

Minutes
REGULAR SESSION BOARD OF COMMISSIONERS SEPTEMBER 9, 2019
Flag Salute

Meeting came to order: 4:07 p.m.

Deputy Clerk called the roll: Mayor Joseph H. Mancini ABSENT
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

Deputy 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: Bayard Ayes: Bayard, Lattanzi
Second: Lattanzi Nays:

AGENDA

PROCLAMATIONS

Constitution Week – September 17-23, 2019

ORDINANCES & PUBLIC HEARINGS

1. Second Reading Ordinance 19-20: **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 \$650,000 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 \$120,650; 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 August 5, 2019 and advertised in the BEACH HAVEN TIMES issue of August 8, 2019.

ORDINANCE 19-20

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 \$650,000 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 \$120,650; 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 \$650,000; and

(b) the estimated amount of bonds or bond anticipation notes to be issued for the purpose stated in Section 7 hereof is \$120,650; and

(c) a down payment in the amount of \$6,350 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 \$120,650, to be raised by the issuance of bonds or bond anticipation notes, together with the sum of \$6,350, which amount represents the required down payment, the sum of \$343,000, which amount represents a grant from the New Jersey Department of Transportation ("NJDOT") for the reconstruction of Cedar

Drive, and the sum of \$180,000, which amount represents a grant from NJDOT for the reconstruction of Harmony Avenue, 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 \$120,650 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 \$120,650 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 \$125,000.

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>Grants</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
A.	Reconstruction and/or Resurfacing Various Roadways in the Township including, but not limited to, Cedar Drive and Harmony Avenue, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	\$650,000	\$6,350	\$523,000	\$120,650	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 \$120,650 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: August 5, 2019

Date of Final Adoption: September 9, 2019

Notice of Pending Bond Ordinance and Summary.

The bond ordinance, the summary terms of which are included herein, was introduced and passed upon first reading at a meeting of the Board of Commissioners of the Township of Long Beach, in the County of Ocean, State of New Jersey, on August 5, 2019. It will be further considered for final passage, after public hearing thereon, at a meeting of the Board of Commissioners to be held at the Administration Building, 6805 Long Beach Boulevard, Brant Beach, New Jersey on September 9, 2019, at 4:00 P.M. During the week prior to and up to and including the date of such meeting copies of the full ordinance will be available at no cost and during regular business hours, at the Township Clerk's office for the members of the general public who shall request the same. The summary of the terms of such bond ordinance follows:

Title: **BOND ORDINANCE AUTHORIZING THE RECONSTRUCTION AND/OR RESURFACING OF VARIOUS ROADWAYS IN THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$650,000 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 \$120,650; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

	<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Grants</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
A.	Reconstruction and/or Resurfacing Various Roadways in the Township including, but not limited to, Cedar Drive and Harmony Avenue, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	\$650,000	\$6,350	\$523,000	\$120,650	10 years

OPEN PUBLIC HEARING

No comments.

CLOSE PUBLIC HEARING

Motion to adopt Ordinance 19-20 on Second Reading:

Motion: Bayard Ayes: Bayard, Lattanzi

Second: Lattanzi Nays:

2. Second Reading Ordinance 19-21C: **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 64 PERTAINING TO THE PERMITS AND PERMITTED WORK HOURS

Passed on first reading at a regular meeting held on August 5, 2019 and advertised in the BEACH HAVEN TIMES issue of August 8, 2019.

ORDINANCE 19-21C

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 64 PERTAINING TO THE PERMITS AND PERMITTED WORK HOURS

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

STATEMENT OF PURPOSE

This Ordinance amends Chapter 64 to revise the regulations governing construction permits and permitted hours of work.

SECTION I

§64-3 and §64-4 are repealed and replaced as follows.

§64-3 Permitted Work Hours

All construction and/or demolition-related activity shall be permitted between the hours of 7:00 a.m. and 6:00 p.m. on weekdays and between the hours of 9:00 a.m. and 6:00 p.m. on Saturdays. No work requiring permit, exception in the case of an emergency, shall be permitted outside of the foregoing time periods or on Sundays or the following holidays: New Year’s Day; Memorial Day; Fourth of July; Labor Day; Thanksgiving Day; and Christmas Day.

§64-4 Display Permit Placard

A permit for construction and/or demolition-related activity shall be conspicuously displayed at the job site during the progress of work. The permit shall be posted on a temporary post or in a window on the first floor of the building as it faces the street or easement. A visible benchmark shall be placed at all new construction sites.

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 19-21C on Second Reading:

Motion: Bayard Ayes: Bayard, Lattanzi

Second: Lattanzi Nays:

3. First Reading Ordinance 19-22C: **AN ORDINANCE AMENDING AN ORDINANCE ENTITLED “CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, 1997” IN CHAPTER 180, AMENDING SWIMMING POOL AND HOT TUB REGULATIONS**

Motion to approve Ordinance 19-22C on First Reading:

Motion: Bayard Ayes: Bayard, Lattanzi

Second: Lattanzi Nays:

4. First Reading Ordinance 19-23C: **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 WHICH PERTAINS TO THE ZONING AND REGULATION OF WIRELESS COMMUNICATIONS INSIDE AND OUTSIDE THE ROW IN THE TOWNSHIP, CHAPTER 123 WHICH PERTAINS TO NOISE REGULATIONS, AND A NEW CHAPTER 81 WHICH PERTAINS TO DESIGN GUIDELINES FOR THE PUBLIC RIGHT-OF-WAY**

Motion to approve Ordinance 19-23C on First Reading:

Motion: Bayard Ayes: Bayard, Lattanzi

Second: Lattanzi Nays:

ADOPTIONS & APPROVALS

5. Resolution 19-0909.01: Approve a Special Event; Holgate Taxpayers Membership Meeting Barbeque, September 14, 2019 from 5pm-8pm, Bonds Park

RESOLUTION 19-0909.01

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach approve the below-listed event:

<u>HOST</u>	<u>DESCRIPTION</u>	<u>TIME & DATE(S)</u>
Holgate Taxpayers Association	Membership Meeting Barbeque	5:00pm-8:00pm September 14, 2019

WHEREAS, all the necessary and required insurance documents have been submitted, received and are on file with the Township.

NOW, THEREFORE BE IT RESOLVED, that the Board of Commissioners of the Township of Long Beach does hereby grant permission and waives beach buggy fees and suspend alternate side parking regulations for the above cited event.

6. Resolution 19-0909.02: Approve various water/sewer account changes

RESOLUTION 19-0909.02

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

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

<u>BLOCK</u>	<u>LOT</u>	<u>ACCT #/ACCT</u>	<u>YEAR</u>	<u>CANCEL/CHANGE</u>	<u>AMOUNT</u>
7.16	2	2372-0 Sewer	2019	Remove Garbage Disp	\$225.00
15.74	1	5692-0 Water/Sewer	2019	Standby Credit	\$341.50

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 these changes.

7. Resolution 19-0909.03: Suspend parking regulations: Long Beach Island Garden Club meetings in the area of the First United Methodist Church (130th Street), various dates September 2019 through May 2020

RESOLUTION 19-0909.03

WHEREAS, the Terrace First United Methodist Church has approved the use of their building for scheduled meetings of the Garden Club of Long Beach Island (10:00 a.m. thru 3:00 p.m.), wherein temporary conditions shall exist causing the need to suspend the No Parking regulations on Beach Avenue in the area of New Jersey and Indiana Avenues on the following dates:

- Thursday, September 12, 2019
- Thursday, October 10, 2019
- Thursday, November 14, 2019
- Thursday January 9, 2020
- Thursday, February 13, 2020
- Thursday, March 12, 2020
- Thursday, April 9, 2020
- Thursday, May 14, 2020

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach does hereby grant permission for the above cited temporary parking allowances as requested.

8. Resolution 19-0909.04: Approve various personnel matters

RESOLUTION 19-0909.04

Finance

Change the following employee's annual salary to \$100,705.00 to be paid from Finance Salary & Wage effective retroactive to July 27, 2019.

Lydia D'Amore

Change the following employee's salary to \$66,895.00 to be paid from Finance Salary & Wage effective retroactive to July 27, 2019.

Katlyn Kerlin

Appoint Erica Nicholes as alternate Insurance Fund Commissioner/Co-Safety Coordinator for the Township of Long Beach with an annual stipend of \$3,000.00 to be paid from Finance Salary & Wage effective retroactive to September 7, 2019.

Public Works

Change the following employee's annual base salary to \$79,830.00 to be paid from Public Works Salary & Wage effective September 9, 2019.

Dustin Martin

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 September 7, 2019.

Connie Lawson

Tax Collection

Change the following employee's salary to \$49,009.00 to be paid from Tax Collection Salary & Wage effective retroactive to July 27, 2019.

Katy Mancini

Transportation

Approve a one-time stipend for the following employees in the amount of \$1,500.00 for significant job duties to be paid from Transportation Salary & Wage effective September 9, 2019.

Mike DeVirgilus

Gladys Callo

Approve a one-time stipend for the following employees in the amount of \$1,000.00 for significant job duties to be paid from Transportation Salary & Wage effective September 9, 2019.

Tracy Hines

Richard McKean

Water/Sewer

Hire the following employee as a Seasonal Laborer 1 at the rate of \$18.00 per hour to be paid from Public Works Salary & Wage effective retroactive to August 28, 2019.

James Forbes

Change the following employee's title to Water/Sewer Supervisor and annual base salary to \$60,000.00 to be paid from Water/Sewer Salary & Wage effective retroactive to August 24, 2019.

Ian Schrader

Hire the following employee as a Permanent Full-Time Laborer 1 at the annual rate of \$30,000.00 to be paid from Water/Sewer Salary & Wage effective September 9, 2019.

Derek Wilson

Change the following employee's salary to \$37,334.00 to be paid from Water/Sewer Salary & Wage effective retroactive to July 27, 2019.

Courtney Palughi

Motion to approve Items 5-8:

Motion: Bayard Ayes: Bayard, Lattanzi

Second: Lattanzi Nays:

LICENSES & PERMITS

9. Resolution 19-0909.05: Approve a Social Event Permit: Block party: East 49th Street between Ocean Blvd and Long Beach Blvd from 11:00am to 7:00pm on September 8th.

RESOLUTION 19-0909.05

WHEREAS, in response to homeowners' request for the following:

- Permission to close East 49th Street between Ocean Ave and Long Beach Blvd from 11:00am to 7:00pm on September 8, 2019 for a block party.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach does hereby grant permission for the above cited temporary closures as requested with provisions for an open lane for emergency vehicles and flashing lights on barriers from dusk to close of each event.

Motion to approve Item 9:

Motion: Bayard Ayes: Bayard, Lattanzi

Second: Lattanzi Nays:

PURCHASES, CONTRACTS & AWARDS

10. Resolution 19-0909.06: Amend a professional service contract: Citta, Holzapfel, & Zabarsky; adding Barry A. Stieber, Esq. as an alternate Municipal prosecutor

RESOLUTION 19-0909.06

RESOLUTION AUTHORIZING THE AWARD OF CONTRACT FOR 2019 PROFESSIONAL SERVICES

WHEREAS, pursuant to resolution 18-1217.06(a) the Township of Long Beach awarded a professional service contract to Citta, Holzapfel, & Zabarsky for Municipal prosecutorial services; and

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

WHEREAS, the Township of Long Beach wishes to add an additional alternate Municipal prosecutor as follows; and

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

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

NOW, THEREFORE BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach authorizes the Mayor to amend the contract effective January 1, 2019 through December 31st 2019; and

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

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

11. Resolution 19-0909.07: Authorize a Shared Service Agreement:
Ship Bottom and Barnegat Light for Electric, Plumbing,
and Fire Inspection Services through a third-party
contractor

RESOLUTION 19-0909.07

RESOLUTION AUTHORIZING A SHARED SERVICE AGREEMENT WITH THE BOROUGH OF SHIP BOTTOM AND BARNEGAT LIGHT WITH THE TOWNSHIP OF LONG BEACH AS LEAD AGENCY, FOR THE PURPOSE OF PROVIDING ELECTRIC, PLUMBING, AND FIRE INSPECTION SERVICES THROUGH A THIRD PARTY CONTRACTOR

WHEREAS, the Township of Long Beach, the Borough of Barnegat Light and the Borough of Ship Bottom desire to enter into a Shared Services Agreement for the provision of 3rd Party electric, plumbing and fire sub-code inspections with Long Beach Township acting as the Lead Agency; and

WHEREAS, there shall be a service fee of \$165.00 per month from participants in the Shared Service Agreement paid to Long Beach Township for the purpose of the Township providing required reports to the DCA, bookkeeping services, and all aspects of the handling of monies for all participants in an approved Shared Service Agreement as required by the N.J.A.C. and the Department of Community Affairs; and

WHEREAS, pursuant to N.J.S.A. 40A:11-1 et. seq. Long Beach Township, as Lead Agency, advertised and received competitive bids to provide 3rd Party Inspection Services for Electric, Plumbing and Fire Sub-code Inspections for the participating municipalities for a contract period of one-year with a one-year option to extend said contract; and

WHEREAS, the Township of Long Beach shall also, upon expiration of the above-named contract, advertise and receive competitive bids to provide 3rd Party Inspection Services for Electric, Plumbing and Fire Sub-code Inspections for the participating municipalities in order to provide uninterrupted service to the members throughout the four (4) year Shared Service period.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach, a municipal corporation of the State of New Jersey, at a regular meeting held Monday, September 9, 2019 that the Mayor and Municipal Clerk are hereby authorized and directed to enter into an Shared Service Agreement with the Boroughs of Barnegat Light and Ship Bottom and to act as lead agency in providing electric, plumbing and fire inspections services through a 3rd Party contractor according to the terms of the Shared Service Agreement to be signed by the three participating parties. The Boroughs of Barnegat Light and Ship Bottom further agree to remit a service fee of \$165.00 per month to the Township for the purpose of the Township providing required reports to the DCA, bookkeeping services, and all aspects of the handling of monies for all participants.

12. Resolution 19-0909.08: Award a contract per bid: Trinity Code Inspections
3RD party sub-code inspection services for Electric,
Plumbing, and Fire Inspection Services

RESOLUTION 19-0909.08

RESOLUTION AWARDING A CONTRACT FOR 3RD PARTY INSPECTION SERVICES FOR ELECTRIC, PLUMBING, & FIRE SUB-CODES IN THE TOWNSHIP OF LONG BEACH, PER BID

WHEREAS, the Township of Long Beach has solicited bids for Third Party Inspection Services for electric, plumbing, & fire sub-codes on August 20th 2019; and

WHEREAS, the Third Party Inspection Services for electric, plumbing, & fire sub-codes have been approved as a Shared Service between the Township of Long Beach acting as Lead Agency and the Boroughs of Ship Bottom and Barnegat Light pursuant to Resolution 19-0909.07; and

WHEREAS, two bids were received and upon review by the municipal attorney the lowest bidder Municipal Code Enforcement Agency, LLC was deemed non-responsive to the specifications; and

WHEREAS, Trinity Code Inspection, LLC, 735 Shunpike Road, Cape May, NJ 08204 provided the second lowest bid; said bid was deemed responsive and the vendor responsible as per the municipal attorney's review and certification; and

WHEREAS, the Chief Financial Officer of the Township of Long Beach has issued a Certificate of Availability of Funds in the following appropriations created by: Account # 9-01-55-004-005.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach this 9th day of September 2019, for the reasons aforesaid, that one 1-year contract, effective October 1, 2019 through September 30th, 2020, with one 1-year option to extend upon written agreement of both parties, be and is hereby awarded to:

Trinity Code Inspection, LLC
735 Shunpike Road
Cape May, NJ 08204

who will be paid for their services at the rate of 75% of the fees established by the Code of Long Beach Township for current inspections; the fee for inspection of existing open permits shall be \$15.00 per permit. Said rates were contained in the bid submitted on August 20, 2019 to provide inspection services for electric, plumbing, & fire sub-codes for the Township of Long Beach.

13. Resolution 19-0909.09: Approve the administrative cost to process electrical, fire and plumbing permits (60%)

RESOLUTION 19-0909.09

**RESOLUTION OF THE TOWNSHIP OF LONG BEACH,
COUNTY OF OCEAN, STATE OF NEW JERSEY
SETTING THE ADMINISTRATIVE COST
TO PROCESS ELECTRICAL, FIRE AND PLUMBING PERMITS**

WHEREAS, the Township of Long Beach is a member and the lead agency of a Shared Service Agreement between the Boroughs of Ship Bottom and Barnegat Light, for 3rd party sub-code inspection services; and

WHEREAS, Ordinance 14-34C amended the Township Code to allow setting a percentage of the permit fee for electrical, fire and plumbing permits, by resolution, as the Administrative Cost of the fees established in Chapter 82.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Township of Long Beach the Administrative Cost shall and is hereby established as follows: The Administrative Cost shall be 60% of the permit fee charged for electrical, fire and plumbing permits.

Motion to approve Items 10-13:

Motion: Bayard Ayes: Bayard, Lattanzi

Second: Lattanzi Nays:

FINANCIAL APPROVALS

14. Resolution 19-0909.10(a-g): Various actions regarding Performance Bonds
- a. Accept a Performance Bond; LUB-6-19-PF: \$20,504.00
 - b. Release a Performance Bond; LUB-07-09: \$16,060.00
 - c. Extended a Performance Bond; LUB-49-15
 - d. Release a Performance Bond; LUB-16-07: \$1,320.00
 - e. Release a Performance Bond; LUB-30-17: \$7,722.00
 - f. Release a Performance Bond; LUB-35-16: \$9,636.00
 - g. Release a Performance Bond; LUB-4-16: \$19,789.00

RESOLUTION 19-0909.10(a)

WHEREAS, the Township of Long Beach accepted from Meyer Shore, LLC Official Check No. 88604 drawn on Columbia Bank dated August 7, 2019 in the amount of twenty Thousand Five Hundred Four Dollars (\$20,504.00), as the required Performance Bond for Site Plan #LUB-6-19-PF, Block 5.23, Lot 15 (2517 Long Beach Blvd., Spray Beach).

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.

RESOLUTION 19-0909.10(b)

WHEREAS, pursuant to Resolution 16-0606.18(c), the Township of Long Beach accepted from Jamie & Christopher Placca and Chester Jackiewicz, Cashier's Check No. 0031430, drawn on Amboy Bank, dated May 10, 2016 in the amount of Sixteen Thousand Sixty Dollars (\$16,060.00), representing the required Performance Bond for Minor-Subdivision #LUB-07-09, Block 15.37, Lot 4 (6209 Ocean Blvd, Brant Beach); and

WHEREAS, pursuant to Resolution 18-0806.17(b) the Municipal Engineer inspected the property and determined certain work items had not been satisfactorily completed and recommended the Performance Bond be extended for one additional one-year period; and

WHEREAS, as a result of the current inspection by the Municipal Engineer on August 09, 2019, it was concluded that the work was complete and recommended the performance bond be released and no maintenance bond was required.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach hereby approves the release of the Performance Bond in the amount of Sixteen Thousand Sixty Dollars (\$16,060.00) plus accrued interest, as per its Municipal Land Use Ordinance and as per the recommendation and certification of the Municipal Engineer, as per its Municipal Land Use Ordinance and as per the recommendation and certification of the Municipal Engineer.

RESOLUTION 19-0909.10(c)

WHEREAS, pursuant to Resolution 16-1109.11, the Township of Long Beach accepted from Donald Demato, Official Check #52949286-0 drawn on TD Bank, dated October 20, 2016 in the amount of Eight Thousand One Hundred Forty Dollars (\$8,140.00); as the required Performance Bond for Minor Sub-division #LUB-49-15, Block 8.03, Lots 2&3 (W. Ohio Ave., Beach Haven Terrace); and

WHEREAS, upon inspection by the Municipal Engineer on July 12, 2017, it was determined that a portion of the project was complete, and the release of a portion of the performance bond was approved per Resolution 17-0911.06(b); and

WHEREAS, the property was inspected again on January 30, 2019 by the Municipal Engineer who concluded that the work was not complete and recommended the performance bond be extended again, for one additional year, to January 2020; and

WHEREAS, as a result of the current inspection by the Municipal Engineer on July 23, 2019, it was again concluded that the work was not complete and recommended the performance bond be extended again for one additional year, to July 2020.

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

RESOLUTION 19-0909.10(d)

WHEREAS, pursuant to Resolution 08-0208.15(b), the Township of Long Beach accepted from Mark Davies Cashier's Check No. 805-04069 dated January 24, 2008 in the amount of One Thousand Three Hundred Twenty Dollars (\$1,320.00) drawn on Commerce Bank, as the required Performance Bond for Major Sub-division #LUB-16-07, Block 6.19, Lots 1.02 & 1.03 (25 W. 30th Street., Beach Haven Gardens); and

WHEREAS, pursuant to Resolutions 10-0709.15(b), 11-1104.13(d), 12-1005.05(d), 13-1004.05(d), 14-0926.10(b), 15-1026.02(b), 17-1106.07(g) and 19-0204.16(h) the Municipal Engineer inspected the property and determined certain work items had not been satisfactorily completed and recommended the Performance Bond be extended for additional one-year periods; and

WHEREAS, as a result of the current inspection by the Municipal Engineer on August 9, 2019, it was concluded that the work was complete and recommended the performance bond be released and no maintenance bond was required.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners approves the release of this Performance Bond in the amount of One Thousand Three Hundred Twenty Dollars (\$1,320.00) as recommended and certified by the Township Engineer.

RESOLUTION 19-0909.10(e)

WHEREAS, pursuant to Resolution 18-0205.15 the Township of Long Beach had accepted from Maryland Ave. Partners, Cashier's Check No. 1488604535 from Bank of America, dated January 8, 2018 in the amount of Seven Thousand Seven Hundred Twenty-Two Dollars (\$7,722.00), as the required Performance Bond for Minor Sub-division #LUB-30-17, Block 7.09, Lots 10.01 & 25 (West Maryland Avenue).

WHEREAS, as a result of the current inspection by the Municipal Engineer on July 23, 2019, it was concluded that the work was complete and recommended the performance bond be released and no maintenance bond was required.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach hereby approves the release of the Performance Bond in the amount of Seven Thousand Seven Hundred Twenty-Two Dollars (\$7,722.00), plus accrued interest as per its Municipal Land Use Ordinance and as per the recommendation and certification of the Municipal Engineer.

RESOLUTION 19-0909.10(f)

WHEREAS, the Township of Long Beach has accepted from Joseph Ragusa, Cashier's Check No. 6784801290 drawn on Wells Fargo, dated May 9, 2017 in the amount of Nine Thousand Six Hundred Thirty-Six Dollars (\$9,636.00), as the required Performance Bond for Minor Sub-division #LUB-35-16, Block 14.08, Lot 1 (North East Corner of West Winifred (79th Street) and Bayview Ave).

WHEREAS, as a result of the current inspection by the Municipal Engineer on July 23, 2019, it was concluded that the work was complete and recommended the performance bond be released and no maintenance bond was required.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach hereby approves the release of the Performance Bond in the amount of Nine Thousand Six Hundred Thirty-Six Dollars (\$9,636.00), plus accrued interest as per its Municipal Land Use Ordinance and as per the recommendation and certification of the Municipal Engineer.

RESOLUTION 19-0909.10(g)

WHEREAS, pursuant to Resolution 16-0915.11(e) the Township of Long Beach had accepted from Dorsett/Cary (6009 Bayview Associates), Official Check No. 1000091964 dated August 18, 2016 in the amount of Nineteen Thousand Seven Hundred Eighty Nine Dollars (\$19,789.00), as the required Performance Bond for Minor Sub-division #LUB-4-16, Block 15.41, Lot 10 (6009 Bayview Ave, Brant Beach).

WHEREAS, the property was inspected on January 30, 2019 by the Municipal Engineer who concluded that the work was not complete and recommended the performance bond be extended, for one additional year, to January 2020; and

WHEREAS, as a result of the current inspection by the Municipal Engineer on August 8, 2019, it was concluded that the work was complete and recommended the performance bond be released and no maintenance bond was required.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach hereby approves the release of the Performance Bond in the amount of Nineteen Thousand Seven Hundred Eighty-Nine Dollars (\$19,789.00), plus accrued interest as per its Municipal Land Use Ordinance and as per the recommendation and certification of the Municipal Engineer.

15. Resolution 19-0909.11: Approve refunds to various tax accounts for overpayment

RESOLUTION 19-0909.11

WHEREAS, the following Tax Account's are due a refund due to the duplicate payment of taxes; and

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

<u>BLOCK</u>	<u>LOT</u>	<u>ADDRESS</u>	<u>PAYEE</u>	<u>AMOUNT</u>
18.20	3	1120C Long Beach Blvd	John J. & Loraine T. Ryan 1120 C Long Beach Blvd North Beach Haven, N.J. 08008	\$2,193.32
15.09	9	18 E. Burwell Ave a/k/a 18 71 st Street	Vincent F. Pitta 18 E. Burwell Ave Brant Beach, N.J. 08008	\$1,920.86
20.110	3	99B Long Beach Blvd	Keith D. Stacy 99B Long Beach Blvd Long Beach Township N.J. 08008	\$4,839.86

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 refunds.

16. Resolution 19-0909.12: Approve a correction to a Water/Sewer and Tax account

RESOLUTION 19-0909.12

WHEREAS, payment for Water/Sewer services was received and posted to a tax account for Block 23.06, Lot 4; and

WHEREAS, this payment should have been posted to the owner's Water/Sewer account; and

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

<u>BLOCKLOT</u>	<u>YEAR</u>	<u>CHANGE/CANCEL</u>	<u>AMOUNT</u>	
23.06	4	2018	Posted to Taxes	-\$500.00
23.06	4	2018	To be Posted to Water/Sewer	+\$500.00

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 changes.

- 17. Resolution 19-0909.13: Authorizing an Interim Note to New Jersey Infrastructure Bank for the Township's -07 Clean Water Project

RESOLUTION 19-0909.13

RESOLUTION OF THE TOWNSHIP OF LONG BEACH, IN THE COUNTY OF OCEAN, NEW JERSEY, DETERMINING THE FORM AND OTHER DETAILS OF ITS "NOTE RELATING TO THE CONSTRUCTION FINANCING LOAN PROGRAM OF THE NEW JERSEY INFRASTRUCTURE BANK", TO BE ISSUED IN THE PRINCIPAL AMOUNT OF UP TO \$4,500,000, AND PROVIDING FOR THE ISSUANCE AND SALE OF SUCH NOTE TO THE NEW JERSEY INFRASTRUCTURE BANK, AND AUTHORIZING THE EXECUTION AND DELIVERY OF SUCH NOTE BY THE TOWNSHIP OF LONG BEACH IN FAVOR OF THE NEW JERSEY INFRASTRUCTURE BANK, ALL PURSUANT TO THE NEW JERSEY INFRASTRUCTURE BANK CONSTRUCTION FINANCING LOAN PROGRAM.

WHEREAS, the Township of Long Beach (the "Local Unit"), in the County of Ocean, New Jersey, has determined that there exists a need within the Local Unit for the Completion of Various Improvements to the Stormwater Drainage System (the "Project"), and it is the desire of the Local Unit to obtain financing for such Project through participation in the environmental infrastructure financing program (the "New Jersey Water Bank") of the New Jersey Infrastructure Bank (the "I-Bank");

WHEREAS, the Local Unit has determined to temporarily finance the Project prior to the closing with respect to the New Jersey Water Bank, and to undertake such temporary financing with the proceeds of a short-term loan to be made by the I-Bank (the "Construction Loan") to the Local Unit, pursuant to the Construction Financing Loan Program of the I-Bank (the "Construction Financing Loan Program");

WHEREAS, in order to (i) evidence and secure the repayment obligation of the Local Unit to the I-Bank with respect to the Construction Loan and (ii) satisfy the requirements of the Construction Financing Loan Program, it is the desire of the Local Unit to issue and sell to the I-Bank the "Note Relating to the Construction Financing Loan Program of the New Jersey Infrastructure Bank" in an aggregate principal amount of up to \$4,500,000 (the "Note");

WHEREAS, it is the desire of the Local Unit to authorize, execute, attest and deliver the Note to the I-Bank pursuant to the terms of the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the Revised Statutes of the State of New Jersey (the "Local Bond Law"), and other applicable law; and

WHEREAS, Section 28 of the Local Bond Law allows for the sale of the Note to the I-Bank, without any public offering, and N.J.S.A. 58:11B-9 allows for the sale of the Note to the I-Bank without any public offering, all under the terms and conditions set forth therein.

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Local Unit as follows:

Section 1. In accordance with Section 28 of the Local Bond Law and N.J.S.A. 58:11B-9, the Local Unit hereby authorizes the issuance, sale and award the Note in accordance with the provisions hereof. The obligation represented by the Note has been appropriated and authorized by bond ordinance 17-26 of the Local Unit, which bond ordinance is entitled "BOND ORDINANCE AUTHORIZING THE REMOVAL AND/OR REPLACEMENT OF EXISTING SANITARY SEWER MAIN IN THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$4,500,000 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 \$4,500,000; MAKING CERTAIN

DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING" and was finally adopted by the Local Unit at a meeting duly called and held on July 3, 2017 at which time a quorum was present and acted throughout, all pursuant to the terms of the Local Bond Law and other applicable law.

Section 2. The Chief Financial Officer of the Local Unit (the "Chief Financial Officer") is hereby authorized to determine, in accordance with the Local Bond Law and pursuant to the terms and conditions hereof, (i) the final principal amount of the Note (subject to the maximum limitation set forth in Section 4(a) hereof), and (ii) the dated date of the Note.

Section 3. Any determination made by the Chief Financial Officer pursuant to the terms hereof shall be conclusively evidenced by the execution and attestation of the Note by the parties authorized pursuant to Section 4(h) hereof.

Section 4. The Local Unit hereby determines that certain terms of the Note shall be as follows:

- (a) the principal amount of the Note to be issued shall be an amount up to \$4,500,000;
- (b) the maturity of the Note shall be as determined by the I-Bank;
- (c) the interest rate of the Note shall be as determined by the I-Bank;
- (d) the purchase price for the Note shall be par;
- (e) the Note shall be subject to prepayment prior to its stated maturity in accordance with the terms and conditions of the Note;
- (f) the Note shall be issued in a single denomination and shall be numbered "CFP-__-__";
- (g) the Note shall be issued in fully registered form and shall be payable to the registered owner thereof as to both principal and interest in lawful money of the United States of America; and
- (h) the Note shall be executed by the manual or facsimile signatures of the Mayor and the Chief Financial Officer under official seal or facsimile thereof affixed, printed, engraved or reproduced thereon and attested by the manual signature of the Local Unit Clerk.

Section 5. The Note shall be substantially in the form attached hereto as Exhibit A.

Section 6. The law firm of Parker McCay P.A., Mount Laurel, New Jersey, is hereby authorized to arrange for the printing of the Note, which law firm may authorize McCarter & English, LLP, bond counsel to the I-Bank for the Construction Loan Financing Program, to arrange for same.

Section 7. The Authorized Officers of the Local Unit are hereby further severally authorized to (i) execute and deliver, and the Local Unit Clerk is hereby further authorized to attest to such execution and to affix the corporate seal of the Local Unit to, any document, instrument or closing certificate deemed necessary, desirable or convenient by the Authorized Officers or the Secretary of the Local Unit, as applicable, in their respective sole discretion, after consultation with counsel and any advisors to the Local Unit and after further consultation with the I-Bank and its representatives, agents, counsel and advisors, to be executed in connection with the issuance and sale of the Note and the participation of the Local Unit in the Construction Financing Loan Program, which determination shall be conclusively evidenced by the execution of each such certificate or other document by the party authorized hereunder to execute such certificate or other document, and (ii) perform such other actions as the Authorized Officers deem necessary, desirable or convenient in relation to the execution and delivery of the Note and the participation of the Local Unit in the Construction Financing Loan Program.

Section 8. This resolution shall take effect immediately.

Section 9. Upon the adoption hereof, the Local Unit Clerk shall forward certified copies of this resolution to Parker McCay P.A., Mount Laurel, New Jersey, bond counsel to the Local Unit, David Zimmer, Executive Director of the I-Bank, and Richard T. Nolan, Esq., McCarter & English, LLP, bond counsel to the I-Bank.

18. Resolution 19-0909.14(a-c): Authorizing various Ch. 159

- a. Municipal Alcohol Education/Rehabilitation Program; \$2,732.74
- b. Bulletproof Vest Partnership Grant; \$5,585.54
- c. Body Armor Fund; \$2,753.55

RESOLUTION 19-0909.14(a)

RESOLUTION OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING AN AMENDMENT TO THE 2019 BUDGET TO ALLOW FOR THE INSERTION OF A SPECIAL ITEM OF REVENUE AND APPROPRIATION PURSUANT TO N.J.S.A. 40A:4-87 (CHAPTER 159) MUNICIPAL ALCOHOL EDUCATION/REHABILITATION PROGRAM

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

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

WHEREAS, the State of New Jersey has approved a grant with an additional amount of \$2,732.74; and

WHEREAS, it is the desire of the Board of Commissioners of the Township of Long Beach to amend the 2019 Municipal Budget to provide for the insertion of this grant as a source of revenue and an expenditure appropriation.

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

1. That the Board of Commissioners does hereby authorize an amendment to the 2019 Municipal Budget to provide for the insertion of a Chapter 159 (N.J.S.A. 40A:4-87) Special Item of Revenue as follows:

GENERAL REVENUES

Miscellaneous revenues

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

MUNICIPAL ALCOHOL EDUCATION/REHABILITATION PROGRAM:
\$2,732.74

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

GENERAL APPROPRIATION:

(A) OPERATIONS – Excluded from CAPS:

Public and private programs offset by revenues:

MUNICIPAL ALCOHOL EDUCATION/REHABILITATION PROGRAM:
\$2,732.74

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

RESOLUTION 19-0909.14(b)

RESOLUTION OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING AN AMENDMENT TO THE 2019 BUDGET TO ALLOW FOR THE INSERTION OF A SPECIAL ITEM OF REVENUE AND APPROPRIATION PURSUANT TO N.J.S.A. 40A:4-87 (CHAPTER 159) BULLETPROOF VEST PARTNERSHIP GRANT

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

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

WHEREAS, the Federal Government has approved a grant with an additional amount of \$5,585.54; and

WHEREAS, it is the desire of the Board of Commissioners of the Township of Long Beach to amend the 2019 Municipal Budget to provide for the insertion of this grant as a source of revenue and an expenditure appropriation.

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

1. That the Board of Commissioners does hereby authorize an amendment to the 2019 Municipal Budget to provide for the insertion of a Chapter 159 (N.J.S.A. 40A:4-87) Special Item of Revenue as follows:

GENERAL REVENUES

Miscellaneous revenues

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

BULLETPROOF VEST PARTNERSHIP GRANT \$5,585.54

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

GENERAL APPROPRIATION:

(A) OPERATIONS – Excluded from CAPS:

Public and private programs offset by revenues:

BULLETPROOF VEST PARTNERSHIP GRANT \$5,585.54

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

RESOLUTION 19-0909.14(c)

RESOLUTION OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING AN AMENDMENT TO THE 2019 BUDGET TO ALLOW FOR THE INSERTION OF A SPECIAL ITEM OF REVENUE AND APPROPRIATION PURSUANT TO N.J.S.A. 40A:4-87 (CHAPTER 159) BODY ARMOR FUND

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

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

WHEREAS, the State of New Jersey has approved a grant with an additional amount of \$2,753.55; and

WHEREAS, it is the desire of the Board of Commissioners of the Township of Long Beach to amend the 2019 Municipal Budget to provide for the insertion of this grant as a source of revenue and an expenditure appropriation.

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

1. That the Board of Commissioners does hereby authorize an amendment to the 2019 Municipal Budget to provide for the insertion of a Chapter 159 (N.J.S.A. 40A:4-87) Special Item of Revenue as follows:

GENERAL REVENUES

Miscellaneous revenues

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

BODY ARMOR FUND: \$2,753.55

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

GENERAL APPROPRIATION:

(A) OPERATIONS – Excluded from CAPS:

Public and private programs offset by revenues:

BODY ARMOR FUND: \$2,753.55

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

19. Resolution 19-0909.15(a&b): Approve Various Change Order;

a. #1 for 2017 Brick Paver Access: TC Landscape Construction Group, Inc., \$11,390.00

b. #3 for 2016 Sandy Reconstruction for the Brant Beach Water Treatment Plant, Quad Construction, \$8,120.92

RESOLUTION 19-0909.15(a)

RESOLUTION AUTHORIZING CHANGE ORDER #1 FOR THE 2017 BRICK PAVER BEACH ACCESS PROJECT IN THE TOWNSHIP OF LONG BEACH

WHEREAS TC Landscape Construction Group, Inc. was awarded a contract for 2017 Brick Paver Access Project in the Township of Long Beach in the amount of Fifty-Six

Thousand Nine Hundred Sixty-One dollars (\$56,961.00)) as per 17-0807.08(a); and

WHEREAS, based on the actual project, unforeseen conditions resulted in the need for additional work and personnel; and

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

WHEREAS, sufficient funds are available and certified by the Chief Financial Officer from the Appropriation made by Ordinance 17-14 Construction of Walkways: Account # C-04-56-147-901 in the amount of \$11,390.00.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach at a regular scheduled meeting, (not less than two-thirds (2/3) of the members thereof affirmatively concurring) this 9th day of September 2019 that TC Landscape Construction Group, 729 Marie Street Toms River, NJ 08753, be and is hereby awarded Change Order #1 in the amount of Eleven Thousand Three Hundred Ninety Dollars (\$11,390.00), representing a 19.996% increase over the original contract price, for payment of the work required to complete the 2017 Brick Paver Beach Access Project in the Township of Long Beach.

RESOLUTION 19-0909.15(b)

RESOLUTION AUTHORIZING CHANGE ORDER #2 FOR THE SANDY 2016 RECONSTRUCTION OF FACILITIES AT THE BRANT BEACH WATER TREATMENT PLANT IN THE TOWNSHIP OF LONG BEACH

WHEREAS Quad Construction., Inc. was awarded a contract for 2016 Sandy Reconstruction for the Brant Beach Water Treatment Plant in the Township of Long Beach in the amount of Eight Million Two Hundred Forty-Six Thousand Dollars (\$8,246,000.00) as per Resolution 18-0604.16; and

WHEREAS, Change Order #1 was approved pursuant to Resolution 19-0204.10 passed on February 4th 2019 in the amount of \$68,276.04 that was required for additional work and personnel; and

WHEREAS, Change Order #2 was approved pursuant to Resolution 19-0701.15(c) passed on July 1st 2019 in the amount of \$90,353.74 that was required for additional hardware items needed to continue the required work; and

WHEREAS, additional hardware items were needed to continue the required work; these changes have resulted in Change Order #3 of the original contract and have been approved and certified by the Municipal Engineer. Said detailed Certification contains all the facts associated with this Change Order in accordance with state statutes; and

WHEREAS, sufficient funds are available and certified by the Chief Financial Officer from the Appropriation made by Ordinance 17-08B Rehab BHT Water Plant 2:20: Account # U-08-55-982-951 in the amount of \$8,120.92.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach at a regular scheduled meeting, (not less than two-thirds (2/3) of the members thereof affirmatively concurring) this 9th day of September 2019 that Quad Construction, 732 Eayrestown Road, Lumberton, NJ 08048 Inc, be and is hereby awarded Change Order #3 in the amount of Eight Thousand One Hundred Twenty Dollars and Ninety-Two Cents (\$8,120.92), representing a .10% increase over the original contract price, for payment of the work required to complete the 2016 Sandy Reconstruction for the Brant Beach Water Treatment Plant in the Township of Long Beach.

20. Resolution 19-0909.16: Approve Bills & Payroll
Bills in the amount of: \$15,186,114.56
Payroll in the amount of: \$ 1,553,865.01

RESOLUTION 19-0909.16

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 \$1,553,865.01.

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 \$15,186,114.56. be and the same are hereby authorized to be paid on Monday, September 9, 2019

2. The said approved payroll amounting to the sum of \$1,553,865.01. be and the same are hereby authorized to be paid on Monday, September 9, 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 14-20:

Motion: Bayard Ayes: Bayard, Lattanzi

Second: Lattanzi Nays:

Administrator's Report: Water meters would be available for purchase on Saturday, September 21st and Saturday, October 5th from 8am until 12pm at the Water/Sewer Department on the corner of 131st Street in Beach Haven Terrace.

COMMISSIONERS' REPORTS

Commissioner Bayard: the winter trash/recycle schedule would resume on 9/14/19. The Second Annual Long Beach Township Oyster Shellabration would take place on Saturday, October 12th. P&A would be opening roads for new sewer mains on the Boulevard.

Commissioner Lattanzi: The next meeting of the Land Use Board would be held on Wednesday, September 11th at 7:00 pm in the upstairs multi-purpose room.

Second Reading and Public Hearing for Ordinances 19-22C & 23C would take place at the public meeting held on October 7th at 4:00 pm.

The traffic signals on Long Beach Blvd. would be put on flash on Monday, October 7th, which is the Monday following Chowder Fest.

Thanked Angela Anderson and Paul Vereb for their work on the grants we have received for transportation. Fire pit Fridays were a success. Thanked Jack Bushko for helping with the recreation programs this summer. Presented a visual financial update on school funding costs.

OPEN PUBLIC SESSION

Zack Kerzner, 8401 Long Beach Blvd.: had concerns regarding landscaping on Ocean Blvd. intruding on the walking/bike lane, and requested the removal of all obstruction in the right of way. Wanted cars off the back roads and designated for pedestrian use only during the summer season. Commented on commercial vehicles still using the back roads, which was prohibited, and the need to provide housing for summer employees.

Janet Drew, Beach Haven Gardens: commented on the resolution from the August meeting regarding ICE support, and the Beach Haven town meeting in regards to the construction of a new hotel.

Donn O'Brien, Brant Beach: agreed with the comments regarding the back roads but when Long Beach Blvd. flooded, people must use the back roads. Also opposed ICE support resolution of August 5th.

Tom Beaty, Holgate: school funding was still a problem, wondered if Long Beach Township alone could challenge current funding formula.

Commissioner Lattanzi: explained how all Long Beach Island municipalities needed to be on board and right now they were not; the impact at Stafford is diminished when only a few towns participate.

Commissioner Bayard: explained other efforts that had been made to challenge school funding in the past and how the support of all towns was necessary.

Bill Hutson, Holgate: stated all the towns needed to participate in order to challenge school funding.

Peter Trainor, North Beach Haven: reiterated all towns needed to join together. Ultimately the matter would go to Supreme Court who would not not even look into changing the formula unless all towns were in favor.

John Fiore, Brant Beach: felt that the residents needed to urge each town's governing body to participate in the study. Commented on how recycling rules were not being observed and how the County needed to update their facility and machines. Would like the Township garbage can cradles changed allowing the cans to slide out so no one would get hurt when trying to lift them.

Angela Anderson: commented that the Freeholders have budgeted to update equipment in the near future.

CLOSE PUBLIC SESSION

Motion for adjournment at 5:02 p.m.:

Motion: Bayard Ayes: Bayard, Lattanzi

Second: Lattanzi Nays:

Lynda J. Wells, RMC
Municipal Clerk

Joseph H. Mancini, Mayor

Ralph H. Bayard, Commissioner

Dr. Joseph P. Lattanzi, Commissioner