

**MINUTES**  
**REGULAR SESSION BOARD OF COMMISSIONERS MARCH 4, 2019**  
**Flag Salute**

Meeting came to order: 4:04 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  
Danielle La Valle, Deputy 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 on December 6, 2018 and ASBURY PARK PRESS on December 10, 2018; 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**

**CERTIFICATES OF RECOGNITION:** Claude J. Dayton  
Gregory G. Garbacki  
Michael A. Thomas

Capt. Mahon, Sgt. Trainor and Ptl. Ferguson were all in attendance to distribute certificates. Ptl. Ferguson stated that the certificates were to honor the bravery of these men in rescuing a woman and her dog from a burning building.

**ORDINANCES & PUBLIC HEARINGS**

1. Second Reading Ordinance 19-04: **AN ORDINANCE AUTHORIZING THE PURCHASE OF BLOCK 25.04, LOT 2, IN THE TOWNSHIP OF LONG BEACH FOR A PUBLIC PURPOSE**

Passed on first reading at a regular meeting held on February 4, 2019 and advertised in the BEACH HAVEN TIMES issue of February 7, 2019.

**ORDINANCE 19-04**

**AN ORDINANCE AUTHORIZING THE PURCHASE OF BLOCK 25.04, LOT 2, IN THE TOWNSHIP OF LONG BEACH FOR A PUBLIC PURPOSE**

**WHEREAS**, the Township of Long beach ("Township") is authorized pursuant to N.J.S.A. 40A:12-1, *et seq.*, to purchase real property; and

**WHEREAS**, the owner of the real property known as Block 25.04, Lot 2 ("Property"), consisting of approximately 5.7 acres has agreed to sell to the Township and the Township has agreed to purchase from the owner the Property, which Property encompasses a portion of Marsh Elder Island; and

**WHEREAS**, the Township is purchasing the Property for a public purpose and to protect the public, health, welfare, and safety; and

**WHEREAS**, the Township has previously issued bond for the financing of such purchases for the public purpose of, *inter alia*, environmental preservation, recreation, relating to dredging and related public works projects, and purchases relating to flood protection; and

**WHEREAS**, the Township is hereby authorizing the Purchase of the Property pursuant to the proposed contract ("Contract"), which is attached hereto as Schedule A and incorporated herein by reference, pursuant to the requirements set forth therein.

**NOW THEREFORE, BE IT ORDAINED** by the Mayor and 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 authorize the purchase of the Block 24.05, Lot 2 ("Property"), which is a portion of Marsh Elder Island consisting of approximately 5.7 acres, for a public purpose pursuant to N.J.S.A. 40A:12-1, *et seq.*

**§1. Authorization and Terms**

A. The contract ("Contract"), which is attached hereto as Schedule A and incorporated by reference as if set forth fully herein for purchase of the Property is hereby adopted and authorized by Township pursuant to and in accordance with the terms of the Contract and the terms set forth herein.

B. The Mayor is hereby authorized to execute the Contract on behalf of Township.

**§2. Repealer**

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

**§3. Severability.**

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

**Effective date.**

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

OPEN PUBLIC HEARING

No comments.

CLOSE PUBLIC HEARING

Motion to approve Ordinance 19-04 on Second Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

2. Second Reading Ordinance 19-05C: **AN ORDINANCE AMENDING AN ORDINANCE ENTITLED "CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, 1997" IN CHAPTER 25 PERTAINING TO THE REGULATION OF ALARM SYSTEMS**

Passed on first reading at a regular meeting held on February 4, 2019 and advertised in the BEACH HAVEN TIMES issue of February 7, 2019.

**ORDINANCE 19-05C**

**AN ORDINANCE AMENDING AN ORDINANCE ENTITLED "CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, 1997" IN CHAPTER 25 PERTAINING TO THE REGULATION OF ALARM SYSTEMS**

**STATEMENT OF PURPOSE**

The purpose of this Ordinance is to create a new Chapter 37 in order to regulate alarm systems to protect the public health, welfare, and safety.

**SECTION I**

A new Chapter 37 is hereby adopted as follows.

**Chapter 37 Alarm Systems**

**§37-1 Purpose.**

This Chapter is enacted in order address false alarms to protect the public health, welfare, and safety. This Chapter regulates alarm systems and is in addition to the criminal regulations relating to the false and baseless reporting of fire, explosion, crime, catastrophe, emergency, or any other related incident, as set forth in N.J.S.A. 2C:33-3.

**§37-2 Definitions.**

For the purposes of this Chapter, the following words shall have the meanings given herein.

**ALARM SYSTEM**

Any device designed, when actuated, to produce or emit a sound or transmit a signal or message for the purpose of alerting others to the existence of an emergency situation requiring immediate investigation by private company, police, fire, or other party, except that this definition shall not include residential, battery-operated smoke alarms and carbon monoxide detectors not connected with an outside source or location.

**TOWNSHIP ALARM ADMINISTRATOR**

The Chief of Police or his/her designee shall be responsible for the enforcement of this Chapter and the performance of any administrative duties regarding the regulation of alarm systems.

**FALSE ALARM**

An alarm signal eliciting a response by private company, police, fire, or other party when a situation requiring a response by the Police Department and/or the Fire Department does not in fact exist.

**FIRE DEPARTMENT**

The volunteer fire companies located on Long Beach Island and that service the Township.

**§37-3 Regulations.**

- A. No person owning, using, or possessing an alarm system shall cause or permit the giving of false alarms, whether intentional, accidental, or otherwise.
- B. Pursuant to N.J.A.C. 5:18 of the Uniform Fire Code, the Fire Official is required to cause an investigation to be made of every reported fire alarm. In the case of false fire alarms which summon the Fire Department, the Fire Official shall cause an investigation to be made and shall keep a record of such false alarms on file. Such record shall be prima facia evidence of the contents thereof. In the case of false alarms which summon the Police Department, the Police Chief shall cause an investigation to be made and shall keep a record of such false alarms on file. Such record shall be prima facia evidence of the contents thereof.

- C. The Township Alarm Administrator shall compile, document, and keep a written record of all false alarms that summon an investigation.
- D. After 2 false alarms at the same property within any calendar year, the Township Alarm Administrator shall charge the owner and/or lessee of the property such penalties and fees as outlined in this Chapter.

**§37-5 Violations and Penalties.**

- A. A violation of this Chapter shall be punishable as provided in Chapter 1, General Provisions, Article III, General Penalty, except that the following minimum penalties shall be applicable as a result of each false alarm, each of which shall be regarded as a separate and independent violation.
  - (1) 0 to 2 false alarms: 0.
  - (2) 3rd false alarm: \$200.
  - (3) 4th false alarm: \$300.
  - (4) 5th false alarm: \$400.
  - (5) 6th false alarm: \$500.
  - (6) 7th false alarm: \$600.
  - (7) 8th false alarm: \$700.
  - (8) 9th false alarm: \$800.
  - (9) 10+ false alarms: \$900.
- B. Prior false alarms shall only count towards the total count for purposes of Subsection A above if the prior false alarms occurred within the same calendar year at the same property.
- C. Municipal Court appearances for 6 or more false alarms within a calendar year shall be required. Municipal Court appearances for 3 to 5 false alarms within a calendar year shall be at the discretion of the Township Alarm Administrator.

**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 approve Ordinance 19-05C on Second Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

3. Second Reading Ordinance 19-06: **BOND ORDINANCE AUTHORIZING THE ACQUISITION OF BLOCK 13.19, LOT 12, IN THE TOWNSHIP OF LONG BEACH FOR A PUBLIC PURPOSE**

Passed on first reading at a regular meeting held on February 4, 2019 and advertised in the BEACH HAVEN TIMES issue of February 7, 2019.

**TOWNSHIP OF LONG BEACH, NEW JERSEY**

**ORDINANCE 19-06**

**BOND ORDINANCE AUTHORIZING THE ACQUISITION OF CERTAIN REAL PROPERTY FOR THE TOWNSHIP'S WATER AND SEWER UTILITY AND VARIOUS IMPROVEMENTS THERETO IN AND FOR THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$400,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$400,000; 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 purposes described in Section 7 hereof are hereby authorized as general improvements 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 purposes stated in Section 7 hereof is \$400,000; and

(b) the estimated amount of bonds or bond anticipation notes to be issued for the purposes stated in Section 7 hereof is \$400,000.

**Section 3.** The sum of \$400,000, to be raised by the issuance of bonds or bond anticipation notes, is hereby appropriated for the purposes stated in this bond ordinance ("Bond Ordinance").

**Section 4.** The issuance of negotiable bonds of the Township in an amount not to exceed \$400,000 to finance the costs of the purposes 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 purposes described in Section 7 hereof, the issuance of bond anticipation notes of the Township in an amount not to exceed \$400,000 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 \$75,000.

**Section 7.** The improvements hereby authorized and the purposes for which said obligations are to be issued; the estimated costs of each said purpose; the amount of down payment for each said purpose; the maximum amount obligations to be issued for each said purpose and the period of usefulness of each 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.	Acquisition of Certain Real Property for the Township's Water and Sewer Utility identified on the official tax map of the Township as Lot 12, Block 13.19, and various improvements thereto; together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	\$400,000	\$0	\$400,000	40 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 \$400,000 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 improvements 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 improvements authorized hereby are not current expenses and are improvements that the Township may lawfully make. No part of the cost of the improvements 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 4, 2019**

**Date of Final Adoption: March 4, 2019**

OPEN PUBLIC HEARING

No comments.

CLOSE PUBLIC HEARING

Motion to approve Ordinance 19-06 on Second Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

4. Resolution 19-0304.01: Introduce the 2019 Temporary Capital Budget

**RESOLUTION 19-0304.01**

**WHEREAS**, the statutes provide for the making of temporary appropriations for the period of January 1<sup>st</sup> to the date of adoption of the Local Municipal Budget; and

**WHEREAS**, the Governing Body of the Township of Long Beach, County of Ocean, desires to provide for an orderly method to meet claims during the foresaid period, prior to the adoption of the Local Municipal Budget.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Township of Long Beach that the following appropriations, attached as Schedule A, are hereby adopted as the 2019 Temporary Capital Budget.

Motion to approve Item 4:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

5. First Reading Ordinance 19-07: **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 \$450,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$427,500; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

Motion to approve Ordinance 19-07 on First Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

6. First Reading Ordinance 19-08: **BOND ORDINANCE AUTHORIZING THE REPAIR AND/OR REPLACEMENT OF BULKHEADS IN THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN,**

**NEW JERSEY; APPROPRIATING THE SUM OF \$200,000 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 \$190,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

Motion to approve Ordinance 19-08 on First Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

7. First Reading Ordinance 19-09C: **AN ORDINANCE AMENDING AN ORDINANCE ENTITLED, "CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, (1997)" AS THE SAME IN CHAPTER 51 WHICH PERTAINS TO BEACHES**

Motion to approve Ordinance 19-09C on First Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

**ADOPTIONS & APPROVALS**

8. Resolution 19-0304.02: Adopt the Long Beach Township Emergency Operating Plan

**RESOLUTION 19-0304.02**

**WHEREAS**, the State of New Jersey requires that each municipality have in place an Emergency Operating Plan; and

**WHEREAS**, the Municipal Emergency Management Coordinator for the Township of Long Beach has reviewed, updated, and revised, in accordance with the State of New Jersey Office of Emergency Management Plan Review Schedule for 2016, said plan; and

**WHEREAS**, it is the desire of the Board of Commissioners to adopt said revised plan for the Township of Long Beach effective retroactively to January 1, 2016 through December 31, 2019.

**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:

Certified copies of this resolution shall be distributed to the Municipal Emergency Management Coordinator, County of Ocean Office of Emergency Management, State of New Jersey Office of Emergency Management, and any other authorized parties.

9. Resolution 19-0304.03.: Authorize an online auction: Various Municipal Vehicles

**RESOLUTION 19-0304.03**

**WHEREAS**, the Township of Long Beach is the owner of certain surplus property which is no longer needed for public use; and

**WHEREAS**, the Board of Commissioners of the Township of Long Beach is desirous of selling said surplus property in an "as is" condition without express or implied warranties; and

**WHEREAS**, pursuant to N.J.S.A. 40A:11-36, Long Beach Township authorizes the online auction of property no longer needed for public use; and

**WHEREAS**, the sale is being conducted pursuant to Local Finance Notice 2008-9; and

**WHEREAS**, pursuant to Resolution 18-0205.02(a) the Township of Long Beach has entered an agreement with GovDeals, Inc., for online auctioneering services; and

**WHEREAS**, the sale will be online and the address of the auction site is [www.govdeals.com](http://www.govdeals.com) for the following items:

- 2011 Ford Escape, 1FMCU9DG0BKA69397
- 2004 S-10 Blazer, 1GNLT13X64K164152
- 2001 Toyota Tacoma 4x4, 5TEPM62N1Z845533
- 2004 F350 4x4 Pickup, 1FTSF31S24EC37056
- 2008 John Deere Tractor, LO6430H575643

**NOW, THEREFORE, BE IT RESOLVED** by Board of Commissioners of the Township of Long Beach, County of Ocean, State of New Jersey, that the Township of Long Beach approves the online auctioneering for the above property no longer of use to the Township in March of 2019.

10. Resolution 19-0304.04: Approve various personnel matters

**RESOLUTION 19-0304.04**

Accept and Approve the Early 55+ Retirement of the following employee effective March 1, 2019.

Mark Riddell

**Finance**

Change the following employee's annual base salary to \$48,000.00 to be paid from Finance Salary & Wage effective retroactive to February 25, 2019.

Erica Nicholes

**Public Works**

Hire the following employee as a Permanent Full-Time Laborer 1 at the annual rate of \$30,000.00 to be paid from Public Works Salary & Wage effective retroactive to February 25, 2019.

Ryan Ross

**Recreation**

Hire the following employee as A Full-Time Clerk 1 at the annual rate of \$32,000.00 to be paid from Recreation Salary & Wage effective March 11, 2019.

Emily Delbury

**Water/Sewer**

Appoint Courtney Palughi as a Co-Safety Coordinator for the Township of Long Beach with an annual stipend of \$3,000.00 to be paid equally from the Revenue & Finance, Public Works & Property and Public Affairs & Safety Salary & Wage effective retroactive to February 23, 2019.

- 11. Resolution 19-0304.05(a&b):(a) Authorize Competitive Contracting for Engineer Services for the Resilient NJ Grant Program
- (b) Resolution of Local Commitment for the Resilient NJ Grant Program

**Resolution 19-0304.05(a)**

**RESOLUTION AUTHORIZING COMPETITIVE CONTRACTING FOR ENGINEERING SERVICES FOR THE RESILIENT NJ GRANT PROGRAM**

**WHEREAS**, The Township of Long Beach desires to contract with a vendor to provide engineering services for the Resilient NJ Grant Program; and

**WHEREAS**, pursuant to N.J.S.A. 40A 11-4.3(a) requires that in order to initiate competitive contracting, the governing body shall pass a resolution authorizing the use of competitive contracting each time specialized goods or services enumerated in 40A:11-4.1 are desired to be contracted; and

**WHEREAS**, N.J.S.A. 40A 11-4.3(b) requires that the competitive contracting process shall be administered by a purchasing agent qualified pursuant to 40A:11-9, or by legal counsel of the contracting unit, or by an administrator of the contracting unit; and

**WHEREAS**, under competitive contracting process, the contract for engineering services for the Resilient NJ Grant Program will be awarded to the entity submitting a proposal that, when evaluated, most successfully meets the stated criteria and, therefore, achieves the highest ranking, rather than based solely on the lowest price.

**NOW THEREFORE BE IT RESOLVED**, by the Board of Commissioners of the Township of Long Beach, County of Ocean, State of New Jersey, that the Purchasing Agent is hereby authorized to utilize and administer the competitive contracting process set forth in N.J.S.A 40A11-4. et seq., to procure a contract with a vendor to provide Engineering Services, pursuant to the rules governing the competitive contracting process.

**Resolution 19-0304.05(b)**

**Resolution of Local Commitment for the Resilient NJ Grant Program**

**WHEREAS**, Long Beach Township, Ocean County has identified the need to undergo a comprehensive planning approach to identify and address vulnerabilities to increased flood risk, advance regional resilience, and protect environmental resources, and

**WHEREAS**, the Long Beach Township, Ocean County is eligible for New Jersey Department of Environmental Protection (NJDEP) Resilient NJ Program funds; and

**WHEREAS**, Long Beach Township, Ocean County acting as the Lead Coordinating Entity for the Regional Team, intends to apply for NJDEP Resilient NJ Program funds for the Regional Team comprised of Long Beach Township, Beach Haven Borough, Ship Bottom Borough, Surf City Borough, Harvey Cedars Borough, and Barnegat Light Borough, in the amount of \$199,890.00.

**NOW THEREFORE BE IT RESOLVED** that Long Beach Township, Ocean County will be responsible for coordinating the activities of Beach Haven Borough, Ship Bottom Borough, Surf City Borough, Harvey Cedars Borough, and Barnegat Light Borough, ensuring attendance and participation at project meetings and events; and

**BE IT FURTHER RESOLVED** that Long Beach Township, Ocean County will be responsible for review and feedback on interim and final deliverables with all team members; and

**BE IT FURTHER RESOLVED** that Long Beach Township, Ocean County will be responsible for requesting timesheets, receipts, and other documents to support requests for reimbursement for partner towns and inhouse; and

**BE IT FURTHER RESOLVED** that Long Beach Township, Ocean County will be responsible for uploading requests for reimbursements and supporting documentation to SIROMS, the electronic document management and retention system for the Resilient NJ Program; and

**BE IT FURTHER RESOLVED** that Long Beach Township, Ocean County will be responsible for distributing reimbursement funds to Regional Team partners; and

**BE IT FURTHER RESOLVED** that Long Beach Township, Ocean County will be responsible for maintaining the appropriate records for the Regional Team and making them available for audit by state and federal officials; and

**BE IT FURTHER RESOLVED** that Long Beach Township, Ocean County will be responsible for attending all project meetings and events and working with the consultant team in its efforts to complete the project; and

**BE IT FURTHER RESOLVED** that Long Beach Township, Ocean County will be responsible for engaging in outreach efforts; and

**BE IT FURTHER RESOLVED** that Long Beach Township will assist in the identification of socially vulnerable populations and will work towards addressing their unique needs within the planning process in collaboration with the other community entities; and

**BE IT FURTHER RESOLVED** that Long Beach Township, Ocean County will be responsible for providing data and information as requested; and

**BE IT FURTHER RESOLVED** that Long Beach Township, Ocean County will work with the Regional Team in identifying potential resilience projects and initiatives; and

**BE IT FURTHER RESOLVED** that Long Beach Township, Ocean County will be responsible for providing meeting support, space, and resources; and

**BE IT FURTHER RESOLVED** that Long Beach Township, Ocean County agrees to comply with all CDBG-DR regulations, and accepts that the proposed use(s) of CDBG-DR funds are not reimbursable by FEMA, SBA or other federal agencies; and

**BE IT FURTHER RESOLVED** that Long Beach Township authorizes the execution of the grant agreement in the amount offered and approved by NJDEP and further authorizes the expenditure of funds pursuant to the terms of the grant agreement entered into by Long Beach Township, Ocean County as Prime for the LBI Regional Team and NJDEP; and

**BE IT FURTHER RESOLVED** by the Commissioners of Long Beach Township, County of Ocean and State of New Jersey, that Long Beach Township authorizes the execution of a sub-recipient agreement and associated documents for Resilient NJ Grant.

**BE IT FINALLY RESOLVED** the person(s) whose name(s) appear below (or any successor or assigns) are authorized to sign the grant agreement or any other document in connection therewith.

Motion to approve Items 8-11:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

**LICENSES & PERMITS**

12. Resolution 19-0304.06: Set the maximum number of Motorized Ice Cream Vendor licenses for 2019: Seven (7)

**RESOLUTION 19-0304.06**

**WHEREAS**, pursuant to §195-7.M. of the Code of the Township of Long Beach, the Board of Commissioners may, from time to time by resolution, limit the number of licenses issued for Ice Cream Vending as necessary.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Commissioners of the Township of Long Beach does hereby set the maximum number of Ice Cream Vending licenses issued for 2019 at seven (7).

Motion to approve Item 12:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

**PURCHASES, CONTRACTS & AWARDS**

13. Resolution 19-0304.07: Approve various contracts, per bid:  
a) Misc. Police Uniforms: Shore Promotions  
b) Purchase of Mobile Stage: Stageline \$92,450

**RESOLUTION 19-0304.07(a)**

A RESOLUTION AWARDING A CONTRACT FOR THE PURCHASE OF UNIFORMS FOR THE TOWNSHIP OF LONG BEACH POLICE DEPARTMENT, PER BID

**WHEREAS**, the Township of Long Beach has solicited bids for the purchase of uniforms for the Police Department; and



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

**WHEREAS**, Shore Promotions submitted a responsive, qualified bid as per the Township's Municipal Solicitor and Qualified Purchasing Agent's review and approval.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Township of Long Beach this 4<sup>th</sup> day of March, for the reasons aforesaid, that one (1) two-year contract with one (1) two-year option to extend be and is hereby awarded to:

Shore Promotions  
PO BOX 205  
Ship Bottom, NJ 08008

in amounts submitted pursuant to their bid received by Long Beach Township on February 21, 2019.

**RESOLUTION 19-0304.07(b)**

**A RESOLUTION AWARDING A CONTRACT FOR PURCHASE AND DELIVERY OF ONE (1) STAGELINE SL75 MOBILE STAGE FOR THE TOWNSHIP OF LONG BEACH, PER BID**

**WHEREAS**, pursuant to N.J.S.A.40A:11-1 et seq., the Township of Long Beach solicited and received bids for Purchase and Delivery of One (1) Stageline SL75 Mobile Stage or equivalent for the Township of Long Beach on February 21, 2019; and

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

**WHEREAS**, Stageline Mobile Stage Inc., 700 Marsolais St. L'Assomption, QC J5W2C3 submitted a responsive, qualified bid as per the Township's Municipal Solicitor and Qualified Purchasing Agent's review and approval; and

**WHEREAS**, Fulton Bank shall provide 7-year financing for the lease/purchase of the above mobile Stage.

**WHEREAS**; the Chief Financial Officer has certified the first year's payments be deferred until 2020 at which time Celebration of Public Events O/E Account #0-01-30-420-029 shall encumber the required funds.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Township of Long Beach this 4<sup>th</sup> day of March 2019, for the reasons aforesaid, that a contract be and is hereby awarded to:

Stageline Mobile Stage Inc.  
700 Marsolais St.  
L'Assomption, QC J5W2C3

for the Purchase and Delivery of One (1) Stageline SL75 Mobile Stage for the Township of Long Beach pursuant to the bid received February 21, 2019 in the amount of Ninety-Two Thousand Four Hundred and Fifty Dollars (\$92,450.00).

14. Resolution 19-0304.08(a&b):Approve various Shared Service Agreements:

- a) Renewal of Transportation System with Island Municipalities
- b) Ocean County: Schedule C: Roads & Engineering Services:  
\$300,000 Roads, \$25,000 Engineering

**RESOLUTION 19-0304.08(a)**

**RESOLUTION AUTHORIZING THE RENEWAL OF A SHARED SERVICES AGREEMENT BETWEEN TOWNSHIP OF LONG BEACH, BOROUGH OF BARNEGAT LIGHT, BOROUGH OF BEACH HAVEN, BOROUGH OF HARVEY CEDARS, BOROUGH OF SHIP BOTTOM, AND BOROUGH OF SURF CITY TO CONTRIBUTE TO THE FUNDING OF THE TOWNSHIP OF LONG BEACH MUNICIPAL TRANSPORTATION SYSTEM**

**WHEREAS**, N.J.S.A. 40A:65-1, et seq., and Section 111-3 of Ordinance 14-07 and pursuant to Resolution 14-0509.08 provides Township of Long Beach (hereinafter "Township") with certain authority to enter into shared service agreements with any other municipality or municipalities to jointly operate, maintain, fund, and/or otherwise participate in the municipal transportation system created by Township by adoption of Ordinance 14-07; and

**WHEREAS**, Township has elected to authorize the renewal of a shared service agreements (hereinafter "Shared Services Agreements") with Borough of Barnegat Light (hereinafter "Barnegat Light"), Borough of Beach Haven (hereinafter "Beach Haven"), Borough of Harvey Cedars (hereinafter "Harvey Cedars"), Borough of Ship Bottom (hereinafter "Ship Bottom"), and/or Borough of Surf City (hereinafter "Surf City") (hereinafter collectively "Participating Municipalities") for their participation in the funding of the Municipal Transportation System; and

**WHEREAS**, pursuant to the Shared Services Agreements, Township shall direct that the Municipal Transportation System shall stop and pick up passengers within the Participating Municipalities that agree to enter into the Shared Service Agreements pursuant to the terms thereof, and Participating Municipalities shall each provide \$20,000.00 pursuant to the terms of the Shared Service Agreements annually in funding for the Municipal Transportation System to Township; and

**WHEREAS**, Participating Municipalities shall further participate in and enjoy the benefit of use of the Municipal Transportation System during declared emergencies and pursuant to "mutual aid" requests in accordance with the policies and procedures adopted by Township and may further use the Municipal Transportation System pursuant to the terms of the Shared Services Agreements and at discretion of Township; and

**WHEREAS**, the Shared Services Agreements shall comply with N.J.S.A. 40A:65-1 and Ordinance 14-07.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Township of Long Beach, County of Ocean, State of New Jersey that the Mayor, Commissioners and the Municipal Clerk be and they are hereby authorized and directed to execute a renewal agreement with the participating municipalities.

**RESOLUTION 19-0304.08(b)**

**RESOLUTION OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING EXECUTION OF A SHARED SERVICE AGREEMENT WITH THE COUNTY OF OCEAN FOR VARIOUS SERVICES UNDER "SCHEDULE C"**

**WHEREAS**, the Shared Services Act, N.J.S.A. 40A:65-1 et seq. authorizes the Township of Long Beach to enter into a contract for the provision of certain governmental services with the County of Ocean; and

**WHEREAS**, the Shared Services Act, N.J.S.A. 40A:65-1 et seq. requires such contracts be authorized by resolution of the Governing Body; and

**WHEREAS**, the County of Ocean has created and established a program to assist municipalities and governmental agencies in the repair and maintenance of municipal streets and property in addition to providing certain materials and supplies in connection therewith; and

**WHEREAS**, the Governing Body of the Township of Long Beach has requested the County to provide certain various services on certain municipal streets and property within the municipality at a cost not to exceed \$325,000.00; and

**WHEREAS**, the Township of Long Beach wishes to enter into an agreement with the County of Ocean for the provision of services, materials, and equipment as set forth in Schedule "C" attached hereto.

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Township of Long Beach in the County of Ocean, State of New Jersey, as follows:

1. The Commissioner of Public Works and Clerk of the Township of Long Beach are hereby authorized and directed to enter into and execute a "Schedule C" Agreement with the County of Ocean in accordance with the provisions of the law to include \$300,000.00 for the Road Department and \$25,000.00 for the Engineering Department for various engineering services for traffic signals and sign installations.
2. A copy of this Agreement shall be kept on file and be available for public inspection at the Office of the Township Clerk.
3. This Agreement shall take effect upon full execution by the parties and shall remain in full force and effect through December 31, 2019. Sufficient funds have been appropriated in the 2019 Temporary Municipal Budget and are subject to amendment at such time the 2019 Municipal Budget is adopted. Appropriated funds will be available for this purpose in the municipal budget under Schedule "C" Other Expenses.
4. A certified copy of this resolution shall be forwarded to:
  - Clerk of the Ocean County Board of Chosen Freeholders
  - Ocean County Engineering Department
  - Ocean County Department of Finance

Motion to approve Items 13-14:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

**FINANCIAL APPROVALS**

15. Resolution 19-0304.09(a-d): Approve various fees for 2019:
  - a. Bayview Park Vendor, \$2,000
  - b. Ice cream Vendor, \$5,000
  - c. Rental rates for Bayview Park recreational apparatus racks: \$200/season.  
Municipal Transportation Vehicles: \$300/\$450 for a two-hour minimum and \$75 each additional hour
  - d. Bayview Park food truck vendor license: \$2,500

**RESOLUTION 19-0304.09(a)**

**RESOLUTION OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY SETTING BAYVIEW PARK RECREATIONAL VENDOR LICENSE FEE FOR 2019**

**NOW, THEREFORE, BE IT RESOLVED**, the Board of Commissioners of the Township of Long Beach hereby fixes, pursuant to Ordinance 16-06C, Chapter 194-2.A. of the Code of Long Beach Township, the 2019 Recreational Vendor License fee at \$2,000.00 per vendor effective through December 31, 2019.

**RESOLUTION 19-0304.09(b)**

**RESOLUTION OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY SETTING MOBILE ICE CREAM VENDOR LICENSE FEE FOR 2019**

**NOW, THEREFORE, BE IT RESOLVED**, the Board of Commissioners of the Township of Long Beach hereby fixes, pursuant to Ordinance 04-07C, and Chapter 195-3.F.(1) of the Code of

Long Beach Township, the 2019 Motorized Ice Cream Vendor License fee at \$5,000.00 per vendor effective through December 31, 2019.

**RESOLUTION 19-0304.09(c)**

**RESOLUTION OF THE TOWNSHIP OF LONG BEACH,  
COUNTY OF OCEAN, STATE OF NEW JERSEY**

**SETTING VARIOUS RENTAL RATES FOR BAYVIEW PARK RECREATIONAL APPARATUS RACKS AND  
MUNICIPAL TRANSPORTATION VEHICLES**

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

**WHEREAS**, pursuant to Ordinance 14-07C and Chapter 111-3.A., and in accordance with state law, the Township of Long Beach has elected to contract with third-parties for their destination and fee-based use of the shuttle buses that comprise the LBI Shuttle during the off-season from Labor Day to Memorial Day ("Off-Season Shuttle"); and

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

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

- (1) Trolley Bus: 2-hour minimum \$300.00  
Each Additional hour \$75.00; and
- (1) 24 Passenger Bus: 2-hour minimum \$450.00  
Each Additional hour \$75.00; and

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

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

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

**NOW, THEREFORE, BE IT RESOLVED**, that the Board of Commissioners of the Township of Long Beach hereby authorizes the above-noted fees and regulations effective through December 31, 2019.

**RESOLUTION 19-0304.09(d)**

**RESOLUTION OF THE TOWNSHIP OF LONG BEACH,  
COUNTY OF OCEAN, STATE OF NEW JERSEY**

**RENEWING BAYVIEW PARK TRAILER CONCESSION LEASE AND SETTING HEALTH DEPARTMENT  
INSPECTION FEE FOR 2019**

**NOW, THEREFORE, BE IT RESOLVED**, the Board of Commissioners of the Township of Long Beach hereby exercises the lease provision to renew Food Concession Services, pursuant to the terms of the Trailer Concession Lease executed no later than May 1, 2019. Trailer Concession Lease fee shall be set at \$2,500.00 effective through December 31, 2019; and

**BE IT FURTHER RESOLVED** the Board of Health Inspection fee shall be fixed at \$50.00 effective through December 31, 2019.

- 16. Resolution 19-0304.10(a-b): Authorize a tax reimbursement for over payment,
  - a. Block 4.10, Lot 2, \$3,072.74
  - b. Block 1.37, Lot 1, \$3,607.64

**RESOLUTION 19-0304.10(a)**

**WHEREAS**, the following Tax Account is due a refund for overpayment of taxes; and

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

<u>BLOCK</u>	<u>LOT</u>	<u>ADDRESS</u>	<u>PAYEE</u>	<u>AMOUNT</u>
4.10	2	1404 Bay Terrace North Beach Haven	Michael & Nancy Moore	\$3,072.74

**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 make the above-noted refund.

**RESOLUTION 19-0304.10(b)**

**WHEREAS**, the following Tax Account is due a refund for overpayment of taxes; and

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

<u>BLOCK</u>	<u>LOT</u>	<u>ADDRESS</u>	<u>PAYEE</u>	<u>AMOUNT</u>
1.37	1	4505 S Long Beach Blvd	Mancini Custom Homes	\$3607.64

**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 make the above-noted refund.

17. Resolution 19-0304.11: Authorizing and approving the issuance and sale of up to \$2,300,000 of bonds pursuant to the 2019 New Jersey Infrastructure Bank Financing Program

**TOWNSHIP OF LONG BEACH, NEW JERSEY**

**RESOLUTION 19-0304.11**

**RESOLUTION OF THE MAYOR AND BOARD OF COMMISSIONERS OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY AUTHORIZING AND APPROVING THE ISSUANCE AND SALE OF UP TO \$2,300,000 OF BONDS OF THE TOWNSHIP OF LONG BEACH CONSISTING OF THE TOWNSHIP'S GENERAL OBLIGATION BONDS, SERIES 2019B; THE TOWNSHIP'S GENERAL OBLIGATION BONDS, SERIES 2019C; AUTHORIZING THE EXECUTION AND DELIVERY OF THE LOAN AGREEMENTS TO BE EXECUTED BY THE TOWNSHIP AND EACH OF THE NEW JERSEY INFRASTRUCTURE BANK AND STATE OF NEW JERSEY, ACTING BY AND THROUGH THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION; FURTHER AUTHORIZING THE EXECUTION AND DELIVERY OF AN ESCROW AGREEMENT, ALL PURSUANT TO THE 2019 NEW JERSEY INFRASTRUCTURE BANK FINANCING PROGRAM; AND DETERMINING CERTAIN OTHER MATTERS IN CONNECTION THEREWITH**

**WHEREAS**, the Township of Long Beach, County of Ocean, New Jersey ("Township") has determined there exists a need for the rehabilitation and/or replacement of Brant Beach Water Plant –Phase I ("2019 Project") as described in that certain Loan Agreement ("I-Bank Loan Agreement") to be entered into between the Township and the New Jersey Infrastructure Bank ("I-Bank") and that certain Loan Agreement ("Fund Loan Agreement"; together with the I-Bank Loan Agreement, the "Loan Agreements") to be entered into between the Township and the State of New Jersey, acting by and through the New Jersey Department of Environmental Protection ("State"), all pursuant to the 2019 New Jersey Infrastructure Bank Financing Program ("Program"); and

**WHEREAS**, the Township has determined to use the proceeds of a loan to be made by each of the I-Bank ("I-Bank Loan") and the State ("Fund Loan"; together with the I-Bank Loan, the "Loans") pursuant to the I-Bank Loan Agreement and the Fund Loan Agreement, respectively, to permanently finance the 2019 Project; and

**WHEREAS**, to evidence the Loans, each of the I-Bank and the State require the Township to authorize, execute and deliver its General Obligation Bonds, Series 2019B ("2019B Bonds") to the I-Bank, and its General Obligation Bonds, Series 2019C ("2019C Bonds") to the State, pursuant to the terms of applicable law and pursuant to the terms of the Loan Agreements, all as more particularly described in Exhibit "A" attached hereto; and

**WHEREAS**, pursuant to 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"), the Mayor and Board of Commissioners of the Township have, pursuant to Bond Ordinance Nos. 17-08 and 18-15, each duly and finally adopted and published in accordance with the requirements of the Local Bond Law (collectively, the "Bond Ordinances"), authorized the issuance of general obligation bonds or bond anticipation notes of the Township to finance the costs of the 2019 Project; and

**WHEREAS**, the I-Bank and the State have expressed their desire to close in escrow the making of the Loans, the issuance of the 2019B Bonds and the 2019C Bonds (collectively, the "2019 Bonds") and the execution and delivery of the Loan Agreements, all pursuant to the terms of an Escrow Agreement ("Escrow Agreement") to be entered into between the I-Bank, the State, the Escrow Agent and the Township; and

**WHEREAS**, to effectuate the financing plan described in the above mentioned paragraphs, it is necessary for the Township to adopt this resolution and to authorize and approve the issuance and sale of the 2019 Bonds in a principal amount up to \$2,300,000; and

**WHEREAS**, N.J.S.A. 40A:2-27(a)(2) allows for the sale of the 2019B Bonds and the 2019C Bonds, to the I-Bank and the State, respectively, without any public offering, and N.J.S.A. 58:11B-9(a) allows for the sale of the 2019 Bonds to the I-Bank, without any public offering, all under the terms and conditions set forth herein.

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND BOARD OF COMMISSIONERS OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY, PURSUANT TO THE LOCAL BOND LAW (NOT LESS THAN TWO-THIRDS OF ALL THE MEMBERS THEREOF AFFIRMATIVELY CONCURRING), AS FOLLOWS:**

**Section 1.** The Township authorizes and approves the issuance of the 2019 Bonds in two (2) series in a total principal amount of up to \$2,300,000 to be designated, "Township of Long Beach, County of Ocean, New Jersey, General Obligation Bonds, Series 2019B" and "Township of Long Beach, County of Ocean, New Jersey, General Obligation Bonds, Series 2019C", respectively. The 2019 Bonds will be used to pay the costs of the 2019 Project. In accordance with N.J.S.A. 40A:2-27(a)(2) and N.J.S.A. 58:11B-9(a), the Township hereby sells and awards the 2019B Bonds and the 2019C Bonds to the I-Bank and to the State in accordance with the provisions hereof.

**Section 2.** The Chief Financial Officer is hereby authorized to determine in accordance with the Local Bond Law and pursuant to the terms and conditions established by the I-Bank and the State under the Loan Agreements and the terms and conditions hereof, the following items with respect to the 2019B Bonds and the 2019C Bonds:

- (a) The aggregate principal amount of the 2019B Bonds and the 2019C Bonds to be issued;
- (b) The maturity and annual principal installments of the 2019B Bonds and the 2019C Bonds, which maturity shall not exceed thirty (30) years;
- (c) The date of the 2019 Bonds;
- (d) The interest rates of the 2019 Bonds;
- (e) The purchase price for the 2019 Bonds; and
- (f) The terms and conditions under which the 2019 Bonds shall be subject to redemption prior to their stated maturities.

Any determination made by the Chief Financial Officer pursuant to the terms hereof shall be conclusively evidenced by the execution and attestation of the 2019 Bonds by the parties authorized under Section 3 hereof.

**Section 3.** The 2019 Bonds shall be in the form prescribed and permitted by the Local Bond Law, as Bond Counsel may advise, and as the Township, the I-Bank and the State shall approve. The 2019 Bonds shall be issued in fully registered form and shall be payable to the registered owners thereof as to principal and interest in lawful money of the United States of America. The 2019 Bonds will be executed on behalf of the Township by the manual signatures or facsimile signatures of the Mayor and Chief Financial Officer, attested by the Municipal Clerk (such execution shall constitute conclusive approval by the Township of the form of the 2019 Bonds), and shall bear the affixed, imprinted or reproduced seal of the Township thereon. The 2019B Bonds and the 2019C Bonds shall be substantially in the form set forth in the I-Bank Loan Agreement and the Fund Loan Agreement, respectively.

**Section 4.** The terms of the 2019 Bonds authorized to be set forth by the Chief Financial Officer in accordance with Section 2 hereof shall be ratified by the affirmative vote of 2/3 of the full members of the Board of Commissioners.

**Section 5.** The full faith and credit of the Township are irrevocably pledged to the punctual payment of the principal of and interest on the 2019 Bonds and, to the extent payment is not otherwise provided, the Township shall be obligated to levy *ad valorem* taxes upon all taxable real property within the Township without limitation as to rate or amount for the payment thereof.

**Section 6.** Each of the I-Bank Loan Agreement, Fund Loan Agreement and the Escrow Agreement are hereby authorized to be executed and delivered on behalf of the Township by the Mayor or Chief Financial Officer in substantially the forms on file in the offices of the Township, with such changes as the Mayor or Chief Financial Officer in their respective sole discretion, after consultation with counsel and any advisors to the Township and after further consultation with the I-Bank and the State and their representatives, agents, counsel and advisors, shall determine, such determination to be conclusively evidenced by the execution of each of such I-Bank Loan Agreement, Fund Loan Agreement and Escrow Agreement by an authorized officer as determined hereunder. The Municipal Clerk and Deputy Municipal Clerk are each hereby severally authorized to attest to the execution of the I-Bank Loan Agreement, Fund Loan Agreement and Escrow Agreement by an authorized officer of the Township as determined hereunder and to affix the corporate seal of the Township to such documents.

**Section 7.** All actions heretofore taken and documents prepared or executed by or on behalf of the Township by the Mayor, Chief Financial Officer, Municipal Clerk, other Township officials or by the Township's professional advisors, in connection with the issuance and sale of the 2019 Bonds or the 2019 Project are hereby ratified, confirmed, approved and adopted.

**Section 8.** The Mayor, Chief Financial Officer and Municipal Clerk are each hereby authorized to determine all matters and execute all documents and instruments in connection with the 2019 Bonds or the 2019 Project not determined or otherwise directed to be executed by the Local Bond Law, the Bond Ordinances, or by this or any subsequent resolution, and the signature of the Mayor, Chief Financial Officer or Municipal Clerk on such documents or instruments shall be conclusive as to such determinations.

**Section 9.** All other resolutions, or parts thereof, inconsistent herewith are hereby

rescinded and repealed to the extent of any such inconsistency.

**Section 10.** This resolution shall take effect immediately upon adoption this 4th day of March, 2019.

18. Resolution 19-0304.12: Authorize an increase to the Temporary Current Fund and Temporary Water/Sewer Budgets

**RESOLUTION 19-0304.12**

**WHEREAS**, the Chief Financial Officer of the Township of Long Beach has determined that an increase to the 2019 Temporary Budget, approved pursuant to Resolution 18-1217.14 and increased pursuant to Resolution 19-0204.15 and 19-0204.01, is necessary; and

**WHEREAS**, appropriations for the A – Temporary Current Fund, Schedule B – Temporary Water/Sewer Budget are hereby adopted as the 2019 Temporary Budget and shall be increased March 4, 2019 pursuant to Schedule A and B 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 2019 Temporary Current Fund and Temporary W/S Budget.

**Schedule A**

REV & FINANCE	S & W	9-01-20-100-010	\$5,000.00	PUBLIC WORKS	S & W	9-01-26-300-010	\$295,000.00
	O & E	9-01-20-100-100	\$0.00		O & E	9-01-26-300-100	\$65,000.00
PUBLICITY	O & E	9-01-20-101-100	\$0.00	PUB BLDGS & GRNDS	S & W	9-01-26-310-011	\$135,000.00
MUN CLERK	S & W	9-01-20-120-010	\$112,000.00	PUB BLDGS & GRNDS	O & E	9-01-26-310-100	\$90,000.00
	O & E	9-01-20-120-100	\$10,000.00	RECYCLING	S & W	9-01-26-307-011	\$55,000.00
MUN CLERK GEN CODE	O & E	9-01-20-120-105	\$8,000.00				
ADVERTISING	O & E	9-01-20-120-200	\$4,000.00		O & E	9-01-26-307-100	\$2,000.00
ELECTION	O & E	9-01-20-121-100	\$500.00	BEACH EROSION	O & E	9-01-26-311-100	\$0.00
FIN ADMIN	S & W	9-01-20-130-010	\$72,000.00	BRD OF HEALTH	S & W	9-01-27-330-010	\$150,000.00
	O & E	9-01-20-130-100	\$6,000.00		O & E	9-01-27-330-100	\$45,000.00
AUDITING	O & E	9-01-20-135-100	\$10,000.00	ANIMAL CONTROL	O & E	9-01-27-340-100	\$10,000.00
PURCHASING	S & W	9-01-20-131-010	\$2,000.00	HANDICAP ADA	O & E	9-01-27-360-000	\$0.00
	O & E	9-01-20-131-100	\$200.00	AID TO DEM VIOLENCE	O & E	9-01-27-362-000	\$0.00
CENTRALIZED PURCHASING	O&E	9-01-20-132-100	\$7,000.00	RECREATION	O & E	9-01-28-370-100	\$0.00
TAX COLLECTION	S & W	9-01-20-145-010	\$25,000.00	PARKS & PLAYGROUNDS	S & W	9-01-28-375-011	\$20,000.00
	O & E	9-01-20-145-100	\$5,000.00	LIFEGUARDS	S & W	9-01-28-380-011	\$55,000.00
TAX ASSESSMENT	S & W	9-01-20-150-010	\$70,000.00		O & E	9-01-28-380-100	\$80,000.00
	O & E	9-01-20-150-100	\$10,000.00	BEACH BADGE	S & W	9-01-28-381-011	\$15,000.00
LEGAL	O & E	9-01-20-155-100	\$110,000.00		O & E	9-01-28-381-100	\$20,000.00
LOBBYIST-BEACH REPLEN	O & E	9-01-20-156-100	\$0.00	ACCUM ABSENCES	O & E	9-01-30-415-000	\$0.00
CONSULTING SERVICES	O&E	9-01-20-158-100	\$0.00	CELEB PUB EVENTS	O & E	9-01-30-420-000	\$0.00
ENGINEERING	O & E	9-01-20-165-100	\$60,000.00	UTILITY CHARGES			
LAND USE	S & W	9-01-21-180-010	\$44,000.00	ELECTRICITY	O & E	9-01-31-430-000	\$65,000.00
	O & E	9-01-21-180-100	\$5,000.00	STREET LIGHTING	O & E	9-01-31-435-000	\$125,000.00
UNIF CONST CODE (I/C)	S & W	9-01-22-195-010	\$105,000.00	TELEPHONE	O & E	9-01-31-440-000	\$70,000.00
	O & E	9-01-22-195-100	\$6,000.00	NATURAL GAS	O & E	9-01-31-446-000	\$15,000.00
UNIF CONST CODE (O/C)	S & W	9-01-22-195-201	\$65,000.00	GASOLINE	O & E	9-01-31-447-000	\$60,000.00
	O & E	9-01-22-195-300	\$50,000.00	SHARED EQUIP	O & E	9-01-31-451-100	\$80,000.00
OTHER INSURANCE				COMM RATING	S & W	9-01-31-470-010	\$3,900.00
OTHER INSURANCE	O & E	9-01-23-210-000	\$4,000.00		O & E	9-01-31-470-100	\$2,000.00
GENERAL LIABILITY	O & E	9-01-23-210-000	\$146,000.00	TRANSPORTATION	S&W	9-01-31-471-011	\$5,000.00
SURETY BONDS	O & E	9-01-23-210-001	\$0.00		O & E	9-01-31-471-100	\$10,000.00
WORKERS COMP	O & E	9-01-23-215-000	\$285,600.00	SOC SECURITY	O & E	9-01-36-472-000	\$250,000.00
GRP INS EMPLOYEES	O & E	9-01-23-220-000	\$1,450,000.00	I/L POLICE	O & E	9-01-42-100-000	\$0.00
UNEMPLOY INS	O & E	9-01-23-225-000	\$60,000.00	I/L DISPATCHING	O & E	9-01-42-150-100	\$0.00
PUB AFF/SAFETY DIR	S & W	9-01-25-200-010	\$5,200.00	I/L BRD OF HEALTH	O & E	9-01-42-100-000	\$0.00
	O & E	9-01-25-200-100	\$1,500.00	MUN COURT	S & W	9-01-43-490-011	\$60,000.00
POLICE DEPT	S & W	9-01-25-240-010	\$1,850,000.00		O & E	9-01-43-490-100	\$6,000.00
	O & E	9-01-25-240-100	\$310,000.00	MUN PUB DEFENDER	O & E	9-01-43-495-100	\$2,100.00
911 EMERG	S & W	9-01-25-250-010	\$0.00	CAP IMP FUND	O & E	9-01-44-900-000	\$0.00
	O & E	9-01-25-250-100	\$0.00	RES FOR BEACH REPLENISH	O & E	9-01-44-920-100	\$0.00
EMERGENCY MNGT	S & W	9-01-25-252-011	\$0.00	PURCH OF REAL PROPERTY	O & E	9-01-44-916-103	\$0.00
EMERGENCY MNGT	O & E	9-01-25-252-	\$0.00	BOND PRINCIPAL	O & E	9-01-45-920-	\$350,000.00

		100				000	
PROSECUTOR'S OFFICE	S & W	9-01-25-275-010	\$0.00	BOND INTEREST	O & E	9-01-45-930-000	\$43,122.00
	O & E	9-01-25-275-100	\$6,000.00	NOTE PRINCIPAL	O & E	9-01-45-925-000	\$268,500.00
PUBLIC WORKS DIR	S & W	9-01-26-200-010	\$3,100.00	NOTE INTEREST	O & E	9-01-45-935-000	\$131,370.00
	O & E	9-01-26-200-100	\$0.00	GREEN TRUST LOAN	O & E	9-01-45-950-000	\$0.00
STREETS & RDS	S & W	9-01-26-290-010	\$220,000.00	PERS CONTRIBUTION	O & E	9-01-36-471-000	\$515,798.00
	O & E	9-01-26-290-100	\$60,000.00	PFRS CONTRIBUTION	O & E	9-01-36-475-000	\$1,154,657.00
SCHEDULE "C"	O & E	9-01-26-300-020	\$0.00	DCRP CONTRIBUTION	O & E	9-01-36-476-000	\$2,000.00
GARBAGE & TRASH	O & E	9-01-26-305-100	\$560,000.00				\$4,256,447.00
SANITARY LANDFILL	O & E	9-01-26-306-100	\$100,000.00				
			\$5,853,100.00			<b>TOTAL BUDGET:</b>	\$10,109,547.00

**Schedule B**

<b>OPERATING:</b>	<b>Acct Number</b>	<b>Amount</b>
Salary & Wages	9-09-55-549-111	\$610,000.00
Other Expenses	9-09-55-549-100	\$2,311,388.73
<b>SHARED SERVICE AGREEMENTS:</b>		
Water-Barnegat Light	9-09-55-549-201	\$310,000.00
Water-Harvey Cedars	9-09-55-549-202	\$200,000.00
Water-Surf City	9-09-55-549-203	\$200.00
Water-Ship Bottom	9-09-55-549-204	\$2,100.00
Sewer-Beach Haven	9-09-55-549-205	\$10,800.00
<b>Capital Improvements:</b>		
Capital Improvement Fund	9-09-55-549-900	\$0.00
Capital Outlay	9-09-55-549-910	\$0.00
<b>Debt Service:</b>		
Payment of Bond Principal	9-09-55-549-920	\$0.00
Payment of BAN's	9-09-55-549-925	\$403,900.00
Interest on Bonds	9-09-55-549-930	\$0.00
Interest on Notes	9-09-55-549-940	\$156,990.00
Infrastructure Loan Principal	9-09-55-549-945	\$285,003.50
Infrastructure Loan Interest	9-09-55-549-946	\$184,508.77
<b>Deferred Charges:</b>		
Emergency Authorizations		\$0.00
<b>Statutory Expenditures:</b>		
Contrib to PERS	9-09-55-549-471	\$221,057.00
Social Security	9-09-55-549-472	\$50,000.00
Unemployment Ins	9-09-55-549-225	\$8,500.00
		<b>\$4,754,448.00</b>

19. Resolution 19-0304.13: Accept a performance bond, Moodie, B-20.64 L-13, LUB-30-13, \$5,500.00

**RESOLUTION 19-0304.13**

**WHEREAS**, the Township of Long Beach accepted from Mary E. Moodie, Official Check No. 53791211-2 drawn on TD Bank dated February 25, 2019 in the amount of Five Thousand Five Hundred Dollars (\$5,500.00), as the required Performance Bond for Minor Sub-Division #LUB-30-18, Block 20.64, Lot 13 (96 Panorama South, Loveladies).

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

20. Resolution 19-0304.14(a&b): Approve various actions to Water/Sewer accounts:  
a) Authorize changes  
b) Authorize a refund

**RESOLUTION 19-0304.14(a)**

**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>
4.09	9	896-0 W/S	2019	Standby Credit	\$709.50
11.12	6	3502-0 Water	2019	Standby Credit	\$304.00
11.32	8.01	3816-0 Water	2019	Standby Credit	\$288.75
14.17	20	4832-0 Water	2019	Standby Credit	\$ 46.00
15.39	7	5297-0 Water	2018	Per Fixture Count	\$119.00
15.39	7	5297-0 Water	2019	Per Fixture Count	\$119.00
15.84	4	5766-0 W/S	2017	Standby Credit	\$192.50

**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 these changes.

**RESOLUTION 19-0304.14(b)**

**WHEREAS**, the following Contractor is due a refund due after paying for a plumbing repair caused by a Township project.

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

<u>Account #</u>	<u>Homeowner Name:</u>	<u>Amount:</u>
139-0	LANKAU, PETER A & SHARON L	\$186.59

**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 issue this refund.

- 21. Resolution 19-0304.15: Approve Bills & Payroll
  - Bills in the amount of: \$ 7,546,071.23
  - Payroll in the amount of: \$ 882,540.06

**RESOLUTION 19-0304.15**

**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 \$ 882,540.06.

**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 \$7,546,071.23. be and the same are hereby authorized to be paid on Monday, March 4, 2019
2. The said approved payroll amounting to the sum of \$882,540.06. be and the same are hereby authorized to be paid on Monday, March 4, 2019.

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 15-21:

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

**Administrator's Report:** Holgate groin was competed 2/20/19. Pavers are available for purchase for Veteran's Park, cost is \$150 per paver and the application would be available online.

**COMMISSIONERS' REPORTS**

**Commissioner Lattanzi:** Budget was in the process of being finalized, the LBI Shuttles would be going to Stafford, the details are being worked out. Bonfires on the beach would start for Friday nights the end of June, the fire would be propane tanks and we were looking to offer something fun for young people.

**Commissioner Bayard:** Ocean County Hazardous Waste would be in Stafford on June 1, 2019. New water/sewer main would be going in on the Blvd. soon so prepare for the construction and roads being ripped up in the next few weeks.

**Mayor Mancini:** The next meeting of the Land Use Board will be held on Wednesday, March 15<sup>th</sup>, 2019 at 7:00 pm in the upstairs multi-purpose room.

Second Reading and Public Hearing for Ordinance(s) 19-07, 19-08 & 19-09C will take place at the public meeting held on April 1, 2019 at 4:00 pm.



**OPEN PUBLIC SESSION**

Ann Barkey, Loveladies: Questioned how long the Blvd. would be ripped up from the construction of the water/sewer main.

Commissioner Bayard: The construction would stop in June and resume in September.

Bill Barnum, Brant Beach: Questions regarding the reassessment and the timeline.

Mayor Mancini: Explained the State needs to approve the tax maps, should be done by the end of March, at that point the vendor will start contacting property owners.

Don O'Brien, Brant Beach: Questions regarding the bonfires.

Commissioner Lattanzi: There would be around three propane fire pits in front of the 68<sup>th</sup> Street Pavilion around dusk, some live acoustic music and no beverages.

**CLOSE PUBLIC SESSION**

Motion for adjournment at 4:23p.m.:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

\_\_\_\_\_  
Lynda J. Wells, RMC  
Municipal Clerk

\_\_\_\_\_  
Joseph H. Mancini, Mayor

\_\_\_\_\_  
Ralph H. Bayard, Commissioner

\_\_\_\_\_  
Dr. Joseph P. Lattanzi, Commissioner