

MINUTES
REGULAR SESSION BOARD OF COMMISSIONERS NOVEMBER 6, 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

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

AGENDA

ORDINANCES & PUBLIC HEARINGS

1. Second Reading Ordinance 17-31C: **AN ORDINANCE AMENDING AN ORDINANCE ENTITLED, "CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY (1997)," AS THE SAME PERTAINS TO THE CREATION OF A NEW CHAPTER 114 REGULATING AND LIMITING THE USE OF PLASTIC BAGS BY BUSINESSES IN THE TOWNSHIP**

ORDINANCE 17-31C

AN ORDINANCE AMENDING AN ORDINANCE ENTITLED, "CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY (1997)," AS THE SAME PERTAINS TO THE CREATION OF A NEW CHAPTER 114 REGULATING AND LIMITING THE USE OF PLASTIC BAGS BY BUSINESSES IN THE TOWNSHIP

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

WHEREAS, the Board of Commissioners of the Township of Long Beach ("Township") believes it has a duty to investigate and implement any and all necessary and proper steps the Township can take to protect the environment and the public health, welfare, and safety; and

WHEREAS, according to the United States Environmental Protection Agency ("EPA") in 2016, as many as 1 trillion plastic bags are used worldwide each year and an estimated less than 5% of that plastic is recycled; and

WHEREAS, in the United States alone, according to the EPA, over 380 billion plastic bags and wraps are used each year, approximately 40% of the bags used are single-use plastic bags, and the 380 million plastic bags require an estimated 12 million barrels of oil to create; and

WHEREAS, according to National Geographic, across the globe, people throw away roughly 4 million tons of trash **every day**, enough to fill 350,000 garbage trucks or 10 Empire State Buildings and approximately 12.8% of that waste is plastic; and

WHEREAS, it has been reported that approximately 19 billion pounds of plastic garbage end up in the Earth's oceans each year, which is approximately an area 34 times the size of Manhattan covered in ankle-deep plastic waste; and

WHEREAS, no body of water, waterway, beach, or shoreline is unaffected by this pollution, as ocean currents and waterways that flow into the oceans can transport plastic waste tossed into the water from the Township's shoreline to Australia and vice versa; and

WHEREAS, according to National Geographic, seabirds, fish, and other marine and land-based animals mistake plastic for food, while others can become entangled in the trash, leading to exhaustion, starvation, and eventual death; and

WHEREAS, studies have demonstrated that turtles often mistake plastic bags for jellyfish, eat them, and those bags do not pass through their digestive systems, which results in their intestines being blocked and the turtles die of starvation (studies on dead turtles have found that more than 50% of them have plastic in their stomachs); and

WHEREAS, studies have demonstrated that over decades of sunlight and pounding waves, plastic breaks down into microplastics that measure 5 millimeters or less, which are ingested by shrimp, plankton, fish, birds, turtles, and other sea animals, the effects of which to the ecosystem and food chain are not yet clear; and

WHEREAS, it is beyond dispute that the use of single-use, plastic carryout bags has a severe and negative environmental impact on the local and global environment as a result of the greenhouse gas emissions emitted to produce such bags, the land-

based and ocean-based pollution created, the hazards posed to wildlife, the blocking of storm drains by plastic, the hazards posed to sources of water for humans, and the negative impact on the ecosystem and food chain as a whole; and

WHEREAS, despite recycling requirements, growing public awareness, the work of non-profits, and voluntary attempts to control pollution from the single-use, plastic carryout bags, very few single-use carryout bags are actually recycled (as noted, it is estimated that less than 5% of all plastic bags are actually recycled and some estimates are as low as 1%); and

WHEREAS, at present, there is no widespread acceptance or use of biodegradable and environmentally safe plastic bags in the marketplace and it is unclear that such bags would prevent all of the negative impacts documented herein; and

WHEREAS, from an environmental, economic, public health, welfare, and safety, as well as survival perspective, the best available alternatives to plastic, single-use carryout bags are to shift to reusable bags for shopping and/or the use of recycled paper bags for shopping; and

WHEREAS, the Board of Commissioners seeks, to the fullest extent of its jurisdiction and authority, to conserve resources, reduce greenhouse gas emissions, reduce waste and litter, and to protect the public health, welfare, and safety, which includes the protection of the environment, waterways, and wildlife, in order to attempt to protect and increase the quality of life for the Township's residents and visitors; and

WHEREAS, the Township's taxpayers currently bear the costs associated with the negative effects of plastic, single-use carryout bags on the solid waste stream, drainage, litter, and the negative consequences of the foregoing environmental impacts; and

WHEREAS, the evidence supports the conclusion that the vast majority of single-use, plastic carryout bags are used for the bagging and carryout of products purchased from businesses, as such businesses are defined in this ordinance; and

WHEREAS, studies document and participating municipalities report that prohibiting the free distribution of single-use, plastic carryout bags at businesses will dramatically reduce the use of those type of bags; and

WHEREAS, over 150 states, municipalities, and counties in the United States presently either ban or require fees for the sale and use of plastic bags, including, but not limited to California (2014), Seattle (2012), Austin (2013), Los Angeles (2014), Dallas (2015), Chicago (2015), Borough of Longport, New Jersey (2015), and Brunswick, Maine (2017); and

WHEREAS, based upon the foregoing, the Board of Commissioners has concluded that residents and visitors should use reusable bags and that a prohibition on the distribution of single-use, plastic carryout bags by businesses is appropriate and will incentivize the use of reusable and recycled bags at businesses; and

WHEREAS, based upon the foregoing, the Board of Commissioner has further concluded that it is unquestionably in the best interests of the health, safety, and welfare of the residents and visitors of the Township to reduce the cost of waste disposal and to protect the environment, wildlife, and natural resources by reducing the distribution of single-use, plastic carryout bags and incentivizing the use of reusable bags at business.

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

STATEMENT OF PURPOSE

The purpose of this Ordinance is to create Chapter 114, which adopts regulations relating to and limiting the use of plastic bags by businesses in the Township. The regulations are intended as necessary and proper steps by the Township to address a significant global problem relating to the sale and use of plastic bags, to further incentivize the use of reusable bags at businesses, and, ultimately, to protect the environment, wildlife, and the public health, welfare, and safety.

SECTION I

Chapter 114. SINGLE-USE, PLASTIC CARRYOUT BAGS

§114-1. Definitions.

The following words, phrases and terms as used in this chapter are hereby defined for the purpose thereof as follows.

BAIT

Any live or previously live and now frozen substance used to attract and catch fish or crabs on the end of a fishing hook or inside or bait trap.

BUSINESS OR STORE

For the purposes of this Chapter, any retail establishment that engages in the retail sale of goods and products. The definition includes, but is not limited to, pharmacies, supermarkets, grocery stores, convenience stores, clothing stores, surf shops, food marts, and food service establishments.

FOOD SERVICE ESTABLISHMENT

Any establishment which serves made-to-order food for dine-in, takeout, or delivery.

GARMENT BAG

A large, zippered bag incorporating a hanger on which garments may be hung to prevent wrinkling during travel or storage and used to protect and transport clothing or other textiles.

GOODS AND PRODUCTS

Things and items that are prepared and made to be sold, including, but not limited to, clothing, groceries, prepared food, foodstuffs, meat, dairy, merchandise, books, jewelry, alcohol, tobacco products, toys, and any and all other things and items sold at retail by businesses and stores.

PRODUCE BAG OR PRODUCT BAG

Any bag without handles that is used exclusively to segregate produce, meats, other food items, and merchandise to the point of sale inside a store or to prevent such items from coming into direct contact with other purchased items, where such contact could damage or contaminate other food or merchandise when placed together in a reusable or recycled bag.

RETAIL

The sale of goods and products for use and/or consumption.

REUSABLE BAG

A bag that is designed and manufactured to withstand repeated uses over a period of time, is machine washable or made from a material that can be cleaned and disinfected regularly, is at least 2.25 mil thick if made from plastic, has a minimum lifetime of 75 uses, and is capable of carrying a minimum of 18 pounds.

SINGLE-USE, PLASTIC CARRYOUT BAG

A bag, sheet, or receptacle produced or manufactured from material commonly known as "plastic" or "polyethylene" provided at the check-out stand, cash register, point of sale, or other point of departure for the purpose of transporting goods or products out of the establishment. The term single-use, plastic carryout bag does not include reusable bags, produce bags, product bags, or garment bags.

§114-2. Regulation of Single-Use, Plastic Carryout Bags.

No business or store shall provide any single-use, plastic carryout bags to a customer at the check stand, cash register, point of sale, or other point of departure for the purpose of transporting products or goods out of the business or store, except as otherwise provided in this Chapter.

§114-3. Exception.

Single-use, plastic carryout bags may be used by businesses or stores to sell bait.

§114-4. Violations and Penalties.

A violation of this Chapter shall be punishable as provided in Chapter 1, General Provisions, Article III, General Penalty.

SECTION II

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

SECTION III

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

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 July 3, 2017 and advertised in the BEACH HAVEN TIMES issue of July 6, 2017, August 10, 2017 and October 5, 2017.

Mayor Mancini explained this Ordinance limits single use plastic bag distribution by local businesses. The prohibition would be fully phased in by May 1st 2018.

OPEN PUBLIC HEARING

No Comment

CLOSE PUBLIC HEARING

Motion to adopt Ordinance 17-31C on Final Reading:

Motion: Lattanzi

Ayes: Lattanzi, Bayard, Mancini

Second: Bayard

2. Second Reading Ordinance 17-37C: **AN ORDINANCE AMENDING AN ORDINANCE ENTITLED "CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, 1997" IS HEREBY AMENDED BY THE ADOPTION OF A NEW CHAPTER, CHAPTER 128, ADOPTING CERTAIN REGULATIONS RELATING TO OUTDOOR LIGHTING IN THE TOWNSHIP OF LONG BEACH**

ORDINANCE 17-37C

AN ORDINANCE AMENDING AN ORDINANCE ENTITLED "CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, 1997" IS HEREBY AMENDED BY THE ADOPTION OF A NEW CHAPTER, CHAPTER 128, ADOPTING CERTAIN REGULATIONS RELATING TO OUTDOOR LIGHTING IN THE TOWNSHIP OF LONG BEACH

WHEREAS, Township of Long Beach ("Township") deems it appropriate, necessary, and proper for the good government, order, the protection of persons and property, and for the preservation of the public health, welfare, and safety of Township and its inhabitants to adopt certain regulations pertaining to the regulation of certain outdoor lighting in the Township; and

WHEREAS, the further purpose of this ordinance is to regulate outdoor lighting in a manner which encourages the conservation of energy, improves or maintains the nighttime visual environment, and prevents and/or eliminates misdirected or excessive artificial light, light trespass and/or unnecessary sky glow; and

WHEREAS, other municipalities in the State of New Jersey and throughout the country have taken similar action on the grounds that outdoor lighting can constitute a nuisance and be inimical to the public health, welfare, and safety.

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

STATEMENT OF PURPOSE

The purpose of this Ordinance is to adopt Chapter 128 in order to regulate outdoor lighting to protect the public health, welfare, and safety.

SECTION I

Chapter 128. OUTDOOR LIGHTING

§128-1. Definitions.

ARTIFICIAL LIGHT SOURCE

A man-made thing or object from which light originates.

ENFORCEMENT OFFICER

The Township Code Enforcement Officer or designee.

FOOTCANDLE

A unit of measurement of illuminance (1 footcandle equals 1 lumen per square foot of area)

GLARE

Illuminance within the visual field of a human eye which is sufficiently greater than the intensity of illuminance to which the eye is adapted that it causes annoyance, discomfort, nuisance, and/or loss in visual performance and visibility.

ILLUMINATION

See Lighting.

ILLUMINANCE

The total amount (density) of visible light incident upon (i.e., illuminating) a point of a surface from all directions above the surface measured in footcandles (note: the "surface" may be a part, or all, of a physical object or an imaginary plane)

LIGHT FIXTURE

An electrically powered lighting device consisting of a lamp, a lamp holder, an electrical ballast (if necessary), and the means for connecting the device to an electrical power source.

LIGHT TRESPASS

Any form of illumination emanating from a light fixture or light source whether internally or externally illuminated on a property that penetrates another property and creates a nuisance, annoyance, or glare.

LIGHTING

The deliberate utilization of one or more artificial light sources to achieve an aesthetic or intended effect

LUMEN

Measurement of light output. One lumen is equal to the amount of light emitted by one candle that falls on one square foot of surface located one foot away from the candle.

OBJECTIONABLE DIRECT GLARE SOURCE

A glare resulting from artificial light sources and excessive levels of illumination or insufficiently shielded light sources emanating from light fixtures in the field of view here the lens, lamp, or reflector offensively visible above a height of 5 feet at a property line, public or private roadway. Rule of Thumb – if the lamp (bulb) is objectionably visible from outside the illuminated property's boundary, then it's a direct glare source. Rule of Thumb: If you must squint to see due to glare within your field of view, then it's objectionable.

OUTDOOR LIGHTING

The lighting of areas exterior to the walls of enclosed buildings and/or within structures having open or partially open walls such as canopies, porte cocheres, pavilions, gazebos, etc., artificial lights sources and/or light fixtures.

§128-2. Residential Outdoor Lighting Restrictions.

- A. All outdoor lighting shall be of a soft or glare-free type and shall not cast an illumination color which shall be distracting, obliterate, or obscure the view, or be ultraviolet, strobic, pulsating, flashing, travel, or of any unnatural kind.
- B. No outdoor lighting or outdoor light fixtures shall shine directly upon any neighboring property or into any room or rooms of structures on any neighboring property in a manner that creates glare for the occupants of any neighboring property or in such a manner that the lighting constitutes an objectionable glare source.
- C. No outdoor lighting or outdoor light fixtures at any property shall be permitted where such create light trespass.
- D. No outdoor lighting shall be located on any structure adjacent to a natural body of water if such outdoor lighting creates glare, constitutes a safety hazard, or otherwise constitutes an objectionable direct glare source.

§128-3. Residential Outdoor Lighting Placement Regulations.

- A. Path lighting shall be placed a minimum of 18" from the property lot lines and shall be directed downward or shielded to diminish glare.
- B. Landscape lighting shall be directed towards the structure located on the lot upon which it is placed.
- C. Lighting adjacent to any public right of way shall be no less than 10 feet from any curb or edge of pavement.
- D. All path or landscape lighting placed on grade, docks or top of bulkheads shall not exceed 18 inches in height.

§128-4. Commercial Outdoor Lighting Restrictions.

All commercial properties shall comply with the lighting requirements set forth in §164-9A.(6).

§128-5. Exceptions.

- A. The residential outdoor lighting regulations set forth in §128-2 shall not apply to the following.
 - 1) Decorative holiday lighting.
 - 2) Temporary emergency lighting.
 - 3) Outdoor lighting emitting less than 100 lumens.
- B. The commercial outdoor lighting regulations set forth in §128-4 shall not apply to the following.
 - (1) Decorative holiday lighting.
 - (2) Temporary emergency lighting.

§128-6. Enforcement.

All property owners and occupants shall control the placement and direction of all exterior lighting located within the property lot lines and ensure the lighting shall not create a nuisance, annoyance, or light trespass to adjacent properties or public right of

ways. Failure to comply with the requirements set forth above shall be a violation of this Chapter. The provisions of this Chapter shall be enforced by the Enforcement Officer.

§106-7. Removal and Abatement

Whenever an outdoor light fixture and/or artificial light source is determined to be in violation of this Chapter, a notice of violation shall be given to the owner of the property to turn off the light immediately, and, thereafter, remove same within 30 days.

§106-8. Violations and Penalties

A violation of this Chapter shall be further punishable as provided in Chapter 1, General Provisions, Article III, General Penalty.

SECTION II

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

SECTION III

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

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 October 2, 2017 and advertised in the BEACH HAVEN TIMES issue of October 5, 2017.

Mayor Mancini advised this would prohibit decorative lighting on bulkheads, which could be distracting to boaters and neighbors.

OPEN PUBLIC HEARING

No Comment

CLOSE PUBLIC HEARING

Motion to adopt Ordinance 17-37C on Second Reading:

Motion: Lattanzi

Ayes: Lattanzi, Bayard, Mancini

Second: Bayard

3. Second Reading Ordinance 17-38C: **AN ORDINANCE AMENDING AN ORDINANCE ENTITLED "CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, 1997" IS HEREBY AMENDED BY THE ADOPTION OF A NEW CHAPTER, CHAPTER 106, ADOPTING CERTAIN REGULATIONS RELATING TO INVASIVE PLANTS IN THE TOWNSHIP OF LONG BEACH**

ORDINANCE 17-38C

AN ORDINANCE AMENDING AN ORDINANCE ENTITLED "CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, 1997" IS HEREBY AMENDED BY THE ADOPTION OF A NEW CHAPTER, CHAPTER 106, ADOPTING CERTAIN REGULATIONS RELATING TO INVASIVE PLANTS IN THE TOWNSHIP OF LONG BEACH

WHEREAS, Township of Long Beach ("Township") deems it appropriate, necessary, and proper for the good government, order, the protection of persons and property, and for the preservation of the public health, welfare, and safety of Township and its inhabitants to adopt certain regulations pertaining to the regulation of certain invasive plant species in the Township; and

WHEREAS, certain invasive plant species are inimical to the public health, welfare, and safety, in that once planted, they rapidly spread throughout neighboring properties, have a negative impact upon local plant and animal species, negatively impact the aesthetics of the Township, and, once planted, can potentially cost tens of thousands of dollars to control and/or remove; and

WHEREAS, other municipalities in the State of New Jersey and throughout the country have taken similar action on the grounds that invasive plant species poses a threat to the public health, welfare, and safety.

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

STATEMENT OF PURPOSE

The purpose of this Ordinance is to adopt Chapter 106, which regulates landscapers and landscaping in Township to include regulations pertaining to invasive growths in order to protect the public health, welfare, and safety.

SECTION I

Chapter 106. INVASIVE PLANTS

§106-1. Definitions.

ENFORCEMENT OFFICER

The Township Code Enforcement Officer or designee.

INVASIVE PLANTS

All native and nonnative plants, vines, and vegetation which grow out of place and are competitive, persistent, and pernicious. The plants may damage trees, other vegetation, or structures. Examples of invasive plants include, but are not limited to, the following: bamboo (including the clumping and running types), kudzu-vine, multiflora rose, ragweed, poison ivy, poison sumac, and poison oak, as well as other invasive plants with spreading or running-type root systems.

§106-2. Control of Growth.

All property owners and tenants shall control the growth of invasive plants and ensure that the growth of invasive plants does not spread to, encroach upon, or otherwise invade or intrude upon adjoining private or public properties, or public rights-of-way. Failure to control the spread of such vegetation beyond the boundaries of the property is a violation of this chapter.

§106-3. Inspections.

All places and premises shall be subject to inspection by the enforcement officer. Such inspections shall be performed by such person, persons, or agency duly authorized and appointed. Such inspections shall be made if that official has reason to believe that any section of this chapter is being violated.

§106-4. New Plantings Prohibited.

All new in-ground plantings of invasive plants are strictly prohibited. All existing invasive plants shall be contained within the boundaries of a property by appropriate physical barriers to prevent the growth and/or spread of the invasive plants beyond the boundaries of the property.

§106-5. Removal and Abatement.

- A. Whenever an invasive plant is found on any plot of land, lot, or any other premises, or place, and is found to lack appropriate physical barriers to prevent its spread or growth, or is found to have spread beyond the boundaries of a property, a violation shall be given to the owner of the property from which the invasive plants originated, in writing, to remove or abate the same within 30 days. The costs of all remedies, including the removal of the invasive plants, shall be borne by the property owner of where the invasive plants originated. If the property owner fails to abate the violation, a municipal summons/complaint may be issued charging the property owner with violating the provisions of this chapter.
- B. Notwithstanding any other penalty or fine that may be imposed under this chapter, if a property owner fails to comply with the removal or abatement of an invasive plant, the Township may thereafter remove or otherwise abate the invasive plant(s) and recover the costs of such removal and/or abatement from the property owner by placing a lien against the property.

§106-6. Violations and Penalties.

A violation of this Chapter shall be further punishable as provided in Chapter 1, General Provisions, Article III, General Penalty.

SECTION II

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

SECTION III

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

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 October 2, 2017 and advertised in the BEACH HAVEN TIMES issue of October 5, 2017.

Mayor Mancini listed various intrusive plantings that shall be prohibited.

OPEN PUBLIC HEARING

No Comment

CLOSE PUBLIC HEARING

Motion to adopt Ordinance 17-38C on Second Reading:

Motion: Lattanzi

Ayes: Lattanzi, Bayard, Mancini

Second: Bayard

4. First Reading Ordinance 17-39C: **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 1, ARTICLE III, WHICH PERTAINS TO GENERAL PENALTIES AND CHAPTER 205, ARTICLE VII, AND CHAPTER 64, ARTICLE II, WHICH PERTAIN TO ADMINISTRATION AND VIOLATIONS**

Motion to approve Ordinance 17-39C on First Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard

5. First Reading Ordinance 17-40C: **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 82 PERTAINS TO PERMIT FEES**

Motion to approve Ordinance 17-40C on First Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard

6. First Reading Ordinance 17-41C: **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 CHIMNEYS**

Motion to approve Ordinance 17-41C on First Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard

ADOPTIONS & APPROVALS

7. Resolution 17-1106.01: Authorize application and execution of a grant agreement: NJDOT – Pave Harmony Ave (58th St.) \$214,043.75

RESOLUTION 17-1106.01

AUTHORIZATION TO APPLY AND EXECUTE A GRANT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION

WHEREAS, the Township of Long Beach desires to apply for and execute an agreement with the New Jersey Department of Transportation for the MA-2018-Harmony Ave-00534 Road Reconstruction / Improvement Project in the amount of Two Hundred Fourteen Thousand and Forty-Three Dollars and Seventy-Five Cents (\$214,043.75) for the following project:

- Harmony Avenue

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Commissioners of the Township of Long Beach, County of Ocean, formally approves the grant application for the above stated project; and

BE IT FURTHER RESOLVED that the Municipal Engineer is hereby authorized to submit an electronic grant application identified as MA-2018- Harmony Avenue - 00534 to the New Jersey Department of Transportation on behalf of the Township of Long Beach; and

BE IT FURTHER RESOLVED that the Mayor and Municipal Clerk are hereby authorized to sign the grant agreement on behalf of the Township of Long Beach and that their signatures constitute acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

8. Resolution 17-1106.02: Accept and approve various donations:
- a) Accept donation of Six (6) Buses from Southern Regional School District to Emergency Management and the Transportation Department
 - b) Approve the donation of Two (2) Ford Crown Victoria Police Vehicles to Southern Regional School District

RESOLUTION 17-1106.02(a)

WHEREAS, Long Beach Township has accepted from Southern Regional School District, the donation of the following busses:

- Bus 52 – 2005 Bluebird Vision – 54 Passenger Bus – VIN# 1BAKFCKH55F219711
- Bus 53 – 2005 Bluebird Vision – 54 Passenger Bus – VIN# 1BAKFCKH75F219712
- Bus M5 - 2005 Chevy Van Mini Bus – VIN# 1GBJG31U941240140
- Bus M11 - 2005 Chevy Van Mini Bus – VIN# 1GBJG31U941239957
- Bus M13 - 2005 Collins Grand Bantam – VIN# 1GBJG31U841245099
- Bus M18 - 2005 Chevy Van Mini Bus – VIN# 1GBJG31U841245801

WHEREAS, Long Beach Township has a need and a use of said busses for the Municipal Transportation System and Emergency Management; and

WHEREAS, the Long Beach Township Insurance Fund Commissioner has been notified of the donated busses and has added same as fixed assets of the Township.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of the Township of Long Beach does hereby approve and accept the donation of six (6) Busses from Southern Regional School District for use for the Municipal Transportation System and Emergency Management.

RESOLUTION 17-1106.02(b)

WHEREAS, the Long Beach Township Police Department currently possesses two (2) Ford Crown Victoria Police Vehicles that are no longer useful or needed; and

WHEREAS, Southern Regional High School District Company has a need and a use for said items; and

WHEREAS, N.J.S.A. 40A:11-5(2) permits a municipality to donate to a duly authorized agency of the state, county or municipality of the State of New Jersey such personal property as these items; and

WHEREAS, the Township of Long Beach Police Department wishes to donate the following vehicles to the Southern Regional School District:

- (1) 2008 Ford Crown Victoria, VIN: 2FAHP71V18X136609
- (1) 2007 Ford Crown Victoria, VIN: 2FAHP71WX7X118097

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of the Township of Long Beach approves the donation of two (2) Ford Crown Victoria vehicles to the Southern Regional School District.

9. Resolution 17-1106.03: Appoint the Acting Municipal Clerk

RESOLUTION 17-1106.03

RESOLUTION OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY APPOINTING AN ACTING MUNICIPAL CLERK

WHEREAS, a need exists for an Acting Municipal Clerk to be appointed in the event of an absence of the Registered Municipal Clerk.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach hereby appoint Danielle La Valle as Acting Municipal Clerk in the absence of the Municipal Clerk effective through December 31, 2017.

10. Resolution 17-1106.04: Approve various personnel matters

RESOLUTION 17-1106.04

Accept & Approve the Family Medical Leave Act (FMLA) for employee with Civil Service number ****23471 effective November 15, 2017.

Municipal Clerk

Approve the donation of 35 hours sick time from Anthony Gentile to Danielle La Valle as per ordinance 08-43.

Approve the donation of 21 hours sick time from Beth Brewster to Danielle La Valle as per ordinance 08-43.

Police

Hire the following employee as a Provisional Senior Public Safety Telecommunicator at the base salary of \$36,638.99 effective retroactive to October 8, 2017.

Linda Laviola

Public Works

Approve the donation of 80 hours sick time from Dustin Martin to Preston Godschall as per ordinance 08-43.

Hire the following employee as a Seasonal Full-Time Laborer 1 at the rate of \$15.00 per hour to be paid from Public Works Salary & Wage effective retroactive to October 16, 2017.

Cody Lippincott

Change the following employee's rate of pay to \$15.00 per hour to be paid from Public Works Salary & Wage effective retroactive to October 30, 2017.

Ryan Ross

11. Resolution 17-1106.05: Approve various water/sewer changes

RESOLUTION 17-1106.05

WHEREAS, the following Water/Sewer account require a change in its billing and/or classification due to various reasons; and

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

<u>BLOCK</u>	<u>LOT/QUAL</u>	<u>ACCT #/ACCT</u>	<u>YEAR</u>	<u>CANCEL/CHANGE</u>	<u>AMOUNT</u>
1.102	17	791-0 W/S	2017	Standby credit	\$368.50

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

Motion to approve Items 7 thru 11:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard

PURCHASES, CONTRACTS & AWARDS

12. Resolution 17-1106.06: Amend a professional service contract:
Appoint additional Alternate Municipal Prosecutor:
Brian K. Wilkie

RESOLUTION 17-1106.06

**RESOLUTION AUTHORIZING THE AWARD OF CONTRACT FOR
2017 PROFESSIONAL SERVICES**

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

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

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

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

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

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

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

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

NOW, THEREFORE BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach authorizes the Mayor to enter into a contract effective October 11, 2017 through December 31st 2017 as per specific contract terms with the Professionals listed below as described herein; and

<u>NAME</u>	<u>DESCRIPTION OF SERVICES</u>	<u>AMOUNT</u>
Citta, Holzapfel, & Zabarsky		
Brian K. Wilkie, Esq	Alt. Municipal Prosecutor	Hourly Max: \$200.00 Annual: \$22,367.60 Special Session(s): \$500.00

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

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

Motion to approve Item 12:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard

FINANCIAL APPROVALS

13. Resolution 17-1106.07(a-g): Approve various actions for Performance Bonds
- a. Release Konnor, LUB-43-14, Block 7.23, Lots 20, 21 & 21.01; \$5,500.00 plus accrued interest
 - b. Release Moore, LUB-41-05, Block 4.45, Lot 1.02; \$33,467.00 plus accrued interest

- c. Release Cain, LUB-20-06, Block 6.44, Lots 1 & 1.01; \$10,580.00 plus accrued interest
- d. Release Verizon, LUB-27-14, Block 4.41, Lot 5; \$7,238.65 plus accrued interest
- e. Extension for Paul, LUB-17-05, Block 1.19, Lot 1
- f. Extension for Rosen, LUB-27-07, Block 20.26, Lot 1
- g. Extension for Davies, LUB-38-05, Block 6.19, Lots 1.02 & 1.03

RESOLUTION 17-1106.07(a)

WHEREAS, pursuant to Resolution 14-1121.08, the Township of Long Beach accepted from Jeffrey and Joan Konnor, Cashier's Check #52258505-5 drawn on TD Bank, dated November 13, 2014 in the amount of Thirteen Thousand Seven Hundred Fifty Dollars (\$13,750.00), representing the required Performance Bond for Minor Subdivision #LUB-43-14, Block 7.23, Lots 20, 21 & 21.01 (120 W Ohio Avenue, Haven Beach, NJ); and

WHEREAS, pursuant to Resolution 14-1219.19(b) it was determined that the structure demolition was complete and a partial release of the Performance Bond in the amount of Eight Thousand Two Hundred Dollars (\$8,250.00) was approved; and

WHEREAS, upon inspection by the municipal engineer on February 10, 2017, it was determined all work was complete and the release of the performance bond was approved and no maintenance bond was required.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach hereby approves the release of the remaining Performance Bond in the amount of Five Thousand Five Hundred Dollars (\$5,500.00), plus accrued interest as per its Municipal Land Use Ordinance and as per the recommendation and certification of the Municipal Engineer.

RESOLUTION 17-1106.07(b)

WHEREAS, pursuant to Resolution 06-0721.14, the Township of Long Beach accepted from Michael and Nancy Moore, Commerce Bank Check No. 805-02588, drawn on Commerce Bank, dated July 13, 2006 in the amount of Forty-Six Thousand Seven Hundred Seventy-Two Dollars (\$46,722.00), representing the required Performance Bond for Subdivision #LUB-41-05, Block 4.45, Lot 1.02 (2000 Waverly Place, North Beach Haven, NJ); and

WHEREAS, upon various inspections of the property by the Township Engineer, and pursuant to Resolutions 08-0620.15(c), 09-0807.07(a), 10-1008.03(c), 11-1104.13(b), 12-1005.05(b), 13-1004.05(b), 14-0912.11(e), 15-1109.06(b) and 16-1109.11(c) it was determined various work items remained incomplete; and

WHEREAS, a subsequent inspection by the municipal engineer on September 27, 2017, it was determined some of the work was complete and the release of a portion of the performance bond was approved.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach hereby approves the release of a portion of the Performance Bond in the amount of Thirty-Three Thousand, Four Hundred Sixty-Seven Dollars (\$33,467.00), plus accrued interest, as per its Municipal Land Use Ordinance and as per the recommendation and certification of the Municipal Engineer.

RESOLUTION 17-1106.07(c)

WHEREAS, pursuant to Resolution 13-0816.09(b), the Township of Long Beach accepted from George P. Cain, Jr., Cashier's Check No. 51794352-0, drawn on TD Bank, dated August 9, 2013 in the amount of Ten Thousand Six Hundred Fifty Dollars (\$10,650.00), representing the required Performance Bond for a Minor Subdivision #LUB-20-06, Block 6.44, Lots 1 & 1.01 (148 West Delaware Avenue, Beach Haven Gardens, NJ); and

WHEREAS, upon inspection of the property by the Township Engineer, and pursuant to Resolution 15-1026.02(d) it was determined various work items remained incomplete; and

WHEREAS, a subsequent inspection by the municipal engineer on October 25, 2017, it was determined that all of the work was complete and the release of the performance bond was approved.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach hereby approves the release of the Performance Bond in the amount of Ten Thousand, Five Hundred Eighty Dollars (\$10,580.00), plus accrued interest and less the Engineer's inspection fees of Seventy Dollars (\$70.00), as per its Municipal Land Use Ordinance and as per the recommendation and certification of the Municipal Engineer.

RESOLUTION 17-1106.07(d)

WHEREAS, pursuant to Resolution 15-0807.09, the Township of Long Beach has accepted from Cooper Levenson, P.A. Cashier's Check #571848 dated June 4, 2015 in the amount of Seven Thousand Four Hundred Forty Eight Dollars and Sixty Five Cents (\$7,448.65), representing a 10% portion of the required Performance Bond; as well as a Bond issued by Verizon New Jersey, Inc. dated May 18, 2015 in the amount of Sixty Seven Thousand, Thirty Seven Dollars and Eighty Five Cents (\$67,037.85) representing a 90% portion of the required Performance Bond, as payment for Major Site Plan #LUB-27-14-P-F, Block 4.41, Lot 5 (1900 Long Beach Blvd, North Beach Haven); and

WHEREAS, upon inspection of the property by the Township Engineer on October 23, 2017, it was determined that all of the work was complete and the release of the performance bonds was approved.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach hereby approves the release of the Bond issued by Verizon New Jersey, Inc. dated May 18, 2015 in the amount of Sixty Seven Thousand, Thirty Seven Dollars and Eighty Five Cents (\$67,037.85) as well as the cash portion of the Performance Bond in the amount of Seven Thousand Four Hundred Forty Eight Dollars and Sixty Five Cents (\$7,448.65) plus accrued interest, less the Engineer's inspection fees in the amount of Two Hundred and Ten Dollars (\$210.00), as per its Municipal Land Use Ordinance and as per the recommendation and certification of the Municipal Engineer.

RESOLUTION 17-1106.07(e)

WHEREAS, pursuant to Resolution 06-0505.17(b), the Township of Long Beach accepted from William Paul Cashier's Check #376426579 drawn on Bank of America in the amount of Twenty-Two Thousand One Hundred Ninety-Three Dollars (\$22,193.00) as a Performance Bond for Subdivision Application #LUB-17-05, Block 1.19, Lot 1 (5111 West Avenue, Holgate, NJ); and

WHEREAS, pursuant to Resolution 07-0907.05, the Township of Long Beach approved a partial release of the Performance Bond in the amount of Eight Thousand Two Hundred and Fifty Dollars (\$8,250.00) as per the recommendation and certification of the Municipal Engineer; and

WHEREAS, pursuant to Resolutions 08-1003.09(b), 09-0918.12(b), 10-1008.03(b), 11-1104.13(a), 12-1005.05(a), 13-1004.05(a), 14-0912.11(f) and 15-1026.02(a) the Municipal Engineer annually inspected the property and determined certain work items had not been satisfactorily completed and recommended the Performance Bond be extended for additional one-year periods; and

WHEREAS, as a result of the current inspection by the Municipal Engineer on October 23, 2017, it was again concluded that the work was not complete and recommended the performance bond be extended again for one additional year to November 2018.

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

RESOLUTION 17-1106.07(f)

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

WHEREAS, pursuant to Resolutions 10-0709.15(a), 11-1104.13(c), 12-1005.05(c), 13-1004.05(c), 14-0926.10(a), 15-1109.06(a) and 16-1109.11(b) the property was inspected by the Township Engineer who determined various work items remained incomplete and he recommended the Performance Bond be extended for one year subsequent to each inspection; and

WHEREAS, the property was inspected on October 23, 2017 by the Municipal Engineer who concluded that the work was not complete and recommended the performance bond be extended again, for one additional year, to October 23, 2018.

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

RESOLUTION 17-1106.07 (g)

WHEREAS, pursuant to Resolution 08-0208.15(b), the Township of Long Beach accepted from Mark Davies Cashier's Check No. 805-04069 dated January 24, 2008 in the amount of One Thousand Three Hundred Twenty Dollars (\$1,320.00) drawn on

Commerce Bank, as the required Performance Bond for Major Sub-division #LUB-16-07, Block 6.19, Lots 1.02 & 1.03 (25 W. 30th Street., Beach Haven Gardens); and

WHEREAS, pursuant to Resolutions 10-0709.15(b), 11-1104.13(d), 12-1005.05(d), 13-1004.05(d), 14-0926.10(b) and 15-1026.02(b) the Municipal Engineer annually inspected the property and determined certain work items had not been satisfactorily completed and recommended the Performance Bond be extended for additional one-year periods; and

WHEREAS, as a result of the current inspection by the Municipal Engineer on October 23, 2017, it was again concluded that the work was not complete and recommended the performance bond be extended again for one additional year to October 23, 2018.

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

14. Resolution 17-1106.08: Approve various General Capital Improvement and Utility Capital Improvement Cancellations

RESOLUTION 17-1106.08

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

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

NOW, THEREFORE BE IT RESOLVED, by the Board of Commissioners of the Township of Long Beach that the following unexpended and dedicated balances of General Capital Appropriations and Utility Capital Appropriations be cancelled effective November 6, 2017:

GENERAL CAPITAL RESERVES:

Cameras for Police Vehicles	\$100,000.00
Resurface Loveladies Tennis	\$ 7,200.00
Demo-Parking Lot-NB & LL	\$ 20,644.01
	<u>\$127,844.01</u>

GENERAL CAPITAL:

ORDINANCE NO.	PROJECT DESCRIPTION	AMOUNT CANCELLED
13-32	Resurface Holgate Parking Lot	\$ 18,298.38
13-33	Rep Holgate Rec	\$ 3,843.17
13-34	Rec Mun Parking Lot	\$ 13,603.75
14-02	Purch Veh-Police	\$ 9,898.43
14-16	Supp Fund-Holgate Parking Lot	\$ 5,656.73
15-30	Recon Mears Ave	\$125,365.38
15-34	Recon of Mark Drive	<u>\$156,889.71</u>
		<u>\$ 333,555.55</u>

UTILITY CAPITAL

ORDINANCE NO.	PROJECT DESCRIPTION	AMOUNT CANCELLED
14-22	Cleaning of Water Towers	\$ 27,667.32

15. Resolution 17-1106.09: Approve various appropriation transfers

RESOLUTION 17-1106.09

WHEREAS, the New Jersey statutes provide for the making of appropriation transfers between the period of November 1, 2017 and December 31, 2017; and

WHEREAS, the Board of Commissioners of the Township of Long Beach, County of Ocean, desires to make the following appropriation transfers.

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach that the following transfers of appropriations be and they hereby are made:

CURRENT FUND			
FROM:	DEPT	ACCOUNT #	AMOUNT
Contribution to Fire	O&E	7-01-25-255-000	\$ 36,754.00
Construction	O&E	7-01-22-195-100	\$ 2,100.00
Public Works	S&W	7-01-26-302-011	\$ 10,000.00
TOTAL			\$ 48,854.00
TO:	DEPT:	ACCT#	AMOUNT
Election	O&E	7-01-20-121-029	\$ 754.00
Electricity	O&E	7-01-31-430-000	\$32,000.00
Municipal Court	S&W	7-01-43-490-011	\$ 4,000.00
Construction O/S	S&W	7-01-22-195-201	\$ 2,100.00
Buildings & Grounds	S&W	7-01*26-310-011	\$ 10,000.00
TOTAL			\$48,854.00

16. Resolution 17-1106.10: Approve a change order
Axios, Inc; 2017 Veterans Park Project, reduction in
total cost \$4000.00

RESOLUTION 17-1106.10

RESOLUTION AUTHORIZING A REVERSE CHANGE ORDER FOR THE VETERANS PARK PROJECT IN THE TOWNSHIP OF LONG BEACH

WHEREAS Axios, Inc., was awarded a contract for the 2017 Veterans Park Project in the Township of Long Beach pursuant to Resolution 17-0501.06(b), in the amount of Two Hundred Ninety-Five Thousand Four Hundred Seventy-Nine Dollars (\$295,479.00). as per the bid received April 27, 2017; and

WHEREAS, as a result of the final work quantities a reduction in cost occurred; the final cost of the project was Two Hundred Ninety-One Thousand Four Hundred Seventy-Nine Dollars (\$291,479.00); and

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

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach does hereby approve Reverse Change Order #1 - Final in the amount of Four Thousand Dollars (\$4,000.00) for the 2017 Veterans Park Project in the Township of Long Beach.

17. Resolution 17-1106.11: Approve Chapter 159;
2017 CDBG Project; Handicap Access-68th Street
\$32,000.00

RESOLUTION 17-1106.11

RESOLUTION OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING AN AMENDMENT TO THE 2017 BUDGET TO ALLOW FOR THE INSERTION OF A SPECIAL ITEM OF REVENUE AND APPROPRIATION PURSUANT TO N.J.S.A. 40A:4-87 (CHAPTER 159) 2017 COMMUNITY DEVELOPMENT BLOCK GRANT

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

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

WHEREAS, the Ocean County Planning Board, on behalf of the Ocean County Board of Chosen Freeholders, have allocated \$32,000.00 for the installation of a handicap beach access ramp at 68th Street, Long Beach Township; and

WHEREAS, it is the desire of the Board of Commissioners of the Township of Long Beach to amend the 2017 Municipal Budget to provide for the insertion of this reimbursement as a source of revenue and an expenditure appropriation.

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

1. That the Board of Commissioners does hereby authorize an amendment to the 2017 Municipal Budget to provide for the insertion of a Chapter 159 (N.J.S.A. 40A:4-87) Special Item of Revenue as follows:

GENERAL REVENUES

Miscellaneous revenues

Section F: Special Items of General Revenue anticipated with prior written consent of the Director of Local Government Services – public and private revenues offset with appropriations:

2017 Community Development Block Grant: \$32,000.00

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

GENERAL APPROPRIATION:

(A) OPERATIONS – Excluded from CAPS:

Public and private programs offset by revenues:

2017 Community Development Block Grant: \$32,000.00

3. That one certified copy of this resolution shall be forwarded to the Director of the Division of Local Government Services, with one copy to the Township Auditor and the Township Treasurer.

18. Resolution 17-1106.12: Approve Bills & Payroll
Bills in the amount of: \$ 3,961,644.16
Payroll in the amount of: \$ 870,769.41

RESOLUTION 17-1106.12

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 \$870,769.41 .

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 \$3,961,644.16 be and the same are hereby authorized to be paid on Monday, November 6, 2017

2. The said approved payroll amounting to the sum of \$ 870,769.41 be and the same are hereby authorized to be paid on Monday, November 6, 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 13 thru 18:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard

COMMISSIONERS' REPORTS

Commissioner Lattanzi provided information on the preparation of the 2018 Municipal Budget. He noted the financial challenges in sustaining the Municipal Transportation System. He asked members of the public to support the local Referendum Question to allow the charging of a minimal fare to riders.

Commissioner Bayard had no comments.

Mayor Mancini announced the next meeting of the Land Use Board would be held on Wednesday, November 8, 2017 at 7:00 pm in the upstairs multi-purpose room. Second Reading and Public Hearing for Ordinance(s) 17-39C, 40C and 41C would take place at the public meeting held on December 4, 2017 at 4:00 pm.

He everyone to the Veteran's Park (Beach Haven Terrace) dedication ceremony on November 11th at noon. The Mayor further provided current information regarding bay dredging and the construction of a new jetty in Holgate. Finally, he asked voters to support the second local Referendum Question on the November 7, 2017 ballot regarding an Open Space Tax. The average cost to a property owner in Long Beach Township would be approximately \$80.00/year and would be matched by Ocean County. The tax proceeds would be used to purchase available properties that, in turn, would be dedicated as public areas, such as parks.

OPEN PUBLIC SESSION

Residents of Magnolia Avenue in Holgate spoke to the Commissioners about flooding conditions frequently experienced on their street. The problem had worsened since Long Beach Island was struck by Super Storm Sandy in October of 2012.

Commissioner Bayard assured the residents he would look into the problem to try to find a solution.

Mary Wilding/Harvey Cedars asked for a copy of Ordinance 17-31C. The Municipal Clerk would provide her with a copy after the meeting.

Pat Prout/Brant Beach asked if Harmony Avenue was scheduled to be paved on the east or west side.

Commissioner Bayard advised the west side of Harmony Avenue would be paved.

Mayor Mancini thanked Pat Prout for her service as the Brant Beach Taxpayers Association President. John Fiore had been named the new President of the group.

Bill Hutson/Holgate was unhappy with a recent letter to the editor of the Beach Haven Times. The writer stated he felt Holgate was neglected by the Board of Commissioners. Mr. Hutson went on to note many projects and improvements that had been done in Holgate. He was very pleased and grateful for the attention Holgate has received in the wake of the 2012 storm.

Marianne Hurley/Holgate had additional question regarding the timeframe for the dredging and jetty construction projects in Holgate.

Mayor Mancini was currently waiting for bids to be received by the Army Corp of Engineers for the dredging project, and approval from Stevens Institute for the jetty project. He hoped the dredging would take place in 2018, but was unsure of a target date for the jetty project.

CLOSE PUBLIC SESSION

Motion for adjournment at 4:35 pm:

Motion: Lattanzi

Ayes: Lattanzi, Bayard, Mancini

Second: Bayard

Lynda J. Wells, RMC
Municipal Clerk

Joseph H. Mancini, Mayor

Ralph H. Bayard, Commissioner

Dr. Joseph P. Lattanzi, Commissioner