$50,000.

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

<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
A. Street Scaping Improvements to Certain Roads within the Township, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	\$250,000	\$12,500	\$237,500	10 years

Section 8. The supplemental debt statement provided for in Section 10 of the Local Bond Law, N.J.S.A. 40A:2-10, was duly filed in the office of the Clerk prior to the passage of this Bond Ordinance on first reading and a complete executed duplicate original thereof has been filed in the Office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. The supplemental debt statement shows that the gross debt of the Township, as defined in Section 43 of the Local Bond Law, N.J.S.A. 40A:2-43, is increased by this Bond Ordinance by \$237,500 and that the obligations authorized by this Bond Ordinance will be within all debt limitations prescribed by said Local Bond Law.

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

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

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

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

Section 13. The Township hereby covenants as follows:

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

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

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

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

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

Section 14. The improvement authorized hereby is not a current expense and is an improvement that the Township may lawfully make. No part of the cost of the improvement authorized hereby has been or shall be specially assessed on any property specially benefited thereby.

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

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

Date of Introduction: March 6, 2017

Date of Final Adoption: April 3, 2017

Notice of Pending Bond Ordinance 17-11 and Summary.

The bond ordinance, the summary terms of which are included herein, was introduced and passed upon first reading at a meeting of the Board of Commissioners of the Township of Long Beach, in the County of Ocean, State of New Jersey, on March 6, 2017. It will be further considered for final passage, after public hearing thereon, at a meeting of the Board of Commissioners to be held at the Administration Building, 6805 Long Beach Boulevard, Brant Beach, New Jersey on April 3, 2017, at 4 P.M. During the week prior to and up to and including

the date of such meeting copies of the full ordinance will be available at no cost and during regular business hours, at the Municipal Clerk's office for the members of the general public who shall request the same. The summary of the terms of such bond ordinance follows:

Title: **BOND ORDINANCE AUTHORIZING STREET SCAPING IMPROVEMENTS IN THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$250,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$237,500; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
A. Street Scaping Improvements to Certain Roads within the Township, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	\$250,000	\$12,500	\$237,500	10 years

Appropriation: \$250,000
 Bonds/Notes Authorized: \$237,500
 Grants (if any) Appropriated: None
 Section 20 Costs: \$50,000
 Useful Life: 10 years

Bond Ordinance 17-11 Statements and Summary

The bond ordinance, the summary terms of which are included herein, has been finally adopted by the Board of Commissioners of the Township of Long Beach, in the County of Ocean, State of New Jersey on April 3, 2017 and the twenty (20) day period of limitation within which a suit, action or proceeding questioning the validity of such ordinance can be commenced, as provided in the Local Bond Law, has begun to run from the date of the first publication of this statement. Copies of the full ordinance are available at no cost and during regular business hours, at the Municipal Clerk's office at 6805 Long Beach Boulevard, Brant Beach, New Jersey for members of the general public who request the same. The summary of the terms of such bond ordinance follows:

Title: **BOND ORDINANCE AUTHORIZING STREET SCAPING IMPROVEMENTS IN THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$250,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$237,500; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
A. Street Scaping Improvements to Certain Roads within the Township, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	\$250,000	\$12,500	\$237,500	10 years

Appropriation: \$250,000
 Bonds/Notes Authorized: \$237,500
 Grants (if any) Appropriated: None
 Section 20 Costs: \$50,000
 Useful Life: 10 years

Passed on first reading at a regular meeting held on March 6, 2017 and advertised in the BEACH HAVEN TIMES issue of March 9th 2017.

OPEN PUBLIC HEARING
 No Comment
 CLOSE PUBLIC HEARING

Motion to adopt Ordinance 17-11 on Second Reading:

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

5. Second Reading Ordinance 17-12: **BOND ORDINANCE AUTHORIZING THE CONSTRUCTION OF A NEW DECK ON 67TH STREET IN THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$100,000 THEREFOR; AUTHORIZING THE ISSUANCE**

**OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$95,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING
ORDINANCE 17-12**

BOND ORDINANCE AUTHORIZING THE CONSTRUCTION OF A NEW DECK ON 67TH STREET IN THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$100,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$95,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING

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

Section 1. The purpose described in Section 7 hereof is hereby authorized as a general improvement to be made or acquired by the Township of Long Beach, County of Ocean, New Jersey ("Township").

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

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

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

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

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

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

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

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

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

<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
A. Construction of a new Wood and Composite Deck on Outfall at 67th Street in the Township, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	\$100,000	\$5,000	\$95,000	15 years

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

gross debt of the Township, as defined in Section 43 of the Local Bond Law, N.J.S.A. 40A:2-43, is increased by this Bond Ordinance by \$95,000 and that the obligations authorized by this Bond Ordinance will be within all debt limitations prescribed by said Local Bond Law.

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

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

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

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

Section 13. The Township hereby covenants as follows:

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

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

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

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

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

Section 14. The improvement authorized hereby is not a current expense and is an improvement that the Township may lawfully make. No part of the cost of the improvement authorized hereby has been or shall be specially assessed on any property specially benefited thereby.

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

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

Notice of Pending Bond Ordinance 17-12 and Summary.

The bond ordinance, the summary terms of which are included herein, was introduced and passed upon first reading at a meeting of the Board of Commissioners of the Township of Long Beach, in the County of Ocean, State of New Jersey, on March 6, 2017. It will be further considered for final passage, after public hearing thereon, at a meeting of the Board of Commissioners to be held at the Administration Building, 6805 Long Beach Boulevard, Brant Beach, New Jersey on April 3, 2017, at 4 P.M. During the week prior to and up to and including the date of such meeting copies of the full ordinance will be available at no cost and during regular business hours, at the Municipal Clerk's office for the members of the general public who shall request the same. The summary of the terms of such bond ordinance follows:

Title: **BOND ORDINANCE AUTHORIZING THE CONSTRUCTION OF A NEW DECK ON 67TH STREET IN THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$100,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$95,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

	<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
A.	Construction of a new Wood and Composite Deck on Outfall at 67th Street in the Township, together with	\$100,000	\$5,000	\$95,000	15 years

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

Bond Ordinance 17-12 Statements and Summary

The bond ordinance, the summary terms of which are included herein, has been finally adopted by the Board of Commissioners of the Township of Long Beach, in the County of Ocean, State of New Jersey on April 3, 2017 and the twenty (20) day period of limitation within which a suit, action or proceeding questioning the validity of such ordinance can be commenced, as provided in the Local Bond Law, has begun to run from the date of the first publication of this statement. Copies of the full ordinance are available at no cost and during regular business hours, at the Municipal Clerk's office at 6805 Long Beach Boulevard, Brant Beach, New Jersey for members of the general public who request the same. The summary of the terms of such bond ordinance follows:

Title: **BOND ORDINANCE AUTHORIZING THE CONSTRUCTION OF A NEW DECK ON 67TH STREET IN THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$100,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$95,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
A. Construction of a new Wood and Composite Deck on Outfall at 67th Street in the Township, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	\$100,000	\$5,000	\$95,000	15 years

Appropriation: \$100,000
 Bonds/Notes Authorized: \$95,000
 Grants (if any) Appropriated: None
 Section 20 Costs: \$20,000
 Useful Life: 15 years

Passed on first reading at a regular meeting held on March 6, 2017 and advertised in the BEACH HAVEN TIMES issue of March 9th 2017.

OPEN PUBLIC HEARING

No Comment

CLOSE PUBLIC HEARING

Motion to adopt Ordinance 17-12 on Second Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

6. Second Reading Ordinance 17-13: BOND ORDINANCE AUTHORIZING THE EXTENSION OF, AND IMPROVEMENTS TO, THE OBSERVATION DECK IN THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$450,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$427,500; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING

ORDINANCE 17-13

BOND ORDINANCE AUTHORIZING THE EXTENSION OF, AND IMPROVEMENTS TO, THE OBSERVATION DECK IN THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$450,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$427,500; MAKING

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

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

Section 1. The purpose described in Section 7 hereof is hereby authorized as a general improvement to be made or acquired by the Township of Long Beach, County of Ocean, New Jersey ("Township").

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

(a) the estimated amount to be raised by the Township from all sources for the purpose stated in Section 7 hereof is \$450,000; and

(b) the estimated amount of bonds or bond anticipation notes to be issued for the purpose stated in Section 7 hereof is \$427,500; and

(c) a down payment in the amount of \$22,500 for the purpose stated in Section 7 hereof is currently available in accordance with the requirements of Section 11 of the Local Bond Law, *N.J.S.A. 40A:2-11*.

Section 3. The sum of \$427,500, to be raised by the issuance of bonds or bond anticipation notes, together with the sum of \$22,500, which amount represents the required down payment, are hereby appropriated for the purpose stated in this bond ordinance ("Bond Ordinance").

Section 4. The issuance of negotiable bonds of the Township in an amount not to exceed \$427,500 to finance the costs of the purpose described in Section 7 hereof is hereby authorized. Said bonds shall be sold in accordance with the requirements of the Local Bond Law.

Section 5. In order to temporarily finance the purpose described in Section 7 hereof, the issuance of bond anticipation notes of the Township in an amount not to exceed \$427,500 is hereby authorized. Pursuant to the Local Bond Law, the Chief Financial Officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver the same to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their date to delivery thereof. The Chief Financial Officer is hereby directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this Bond Ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 6. The amount of the proceeds of the obligations authorized by this Bond Ordinance which may be used for the payment of interest on such obligations, accounting, engineering, legal fees and other items as provided in Section 20 of the Local Bond Law, *N.J.S.A. 40A:2-20*, shall not exceed the sum of \$90,000.

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

<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
A. Extension of, and Improvements to, Observation Deck in the Township, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	\$450,000	\$22,500	\$427,500	15 years

Section 8. The supplemental debt statement provided for in Section 10 of the Local Bond Law, *N.J.S.A. 40A:2-10*, was duly filed in the office of the Clerk prior to the passage of this Bond Ordinance on first reading and a complete executed duplicate original thereof has been filed in the Office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. The supplemental debt statement shows that the gross debt of the Township, as defined in Section 43 of the Local Bond Law, *N.J.S.A. 40A:2-43*, is increased by this Bond Ordinance by \$427,500 and that the obligations authorized by this Bond Ordinance will be within all debt limitations prescribed by said Local Bond Law.

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

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

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

as approved by the Director of the Division of Local Government Services, is on file with the Clerk and available for inspection.

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

Section 13. The Township hereby covenants as follows:

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

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

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

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

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

Section 14. The improvement authorized hereby is not a current expense and is an improvement that the Township may lawfully make. No part of the cost of the improvement authorized hereby has been or shall be specially assessed on any property specially benefited thereby.

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

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

Notice of Pending Bond Ordinance 17-13 and Summary.

The bond ordinance, the summary terms of which are included herein, was introduced and passed upon first reading at a meeting of the Board of Commissioners of the Township of Long Beach, in the County of Ocean, State of New Jersey, on March 6, 2017. It will be further considered for final passage, after public hearing thereon, at a meeting of the Board of Commissioners to be held at the Administration Building, 6805 Long Beach Boulevard, Brant Beach, New Jersey on April 3, 2017, at 4 P.M. During the week prior to and up to and including the date of such meeting copies of the full ordinance will be available at no cost and during regular business hours, at the Municipal Clerk's office for the members of the general public who shall request the same. The summary of the terms of such bond ordinance follows:

Title: **BOND ORDINANCE AUTHORIZING THE EXTENSION OF, AND IMPROVEMENTS TO, THE OBSERVATION DECK IN THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$450,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$427,500; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
A. Extension of, and Improvements to, Observation Deck in the Township, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	\$450,000	\$22,500	\$427,500	15 years

Appropriation: \$450,000
 Bonds/Notes Authorized: \$427,500
 Grants (if any) Appropriated: None
 Section 20 Costs: \$90,000
 Useful Life: 15 years

Bond Ordinance 17-13 Statements and Summary

The bond ordinance, the summary terms of which are included herein, has been finally adopted by the Board of Commissioners of the Township of Long Beach, in the County of Ocean, State of New Jersey on April 3, 2017 and the twenty (20) day period of limitation within which a suit, action or proceeding questioning the validity of such ordinance can be commenced, as provided in the Local Bond Law, has begun to run from the date of the first

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

Title: **BOND ORDINANCE AUTHORIZING THE EXTENSION OF, AND IMPROVEMENTS TO, THE OBSERVATION DECK IN THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$450,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$427,500; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
A. Extension of, and Improvements to, Observation Deck in the Township, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	\$450,000	\$22,500	\$427,500	15 years

Appropriation: \$450,000
 Bonds/Notes Authorized: \$427,500
 Grants (if any) Appropriated: None
 Section 20 Costs: \$90,000
 Useful Life: 15 years

Passed on first reading at a regular meeting held on March 6, 2017 and advertised in the BEACH HAVEN TIMES issue of March 9th 2017.

OPEN PUBLIC HEARING
 No Comment
 CLOSE PUBLIC HEARING

Motion to adopt Ordinance 17-13 on Second Reading:

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

7. Second Reading Ordinance 17-14: **BOND ORDINANCE AUTHORIZING CONSTRUCTION OF WALKWAYS IN THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$400,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$380,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

ORDINANCE 17-14

BOND ORDINANCE AUTHORIZING CONSTRUCTION OF WALKWAYS IN THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$400,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$380,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING

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

Section 1. The purpose described in Section 7 hereof is hereby authorized as a general improvement to be made or acquired by the Township of Long Beach, County of Ocean, New Jersey ("Township").

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

(a) the estimated amount to be raised by the Township from all sources for the purpose stated in Section 7 hereof is \$400,000; and

(b) the estimated amount of bonds or bond anticipation notes to be issued for the purpose stated in Section 7 hereof is \$380,000; and

(c) a down payment in the amount of \$20,000 for the purpose stated in Section 7 hereof is currently available in accordance with the requirements of Section 11 of the Local Bond Law, N.J.S.A. 40A:2-11.

Section 3. The sum of \$380,000, to be raised by the issuance of bonds or bond anticipation notes, together with the sum of \$20,000, which amount represents the required down

payment, are hereby appropriated for the purpose stated in this bond ordinance ("Bond Ordinance").

Section 4. The issuance of negotiable bonds of the Township in an amount not to exceed \$380,000 to finance the costs of the purpose described in Section 7 hereof is hereby authorized. Said bonds shall be sold in accordance with the requirements of the Local Bond Law.

Section 5. In order to temporarily finance the purpose described in Section 7 hereof, the issuance of bond anticipation notes of the Township in an amount not to exceed \$380,000 is hereby authorized. Pursuant to the Local Bond Law, the Chief Financial Officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver the same to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their date to delivery thereof. The Chief Financial Officer is hereby directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this Bond Ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 6. The amount of the proceeds of the obligations authorized by this Bond Ordinance which may be used for the payment of interest on such obligations, accounting, engineering, legal fees and other items as provided in Section 20 of the Local Bond Law, N.J.S.A. 40A:2-20, shall not exceed the sum of \$80,000.

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

<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
A. Planning for and Construction of Perpendicular Access Walkways in North Beach and Loveladies within the Township, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	\$400,000	\$20,000	\$380,000	10 years

Section 8. The supplemental debt statement provided for in Section 10 of the Local Bond Law, N.J.S.A. 40A:2-10, was duly filed in the office of the Clerk prior to the passage of this Bond Ordinance on first reading and a complete executed duplicate original thereof has been filed in the Office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. The supplemental debt statement shows that the gross debt of the Township, as defined in Section 43 of the Local Bond Law, N.J.S.A. 40A:2-43, is increased by this Bond Ordinance by \$380,000 and that the obligations authorized by this Bond Ordinance will be within all debt limitations prescribed by said Local Bond Law.

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

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

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

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

Section 13. The Township hereby covenants as follows:

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

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

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

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

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

Section 14. The improvement authorized hereby is not a current expense and is an improvement that the Township may lawfully make. No part of the cost of the improvement authorized hereby has been or shall be specially assessed on any property specially benefited thereby.

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

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

Notice of Pending Bond Ordinance 17-14 and Summary.

The bond ordinance, the summary terms of which are included herein, was introduced and passed upon first reading at a meeting of the Board of Commissioners of the Township of Long Beach, in the County of Ocean, State of New Jersey, on March 6, 2017. It will be further considered for final passage, after public hearing thereon, at a meeting of the Board of Commissioners to be held at the Administration Building, 6805 Long Beach Boulevard, Brant Beach, New Jersey on April 3, 2017, at 4 P.M. During the week prior to and up to and including the date of such meeting copies of the full ordinance will be available at no cost and during regular business hours, at the Municipal Clerk's office for the members of the general public who shall request the same. The summary of the terms of such bond ordinance follows:

Title: **BOND ORDINANCE AUTHORIZING CONSTRUCTION OF WALKWAYS IN THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$400,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$380,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
A. Planning for and Construction of Perpendicular Access Walkways in North Beach and Loveladies within the Township, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	\$400,000	\$20,000	\$380,000	10 years

Appropriation: \$400,000
 Bonds/Notes Authorized: \$380,000
 Grants (if any) Appropriated: None
 Section 20 Costs: \$80,000
 Useful Life: 10 years

Bond Ordinance 17-14 Statements and Summary

The bond ordinance, the summary terms of which are included herein, has been finally adopted by the Board of Commissioners of the Township of Long Beach, in the County of Ocean, State of New Jersey on April 3, 2017 and the twenty (20) day period of limitation within which a suit, action or proceeding questioning the validity of such ordinance can be commenced, as provided in the Local Bond Law, has begun to run from the date of the first publication of this statement. Copies of the full ordinance are available at no cost and during regular business hours, at the Municipal Clerk's office at 6805 Long Beach Boulevard, Brant Beach, New Jersey for members of the general public who request the same. The summary of the terms of such bond ordinance follows:

Title: **BOND ORDINANCE AUTHORIZING CONSTRUCTION OF WALKWAYS IN THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$400,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$380,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
A. Planning for and Construction of Perpendicular Access Walkways in North Beach and Loveladies within the Township, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	\$400,000	\$20,000	\$380,000	10 years

Appropriation: \$400,000
 Bonds/Notes Authorized: \$380,000
 Grants (if any) Appropriated: None
 Section 20 Costs: \$80,000
 Useful Life: 10 years

Passed on first reading at a regular meeting held on March 6, 2017 and advertised in the BEACH HAVEN TIMES issue of March 9th 2017.

OPEN PUBLIC HEARING
 No Comment
 CLOSE PUBLIC HEARING

Motion to adopt Ordinance 17-14 on Second Reading:

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

8. Second Reading Ordinance 17-15: AN ORDINANCE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY, APPROPRIATING \$230,000 FROM THE CAPITAL IMPROVEMENT FUND FOR THE COSTS ASSOCIATED WITH VARIOUS CAPITAL IMPROVEMENTS AND THE ACQUISITION OF VARIOUS EQUIPMENT

ORDINANCE NO. 17-15

AN ORDINANCE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY, APPROPRIATING \$230,000 FROM THE CAPITAL IMPROVEMENT FUND FOR THE COSTS ASSOCIATED WITH VARIOUS CAPITAL IMPROVEMENTS AND THE ACQUISITION OF VARIOUS EQUIPMENT 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: (i) the sum of \$150,000 for various improvements to Beach Haven Terrace Veterans Park; and (ii) the sum of \$80,000 for the acquisition of various equipment for the Township Public Works Department.

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

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 March 6, 2017 and advertised in the BEACH HAVEN TIMES issue of March 9th 2017.

OPEN PUBLIC HEARING
 No Comment
 CLOSE PUBLIC HEARING

Motion to adopt Ordinance 17-15 on Second Reading:

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

9. First Reading Ordinance 17-16: AN ORDINANCE GRANTING ATLANTIC CITY COMPANY ELECTRIC AN EASEMENT OVER A PORTION OF BLOCK 7.15, LOT 12 AS SHOWN ON THE TAX MAP OF THE TOWNSHIP OF LONG BEACH

Motion to approve Ordinance 17-16 on First Reading:

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

10. First Reading Ordinance 17-17C: 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 205 PERTAINS TO THE AMENDMENT OF A DEFINITION AND REFORMATTING AND REVISING THE CHAPTER

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

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

11. First Reading Ordinance 17-18C: **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 94 PERTAINS TO THE AMENDMENT OF DEFINITIONS**

Motion to approve Ordinance 17-18C on First Reading:

Motion: Lattanzi

Ayes: Lattanzi, Bayard, Mancini

Second: Bayard

Nays:

ADOPTIONS & APPROVALS

12. Resolution 17-0403.01(a&b): Authorize application for various grants:

- a. NJ Transit & Department of Transportation under the Federal Transit Act for the Municipal Transportation System
- b. Planning & Consulting Services for the Local Bicycle and Pedestrian Planning Assistance Program

RESOLUTION 17-0403.01(a)

Resolution authorizing the filing of an application to NJ TRANSIT and the Department of Transportation, United States of America, on behalf of The Township of Long Beach for a grant under the Federal Transit Act, as amended.

WHEREAS, the Secretary of Transportation is authorized to make grants for a general public transportation program of projects in other than urbanized areas under Section 5311 of the Federal Transit Act, as amended;

WHEREAS, the grant for financial assistance will impose certain obligations upon the Sub-recipient, The Township of Long Beach, including the provision of the local share of the project costs in the program;

WHEREAS, it is required by the U.S. Department of Transportation in accordance with the provisions of Title VI of the Civil Rights Act of 1965, that in connection with the filing of an application for assistance under the Federal Transit Act, as amended, the Subrecipient gives an assurance that it will comply with Title VI and EEO requirements of the Civil Rights Act of 1964 and U.S. Department of Transportation requirements; and

WHEREAS, the Subrecipient is required to adhere to the requirements as specified in the U.S. Department of Transportation's Minority Business Enterprise (MBE) regulation set forth in 49 C.F.R. Part 23, Subpart D.

NOW, THEREFORE, BE IT RESOLVED BY the Township of Long Beach

1. That Mayor Joseph Mancini is authorized to execute and file an application on behalf of Sub-recipient, the Township of Long Beach, with NJ TRANSIT who as the Designated Recipient will apply to the U.S. Department of Transportation requesting aid in the financing of administration, capital and/or operating assistance projects pursuant to Section 5311 of the Federal Transit Act, as amended.
2. That Mayor Joseph Mancini is authorized to execute and file with such applications and assurance or any other document required by the U.S. Department of Transportation effectuating the purposes of Title VI and EEO requirements of the Civil Rights Act of 1964.
3. That Mayor Joseph Mancini is authorized to set forth and execute affirmative minority business policies pursuant to 47 C.F.R. Part 23, Subpart D.
4. That Mayor Joseph Mancini is authorized to furnish such additional information as the U.S. Department of Transportation may require in connection with the application.
5. That Mayor Joseph Mancini is authorized to execute grant agreements on behalf of the Township of Long Beach for aid in the financing of the administration, capital and/or operating assistance.
6. That the Township of Long Beach hereby authorizes the amount of (\$84,028 or 25%) be obligated as the local share required under the provisions of the grant application.

Resolution 17-0403.01(b)

Authorizing the submittal of an application to New Jersey Department of Transportation for the Local Bicycle /Pedestrian Planning Assistance Program

Whereas, The New Jersey Department of Transportation has created the Local Bicycle and Pedestrian Planning Assistance Program in order to provide no cost consultation and planning services for capital improvement projects that benefit non-motorized modes of transportation and for the purposes of producing a planning study that makes recommendations to improve bicycle/pedestrian safety; and

Whereas, the Township of Long Beach, in order to provide safe opportunities for its residents to walk or bicycle through the Township, wishes to participate in said program.

Now Therefore Be It Resolved that the Board of Commissioners of the Township of Long Beach wishes to take advantage of this program and does hereby authorize the execution and submittal of an application for planning and consulting services.

13. Resolution 17-0403.02: Authorize application for various grants in 2017

RESOLUTION 17-0403.02

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach that the following municipal employee: Paul Vereb be and he hereby is authorized and directed to apply for various grants in 2017.

14. Resolution 17-0403.03: Appoint the Certifying Officer for Pensions: Christopher Connors

RESOLUTION 17-0403.03

BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach, County of Ocean, State of New Jersey, that Chris Connors be and is hereby designated as a certifying

agent to facilitate the administration of the Public Employees' Retirement System and the Police and Fireman's Retirement System in the Township of Long Beach i.e.; the responsibility of processing, at the local level, all documents pertaining to the Public Employees' Retirement enrollments, transfers of members accounts, retirement, withdrawals and claims; and

BE IT FURTHER RESOLVED that the Board of Commissioners of the Township of Long Beach do hereby authorize the signature of Lynda J. Wells to sign certifications for Civil Service Appointments; and

BE IT FINALLY RESOLVED that a certified copy of this resolution be forwarded to the Public Employees' Retirement System and the Police and Fireman's Retirement System, State of New Jersey and the Civil Service Commission, Trenton, New Jersey.

15. Resolution 17-0403.04: Approve various personnel matters

RESOLUTION 17-0403.04

Approve the Family Medical Leave Act (FMLA) for employee with Civil Service number *****5156 effective retroactive to March 20, 2017.

Approve the Family Medical Leave Act (FMLA) for employee with Civil Service number *****4689 effective retroactive to March 20, 2017.

Approve the Family Medical Leave Act (FMLA) for employee with Civil Service number *****4994 effective retroactive to February 27, 2017.

Approve the donation of 35 hours of sick time from Lynda Wells to Jennifer Martin as per Ordinance 08-43.

Approve the donation of 21 hours of sick time from Katy Mancini to Jennifer Martin as per Ordinance 08-43.

Beach Badge

Hire the following employee as a Seasonal Beach Badge Seller at the rate of \$10.45 per hour to be paid from Beach Badge Salary & Wage effective April 3, 2017.

Melissa Vurlicer

Hire the following employee as a Seasonal Beach Badge Seller at the rate of \$9.95 per hour to be paid from Beach Badge Salary & Wage effective April 3, 2017.

Dana Ivan

Hire the following employee as a Seasonal Beach Badge Seller at the rate of \$9.70 per hour to be paid from Beach Badge Salary & Wage effective April 3, 2017.

Patricia-Jo Hoagland

Beach Patrol

Hire the following employee as a Seasonal Part-Time Laborer at the rate of \$100.00 per day to be paid from Lifeguard Salary & Wage effective April 3, 2017.

Travis Janiec

Police

Accept and Approve the resignation of the following employee effective retroactive to April 1, 2017.

Anna DeMarco

Public Works

Hire the following employee as a Seasonal Full-Time Laborer 1 at the rate of \$10.25 per hour to be paid from Public Works Salary & Wage effective May 1, 2017.

Barry Longenbach

Hire the following employee as a Full-Time Seasonal Laborer 1 at the rate of \$10.25 per hour to be paid from Public Works Salary & Wage effective April 3, 2017.

John Cossman

Hire the following employee as a Seasonal Full-Time Laborer 1 at the rate of \$14.00 per hour to be paid from Public Works Salary & Wage effective April 3, 2017.

Victor DiGangi

Hire the following employee as a Seasonal Part-Time Sanitation Inspector at the rate of \$11.00 per hour to be paid from Public Works Salary & Wage effective April 3, 2017.

Thomas LaNeve

16. Resolution 17-0403.05: Approve the Suspension of parking regulations on Beach Ave.: First United Methodist Church events:

- Pancake Breakfast – July 8th 6:30 am to 12:00 PM
- Fish Dinner – July 21st 4:00 to 8:30 PM

RESOLUTION 17-0403.05

WHEREAS, the Terrace First United Methodist Church scheduled annual special events in 2017 and temporary conditions shall exist causing the need to suspend the No Parking regulations on Beach Avenue in the area of New Jersey, Indiana, and Pennsylvania Avenues on:

- Saturday, July 8th Pancake Breakfast, 6:30 A.M. to 12:00 P.M.
- Friday, July 21st Fish and Chips Dinner, 4:00 P.M. to 8:30 P.M.

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.

17. Resolution 17-0403.06: Approve the 2016 Annual Local Health Report

RESOLUTION 17-0403.06

ACCEPT AND APPROVE THE 2016 LOCAL HEALTH REPORT

2. A copy of this Agreement shall be kept on file and be available for public inspection at the Office of the Township Clerk.
 3. This Agreement shall take effect upon full execution by the parties and shall remain in full force and effect through December 31, 2017. Sufficient funds have been appropriated in the 2017 Temporary Municipal Budget and are subject to amendment at such time the 2017 Municipal Budget is adopted. Appropriated funds will be available for this purpose in the municipal budget under Schedule "C" Other Expenses.
 4. A certified copy of this resolution shall be forwarded to:
 - Clerk of the Ocean County Board of Chosen Freeholders
 - Ocean County Engineering Department
 - Ocean County Department of Finance
20. Resolution 17-0403.09: Amend a Shared Services Agreement:

Ocean County DWI Enforcement Program: Hourly rate

RESOLUTION 17-0403.09

A RESOLUTION AUTHORIZING THE RENEWAL OF A SHARED SERVICES AGREEMENT WITH OCEAN COUNTY FOR THE DRIVING WHILE INTOXICATED ENFORCEMENT PROGRAM

WHEREAS, pursuant to Resolution 16-1109.05(c), the Board of Commissioners of the Township of Long Beach (Township) authorized 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; and

WHEREAS, on March 15th 2017 the Office of the Ocean County Prosecutor advised the Board of Commissioners of a change to the hourly compensation rate to Seventy Dollars (\$70.00) per hour, and requested an amendment to the current agreement be executed by the Township.

NOW THEREFOR, BE IT RESOLVED, the Board of Commissioners of the Township of Long Beach does hereby approve the above amendment to the Shared Service Agreement for the Ocean County Driving While Intoxicated Enforcement Program and certified copies of this Resolution shall be forwarded to the Ocean County Office of the Prosecutor and Department of Finance.

21. Resolution 17-0403.10(a&b): Award various contracts, per bid
- a. ABS Electric, Inc.: Emergency Electrical Repairs
 - b. Buterick Bulkheading, Inc.:
Construct Bulkhead Bayview Ave.

RESOLUTION 17-0403.10(a)

A RESOLUTION AWARDING A CONTRACT FOR 2017 EMERGENCY ELECTRICAL REPAIRS FOR THE TOWNSHIP OF LONG BEACH, PER BID

WHEREAS, pursuant to N.J.S.A.40A:11-1 et seq., the Township of Long Beach solicited and received bids for 2017 Emergency Electrical Repair in the Township of Long Beach on March 21, 2017; and

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

WHEREAS, ABS Electric, Inc. PO Box 592 Elmer, NJ 08318 gave the lowest qualified bid as per the municipal engineer and the municipal attorney's review and certification; 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: W/S Contractual Account #7-09-55-549-029 in the amount of \$54,568.00.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach this 3rd day of April 2017, for the reasons aforesaid, that a contract be and is hereby awarded to:

ABS Electric, Inc.
PO Box 592
Elmer, NJ 08318

For Emergency Electrical Repairs in the Township of Long Beach in various amounts pursuant to the bid received March 21, 2017, effective April 1, 2017 through December 31, 2018 with one (1) 2-year option to extend.

RESOLUTION 17-0403.10(b)

A RESOLUTION AWARDING A CONTRACT FOR 2017 BULKHEAD REPLACEMENT PROJECT FOR THE TOWNSHIP OF LONG BEACH, PER BID

WHEREAS, pursuant to N.J.S.A.40A:11-1 et seq., the Township of Long Beach solicited and received bids for 2017 Bulkhead Replacement Project in the Township of Long Beach on March 21, 2017; and

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

WHEREAS, Buterick Bulkheading Inc., PO Box 416, Manahawkin, NJ 08050 gave the lowest qualified bid as per the municipal engineer and the municipal attorney's review and certification; 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 12-18 RPR/REP Bulkheads: Account # C-04-55-997-901 in the amount of \$126,657.31; Ordinance 16-25

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, pursuant to Resolution 16-1109.11(a) 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; and

WHEREAS, upon inspection by the Municipal Engineer on February 9th, it was determined that the project was complete and the release of all remaining escrow fees and bonds was recommended, and no maintenance bond was required.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach approves the release of the remaining Performance Bond in the amount of Fifty-Two Thousand Eight Hundred Fifty-Five Dollars and Seventy-Nine Cents (\$52,855.79) plus accrued interest, as per its Municipal Land Use Ordinance and as per the recommendation and certification of the Municipal Engineer.

24. Resolution 17-0403.13:	Approve Bills & Payroll	
	Bills in the amount of:	\$ 11,802,841.41
	Payroll in the amount of:	\$ 845,591.79

RESOLUTION 17-0403.13

**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 \$ 845,591.79.

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 \$11,802,841.41 be and the same are hereby authorized to be paid on Monday, April 3, 2017

2. The said approved payroll amounting to the sum of \$ 845,591.79 be and the same are hereby authorized to be paid on Monday, April 3, 2017.

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 22 thru 24:

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

Mayor Mancini states the Tax Collector's and Treasurer's Report for the month of February is on file in the Municipal Clerk's Office.

Resolution 17-0403.14: Authorization to read the 2017 Municipal Budget by Title Only

RESOLUTION 17-0403.14

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.

<u>MOTION:</u>	<u>SECOND:</u>	<u>ROLL CALL:</u>
LATTANZI	BAYARD	LATTANZI
		BAYARD
		MANCINI

Motion to approve Item 25:

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

Commissioner Lattanzi thanked the staff of the Finance Department for their hard work in preparing the 2017 Municipal Budget. He was proud to note the municipal tax rate had increased nominally by 4/10 of one cent. The largest tax burden was represented by schools.

Mayor Mancini asks for a

Motion to open the Public Hearing for the 2017 Municipal Budget

Motion: Lattanzi
Second: Bayard

Ayes: Lattanzi, Bayard, Mancini
Nays:

PUBLIC HEARING: 2017 Municipal Budget

No Comment

Motion to close the Public Hearing for the 2017 Municipal Budget

Motion: Lattanzi
Second: Bayard

Ayes: Lattanzi, Bayard, Mancini
Nays:

25. Resolution 17-0403.15: Adopt the 2017 Municipal Budget

RESOLUTION 17-0403.15

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, authorization of the amount of \$27,842,000.00 for municipal purposes, and certification to the County Board of Taxation of the following summary of general revenues and appropriations on this 3rd day of April 2017.

BE IT FURTHER RESOLVED the amount to be raised by taxes for support of the municipal budget is \$18,528,202.00.

Motion to approve Item 26:

Motion: Lattanzi
Second: Bayard

Ayes: Lattanzi, Bayard, Mancini
Nays:

COMMISSIONERS' REPORTS

Commissioner Lattanzi provided information about the Annual Health Report and invited the public to visit the Health Department in its Ship Bottom location. He noted Retired Police Captain Paul Vereb would be back in a Seasonal capacity assisting in the Transportation Department and in obtaining various grants.

Commissioner Bayard announced Public Paper Shred Days offered by Ocean County.

Mayor Mancini announced the next meeting of the Land Use Board would be held on Wednesday, April 12th at 7:00 pm in the upstairs multi-purpose room and Second Reading and Public Hearing for Ordinances 17-16, 17C and 18C would take place at the public meeting held on May 1, 2017 at 4:00 pm. He stated the Board of Commissioners had agreed not to vacate Waverly Avenue in North Beach Haven.

OPEN PUBLIC SESSION

Linda Feaster/Surf City Branch of the Ocean County Library and **Elaine Viggiano/Friends of the Island Library** presented information regarding the continuance Library services, the many diverse community programs offered, and the historic and social aspects of the library in the lives of many people. She asked that the Board of Commissioners oppose President Trump's planned cuts to Public Broadcasting as the Library strongly supported the importance of the endowment for Humanities and Arts central to the Public Broadcasting Service.

Joni Bakum/Brant Beach noted the Library would be sponsoring several public events/activities in Bayview Park this summer.

Mayor Mancini agreed the Library was an important part of the Island communities.

Commissioner Lattanzi noted use of the Municipal Complex courts would require patrons to display a Township Beach Badge while in use.

CLOSE PUBLIC SESSION

Motion for adjournment at: 4:30

Motion: Lattanzi
Second: Bayard

Ayes: Lattanzi, Bayard, Mancini
Nays:

Lynda J. Wells, RMC
Municipal Clerk

Joseph H. Mancini, Mayor

Ralph H. Bayard, Commissioner

Dr. Joseph P. Lattanzi, Commissioner