

REGULAR SESSION BOARD OF COMMISSIONERS FEBRUARY 3, 2020

Flag Salute

Meeting came to order: 4:03 p.m.
Clerk calls 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 announces: Notice of the time and place of this meeting has been posted in the office of the Municipal Clerk, published by the BEACH HAVEN TIMES and ASBURY PARK PRESS on December 5, 2019; 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

DECLARATION: Appointment to LBT Land Use Board

The following shall be appointed as per N.J.S.A. 55D to the LBT Land Use Board as of January 2020, for the following terms:

Joseph E. Hummel, Class IV Member: 4-year term

ORDINANCES & PUBLIC HEARINGS

1. Second Reading Ordinance 20-01C: **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 CORNER LOTS**

This ordinance was reviewed and approved by the Land Use Board at their January 8, 2020 meeting. Passed on first reading at a regular meeting held on January 6, 2020 and advertised in the BEACH HAVEN TIMES issue of January 9, 2020.

ORDINANCE 20-01C

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 CORNER LOTS AND SETBACK REGULATIONS

STATEMENT OF PURPOSE

This Ordinance amends Chapter 205 to clarify regulations regarding corner lots and setback regulations.

SECTION I

§205-11E(1)(a) is hereby amended by the addition of the following statement to the end of the paragraph as follows:

The street not selected as the front yard shall be designated as the side yard. All front-yard and side-yard regulations shall apply to the lot, as selected.

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All ordinances, or parts of ordinances, inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.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

CLOSE PUBLIC HEARING

Motion to adopt Ordinance 20-01C on Second Reading:

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

2. Second Reading Ordinance 20-02C: **AN ORDINANCE AMENDING AN ORDINANCE ENTITLED, "CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, (1997)" AS THE SAME IN CHAPTER 82 DEALING WITH VARIOUS FEES**

Passed on first reading at a regular meeting held on January 6, 2020 and advertised in the BEACH HAVEN TIMES issue of January 9, 2020.

ORDINANCE 20-02C

AN ORDINANCE AMENDING AN ORDINANCE ENTITLED, "CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, (1997)" AS THE SAME IN CHAPTER 82 DEALING WITH VARIOUS FEES

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

STATEMENT OF PURPOSE

This Ordinance revises the amount charged for NSF Check Charge.

SECTION I

§82-2.A.(16) of an Ordinance entitled, "**Code of the Township of Long Beach, County of Ocean, State of New Jersey, (1997)**")" is hereby amended by increasing the fee from \$20.00 to \$30.00.

SECTION II

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

SECTION III

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

Effective date.

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

OPEN PUBLIC HEARING

No comment.

CLOSE PUBLIC HEARING

Motion to adopt Ordinance 20-02C on Second Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

- 3. Second Reading Ordinance 20-03: **AN ORDINANCE AUTHORIZING A NEW LEASE AGREEMENT BETWEEN TOWNSHIP OF LONG BEACH AND THE LONG BEACH ISLAND CHAMBER OF COMMERCE FOR THE USE OF CERTAIN PROPERTY OWNED BY THE TOWNSHIP AND USED FOR THE MUNICIPAL TRANSPORTATION SYSTEM FOR ADVERTISEMENTS AND THE CHAMBER'S OPERATION AND MAINTENANCE OF THE TRANSPORTATION SYSTEM APP**

Passed on first reading at a regular meeting held on January 6, 2020 and advertised in the BEACH HAVEN TIMES issue of January 9, 2020.

ORDINANCE 20-03

AN ORDINANCE AUTHORIZING A NEW LEASE AGREEMENT BETWEEN TOWNSHIP OF LONG BEACH AND THE LONG BEACH ISLAND CHAMBER OF COMMERCE FOR THE USE OF CERTAIN PROPERTY OWNED BY THE TOWNSHIP AND USED FOR THE MUNICIPAL TRANSPORTATION SYSTEM FOR ADVERTISEMENTS AND THE CHAMBER'S OPERATION AND MAINTENANCE OF THE TRANSPORTATION SYSTEM APP

STATEMENT OF PURPOSE

The purpose of this Ordinance is to authorize the Director of Revenue and Finance of the Township of Long Beach to negotiate and enter into a lease agreement with the Long Beach Island Chamber of Commerce pursuant to the terms set forth herein and in accordance with N.J.S.A. 40A:12-14(c), for the lease of certain exterior and interior space of the motor vehicles that comprise Township's Municipal Transportation System, as well as space on the System's App, and that the proceeds be used for such public purposes consistent with the Chamber's non-profit corporate status and mission, the continued operation and maintenance of the System's App, and the payment of the consideration required by the lease.

§1. Authorization and Terms

A. The lease ("Lease") by and between Township of Long Beach ("Township") and the Long Beach Island Chamber of Commerce ("Chamber") is authorized to be negotiated and executed by Commissioner Joseph Lattanzi, the Director of Revenue and Finance, in accordance with the requirements of this Ordinance.

B. The Lease includes the requirement that Chamber shall use its proceeds from the Advertising Space for the following public purposes: (i) to stimulate and promote tourism and commerce on Long Beach Island; (ii) to market Long Beach Island to the New Jersey, New York, and Pennsylvania metropolitan regions and beyond as a vacation destination and as a place to live; (iii) to support, sustain, and create a thriving Long Beach Island that will benefit both the public and businesses located in Township and Long Beach Island as a whole; (iv) to benefit the general public health and welfare, and economic vitality of the residents and business of Township and Long Beach Island as a whole; and (v) and other public purposes consistent with the requirements of N.J.S.A. A:12-14(c) and the Chamber's non-profit corporate status and mission.

§2. Compliance and Reporting

A. The Lease further provides that the Chamber shall be required to annually submit a report to the Clerk of Township setting forth the following:

1. The use to which the Lease was put by the Chamber during each calendar year;
2. The activities of the Chamber undertaken in furtherance of the public purpose for which the Lease was granted;
3. The approximate value or cost, including the proceeds of the sale of the Advertisement Space received by the Chamber, if any, of such activities in furtherance of such purpose; and
4. Affirmation of the continued tax-exempt status of the Chamber pursuant to both State and Federal law.

§3. Enforcement

The Township Business Administrator shall be responsible for the enforcement of the conditions of the Lease.

§4. Repealer

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

§5. 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 comment.
CLOSE PUBLIC HEARING

Motion to adopt Ordinance 20-03 on Second Reading:
Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini
Second: Bayard Nays:

4. Second Reading Ordinance 20-04: **BOND ORDINANCE AUTHORIZING ACQUISITION OF AND IMPROVEMENTS TO REAL PROPERTY FOR OPEN SPACE IN AND FOR THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$3,000,000 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 \$1,500,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

Passed on first reading at a regular meeting held on January 6, 2020 and advertised in the BEACH HAVEN TIMES issue of January 9, 2020.

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 \$3,000,000; and
 (b) the estimated amount of bonds or bond anticipation notes to be issued for the purpose stated in Section 7 hereof is \$1,500,000; and
 (c) a down payment in the amount of \$75,000 for the purpose stated in Section 7 hereof is currently available in accordance with the requirements of Section 11 of the Local Bond Law, N.J.S.A. 40A:2-11.

Section 3. The sum of \$1,500,000, to be raised by the issuance of bonds or bond anticipation notes, together with the sum of \$1,500,000, which amount represents funds which shall be contributed to the project from the Township's Open Space Trust Fund (at least \$75,000 of which are currently available), 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 \$1,500,000 to finance the costs of the purpose described in Section 7 hereof is hereby authorized. Said bonds shall be sold in accordance with the requirements of the Local Bond Law.

Section 5. In order to temporarily finance the purpose described in Section 7 hereof, the issuance of bond anticipation notes of the Township in an amount not to exceed \$1,500,000 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 \$600,000.

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>Open Space Trust Fund Contribution</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
A. Acquisition of and Improvements to Real Property Located at Block 1.64, Lot 1, Block 1.66, Lot 1, Block 1.68, Lot 1, Block 1.71, Lot 5, Block 1.71, Lot 6 and Block 1.63, Lot 1 on the Official Tax Maps of the Township for Open Space, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	\$3,000,000	\$75,000	\$1,425,000	\$1,500,000	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 \$1,500,000 and that the obligations authorized by this Bond Ordinance will be within all debt limitations prescribed by said Local Bond Law.

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

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

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

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

Section 13. The Township hereby covenants as follows:

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

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

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

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

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

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

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

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

OPEN PUBLIC HEARING

No comment.

CLOSE PUBLIC HEARING

Motion to adopt Ordinance 20-04 on Second Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

5. Second Reading Ordinance 20-05: **BOND ORDINANCE AUTHORIZING ACQUISITION OF A REPLACEMENT DISPATCH CONSOLE COMMUNICATION SYSTEM IN AND FOR 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**

Passed on first reading at a regular meeting held on January 6, 2020 and advertised in the BEACH HAVEN TIMES issue of January 9, 2020.

TOWNSHIP OF LONG BEACH, NEW JERSEY

ORDINANCE 20-05

BOND ORDINANCE AUTHORIZING ACQUISITION OF A REPLACEMENT DISPATCH CONSOLE COMMUNICATION SYSTEM IN AND FOR THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$450,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$427,500; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING

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

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

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

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

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

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

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

Section 4. The issuance of negotiable bonds of the Township in an amount not to exceed \$427,500 to finance the costs of the purpose described in Section 7 hereof is

hereby authorized. Said bonds shall be sold in accordance with the requirements of the Local Bond Law.

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

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

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

<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
A. Acquisition of a replacement Dispatch Console Communication System for the Township Police Department, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	\$450,000	\$22,500	\$427,500	7 years

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

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

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

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

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

Section 13. The Township hereby covenants as follows:

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

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

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

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

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

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

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

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

OPEN PUBLIC HEARING

No comment.

CLOSE PUBLIC HEARING

Motion to adopt Ordinance 20-05 on Second Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

6. Second Reading Ordinance 20-06C: AN ORDINANCE AMENDING AN ORDINANCE ENTITLED, "CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY (1997)," AS THE SAME IN CHAPTER 205 WHICH PERTAINS TO THE ZONING AND REGULATION OF SMALL WIRELESS FACILITIES IN THE TOWNSHIP

This ordinance was reviewed and approved by the Land Use Board at their January 8, 2020 meeting. Passed on first reading at a regular meeting held on January 6, 2020 and advertised in the BEACH HAVEN TIMES issue of January 9, 2020.

ORDINANCE 20-06C

AN ORDINANCE AMENDING AN ORDINANCE ENTITLED, "CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY (1997)," AS THE SAME IN CHAPTER 205 WHICH PERTAINS TO THE ZONING AND REGULATION OF SMALL WIRELESS FACILITIES IN THE TOWNSHIP

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

STATEMENT OF PURPOSE

The purpose of this Ordinance is to amend §205-2 and §205-38 to revise the regulation of small wireless facilities.

SECTION I

§205-2 is hereby amended to repeal and replace the definition of ANTENNA as follows.

ANTENNA

Any system of wires, rods, discs, panels, flat panels, dishes, whips, or other similar devices used for the transmission or reception of wireless signals. An antenna may include an omnidirectional antenna (rod or canister), directional antenna (panel), parabolic antenna (disc), or any other wireless antenna. An antenna shall not include tower-based wireless communications facilities defined below.

SECTION II

§205-38O(5)(i) is hereby repealed and replaced with the following.

- (i) Only 1 omnidirectional (rod or cannister) antenna and 4 directional antennae panels shall be permitted per utility pole and small wireless facility pole. No omnidirectional antenna shall be permitted to exceed 8 feet in height and the width of the pole by more than a total of 6 inches. No directional antenna panel shall be permitted to exceed 2 feet in width, 8 feet in height, and 9 inches deep. No parabolic (disc) antennae shall be permitted on any utility pole or small wireless facility pole.

- [1] 1 remote radio head (RRH) or remote radio unit (RRU) shall be permitted on each utility pole or small wireless facility pole. An RRH and RRU is not considered an antenna.

SECTION III

§205-38O(5)(c) is hereby repealed and replaced with the following

- (c) The siting of small wireless facilities in the ROW on existing utility poles and the installation of new small wireless facility poles shall not be greater than 5 feet from the point where the shared property line between two properties and the intersection of the ROW. In non-residential zones, small wireless facilities in the ROW

may be sited by way of replacement utility poles in accordance with all other regulations and within 10 feet from the point of the preexisting utility pole that shall be replaced.

SECTION IV

205-38K is hereby amended to add the following new paragraph 8.

- (8) Notwithstanding any other regulation to the contrary, the Board of Commissioners may relax any requirement, at its sole and absolute discretion for any or no reason.

SECTION V

205-38M is hereby amended to add the following new paragraph 8.

- (8) Notwithstanding any other regulation to the contrary, the Board of Commissioners may relax any requirement, at its sole and absolute discretion for any or no reason.

SECTION VI

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

SECTION VII

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

Effective date.

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

OPEN PUBLIC HEARING

No comment.

CLOSE PUBLIC HEARING

Motion to adopt Ordinance 20-06C on Second Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

7. First Reading Ordinance 20-07: **AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK IN 2020 (N.J.S.A. 40A: 4-45.14)**

Motion to approve Ordinance 20-07 on First Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

8. First Reading Ordinance 20-08: **BOND ORDINANCE AUTHORIZING ACQUISITION OF REAL PROPERTY IN AND FOR THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$1,500,000 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 \$1,425,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

Motion to approve Ordinance 20-08 on First Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

9. First Reading Ordinance 20-09C: **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 205 WHICH PERTAINS TO MIXED USE PROPERTIES IN THE GENERAL COMMERCIAL ZONE**

Motion to approve Ordinance 20-09C on First Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

ADOPTIONS & APPROVALS

10. Resolution 20-0203.01: Approve an amendment to Resolution 19-1216.01 Local Emergency Planning Committee meeting rescheduled from March 4th to March 11th

RESOLUTION 20-0203.01

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach that 2020 Local Emergency Planning Committee and the 2020 Hazardous Mitigation Planning Committee has rescheduled the March 4th 2020 meeting to instead be held on March 11th 2020 at 4:00 p.m. in the Municipal Court Room.

11. Resolution 20-0203.02: Authorize participation and acceptance in the Emergency Management Performance Grant (EMPG) Emergency Management Agency Assistance Subaward (EMAA): \$10,000.00

RESOLUTION 20-0203.02

WHEREAS, the Township of Long Beach, wishes to participate in the Emergency Management Performance Grant (EMPG) Emergency Management Agency Assistance Subaward (EMAA); and

WHEREAS, the Subaward number for the Program is FY19-EMPG-EMAA-1517 for the period of July 1, 2019 through June 30, 2020 in the amount of \$10,000.00; and

WHEREAS, if awarded, the Township of Long Beach accepts grant funds to enhance the Emergency Management program by using the money for Emergency Management purposes.

NOW, THEREFORE BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach do hereby authorize Sgt. James Hartmann to apply for the FFY2019 Emergency Management Agency Assistance (EMAA) Subaward Emergency Management Performance Grant (EMPG) for \$10,000.00; and

BE IT FURTHER RESOLVED that the Board of Commissioners of the Township of Long Beach shall hereby accept these grant funds if so awarded.

12. Resolution 20-0203.03: Authorize the execution of an amendment to a settlement Agreement: extend completion date pursuant to CAFRA

Resolution 20-0203.03

RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO CAFRA PERMIT #1517-12-0020.1 CZM180001

NOW THEREFORE BE IT RESOLVED, that the Board of Commissioners of the Township of Long Beach, County of Ocean, State of New Jersey approves the execution of an amendment to a 2018 Settlement Agreement pertaining to CAFRA Permit #1517-12-0020.1 CZM180001 received from Kathrine M. Hunt, Deputy Attorney General of the State of New Jersey and dated January 22, 2020.

13. Resolution 20-0203.04: Approve various personnel matters

RESOLUTION 20-0203.04

Accept & Approve the Service Retirement for Dana O'Connor effective February 1, 2020.

Accept & Approve the Family Medical Leave Act (FMLA) for employee with Civil Service number *****8583 effective January 1, 2020.

Beach Patrol

Hire the following employee as Seasonal Part Time Laborer at the rate of \$16.50 per hour to be paid from Lifeguard Salary & Wage effective February 2, 2020.

Norman Roberts

Hire the following employee as Seasonal Part Time Laborer at the rate of \$15.50 per hour to be paid from Lifeguard Salary & Wage effective February 2, 2020.

John Wozniak

Hire the following employee as Seasonal Part Time Laborer at the rate of \$10.75 per hour to be paid from Lifeguard Salary & Wage effective February 2, 2020.

Laura Hodge

Hire the following employee as Seasonal Part Time Laborer at the rate of \$11.00 per hour to be paid from Lifeguard Salary & Wage effective February 2, 2020.

Francis Campana

Patrick Craig

Michael Dancha

Matthew Ihnken

Ramo Kline

Shawn McNally

John Pasquale

Taylor Teliszewski

Jennifer Townsend

Construction

Adjust the following employee's Payroll Account to Construction Salary & Wage effective February 3, 2020.

Jacqueline Fife

Health

Change the following employee's Civil Service Title to Public Health Nurse Supervisor effective retroactive to January 1, 2020.

Ann Pepe

Police

Hire the following employee as a Permanent Full-Time Public Safety Telecommunicator at the annual base salary of \$31,000.00 to be paid from Police Salary & Wage effective retroactive to February 1, 2020.

Joseph Bishop

Tax Assessor

Approve one-time annual stipend of \$11,440.00 to Tracy Hafner due to the significant job duties related to the township tax revaluation.

Tax Collections

Adjust the following employee's Payroll Account to Tax Collections Salary & Wage effective February 3, 2020.

Jodi Parker

Motion to approve Items 10-13:

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

PURCHASES, CONTRACTS & AWARDS

- 14. Resolution 20-0203.05(a&b): Approve various amendments
 - a. Resolution 19-1216.06 purchase & delivery of (1) John Deere 6135E Cab Tractor by NJ State Contract
 - b. Resolution 18-0409.13(e) extend completion date for Appraisal Systems

RESOLUTION 20-0203.05(a)

RESOLUTION AUTHORIZING AN AMENDMENT TO RESOLUTION 19-1216.06 FOR THE PURCHASE AND DELIVERY OF ONE (1) JOHN DEERE 6135E CAB TRACTOR, PER STATE CONTRACT

WHEREAS, Long Beach Township approved Resolution 19-1216.06 authorizing the purchase and delivery of one (1) John Deere 6135E Cab Tractor for the Public Works Department in an amount not to exceed \$63,750.64 through the Education Services Commission of New Jersey Cooperative Pricing System, Identifier #65MCESCCPS in error; and

WHEREAS, Deere & Company, 2000 Deere Run, Cary, NC 27513 was awarded NJ State Contract #T3084 AG; 17-Fleet-00431 effective August 8, 2018 through August 7, 2021.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach at a regular meeting held Monday, February 3, 2020 do hereby approve the amendment to Resolution 19-1216.06 to clarify that the purchase of one (1) John Deere 6135E Cab Tractor was procured by and through NJ State Contract #T3084 AG; 17-Fleet-00431.

RESOLUTION 20-0203.05(b)

RESOLUTION AUTHORIZING AN AMENDMENT TO A CONTRACT BETWEEN THE TOWNSHIP OF LONG BEACH AND APPRAISAL SYSTEMS, INC TO PERFORM A REVALUATION OF PROPERTIES IN THE TOWNSHIP OF LONG BEACH AS ORDERED BY THE OCEAN COUNTY BOARD OF TAXATION

WHEREAS, pursuant to N.J.S.A.40A:11-1 et seq., the Township of Long Beach solicited and received bids for Revaluation Services for All Real Property Located in Long Beach Township on April 6, 2018; and

WHEREAS, the Board of Commissioners of the Township awarded a contract to Appraisal Systems, Inc. pursuant to Resolution 18-0409.13(e) approved on April 9th 2018; and

WHEREAS, the revaluation project onset was delayed as the Township awaited updated and approved tax maps from the State of New Jersey.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach this 3rd day of February 2020, for the reasons aforesaid, that the contract awarded to Appraisal Systems, Inc., 264 South St. Bldg. 2, Suite 1B, Morristown, NJ 07960 for Revaluation Services of All Real Property Located in Long Beach Township shall and hereby is extended, and shall be effective through December 31, 2020.

- 15. Resolution 20-0203.06(a-d): Approve various Shared Service Agreements with Ocean County
 - a. Move Over Law Enforcement Program
 - b. Drug Recognition Expert Callout Program
 - c. Driving While Intoxicated Enforcement Program
 - d. Animal Facility Services

RESOLUTION 20-0203.06(a)

A RESOLUTION AUTHORIZING A SHARED SERVICES AGREEMENT WITH OCEAN COUNTY POLICE SERVICES, "MOVE OVER" LAW ENFORCEMENT PROGRAM

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

WHEREAS, the Township of Long Beach wishes to enter into an agreement with the County for the purpose of setting forth the terms and conditions regarding the assignment of police officers employed by the Township to the Move Over Law Enforcement Program (M.O.L.E.P); and

WHEREAS, the Move Over Law Enforcement Program is a traffic safety program run by the Ocean County Prosecutors Office utilizing a Law Enforcement Expert to assist with identifying, educating and removing reckless drivers from the roadways; and

WHEREAS, funds for these services are received from the State of New Jersey

and County of Ocean.

NOW, THEREFORE, BE IT RESOLVED the Board of Commissioners of the Township of Long Beach does hereby authorize the execution of the of the Ocean County Move Over Law Enforcement Program Shared Services Agreement effective October 1, 2019 through September 30, 2020 with compensation to the Township set at the rate of Fifty Five Dollars (\$55.00) per hour, per officer.

BE IT FURTHER RESOLVED, certified copies of this Resolution shall be forwarded to the Ocean County Office of the Prosecutor and Department of Finance.

RESOLUTION 20-0203.06(b)

A RESOLUTION AUTHORIZING A SHARED SERVICES AGREEMENT WITH OCEAN COUNTY POLICE SERVICES, DRUG RECOGNITION EXPERT CALLOUT PROGRAM

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

WHEREAS, the Township of Long Beach wishes to enter into an agreement with the County for the purpose of setting forth the terms and conditions regarding the assignment of police officers employed by the Township to the Drug Recognition Expert Callout Program; and

WHEREAS, the Drug Recognition Expert Callout Program is a traffic safety program run by the Ocean County Prosecutors Office utilizing a Drug Recognition Expert to assist with identifying/removing Intoxicated drivers from the roadway; and

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

NOW, THEREFORE, BE IT RESOLVED the Board of Commissioners of the Township of Long Beach does hereby authorize the execution of the of the Ocean County Drug Recognition Expert Callout Program Shared Services Agreement effective October 1, 2019 through September 30, 2020 with compensation to the Township set at the rate of Fifty-Five Dollars (\$55.00) per hour, per officer.

BE IT FURTHER RESOLVED, certified copies of this Resolution shall be forwarded to the Ocean County Office of the Prosecutor and Department of Finance.

RESOLUTION 20-0303.06(c)

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

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

WHEREAS, there is a continued need for Police Officers to be assigned to various DWI checkpoints; and

WHEREAS, the Township of Long Beach desires to continue to participate in the Ocean County Driving While Intoxicated Enforcement Program; and

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

NOW, THEREFORE, BE IT RESOLVED the Board of Commissioners of the Township of Long Beach does hereby authorize the execution of the Ocean County Driving While Intoxicated Enforcement Program Shared Services Agreement effective October 1, 2019 through September 30, 2020 with compensation to the Township set at the rate of Fifty Five Dollars (\$55.00) per hour, per officer.

BE IT FURTHER RESOLVED, certified copies of this Resolution shall be forwarded to the Ocean County Office of the Prosecutor and Department of Finance.

RESOLUTION 20-0203.06(d)

A RESOLUTION OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY AUTHORIZING EXECUTION OF A SHARED SERVICE AGREEMENT WITH THE OCEAN COUNTY BOARD OF HEALTH FOR ANIMAL FACILITY SERVICES

WHEREAS, the Shared Services Act, N.J.S.A. 40:65A et seq., authorizes two or more local units to enter into joint agreements for the provision of governmental services.

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 and the Municipal Clerk be and they are hereby authorized and directed to execute a renewal agreement with the Ocean County Board of Health for Animal Facility Services for the year 2020.

16. Resolution 20-0203.07: Approve the Execution of a Settlement Agreement & Release

Resolution 20-0203.07

RESOLUTION AUTHORIZING THE EXECUTION OF A SETTLEMENT AGREEMENT AND RELEASE

NOW THEREFORE BE IT RESOLVED, that the Board of Commissioners of the Township of Long Beach, County of Ocean, State of New Jersey approves the execution of a Settlement Agreement and Release ("Agreement") relating to certain

encroachments in an access easement pertaining to Block 20.13, Lot 1 (13A Long Beach Blvd.) between the Township of Long Beach and Diane M. Giachino Trust, 909 President Street, Brooklyn, NY 11215. A copy of the agreement is attached hereto.

17. Resolution 20-0203.08(a-c): Award various contracts, per bid

- a. ASV RT-40 Skid Steer: Central Jersey Equipment
\$42,450.00
- b. Bulkhead Materials: Marine Lumber & Piling, LLC
- c. Portable Bathroom: Portable Restroom Trailers, LLC
\$56,365.00

RESOLUTION 20-0203.08(a)

A RESOLUTION AWARDING A CONTRACT FOR PURCHASE AND DELIVERY OF ONE (1) ASV RT-40 SKID STEER 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) ASV RT-40 Skid Steer for the Township of Long Beach Public Works Department on January 22, 2020; and

WHEREAS, three bids were received and upon review by the Municipal Solicitor, it was determined the lowest bidder, Garden State Bobcat, was non-responsive to the specifications; and

WHEREAS, Central Jersey Construction Equipment Sales, LLC/dba Jersey Rents, 252 Route 9, Bayville, NJ 08721 gave the second lowest bid; said bid was deemed responsive and the vendor responsible as per the Municipal Solicitor'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: Purchase and Delivery of 1 (one) ASV RT-40 Skid Steer Account # C-04-55-300-050 in the amount of \$42,450.00.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach this 3rd day of February 2020, for the reasons aforesaid, that a contract be and is hereby awarded to:

Central Jersey Construction Equipment Sales, LLC
dba: Jersey Rents
252 Route 9
Bayville, NJ 08721

For the Purchase and Delivery of One (1) ASV RT-40 Skid Steer for the Township of Long Beach pursuant to the bid received January 22, 2020 in the amount of Forty-Two Thousand Four Hundred Fifty Dollars (\$42,450.00).

RESOLUTION 20-0203.08(b)

A RESOLUTION AWARDING A CONTRACT FOR PURCHASE AND DELIVERY OF BULKHEAD MATERIALS 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 Bulkhead Materials for the Township of Long Beach Public Works Department on January 22, 2020; and

WHEREAS, Marine Lumber & Piling, LLC, 15 Lower Shore Road, Barnegat, NJ 08005 was the sole bidder; said bid was deemed responsive and the vendor responsible as per the Municipal Solicitor's review and certification.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach this 3rd day of February 2020, for the reasons aforesaid, that a contract be and is hereby awarded to:

Marine Lumber & Piling, LLC
15 Lower Shore Road
Barnegat, NJ 08005

For the Purchase and Delivery of Bulkhead Materials for the Township of Long Beach pursuant to the bid received January 22, 2020 in the amounts specified, and on file in the Municipal Clerk's office.

RESOLUTION 20-0203.08(c)

A RESOLUTION AWARDING A CONTRACT FOR PURCHASE AND DELIVERY OF ONE (1) PORTABLE RESTROOM TRAILER 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) Portable Restroom for the Township of Long Beach Public Works Department on January 22, 2020; and

WHEREAS, three bids were received and upon review by the Municipal Solicitor, it was determined the lowest bidder, Ready2Go Restroom Trailers, LLC, was non-responsive to the specifications; and

WHEREAS, Portable Restroom Trailers, LLC, 4607 Charlotte Highway, Suite 11, Lake Wylie, SC 29710 gave the second lowest bid; said bid was deemed responsive and the vendor responsible as per the Municipal Solicitor'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:

Ordinance 15-51 Variance Recreational IMP 2:20 Account # C-04-56-136-951 in the amount of \$56,365.00.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach this 3rd day of February 2020, for the reasons aforesaid, that a contract be and is hereby awarded to:

Portable Restroom Trailers, LLC
4607 Charlotte Highway, Suite 11
Lake Wylie, SC 29710

For the Purchase and Delivery of One (1) 8-Station Portable Restroom Trailer-Classic Series for the Township of Long Beach pursuant to the bid received January 22, 2020 in the amount of Fifty-Six Thousand Three Hundred Sixty Five Dollars (\$56,365.00).

Motion to approve Items 14-17:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

FINANCIAL APPROVALS

18. Resolution 20-0203.09(a-d): Approve various Change Orders

a. #1; Level-1 Construction: 2019 Stormwater Pump Station
\$2,976.00

#2; Level-1 Construction: 2019 Stormwater Pump Station
\$9,517.86

b. #1; Albert Marine: 2019 Piling Installation: (\$28,452.00)

c. #2; 2017 P&A Water & Sewer Main Replacement Project
\$44,575.22

d. #2; P&A 2018 Water & Sewer Main Replacement Project
\$4,112.73

RESOLUTION 20-0203.09(a)

RESOLUTION AUTHORIZING CHANGE ORDER #1 AND CHANGE ORDER #2 FOR THE 2019 STORMWATER PUMP STATION IN THE TOWNSHIP OF LONG BEACH

WHEREAS Level-1 Construction, Inc. was awarded a contract for 2019 Stormwater Pump Stations in the Township of Long Beach in the amount of Four Hundred Eighteen Dollars (\$418,000.00) as per Resolution 19-0603.14; and

WHEREAS, based on the actual project, a credit was incurred for the construction of one (1) 200 Amp NEMA 4x Disconnect Switch and Wire that was no longer needed pursuant to the original specifications; however the contractor furnished and installed two (2) Cold Sequence Disconnects and two (2) 100 Amp NEMA 4x Disconnects, conduit and wire which were needed; 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, also due to existing site grading and underground conditions, the chamber required additional coring for the discharge piping for both pump stations and additional modifications to the doghouse manhole at the Massachusetts Avenue Station; and

WHEREAS, these changes have resulted in Change Order #2 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 18-18 Construction of Storm Pump Various, Account # U-08-55-988-901 in the amount of Twelve Thousand Four Hundred Ninety-Three Dollars and Eighty-six cents (\$12,493.86).

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 3rd day of February 2020 that Level-1 Construction Inc, 980 Coles Mill Road, Williamstown, NJ 08094, be and is hereby awarded Change Order #1 in the amount of Two Thousand Nine Hundred Seventy-six Dollars (\$2,976.00), and Change Order #2 in the amount of Nine Thousand Five Hundred Seventeen Dollars and Eighty-six cents (\$9,517.86), a total change in contract of Twelve Thousand Four Hundred Ninety-three Dollars and Eighty-six cents (\$12,493.86) representing a 2.99% increase over the original contract price, for payment of the work required to complete the 2019 Stormwater Pump Station in the Township of Long Beach.

RESOLUTION 20-0203.09(b)

RESOLUTION AUTHORIZING A REVERSE CHANGE ORDER FOR THE 2019 PILING INSTALLATION FOR PROPOSED STORAGE AND RESTROOM BUILDINGS PROJECT IN THE TOWNSHIP OF LONG BEACH

WHEREAS, Albert Marine Construction, Inc., was awarded a contract for the 2019 Piling Installation for Proposed Storage and Restroom Buildings Project in the Township of

Long Beach pursuant to Resolution 19-0204.07(d), in the amount of \$29,690.00 as per the bid received January 31, 2019; and

WHEREAS, certain required approvals have been delayed by the State of New Jersey - Green Acres resulting in the cancellation of the project at this time; and

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

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach does hereby approve Reverse Change Order #1 in the amount of Twenty-Eight Thousand Four Hundred Fifty-Two Dollars (\$28,452.00) for the 2019 Piling Installation for Proposed Storage and Restroom Buildings Project in the Township of Long Beach.

RESOLUTION 20-0203.09(c)

**RESOLUTION AUTHORIZING CHANGE ORDER #2 FOR THE
SFY 2017 WATER MAIN REPLACEMENT PROJECT NJEIT # 1517001-015 and 2017 SEWER
MAIN REPLACEMENT PROJECT NJEIT S340023-07**

WHEREAS P&A Construction., Inc. was awarded a contract for the SFY 2017 Water Main Replacement Project NJEIT #1517001-015 and 2017 Sewer Main Replacement Project NJEIT #S340023-07 in the Township of Long Beach in the amount of Five Million, Seven Hundred Seventy Two Thousand, Five Hundred Sixty Two Dollars and Fifty Three Cents (\$5,772,562.53) as per Resolution 18-1217.08(c); and

WHEREAS, Change Order #1 was approved pursuant to Resolution 19-0701.15(b) passed on July 1st 2019 in the amount of \$83,293.47 that was required for additional work and personnel; and

WHEREAS, additional labor, materials and equipment were needed to continue the required work; these changes have resulted in Change Order #2 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, the Chief Financial Officer of the Township of Long Beach has issued a Certificate of Availability of Funds in the appropriation created by ORD 17-25 Replace Water Mains NJEIT-1517001-015 Account # U-08-55-984-901 in the amount of Forty Four Thousand Five Hundred Seventy Five Dollars and Twenty Two Cents (\$44,575.22) representing a 2.22% increase over the original contract price, for payment of the work required to complete the SFY 2017 Water Main Replacement Project NJEIT #1517001-015 and 2017 Sewer Main Replacement Project NJEIT #S340023-07 in the Township of Long Beach.

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 3rd day of February 2020 that P&A Construction., Inc. P.O. Box 28, Colonia, New Jersey 07067 be and is hereby awarded Change Order #2.

RESOLUTION 20-0203.10(d)

**RESOLUTION AUTHORIZING CHANGE ORDER #2 FOR THE
2018 WATER AND SEWER MAIN REPLACEMENT PROJECT
22ND STREET, OHIO AVENUE AND HIGHLAND AVENUE
IN THE TOWNSHIP OF LONG BEACH**

WHEREAS P&A Construction., Inc. was awarded a contract for the 2018 Water & Sewer Main Replacement Project (22nd Street, Ohio Avenue, Highland Avenue) in the Township of Long Beach as per Resolution 18-1217.08(b) in the amount of \$439,122.92; and

WHEREAS, Change Order #1 was approved pursuant to Resolution 19-0701.15(a) passed on July 1st 2019 in the amount of \$83,264.67 that was required for additional work and personnel; and

WHEREAS, additional labor, materials and equipment were needed to continue the required work; these changes have resulted in Change Order #2 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, the Chief Financial Officer of the Township of Long Beach has issued a Certificate of Availability of Funds in the appropriation created by Ordinance 16-24: Repair Various Water Mains, Account #U-08-55-977-901, in the amount of \$4,112.73.

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 3rd day of February 2020 that P&A Construction., Inc. P.O. Box 28, Colonia, New Jersey 07067 be and is hereby awarded Change Order #2.

19. Resolution 20-0203.10: Approve various changes to water/sewer accounts

RESOLUTION 20-0203.10

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:

BLOCKLOT/QUAL	ACCT #/ACCT	YEAR	CANCEL/CHANGE	AMOUNT
1.33	1 278-0 Water	2019	Returned Meter	\$34.00
4.38	12 1285-0 W/S	2019	Standby Credit	\$473.25
12.13	23 4058-0 W/S	2019	Standby Credit	\$618.00
13.20	1 4540-0 Water	2020	Returned Meter	\$34.00
15.59	7 5500-0 Water	2019	Standby Credit	\$62.50
18.07	2 6241-0 W/S	2019	Standby Credit	\$281.00

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

20. Resolution 20-0203.11: Accept a Performance Bond:
Block 6.37, Lot 4 & 4.01 \$3,380.00

RESOLUTION 20-0203.11

WHEREAS, the Township of Long Beach accepted from Bay Vista Properties Check No. 2255 drawn on TD Bank dated January 24, 2020 in the amount of Three Thousand Three Hundred Eighty Dollars (\$3,380.00) as the required Performance Bond for Minor Sub-Division #LUB-23-19, Block 6.37, Lot 4 and 4.01. (115 A&B West South 33rd Street, Beach Haven Gardens).

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.

21. Resolution 20-0203.12: Approve various Reserve Appropriation Transfers

RESOLUTION 20-0203.12

WHEREAS, the New Jersey statutes provide for the making of Reserve Appropriation Transfers between the period of January 1, 2020 and March 31, 2020; and

WHEREAS, the Board of Commissioners of the Township of Long Beach, County of Ocean, desires to make Reserve Appropriation Transfers.

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

CURRENT FUND			
FROM:	DEPT	ACCOUNT #	AMOUNT
Sanitary Landfill- Other Exp	O&E	9-01-26-306-020	\$ 28,000.00
TOTAL			\$ 28,000.00
TO:	DEPT:	ACCT#	AMOUNT
Bldgs & Grounds- Other Expenses	O&E	9-01-26-310-020	\$ 28,000.00
TOTAL			\$28,000.00

22. Resolution 20-0203.13: Approve Bills & Payroll
Bills in the amount of: \$7,564,241.64
Payroll in the amount of: \$1,046,086.86

RESOLUTION 20-0203.13

RESOLUTION OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY AUTHORIZING THE PAYMENT OF TOWNSHIP BILLS

WHEREAS, the Chief Financial Officer and various Department Heads of the Township of Long Beach have carefully examined all vouchers presented for the payment of claims; and

WHEREAS, after due consideration of the said vouchers, the Board of Commissioners of the Township of Long Beach has approved payment of same; and

WHEREAS, Payroll Department has certified and submitted a request for approval of Township payroll in the amount of \$1,046,086.86.

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 \$7,564,241.64 be and the same are hereby authorized to be paid on Monday, February 3, 2020.

February 3, 2020

2. The said approved payroll amounting to the sum of \$1,046,086.86 be and the same are hereby authorized to be paid on Monday, February 3, 2020. 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 18-22:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

Administrator's Report: St. Francis had a successful Polar Plunge Super Bowl Sunday, there were about 150 participants.

COMMISSIONERS' REPORTS

Commissioner Lattanzi: Would be meeting with Fire Departments, there wasn't a problem with equipment, there's a problem with there not being enough people volunteering for those positions.

Commissioner Bayard: The trash and recycling calendars should have been received by now and there are some extras if anyone did not receive one.

Mayor Mancini: The next meeting of the Land Use Board will be held on Wednesday, February 12th at 7:00 pm in the upstairs multi-purpose room.

Second Reading and Public Hearing for Ordinances 20-07, 08 and 09C will take place at the public meeting held on March 2, 2020 at 4:00 pm. Aware of the Blvd.'s atrocious condition, asphalt plants would not be open until March.

OPEN PUBLIC SESSION

Marianne Hurley, Holgate: Requested updates on condition of the beaches in Holgate and for more clarification on the Verizon 5g project.

Mayor Mancini: More data has been requested and we are waiting on approval regrading endangered species to move forward with the new jetty to see a greater improvement in Holgate. The Verizon 5g will provide increased data speed.

Bob Degine: Questioned low-speed vehicles, specifically golf carts in Long Beach Township.

Mayor Mancini: Long Beach Township does not permit golf carts, we do allow the electric bicycles.

Bill Hutson, Holgate: Asked the Mayor to comment on the hotel purchase mentioned in Ordinance 20-08. Thanked Commissioners as this would be a great help for summer staffing needs.

Mayor Mancini: Explained the Township was under contract for the purchase of a 24-unit hotel to house lifeguards and seasonal workers, they employees housed there would need to pay rent.

John Fiore, Brant Beach: Storm drains need to be cleared out on 56th Street. Met with Officers Huling and Fiorentino today and spoke about how outstanding they were.

Rand Pearsall, Holgate: Questioned Stockton's plan for the usage at the facility on Osborn Ave. and if it could be used for meetings of the tax payer associations.

Mayor Mancini: Explained that the facility on Osborn Ave. is Township owned and Stockton will host various programs there, the tax payer associations may request to use the facility as well.

Joni Bakum: Stated that she and Angela Anderson were trying to work with Stockton to also provide various kid programs at the facility on Osborn Ave.

Rachel Bosley: Questioned if the storm water pumping stations were turned on and how many total pumps there were.

Mayor Mancini: 81st Street and 68th Street pumps were on. Waiting to see if the two work before installing the third.

CLOSE PUBLIC SESSION

Motion for adjournment at: 4:34 p.m.

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

Lynda J. Wells, RMC
Municipal Clerk

Joseph H. Mancini, Mayor

Ralph H. Bayard, Commissioner

