

MINUTES
REGULAR SESSION BOARD OF COMMISSIONERS March 5, 2018

Flag Salute

Meeting came to order: 4:03 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 21, 2017; and filed with the Municipal Clerk.

Motion: To dispense with the reading of the minutes of the previous meeting and to approve the same as recorded in the minute book:

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

AGENDA

ORDINANCES & PUBLIC HEARINGS

1. Second Reading Ordinance 18-04: **AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK IN 2018 (N.J.S.A. 40A: 4-45.14)**

Passed on first reading at a regular meeting held on February 5, 2018 and advertised in the BEACH HAVEN TIMES issue of February 8, 2018.

ORDINANCE 18-04

AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK IN 2018 (N.J.S.A. 40A: 4-45.14)

**THE BOARD OF COMMISSIONERS OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN,
STATE OF NEW JERSEY, DO ORDAIN:**

WHEREAS, the Local Government Cap Law, N.J.S. 40A:4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and

WHEREAS, N.J.S.A. 40A:4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and

WHEREAS, the Board of Commissioners finds it advisable and necessary to increase its CY 2018 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and

WHEREAS, the Board of Commissioners hereby determines that a 1% increase in the budget for said year, amounting to \$218,995.78 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

WHEREAS, the Board of Commissioners hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget, shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Board of Commissioners of the Township of Long Beach, in the County of Ocean, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2018 budget year, the final appropriations of the Township of Long Beach shall, in accordance with this ordinance and N.J.S.A. 40A:4-45.14, be increased by 3.5%, amounting to \$766,485.23; and

BE IT FURTHER ORDAINED, that any amount authorized hereinabove, that is not appropriated as part of the final budget, shall be retained as an exception to final appropriation in either of the next two succeeding years; and

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services with 5 days of introduction; and

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

OPEN PUBLIC HEARING

No comment.

CLOSE PUBLIC HEARING

Motion to adopt Ordinance 18-04 on Second Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

2. Second Reading Ordinance 18-05C: **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 183 PERTAINING TO TOWER LICENSE FEES.**

Passed on first reading at a regular meeting held on February 5, 2018 and advertised in the BEACH HAVEN TIMES issue of February 8, 2018.

ORDINANCE 18-05C

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 183 PERTAINING TO TOWER LICENSE FEES.

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

STATEMENT OF PURPOSE

This Ordinance updates Chapter 183 regarding license fees for towers.

SECTION I

§183-6 entitled "Issuance of license." is hereby amended as follows:

D. Repeal the current language and adopt in lieu and instead thereof the following:

For current fees, see Ch. [82](#), Fees, Licenses, Bonds and Permits.

SECTION II

All Ordinances or parts of Ordinances inconsistent herewith are repealed to the extent of such inconsistency.

SECTION III

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

SECTION IV

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

OPEN PUBLIC HEARING

No comment.

CLOSE PUBLIC HEARING

Motion to adopt Ordinance 18-05C on Second Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

3. Second Reading Ordinance 18-06C: **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 CHAPTERS 51 AND 64 PERTAINING TO ACCESS TO BEACHES AND DUNE WALKWAYS**

Passed on first reading at a regular meeting held on February 5, 2018 and advertised in the BEACH HAVEN TIMES issue of February 8, 2018.

ORDINANCE 18-06C

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 CHAPTERS 1, 51 AND 64 PERTAINING TO ACCESS TO BEACHES, DUNE WALKWAYS AND FEES.

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

STATEMENT OF PURPOSE

This Ordinance updates Chapters 51, 64 and 82 to clarify the options available for the installation of the dune walkways and the yearly time period for the use and removal or storage of the walkways and update fees associated with such.

SECTION I

Subsection §51-6.A. is hereby amended and revised as follows:

Repeal the first sentence and insert the following:

Access to the open beach in the dune area shall be obtained only across public street ends, private easements or along properly constructed prefabricated rollaway and approved walkways.

SECTION II

Subsection §51-6.B. is hereby amended and revised as follows:

In the first sentence repeal the number 75ft. and insert 100ft.

SECTION III

Subsection §51-6.C. is hereby amended and revised as follows:

In the first sentence repeal the number 75ft. and insert 100ft.

Add the following:

1. During the period of December 1 through March 31 of each year, access to the beach will only be allowed across public street ends or private easements.
2. Failure to comply with any provision of this Chapter shall constitute a violation of this Chapter and may be subject to a penalty as stated in Chapter 1 of this Code.

SECTION IV

Subsection §64-17 entitled "**Dune walkways.**" is hereby amended and revised as follows:

Repeal 64-17 B. entirely and in lieu thereof the following:

Construction specifications; All dune walkways shall be constructed of the prefabricated rollaway decking or I-5 Gravel material only.

Such walkways shall extend over the complete dune to the flat of the beach. Each walkway shall not be greater than 4ft. in width. In addition to the prefabricated rollaway or I-5 Gravel material walkway, treated or cedar posts and railing may be installed on one side of the walkway only, in accordance with the instructions provided by the Long Beach Township Construction Inspection Dept.

Repeal 64-17 C. entirely and in lieu thereof the following:

Any dune walkways which are required to be removed pursuant to the United States Army Corps of Engineers Beach Storm Damage Reduction Project, may only be replaced pursuant to the construction standards hereinabove set forth in sub-section B.

Repeal 64-17 D. entirely and in lieu thereof the following:

Any existing dune walkways which are registered with the Long Beach Township Construction Inspection Dept. prior to August 24, 2007 may be maintained. The registration and inspection by the Long Beach Township Inspection Dept. shall permit the property owner to continue and maintain such walkway, in accordance with the construction standards hereinabove set forth in sub-section B.

SECTION V

All Ordinances or parts of Ordinances inconsistent herewith are repealed to the extent of such inconsistency.

SECTION VI

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

SECTION VII

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

OPEN PUBLIC HEARING
CLOSE PUBLIC HEARING

Motion to adopt Ordinance 18-06C on Second Reading:

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

4. Second Reading Ordinance 18-07C: **AN ORDINANCE AMENDING AN ORDINANCE ENTITLED, "CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, (1997)" IN CHAPTER 82 PERTAINING TO FOOD HANDLERS PERMIT FEE**

Passed on first reading at a regular meeting held on February 5, 2018 and advertised in the BEACH HAVEN TIMES issue of February 8, 2018.

ORDINANCE 18-07C

AN ORDINANCE AMENDING AN ORDINANCE ENTITLED, "CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, (1997)" IN CHAPTER 82 PERTAINING TO FOOD HANDLERS PERMIT FEE

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

STATEMENT OF PURPOSE

This Ordinance amends a fee pertaining to Food Handler's Permits noted in Chapter 82.

SECTION I

§82-25A is amended to replace "Food handlers permit (from Health Department) \$35" with "Food handlers permit (from Health Department) \$50"

SECTION II

All Ordinances or part of Ordinances inconsistent herewith 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.

SECTION IV

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

OPEN PUBLIC HEARING

No comment.

CLOSE PUBLIC HEARING

Motion to adopt Ordinance 18-07C on Second Reading:

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

5. Second Reading Ordinance 18-08C: **AN ORDINANCE AMENDING AN ORDINANCE ENTITLED "CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, 1997" IN CHAPTER 128, AMENDING SUBSECTION NUMBERS RELATING TO OUTDOOR LIGHTING IN THE TOWNSHIP OF LONG BEACH**

Passed on first reading at a regular meeting held on February 5, 2018 and advertised in the BEACH HAVEN TIMES issue of February 8, 2018.

ORDINANCE 18-08C

AN ORDINANCE AMENDING AN ORDINANCE ENTITLED "CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, 1997" IN CHAPTER 128, AMENDING SUBSECTION NUMBERS RELATING TO OUTDOOR LIGHTING IN THE TOWNSHIP OF LONG BEACH

STATEMENT OF PURPOSE

The purpose of this Ordinance is to amend subsection numbers in Chapter 128 in regards to regulate outdoor lighting to protect the public health, welfare, and safety.

SECTION I

Update subsection number **§106-7. Removal and Abatement** to **§128-7. Removal and Abatement**

Update subsection number **§106-8. Violations and Penalties** to **§128-8. Violations and Penalties**

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.

OPEN PUBLIC HEARING

No comments.

CLOSE PUBLIC HEARING

Motion to adopt Ordinance 18-08C on Second Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

6. Second Reading Ordinance 18-09: **BOND ORDINANCE AUTHORIZING THE RECONSTRUCTION AND/OR RESURFACING OF GOODRICH AVENUE IN THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$325,000 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 \$118,750; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

Passed on first reading at a regular meeting held on February 5, 2018 and advertised in the BEACH HAVEN TIMES issue of February 8, 2018.

**TOWNSHIP OF LONG BEACH, NEW JERSEY
ORDINANCE 18-09**

BOND ORDINANCE AUTHORIZING THE RECONSTRUCTION AND/OR RESURFACING OF GOODRICH AVENUE IN THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$325,000 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 \$118,750; 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 \$325,000; and

(b) the estimated amount of bonds or bond anticipation notes to be issued for the purpose stated in Section 7 hereof is \$118,750; and

(c) a down payment in the amount of \$6,250 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 \$118,750, to be raised by the issuance of bonds or bond anticipation notes, together with the sum of \$6,250, which amount represents the required down payment, and the sum of \$200,000, which represents a grant from the New Jersey Department of Transportation, 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 \$118,750 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 \$118,750 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 \$60,000.

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 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>Grant</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
A.	Reconstruction and/or Resurfacing of Goodrich Avenue, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	\$325,000	\$200,000	\$6,250	\$118,750	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 \$118,750 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, in addition those specifically referenced above, 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: February 5, 2018

Date of Final Adoption: March 5, 2018

OPEN PUBLIC HEARING

No comment.

CLOSE PUBLIC HEARING

Motion to adopt Ordinance 18-09 on Second Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

7. Second Reading 18-10: **BOND ORDINANCE AUTHORIZING THE RECONSTRUCTION AND/OR RESURFACING OF VARIOUS ROADWAYS IN THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$300,000 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 \$285,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

Passed on first reading at a regular meeting held on February 5, 2018 and advertised in the BEACH HAVEN TIMES issue of February 8, 2018.

TOWNSHIP OF LONG BEACH, NEW JERSEY

ORDINANCE 18-10

BOND ORDINANCE AUTHORIZING THE RECONSTRUCTION AND/OR RESURFACING OF VARIOUS ROADWAYS IN THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$300,000 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 \$285,000; 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 \$300,000;

(b) the estimated amount of bonds or bond anticipation notes to be issued for the purpose stated in Section 7 hereof is \$285,000; and

(c) a down payment in the amount of \$15,000 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 \$285,000, to be raised by the issuance of bonds or bond anticipation notes, together with the sum of \$15,000, 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 \$285,000 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 \$285,000 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 \$60,000.

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 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.	Reconstruction and/or Resurfacing of Various Roadways in the Township including, but not limited to, Beach Avenue, Waverly Avenue and Riviera Drive, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	\$300,000	\$15,000	\$285,000	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 \$285,000 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.

Date of Introduction: February 5, 2018

Date of Final Adoption: March 5, 2018

OPEN PUBLIC HEARING

No comment.

CLOSE PUBLIC HEARING

Motion to adopt Ordinance 18-10 on Second Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

8. Second Reading Ordinance 18-11: **AN ORDINANCE AUTHORIZING A SPECIAL APPROPRIATION IN THE AMOUNT OF \$1,000,000.00 PURSUANT TO N.J.S.A. 40A:53 TO FUND AND FINANCE ALL COSTS ASSOCIATED WITH THE PREPARATION OF THE COUNTY OF OCEAN MANDATED REVALUATION OF REAL PROPERTY AND UPDATES TO THE TOWNSHIP TAX MAP**

Passed on first reading at a regular meeting held on February 5, 2018 and advertised in the BEACH HAVEN TIMES issue of February 8, 2018.

ORDINANCE 18-11

AN ORDINANCE AUTHORIZING A SPECIAL APPROPRIATION IN THE AMOUNT OF \$1,000,000.00 PURSUANT TO N.J.S.A. 40A:53 TO FUND AND FINANCE ALL COSTS ASSOCIATED WITH THE PREPARATION OF THE COUNTY OF OCEAN MANDATED REVALUATION OF REAL PROPERTY AND UPDATES TO THE TOWNSHIP TAX MAP

WHEREAS, pursuant to N.J.S.A. 40A:4-53, the governing body of a municipality may adopt an ordinance authorizing special appropriations for specific purposes and required actions; and

WHEREAS, Township of Long Beach ("Township") has been required by the County of Ocean to conduct a complete program of revaluation of all real property in the Township for use of the local assessor, and which includes certain revisions and updates to the Township tax map (collectively "Project"); and

WHEREAS, N.J.S.A. 40A:4-53 authorizes special appropriations for the aforesaid purposes and N.J.S.A. 40A:4-50, et seq., authorizes the Township to finance any such appropriation from surplus funds available and/or to borrow money and issue notes to finance any such appropriations; and

WHEREAS, it is estimated that the costs associated with the preparation the County of Ocean mandated revaluation and revisions and updates to the tax map will total \$1,000,000.00.

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 authorize the following.

§1. There is hereby appropriated as a special appropriation, pursuant to N.J.S.A. 40A:4-53, the sum of \$1,000,000.00 for the Project.

§2. Pursuant to N.J.S.A. 40A:4-50, *et seq.*, the appropriation shall be financed from surplus funds currently available, from the issuance of special notes as may be authorized by separate resolution, and/or by any and all other means permitted by the statutory authority; provided, however, at least one-fifth (1/5th) of said amount shall be included in each succeeding annual budget until the appropriation has been fully provided for.

§3. A certified copy of this ordinance shall be filed by the Municipal Clerk with the Director of the Division of Local Government Services in the New Jersey Department of Community Affairs following adoption.

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

§5. 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.

OPEN PUBLIC HEARING

No comment.

CLOSE PUBLIC HEARING

Motion to adopt Ordinance 18-11 on Second Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

9. Resolution 18-0305.01: Approve Funding and Finance Costs Associated with the preparation of the Ocean County Mandated Revaluation of Real Property in Long Beach Twp

RESOLUTION 18-0305.01

WHEREAS, pursuant to N.J.S.A. 40A:4-53, the Township of Long Beach ("Township") adopted Ordinance 18-11 for the purpose of authorizing special appropriations to conduct a complete an Ocean County mandated program of revaluation of all real properties located in the Township for use of the local tax assessor, as well as the required revisions and updates to the tax map (collectively "Project");

WHEREAS, N.J.S.A. 40A:4-53 authorizes special appropriations for the aforesaid purposes and N.J.S.A. 40A:4-50, *et seq.*, authorizes the Township to finance any such appropriations from surplus funds available and/or to borrow money and issue notes to finance any such appropriations; and

WHEREAS, the costs estimated for the County of Ocean mandated revaluation and revisions and updates to the tax map total \$1,000,000.00; and

WHEREAS, pursuant to N.J.S.A. 40A:4-55, following adoption of the required Ordinance, the Township is required to adopt a resolution by 2/3 vote setting forth: (i) the amount appropriated; and (ii) the provision for the borrowing of money and the issuance of the notes; and

WHEREAS, pursuant to N.J.S.A. 40A:4-55, the Township may finance such appropriation from surplus funds available or borrow money and where any appropriation is financed from surplus funds available, at least 1/5 of the amount thereof shall be included in each annual budget until the appropriation has been fully provided for.

NOW, THEREFORE, BE IT RESOLVED that the Township shall finance the special appropriation authorized by Ordinance 18-11 in the amount of \$1,000,000.00 by way of surplus funds available and 1/5 of that amount shall be included in each annual budget until the appropriation has been fully provided for.

10. Resolution 18-0305.02: Amend Ordinance 18-12C
Omits curbs and sidewalks regulations at this time.

RESOLUTION 18-0305.02

WHEREAS, Ordinance 18-12C was introduced at the Township of Long Beach ("Township") Board of Commissioners' ("Board") meeting on Monday, February 5, 2018; and

WHEREAS, Ordinance 18-12C, as introduced, included Sections I through VI, each of which addressed discrete provisions of Chapters 205 and 172 of the Township Code; and

WHEREAS, Sections I and VI proposed to amend §205-54 and §172-20, which pertain to zoning and construction regulations applicable to curbing, curb cuts, and driveways for residential lots; and

WHEREAS, Sections II through V are unrelated to the proposed amendments to curbing, curb cuts, and driveways for residential lots set forth in Sections I and VI; and

WHEREAS, pursuant to and in accordance with N.J.S.A. 40:49-2, the Board has elected to amend Ordinance 18-12C by withdrawing Sections I and VI and to amend the title and statement of purpose by removing any and all references to the curbing, curb cuts, and driveway regulations for residential lots; and

WHEREAS, the withdrawal of Sections I and VI does not alter Sections II through V, substantial or otherwise, and, therefore, Ordinance 18-12C, as amended, shall proceed to consideration for final passage.

NOW, THEREFORE, BE IT RESOLVED that Ordinance 18-12C shall be amended to remove Sections I and VI and all references to curbs, curb cuts, and driveways in the title and statement of purpose, and that Ordinance 18-12C, as amended, shall proceed to consideration for final passage.

Motion to approve Items 9 & 10:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

11. Second Reading Ordinance 18-12C: **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 SIDE YARD MEASUREMENT REQUIREMENTS, MINIMUM LOT DIMENSIONS, AND IMPERVIOUS LOT COVERAGE**

This ordinance was reviewed and approved by the Land Use Board at their meeting held on February 14th 2018.

Passed on first reading at a regular meeting held on February 5, 2018 and advertised in the BEACH HAVEN TIMES issue of February 8, 2018.

ORDINANCE 18-12C

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 SIDE YARD MEASUREMENT REQUIREMENTS, MINIMUM LOT DIMENSIONS, AND IMPERVIOUS LOT COVERAGE

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

STATEMENT OF PURPOSE

This Ordinance clarifies side yard measurement requirements, amends the minimum lot dimensions, and impervious lot coverage regulations.

SECTION I

§205-18 is hereby amended to add the following subsection C.

- C. When the dimension of one side lot line is greater than the opposite side lot line on the same lot, the lot depth shall be the average of the sum of both side lot lines, but in no instance shall the average be less than the requirements of this Chapter set forth in subsections A and B above.

SECTION II

§205-12B is hereby amended to delete the third sentence in its entirety.

SECTION III

§205-12C is hereby repealed and replaced with the following.

- C. A minimum distance of 15 feet shall be maintained between adjoining houses and the measurement shall be taken from the most projected surface of the building that exists at least 1 foot above the ground, including, but not limited to, from elevated decks and bay windows.

(1) Approved chimneys, outdoor stairways, HVAC units, emergency generators, pool equipment, and electric meters shall be exempt and not

considered the most projected surface pursuant to the above measurement requirement.

SECTION IV

§205-33 is hereby amended as follows.

§205-33B(2)(b) is hereby repealed.

§205-33B(3) is hereby repealed and replaced with the following.

- (3) Impervious coverage on lots includes, but is not limited to, any area covered by a principal building, accessory building, grade level or elevated deck, swimming pool or spa, and any other covered or non-covered impervious surface.
 - (a) On lots adjacent to a paved roadway approved impervious lot coverage shall not exceed 75% of the entire lot area nor 60% of any yard setback area. On lots fronting the Atlantic Ocean, the foregoing 75% calculation shall be calculated only on the area of the lot lying westward of the oceanfront building line.
 - (b) No portion of any lot that is mapped as wetlands or has riparian rights shall be included in the calculation of impervious lot coverage.

SECTION V

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

SECTION VI

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.

OPEN PUBLIC HEARING

No comment.

CLOSE PUBLIC HEARING

Motion to adopt Ordinance 18-12C as amended on Second Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

12. First Reading Ordinance 18-13C: **AN ORDINANCE AMENDING AN ORDINANCE ENTITLED, "CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, (1997)" IN CHAPTER 82 PERTAINING TO ZONING PERMIT FEES**

Motion to approve Ordinance 18-13C on First Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

ADOPTIONS & APPROVALS

13. Resolution 18-0305.03: Approve various water sewer changes

RESOLUTION 18-0305.03

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

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

<u>BLOCK</u>	<u>LOT/QUAL</u>	<u>ACCT #/ACCT</u>	<u>YEAR</u>	<u>CANCEL/CHANGE</u>	<u>AMOUNT</u>
8.14	7	2740-0 W/S	2018	Standby credit	\$ 150.25
10.26	5	3174-0 W/S	2018	Standby credit	\$ 443.75
11.18	7	3593-0 W/S	2018	Standby credit	\$ 180.00
12.15	4	4085-0 W/S	2018	Standby credit	\$ 32.00
15.23	9.02	5128-0 W/S	2018	Standby credit	\$150.25
15.110	3	5949-0 W/S	2018	Standby credit	\$137.25
20.161	1	7600-0 W/S	2018	Standby credit	\$1218.00
20.177	13	7767-0 W/S	2018	Standby credit	\$ 711.00

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

14. Resolution 18-0305.04: Approve various personnel matters

RESOLUTION 18-0305.04

Approve the Family Medical Leave Act (FMLA) for employee with Civil Service number ****4684 effective retroactive to February 4, 2018.

- Ocean County Department of Finance

INTERGOVERNMENTAL AGREEMENT SCHEDULE C

THIS AGREEMENT made this day of , 2018, between the **County of Ocean**, a body politic of the State of New Jersey, hereafter called the County, and **Township of Long Beach**, a Local Governmental Unit of the State of New Jersey, hereinafter called "Local Governmental Unit".

WHEREAS, it is the desire of the Ocean County Board of Chosen Freeholders to assist the Local Governmental Unit in the repair and maintenance of its street and property, road overlay, in addition to providing certain materials and supplies in connection therewith; and

WHEREAS the Local Governmental Unit desires to enter into an Agreement with the County for such services;

NOW, THEREFORE, in consideration of the mutual terms and conditions covenant herein contained, the parties agree as follows:

1. If requested by the Local Governmental Unit, the County, at the discretion of the County Road Supervisor, except for items F, G, and H, which shall be at the discretion of the County Engineer, and item I which shall be at the discretion of the Vehicle Services Director will assist the Local Governmental Unit in the following ways:
 - A. Mowing of plant growth along local governmental units roads or property;
 - B. Plowing snow on local governmental unit's roads or property;
 - C. Purchase of materials or supplies for the maintenance of local governmental unit roads or property;
 - D. Sweeping of local governmental unit's roads or property;
 - E. Road overlay (List of Schedule "C" Major Project Request must be completed);
 - F. Curbs and Sidewalks on local governmental unit roads;
 - G. Repair of traffic signals;
 - H. Traffic signs or pavement marking;
 - I. Vehicle Maintenance Services.
2. This Agreement shall take effect upon execution by the parties and shall remain in full force and effect through December 31, 2018. The total amount of the Local Governmental Unit purchases of goods and services under this Agreement shall not exceed the sum of Four Hundred Thousand Dollars (\$400,000.00) during the term of this Agreement. The Local Governmental Unit certifies that sufficient funds are available in its current Budget to cover the cost of the Agreement.
3. This Agreement will be administered on behalf of the Ocean County Board of Chosen Freeholders and their Designee by Andrew Baran, Assistant Director of Public Works on behalf of the Local Governmental Unit.
4. Materials or supplies, if available, will be issued to the Local Governmental Unit from the County yard or warehouse. Except during emergencies, all purchase requests for materials and supplies shall be in writing.
5. Each County Department shall invoice the Local Governmental Unit for materials and supplies delivered and services rendered. Monies due shall be paid by the Local Governmental Unit to the County within thirty (30) days after the Local Governmental Unit's receipt of said invoices.
6. The applicable rates and charges for equipment and labor are set forth in the List of Labor and Equipment Costs, which is attached hereto and made a part hereof.
 - A. The Local Governmental Unit may request the County to provide for the disposition of sweeping materials from the Local Governmental Unit site. All costs associated with the disposition of these materials, including, but not limited to, all costs incurred in the inspection, testing, classification, screening and ultimate disposition of the sweepings, shall be the responsibility of the Local Governmental Unit and shall be included in the County's next invoice for payment by the Local Governmental Unit.
 - B. When request by the Local Governmental Unit to sweep municipal roads or properties, the materials collected will be disposed of at a designated municipal site. If the Local Governmental Unit is unable to provide a site, the County will store the municipal sweepings at the

nearest County garage and the Local Governmental Unit will be responsible for all costs incurred as described in paragraph A.

7. The Local Governmental Unit hereby covenants and agrees to save harmless the County, its agents, officials and employees from any and all suits, damages, claims or other causes of action, including reasonable attorneys' fees, which may result from performance of the Agreement by the County.

RESOLUTION 18-0305.09(b)

A RESOLUTION OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING A SHARED SERVICE AGREEMENT WITH THE COUNTY OF OCEAN FOR FY18 CHILD PASSENGER SAFETY GRANT

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

WHEREAS, the Township of Long Beach wishes to enter into an agreement with the County for the purpose of setting forth the terms and conditions regarding the assignment of Nationally Certified Child Passenger Safety Technician employed by the Township to the Ocean County Sheriff's Office Child Restraint Group; and

WHEREAS, the Child Restraint Group is a program run by the Ocean County Sheriff's Office for the purpose of inspecting and installing child restraints in vehicles; and

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

NOW, THEREFORE, BE IT RESOLVED the Board of Commissioners of the Township of Long Beach does hereby authorize the execution of the FY19 Child Passenger Safety Grant Shared Services Agreement effective retroactive from October 1, 2017 through September 30, 2018 with compensation to the Township set at the rate of Fifty-Five (\$55.00) per hour per CPS Technician.

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

RESOLUTION 18-0305.09(c)

WHEREAS, the restoration and preservation of Ocean County's beaches is essential as these unique natural resources constitute an important part of the ecology, environment, and economy of Ocean County and are enjoyed by residents and visitors throughout New Jersey; and

WHEREAS, the Federal Government and the State of New Jersey have agreed to provide the Township of Long Beach (Township) with funding to undertake the New Jersey Hurricane and Storm Reduction Projects (Project) subject to the Township securing funding for 25% of the non-federal share cost of the Project, hereinafter Municipal Share; and

WHEREAS, the Project is necessary in order to protect and preserve the beach ecosystem and to assure the continued use and enjoyment of the beachfront by visitors and the residents of Ocean County, as well as the State in general; and

WHEREAS, the County of Ocean (County), in recognition of the necessity of the Project, has agreed to enter into an Intergovernmental Agreement with the Township to provide funding in an amount equal to one-half (1/2) of the Township's Municipal Share, in an amount not less than \$351,245.00 for the base costs of the Project, or an amount not to exceed \$428,026.00 for the base costs and all option costs as outlined in the State of New Jersey Project #6006-R1 and Federal Flood Control Coastal Emergency Project; and

WHEREAS, funds are now available from the County Capital Fund Balance Sheet entitled "Reserve for Beach Replenishment Account No. 300/3020".

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach as follows:

1. The Mayor and Municipal Clerk are hereby authorized and directed to enter into and execute an Intergovernmental Agreement with the County to provide funding for the Project in an amount equal to one-half (1/2) of the Township's Municipal Share, in an amount not less than \$351,245.00, or an amount not to exceed \$428,026.00.
2. The Mayor and Municipal Clerk are further authorized and directed to execute all required documents that may be necessary in order to effectuate the purpose and intent of this Resolution and Intergovernmental Agreement authorized herein.

BE IT FURTHER RESOLVED that a certified copy of this resolution shall be forwarded to County Freeholder John C. Bartlett, Jr.

20. Resolution 18-0305.10(a-d): Award various contracts, per bid:

- a. Emergency W/S Repairs: Shore Connection \$140,400.00
- b. Municipal Complex Roof: Padovani Roofing & Construction. Base Bid: \$49,920 (Administration Bldg.)
Alt \$61, 200 (Public Safety Bldg.)
- c. Bulkhead Replacement Project, Susan Ave:
R. Kremer & Son \$149,500.00
- d. Water Sewer Fittings and Supplies:
Cutter, Water Works Supply, Core and Main, and Atlantic Plumbing Supply: various prices

RESOLUTION 18-0305.10(a)

A RESOLUTION AWARDDING A CONTRACT FOR EMERGENCY REPAIRS TO WATER AND SEWER SYSTEMS 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 has solicited and received bids for emergency repairs to water and sewer systems in the Township of Long Beach on March 1, 2018; 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, Shore Connection, Inc, 304 Forge Road, Unit 10, West Creek, NJ 08092 gave the lowest qualified bid as per the municipal engineer and the municipal attorney's review and certification.

WHEREAS, the contract term shall have a duration of one (1) year commencing January 1, 2018 and ending December 31, 2018 with an option to extend for a period of two (2) years as agreed to in writing by both parties at the end of the initial contract period; and

WHEREAS, the Chief Financial Officer has certified the availability of funds in the following appropriations: W/S Contractual Services Account # 8-09-55-549-029 in the amount of \$140,400.00.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach this 5th day of March 2018, for the reasons aforesaid, that a contract be and is hereby awarded to:

Shore Connection, Inc,
304 Forge Road, Unit 10,
West Creek, NJ 08092

for emergency repairs to water and sewer systems in the Township of Long Beach as per the bid received on March 1, 2018 in an amount not to exceed One Hundred Forty Thousand Four Hundred Dollars (\$140, 400.00).

RESOLUTION 18-0305.10(b)

A RESOLUTION AWARDDING A CONTRACT FOR THE CONSTRUCTION OF A NEW ROOF FOR THE MUNICIPAL COMPLEX IN THE TOWNSHIP OF LONG BEACH,
PER BID

WHEREAS, pursuant to N.J.S.A.40A:11-1 et seq., the Township of Long Beach has solicited and received bids for the 2018 Municipal Complex Roof Project in the Township of Long Beach on March 1, 2018; 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, Quality Roof Cleaning, LLC/ dba Padovani Roofing and Construction gave the lowest qualified bid as per the municipal engineer and the municipal attorney's review and certification.

WHEREAS, the Chief Financial Officer has certified the availability of funds is available in the following appropriations: Ordinance 18-02 Replace Roof Account #C-04-56-152-901 in the amount of \$111,120.00.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach this 5th day of March 2018, for the reasons aforesaid, that a contract be and is hereby awarded to:

Quality Roof Cleaning, LLC/ dba Padovani Roofing and Construction
46 Higginsville Road
Neshanic Station, NJ 08853

and is hereby awarded a contract for the 2018 Municipal Complex Roof Project in the Township of Long Beach as per the bid received March 1, 2018 in the amount of Base

Bid: Forty-Nine Thousand Nine Hundred Twenty Dollars (\$49,920.00) and Alternate 1: Sixty-One thousand Two Hundred Dollars (\$ 61, 200.00).

RESOLUTION 18-0305.10(c)

A RESOLUTION AWARDING A CONTRACT FOR THE 2018 BULKHEAD REPLACEMENT PROJECT-SUSAN AVENUE, OHIO AVENUE AND JEANETTE AVENUE IN THE TOWNSHIP OF LONG BEACH,
PER BID

WHEREAS, pursuant to N.J.S.A.40A:11-1 et seq., the Township of Long Beach has solicited and received bids for the 2018 Bulkhead Replacement Project-Susan Avenue, Ohio Avenue and Jeanette Avenue in the Township of Long Beach on March 1, 2018; 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, R. Kremer & Son gave the lowest qualified bid as per the municipal engineer and the municipal attorney's review and certification; and

WHEREAS, the Chief Financial Officer has certified the availability of funds in the following appropriations: Ordinance 16-25 Replacement of Bulkheads Account #C-04-56-139-901 in the amount of \$129,357.12; Ordinance 16-25 Replacement of Bulkheads 2:20 Account #C-04-56-139-951 in the amount of \$20,142.88.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach this 5th day of March 2018, for the reasons aforesaid, that a contract be and is hereby awarded to:

R. Kremer & Son
253 Drum Point Road
Brick, NJ 08723

for the 2018 Bulkhead Replacement Project: Susan, Ohio & Jeanette Ave in the Township of Long Beach as per the bid received March 1, 2018 in an amount not to exceed One Hundred Forty-Nine Thousand Five Hundred Dollars (\$149,500.00).

RESOLUTION 18-0305.10(d)

A RESOLUTION AWARDING CONTRACTS FOR WATER/SEWER FITTINGS AND SUPPLIES FOR THE WATER/SEWER DEPARTMENT OF THE TOWNSHIP OF LONG BEACH, PER BID

WHEREAS, the Township of Long Beach has solicited and received bids on February 27, 2018 for the purchase of Water Sewer Fittings and Supplies for the Water/Sewer Department; and

WHEREAS, the bid specifications advised multiple contract awards shall be made; the low bidder per group shall be contacted first, should the low bidder be unable to furnish the goods in the timeframe or quantity needed, the next lowest bidder shall be contacted, and each subsequent bidder in the same manner until the needed goods are furnished; and

WHEREAS, it is the opinion of the Board of Commissioners of the Township of Long Beach the following vendors have provided responsive bids, said bids having been submitted for review and approval by the Long Beach Township Qualified Purchasing Agent and Municipal Solicitor and that they have been accepted for the same:

Water Sewer Fittings and Supplies - Various items per individual contracts on file in the Municipal Clerk's Office:

Cutter Drill and Machine Inc
Atlantic Plumbing Supply Corp
Water Works Supply Co. Inc:
Core and Main LP

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach this 5th day of March 2018, for the reasons aforesaid, that one (1) 2-year contract with one (1) 2-year option to extend be and is hereby awarded to the above-named vendors at rates pursuant to the bids received by Long Beach Township on February 27, 2018.

21. Resolution 18-0305.11(a&b): Award various Contracts, per State Contract:

a) Purchase of two (2) 2018 Ford Utility Police Interceptors for the Police Department; Chas S. Winner, Inc. dba Winner Ford: \$54,180.00

b) Marturano Recreation Company DBA/ Game Time: Playground Equipment - \$48,049.91 for DPW.

RESOLUTION 18-0305.11(a)

A RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR THE PURCHASE OF TWO (2) 2018 FORD UTILITY POLICE INTERCEPTORS FOR THE POLICE DEPARTMENT IN THE TOWNSHIP OF LONG BEACH

WHEREAS, the Township of Long Beach wishes to purchase from an authorized vendor under the State of New Jersey Cooperative Purchasing Services Program INJCP; and

WHEREAS, the purchase of goods and services by local contracting units is authorized by the Local Public Contracts Law, N.J.S.A. 40A:11-12; and

WHEREAS, Winner Ford has been awarded New Jersey State Contract No. 88728 for Police Vehicles: Sedans and Sport Utility Vehicles (Index #T2776) effective March 16, 2015 through March 15, 2018; and

WHEREAS, the Commissioner of Public Safety recommends the utilization of this contract on the grounds that it represents the most cost effective method for the needs of the Township; and

WHEREAS, the actual cost of two (2) 201 Ford Utility Police Interceptors is Fifty Four Thousand One Hundred Eighty Dollars (\$54,180.00); and

WHEREAS, the Chief Financial Officer has certified the availability of funds for this contract available as an appropriation created by Purchase of Police Vehicles Vehicle: Account #8-01-25-240-051 in the amount of \$54,180.00.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach that

Chas S. Winner, Inc. dba Winner Ford
250 Haddonfield Berlin Rd.
Cherry Hill, NJ 08034

be and hereby is awarded a contract for purchase of two (2) 201 Ford Utility Police Interceptors is Fifty Four Thousand One Hundred Eighty Dollars (\$54,180.00).

RESOLUTION 18-0305.11(b)

WHEREAS, the Township of Long Beach wishes to purchase from an authorized vendor under the State of New Jersey Cooperative Purchasing Program NJSTART; and

WHEREAS, the purchase of goods and services by local contracting units is authorized by the Local Public Contracts Law, N.J.S.A. 40A:11-12; and

WHEREAS, Marturano Recreation Company DBA/Game Time has been awarded New Jersey State Contract #16-FLEET-00121 (Index #T-0103) for the period May 31, 2017 through May 30, 2020; and

WHEREAS, the Commissioner of Revenue and Finance recommends the utilization of this contract on the grounds that it represents the most cost effective method for the needs of the Township; and

WHEREAS, the actual cost for the purchase of Playground Equipment for Department of Public Works is \$48,049.91; and

WHEREAS, the Finance Officer has certified the availability of funds for this contract in the appropriation created by the purchase of playground equipment Account # C-04-55-300-040 in the amount of \$48,049.91.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach that Marturano Recreation Company, Inc., dba Game Time, Po Box 106, Spring Lake, NJ 07762 be awarded a contract for purchase of Playground Equipment for Department of Public Works.

Motion to approve Items 17-21:

Motion: Lattanzi

Ayes: Lattanzi, Bayard, Mancini

Second: Bayard

Nays:

FINANCIAL APPROVALS

22. Resolution 18-0305.12: Increase to the Temporary Budget

RESOLUTION 18-0305.12

WHEREAS, the Chief Financial Officer of the Township of Long Beach has determined that an increase to the 2018 Temporary Budget, approved pursuant to Resolution 17-1218.19 and 18-0108.14 an increase pursuant to Resolution 18-0205.16, is necessary; and

WHEREAS, appropriations for the A – Temporary Current Fund, are hereby adopted as the 2018 Temporary Budget and shall be increased March 5, 2018 pursuant to Schedule A attached hereto.

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach that the Chief Financial Officer be and she is hereby authorized to approve the increase to the 2018 Temporary Current Fund.

23. Resolution 18-0305.13: Introduce 2018 Municipal Budget

RESOLUTION 18-0305.13

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach that the following statements of revenues and appropriations shall constitute the Local Municipal Budget for the year 2018; and

BE IT FURTHER RESOLVED that said Budget be published in the Beach Haven Times, issue of March 15, 2018.

The Governing Body of the Township of Long Beach does hereby approve the following as the Budget for the year 2018:

VOTE:

AYES: LATTANZI, BAYARD, MANCINI

NAYS:

ABSTENTIONS:

ABSENCES:

24. Resolution 18-0305.14: Partial Release of a Performance Bond;
McLeer/Schuler, LUB-12-15, Block 6.27, Lots 11&12,
\$1,496.00

RESOLUTION 18-0305.14

WHEREAS, pursuant to Resolution 16-0606.18(b), the Township of Long Beach accepted from Kevin Schuler and Sharon McLeer, Cashier's Check No. 046642, drawn on Shore Community Bank, dated April 5, 2016 in the amount of Seven Thousand Six Hundred Fifty-Six Dollars (\$7,656.00), representing the required Performance Bond for Minor-Subdivision #LUB-12-15, Block 6.27, Lots 11&12 (2 East 32nd Street, Brant Beach); and

WHEREAS, upon inspection by the Municipal Engineer on February 15, 2018, 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 One Thousand, Four Hundred Ninety-Six Dollars (\$1,496.00), as per its Municipal Land Use Ordinance and as per the recommendation and certification of the Municipal Engineer.

25. Resolution 18-0305.15: Approve Bills & Payroll
Bills in the amount of: \$12,791,413.82
Payroll in the amount of: \$937,325.93

RESOLUTION 18-0305.15

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 \$937,325.93 .

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach as follows:

1. The said approved vouchers amounting to the sum of \$12,791,413.82 be and the same are hereby authorized to be paid on Monday, March 5, 2018.

2. The said approved payroll amounting to the sum of \$ 937,325.93 be and the same are hereby authorized to be paid on Monday, March 5, 2018.

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 22-25:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

Administrator's Report: Holgate Beach Replenishment is complete and they should begin Brant Beach by March 17th.

COMMISSIONERS' REPORTS

Commissioner Lattanzi: Thanked Lisa Jones for her years of service and introduces Lydia d'Amore as the new CFO, provided facts and figures, 4/10 of a penny increase which covers the increase in pension benefits. Lydia made comments on the budget being available online as well as explaining where the increase exists.

Commissioner Bayard: The reusable grocery bags are available at the Municipal Building, each tax payer will receive two free bags.

Mayor Mancini: The next meeting of the Land Use Board will be held on Wednesday, March 14th at 7:00 pm in the upstairs multi-purpose room.

Second Reading and Public Hearing for Ordinance 18-13 will take place at the public meeting held on April 9, 2018 at 4:00 pm. Stated how the Nor'easter caused flooding which impeded traffic, has a meeting with the County next week to ask if the crest of the road be raised after the infrastructure projects are complete.

OPEN PUBLIC SESSION

John Fiori/Brant Beach questioned if the curbing ordinance would be revisited and re-introduced next month.

Mayor Mancini stated it would possibly be re-introduced next month.

Russell Harle/Loveladies explained the roads in Loveladies Harbor were level, currently. He felt that additional curbing would trap the water on their streets, possibly causing flooding.

Mayor Mancini stated the reasoning was to add more parking on the side streets and asked for his suggestions.

Russell Harle/Loveladies responded most parking there was used by resident families who park on their lawn; if curbs were added people could not pull onto the lawn.

Mayor Mancini explained the Beach Project required the Twp. to provide adequate public parking, and to show where the public parking was designated.

Gina Harle/Loveladies stated the town had purchased parking lots that have been empty. She felt the curbing could cause flooding, and the road elevation should be raised as well.

Mayor Mancini explained these were parts of the required overall access plan.

Donn O'Brien/Brant Beach questioned the bill from Hall Consultants.

Mayor Mancini explained that was for the assessment of condemnation properties, and several appraisals could be necessary for each property before settlement.

Donn O'Brien/Brant Beach asked for the status of the new observation deck construction.

Kyle Ominski explained grant money was received for the construction of the new observation deck, which included a new portion with a bigger deck with a roof.

CLOSE PUBLIC SESSION

Mayor Mancini stated another nor'easter storm was forecast on Wednesday, 3/7.

Motion for adjournment at 4:34pm:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

Lynda J. Wells, RMC
Municipal Clerk

Joseph H. Mancini, Mayor

Ralph H. Bayard, Commissioner

Dr. Joseph P. Lattanzi, Commissioner