

MINUTES
REGULAR SESSION BOARD OF COMMISSIONERS DECEMBER 17, 2018
Flag Salute

Meeting came to order: 4:06 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 announced: Notice of the time and place of this meeting has been posted in the office of the Municipal Clerk, published by the BEACH HAVEN TIMES and ASBURY PARK PRESS on December 21, 2017; and filed with the Municipal Clerk.

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

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

AGENDA

ORDINANCES & PUBLIC HEARINGS

1. Second Reading Ordinance 18-39: Reading Ordinance 18-39: **AN ORDINANCE AMENDING AN ORDINANCE ENTITLED: "AN ORDINANCE FIXING AND DETERMINING THE ANNUAL SALARIES, DESIGNATING HOLIDAYS AND PROVIDING FOR OVERTIME COMPENSATION OF CERTAIN OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY"**

Passed on first reading at a regular meeting held on December 3, 2018 and advertised in the BEACH HAVEN TIMES issue of December 6, 2018.

ORDINANCE 18-39

AN ORDINANCE AMENDING AN ORDINANCE ENTITLED: "AN ORDINANCE FIXING AND DETERMINING THE ANNUAL SALARIES, DESIGNATING HOLIDAYS AND PROVIDING FOR OVERTIME COMPENSATION OF CERTAIN OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY".

STATEMENT OF PURPOSE

THIS ORDINANCE IS THE ANNUAL ADJUSTMENT TO SALARY RANGES FOR ALL EMPLOYEES. NEW JERSEY DEPARTMENT OF PERSONNEL REQUIRES THAT EVERY POSITION HAS A RANGE ESTABLISHED THAT EACH SALARY WILL FALL WITHIN.

THE BOARD OF COMMISSIONERS OF THE TOWNSHIP OF LONG BEACH, IN THE COUNTY OF OCEAN, DO ORDAIN:

SECTION 1. Ordinance No. 77-1, as amended, the title of which is set forth in full in the title hereof, is hereby further amended regarding the annual salaries of the officers and employees of the Township of Long Beach as follows:

<u>ADMINISTRATIVE AND EXECUTIVE</u>	<u>MINIMUM</u>	<u>MAXIMUM</u>
Mayor	10,000.00	20,000.00
Secretary to Mayor	3,000.00	5,000.00
Commissioner	8,000.00	18,000.00
Secretary to Commissioner	3,000.00	5,000.00
Municipal Clerk	50,000.00	140,000.00
Deputy Municipal Clerk	35,000.00	90,000.00
Assistant Municipal Clerk	2,000.00	75,000.00
Deputy Municipal Department Head	40,000.00	125,000.00
Chief Financial Officer	40,000.00	110,000.00
Chief Financial Officer, part-time	20,000.00	50,000.00
Municipal Treasurer	40,000.00	70,000.00
Municipal Treasurer, part-time	17,500.00	70,000.00
Assistant Municipal Treasurer	35,000.00	65,000.00
Personnel Clerk	25,000.00	100,000.00
Principal Payroll Clerk	35,000.00	60,000.00
Senior Payroll Clerk	30,000.00	55,000.00
Payroll Clerk	25,000.00	55,000.00
Confidential Assistant	25,000.00	40,000.00
Administrative Clerk	25,000.00	35,000.00
Principal Account Clerk	35,000.00	60,000.00
Senior Account Clerk	30,000.00	100,000.00
Account Clerk	25,000.00	60,000.00

ASSESSMENT OF TAXES

Tax Assessor	40,000.00	120,000.00
Deputy Tax Assessor	35,000.00	60,000.00
Principal Assessing Clerk	30,000.00	50,000.00
Senior Assessing Clerk	30,000.00	45,000.00
Assessing Clerk	25,000.00	40,000.00
Assessing Aid	25,000.00	40,000.00
<u>COLLECTION OF TAXES</u>		
Tax Collector	25,000.00	85,000.00
Assistant Municipal Tax Collector	25,000.00	70,000.00
Senior Tax Clerk	25,000.00	40,000.00
Tax Clerk	25,000.00	35,000.00
<u>STATE UNIFORM CONSTRUCTION CODE</u>		
Code Enforcement Officer/Zoning Officer	25,000.00	80,000.00
Construction Official	35,000.00	110,000.00
Assistant Zoning Officer	25,000.00	80,000.00
Code Enforcement Officer	25,000.00	40,000.00
Building Subcode Official	25,000.00	60,000.00
Building Subcode Official, part-time, per hour	8.25	25.00
Building Inspector	25,000.00	110,000.00
Building Inspector, part-time	10,000.00	30,000.00
Building Inspector, part-time, per hour	8.25	30.00
Permit Clerk	25,000.00	35,000.00
Technical Assistant to the Construction Official	25,000.00	80,000.00
<u>MUNICIPAL COURT</u>		
Judge of the Municipal Court	25,000.00	55,000.00
Municipal Court Administrator	35,000.00	90,000.00
Deputy Municipal Court Administrator	30,000.00	55,000.00
Docket Clerk	25,000.00	55,000.00
Violations Clerk	25,000.00	60,000.00
Violations Clerk, part-time, per hour	8.25	15.00
Public Defender	2,500.00	10,000.00
Municipal Prosecutor	23,000.00	40,000.00
<u>WATER/SEWER DEPARTMENT</u>		
Municipal Engineer	40,000.00	85,000.00
Water & Sewer Utilities Superintendent	30,000.00	100,000.00
Sewer Superintendent/Water Superintendent	25,000.00	65,000.00
Water Treatment Plant Superintendent	30,000.00	95,000.00
Supervising Water Treatment Plant Operator	30,000.00	95,000.00
Water Treatment Plant Operator	25,000.00	90,000.00
Supervisor Sewer/Supervisor Water	30,000.00	95,000.00
Supervising Pumping Station Operator	25,000.00	65,000.00
Assistant Water Treatment Plant Operator	25,000.00	90,000.00
Assistant Water Superintendent	60,000.00	100,000.00
Plumber	30,000.00	70,000.00
Senior Public Works Repairer	30,000.00	95,000.00
Public Works Repairer	30,000.00	100,000.00
<u>BOARD OF HEALTH</u>		
Health Officer	50,000.00	130,000.00
Public Health Nurse Supervisor	30,000.00	95,000.00
Public Health Nurse Supervisor, part-time, per hour	8.25	50.00
Public Health Nurse	25,000.00	80,000.00
Public Health Nurse, part time, per hour	7.25	40.00
Graduate Nurse (Public Health)	30,000.00	65,000.00
Graduate Nurse (Public Health), part-time, per hour	8.25	45.00
Senior Registered Environmental Health Specialist	25,000.00	65,000.00
Registered Environmental Health Specialist	25,000.00	60,000.00
Registered Environmental Health Specialist, Trainee	25,000.00	40,000.00

Registered Environmental Health Specialist, part-time, per hour	8.25	35.00
Health Aide, part-time, per hour	8.25	30.00
Water Sample Collector, part-time, per hour	8.25	30.00
Assistant Health Officer	50,000.00	100,00.00
<u>MISCELLANEOUS TOWNSHIP SERVICES</u>	<u>MINIMUM</u>	<u>MAXIMUM</u>
Clerk (Clerk 1, 2, 3)	25,000.00	120,000.00
Clerk, Part-time, per hour	8.25	125.00
Key Boarding Clerk (KyBrdg Clk 1,2,3)	25,000.00	120,000.00
<i>Private Clerk</i>	25,000.00	50,000.00
<i>Cashier</i>	25,000.00	40,000.00
<i>Senior Cashier</i>	25,000.00	60,000.00
<i>Registrar of Vital Statistics</i>	3,000.00	15,000.00
<i>Deputy Registrar of Vital Statistics</i>	3,000.00	5,000.00
Office Supervisor	25,000.00	45,000.00
Secretary, Board/Commission	25,000.00	50,000.00
Assistant Secretary, Board/Commission	25,000.00	35,000.00
Technical Assistant Land Use	25,000.00	35,000.00
Receptionist	25,000.00	30,000.00
Receptionist, part-time, per hour	8.25	25.00
Laborer (Laborer 1, 2, 3)	25,000.00	70,000.00
Laborer, part time, per hour	8.25	40.00
Parking Lot Attendant, part-time, per hour	8.25	17.50
Beach Supervisor	35,000.00	120,000.00
<u>BEACH PATROL SEASONALS</u>		
Beach Attendant, part-time, per hour	7.25	20.00
Lifeguard, part-time, per day	30.00	130.00
Lifeguard Chief, part-time, per day	70.00	195.00
Lifeguard Assistant Chief, part time, per day	70.00	180.00
Lifeguard Captain, part time, per day	60.00	160.00
Lifeguard Lieutenant, part time, per day	50.00	140.00
Lifeguard Assistant Lieutenant, part-time, per day	40.00	125.00
Beach Badge Program Supervisor, full-time, per day	90.00	150.00
Beach Badge Program Supervisor, part-time, per hour	8.25	25.00
Beach Badge Program Senior Supervisor, part-time, per hour	8.25	25.00
Beach Badge Program Assistant Supervisor part-time, per hour	8.25	20.00
Beach Badge program Seller/Checker, part-time, per hour	8.25	15.00
<u>POLICE DEPARTMENT</u>		
Police Chief	120,000.00	200,000.00
Police Captain	105,000.00	180,000.00
Police Lieutenant	95,000.00	150,000.00
Police Sergeant	85,000.00	145,000.00
Police Officer	32,000.00	130,000.00
Special Police Officer Class I part-time, per hour	8.25	17.50
Special Police Officer Class II part-time, per hour	10.00	20.00
Special Police Officer Class III part-time, per hour	10.00	20.00
Senior Police Records Clerk Typing	27,000.00	65,000.00
Police Records Clerk Typing	24,000.00	55,000.00
Academy Attendee, per hour	8.25	20.00
Chief Public Safety Telecommunicator	48,000.0085,000.00	
Senior Public Safety Telecommunicator	23,000.00	80,000.00
Public Safety Telecommunicator, Trainee	23,000.00	60,000.00
Public Safety Telecommunicator, Trainee, per hour	8.25	16.00

Public Safety Telecommunicator	23,000.00	60,000.00
Public Safety Telecommunicator, part-time, per hour	8.25	20.00
<u>PUBLIC WORKS AND PROPERTY</u>	<u>MINIMUM</u>	<u>MAXIMUM</u>
Assistant Director of Public Works	60,000.00	125,000.00
Street Superintendent and Superintendent Public Works	40,000.00	125,000.00
Assistant Public Works Superintendent	30,000.00	120,000.00
Supervisor, Public Works	35,000.00	85,000.00
Supervisor, Parks	40,000.00	65,000.00
Assistant Supervisor, Parks	35,000.00	60,000.00
Senior Building Maintenance Worker	25,000.00	60,000.00
Building Maintenance Worker	25,000.00	50,000.00
Building Maintenance Worker, part-time, per hour	8.25	20.00

ROAD REPAIRS AND MAINTENANCE

Supervisor, Roads	30,000.00	70,000.00
Supervising Road Inspector	35,000.00	95,000.00
Supervisor, Streets	25,000.00	70,000.00
Supervising Mechanic	40,000.00	95,000.00
Senior Mechanic	30,000.00	90,000.00
Mechanic	25,000.00	80,000.00
Mechanic's Helper	25,000.00	60,000.00
Supervising Heavy Equipment Operator	40,000.00	80,000.00
Heavy Equipment Operator	30,000.00	70,000.00
Equipment Operator/Maintenance Repairer	30,000.00	60,000.00
Equipment Operator	25,000.00	65,000.00
Supervisor, Recreation Maintenance	45,000.00	70,000.00
Assistant Supervisor, Recreation Maintenance	30,000.00	47,500.00
Supervising Maintenance Repairer	35,000.00	95,000.00
Senior Public Works Repairer	30,000.00	90,000.00
Public Works Repairer	30,000.00	90,000.00
Sanitation Inspector	25,000.00	55,000.00

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

SECTION III. All Ordinances inconsistent with the terms of this Ordinance are to the extent or such inconsistency, superseded and repealed. In the event that any section, sentence or clause of this Ordinance shall be declared unconstitutional by a court of competent jurisdiction, such declaration shall not in any manner prejudice the enforcement or the remaining provisions.

SECTION IV. This ordinance shall take effect January 1, 2019.

OPEN PUBLIC HEARING

No comments.

CLOSE PUBLIC HEARING

Motion to approve Ordinance 18-39 on Second Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

2. Second Reading Ordinance 18-40C: **AN ORDINANCE AMENDING AN ORDINANCE ENTITLED, "CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, (1997)" AS THE SAME IN CHAPTER 47 WHICH PERTAINS TO ANIMALS AND CHAPTER 51 WHICH PERTAINS TO BEACHES**

Passed on first reading at a regular meeting held on December 3, 2018 and advertised in the BEACH HAVEN TIMES issue of December 6, 2018.

ORDINANCE 18-40C

AN ORDINANCE AMENDING AN ORDINANCE ENTITLED, "CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, (1997)" AS THE SAME IN CHAPTER 47 WHICH PERTAINS TO ANIMALS AND CHAPTER 51 WHICH PERTAINS TO BEACHES

STATEMENT OF PURPOSE

This Ordinance amends Chapter 47 to revise the regulations relating to service dogs and Chapter 51 to revise the regulations relating to beach access for persons with disabilities.

SECTION I

§47-1 is hereby amended to add the following definitions.

GUIDE DOG

A dog used to assist persons who are deaf, or which is fitted with a special harness so as to be suitable as an aid to the mobility of a person who is blind, and is used by a person who is blind and has satisfactorily completed a specific course of training in the use of such a dog, and has been trained by an organization generally recognized by agencies involved in the rehabilitation of persons with disabilities, including, but not limited to, those persons who are blind or deaf, as reputable and competent to provide dogs with training of this type.

SERVICE DOG

Any dog individually trained to the requirements of a person with a disability, including, but not limited to minimal protection work, rescue work, pulling a wheelchair or retrieving dropped items, reminding a person with mental illness to take prescribed medications, calming a person with Post Traumatic Stress Disorder (PTSD) during an anxiety attack, or performing other duties for a person with a disability. This term shall include a "seizure dog" trained to alert or otherwise assist persons with epilepsy or other seizure disorders. Dogs whose sole function is to provide comfort or emotional support do not qualify as service dogs.

SECTION II

§47-5 is hereby repealed and replaced with the following.

§ 47-5 Public beach restriction.

No animals, except guide or service dogs, whether leased, harnessed, or otherwise controlled shall be allowed upon any public beach at any place within the limits of the Township between and including May 16 through September 30 of any year. This restriction shall not be in effect between and including October 1 through May 15 of any given year. Notwithstanding the aforesaid limited exception to the public beach restriction, all dogs, except guide or service dogs, are prohibited from Bayview Park 12 months of the year. Guide and service dogs shall be required to be leashed at all times at any public beach.

SECTION III

§51-3 is hereby amended to add the following definition.

MOTOR VEHICLE OR VEHICLE

All vehicles propelled otherwise than by muscular power, except such vehicles as run only upon rails or tracks. The term includes motorized bicycles and wheelchairs.

SECTION IV

§51-20A is repealed and replaced with the following.

- A. Except as set forth below, the only motor vehicles permitted on the beach shall be four-wheel-drive vehicles of the type known as "beach buggy" or "jeep" style vehicles.

SECTION V

§51-20A(2) is added as follows.

- (2) Persons who are defined as disabled pursuant to the New Jersey Law Against Discrimination and whose disability is related to the person's ability to walk and/or access the beach are permitted to use the following type of motor vehicle on the beach at all times: motorized wheelchairs, trackchairs, and off-road wheelchairs. Other types of motor vehicles shall be prohibited.

SECTION VI

§51-20B is hereby repealed and replaced with the following.

- B. Prior to use of any motor vehicle on the beach, the motor vehicles shall be registered with the Police Department and each operator shall be required to obtain a permit from the Police Department. Application for the permit and the registration shall be made to the Police Department, who may require from the applicant complete information as to his or her ability and competence to operate a motor vehicle in a safe and prudent manner so as not to endanger the lives and safety of others using the beach. The information shall include the applicant's age, driving record, and experience.
- (1) Approval of the permit and registration for the operation of motor vehicles by persons with disabilities shall include the verification that the motor vehicle constitutes the permitted type set forth in §51-20A(2).

SECTION VII

§51-20C is hereby added as follows.

- C. Any person who is found guilty of a violation of this Chapter shall be ineligible to receive and shall be precluded from obtaining a permit pursuant to this Chapter for a period of 12 calendar months from the date of the finding of guilt.

SECTION VIII

§51-22A(1) is added as follows.

- (1) No fee shall be charged for applications made by disabled persons pursuant to §51-20A(2).

SECTION IX

§51-23D is hereby added as follows.

- D. With the exception of B above, the regulations set forth in §51-23 shall not apply to the motor vehicles permitted to be used by disabled persons pursuant to §51-20A(2).

SECTION X

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

SECTION XI

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.

OPEN PUBLIC HEARING

No comments.

CLOSE PUBLIC HEARING

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

Motion to approve Ordinance 18-40C on Second Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

3. Second Reading Ordinance 18-41C: **AN ORDINANCE AMENDING AN ORDINANCE ENTITLED, "CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, (1997)" AS THE SAME IN CHAPTER 197 WHICH PERTAINS TO WATER AND SEWER**

Passed on first reading at a regular meeting held on December 3, 2018 and advertised in the BEACH HAVEN TIMES issue of December 6, 2018.

ORDINANCE 41-C

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 197 WHICH PERTAINS TO WATER AND SEWER

STATEMENT OF PURPOSE

This Ordinance amends Chapter 197 to revise the responsibilities relating to the installation of water meters and water meter sensors.

SECTION I

§197-15B is hereby repealed and replaced with the following.

- B. All properties shall be required to have the water meters and/or remote readings sensors installed prior to December 31, 2021, and all property owners shall have such installed in accordance with the schedule of installation for certain properties and neighborhoods as adopted by the Board of Commissioners by resolution.
- (1) All properties with existing water meter pits shall have the remote reading sensor installed by the Water and Sewer Department.
- (2) All properties with existing interior water meters shall have the remote reading sensor installed by a licensed plumber.
- (3) All properties without water meters may elect to have either a water meter pit or interior water meter installed, along with a remote reading sensor.
- (a) All water meters and remote reading sensors shall be installed by a licensed plumber.
- (b) The water meter pit itself shall be installed by a licensed contractor and all water meters, remote reading sensors, and required water pipes shall be installed by a licensed plumber.

SECTION II

The following sections in Chapter 197 are hereby re-designated as follows. '

§197-16 shall become §197-17

§197-17 shall become §197-18

§ 197-18 shall become § 197-19
§ 197-19 shall become § 197-20
§ 197-20 shall become § 197-21
§ 197-21 shall become § 197-22
§ 197-22 shall become § 197-23
§ 197-23 shall become § 197-24

SECTION III

§ 197-13B and C are hereby repealed and replaced with the following.

- B. When any connection is made to any part of the water supply system on private roads, easements, or rights of way, a connection fee shall be charged, which fee shall be set forth in Chapter 82.
- C. The cost of the installation from the point of connection to the individual property shall be borne by the applicant.
- D. Connection materials. Service piping from the main to the curb stop shall be of the Type as required by the Water and Sewer Department and shall comply the New Jersey Plumbing Code.

SECTION IV

The following new § 197-16 shall be added.

§ 197-16. Township and owner maintenance and repairs of water mains.

- A. Township responsibilities. Except as provided below, the Township owns and shall maintain the water mains up to the curb, and same shall be maintained, operated, repaired, and replaced, as needed, by the Township.
 - (1) Where the water mains have been installed on private easements with the development approval of the Land Use Board and installed in accordance with the standards and procedures of the Township, such water mains shall be maintained by the Township. All costs attendant to the initial design, construction, supervision, and installation of said water mains and appurtenances on private easements shall be borne entirely by the owners. Thereafter, any maintenance of the main, but not the individual lateral service, shall be borne by the Township. However, any water main installed on a private easement without the development approval of the Land Use Board or not installed to the specifications and standards of the Township at the time of installation, shall not be maintained by the Township.
 - (2) Where the water mains and piping are located in or upon private roads, easements, or rights of way that do not comply with A(1) above and the property owners have elected not to repair and maintain the water mains and piping by statement or failure to act within the time period required to protect the system and the public health, welfare, and safety, the Water and Sewer Department shall cause the maintenance repairs to be made and the property owners located on the private road, easement, or right of way shall be apportioned and equal basis by and among all property owners on the private road, easement, or right of way, which cost shall be included in the property owners' charges for use of the system.
- B. Owner responsibilities. The owner owns and shall maintain the water mains and all related pipes and fixtures from the curb stop onto the property, and same shall be maintained, operated, repaired, and replaced, as needed, by the owner.

SECTION V

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

SECTION VI

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

Effective date.

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

OPEN PUBLIC HEARING

No comments.

CLOSE PUBLIC HEARING

Motion to approve Ordinance 18-41C on Second Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

4. Second Reading Ordinance 18-42C: **AN ORDINANCE AMENDING AN ORDINANCE ENTITLED "CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, 1997" IN CHAPTER 107 PERTAINING TO LANDSCAPERS AND LANDSCAPING**

Passed on first reading at a regular meeting held on December 3, 2018 and advertised in the BEACH HAVEN TIMES issue of December 6, 2018.

ORDINANCE 18-42C

AN ORDINANCE AMENDING AN ORDINANCE ENTITLED "CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, 1997" IN CHAPTER 107 PERTAINING TO LANDSCAPERS AND LANDSCAPING

STATEMENT OF PURPOSE

The purpose of this Ordinance is to amend various section numbers in Chapter 107.

SECTION I

The first paragraph of §107-4 is hereby repealed and replaced with the following. Any person and/or any employee of any firm, corporation, or other legal entity engaging in landscape gardening, as a landscaper, or in any work relating to the business of a landscaper shall strictly comply with the following Chapters and Sections of the Township Code.

SECTION II

§107-4 F is hereby repealed and replaced with the following.

- F. Section 68-1 and 68-5 pertaining to the storage of permitted materials.

SECTION III

§107-4 K is hereby repealed and replaced with the following.

- K. Section 205-7 dealing with permitted use of the public right-of-way between the paved area of the public right-of-way and the abutting owner's property.

SECTION IV

§107-4 L is hereby repealed and replaced with the following.

- L. Section 205-33 dealing with impervious lot coverage.

SECTION V

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

SECTION VI

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

Effective date.

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

OPEN PUBLIC HEARING

No comments.

CLOSE PUBLIC HEARING

Motion to approve Ordinance 18-42C on Second Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

5. Second Reading Ordinance 18-43C: **AN ORDINANCE AMENDING AN ORDINANCE ENTITLED "CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, 1997" IN CHAPTER 60 PERTAINING TO SOIL EROSION AND SEDIMENT CONTROL IN THE PUBLIC RIGHTS-OF-WAY**

Passed on first reading at a regular meeting held on December 3, 2018 and advertised in the BEACH HAVEN TIMES issue of December 6, 2018.

ORDINANCE 18-43C

AN ORDINANCE AMENDING AN ORDINANCE ENTITLED "CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, 1997" IN CHAPTER 60 PERTAINING TO SOIL EROSION AND SEDIMENT CONTROL IN THE PUBLIC RIGHTS-OF-WAY

STATEMENT OF PURPOSE

The purpose of this Ordinance is to amend Chapter 60 to address soil erosion and sediment control and the required maintenance of such in the public rights-of-way adjacent to properties.

SECTION I

The title of Chapter 60 is hereby repealed and replaced as follows.

Chapter 60: Brush, Weeds, Debris, Grading, Sediment, and Depressions

SECTION II

§ 60-1A is hereby repealed and replaced with the following.

- A. The Township finds it is necessary to ensure that lands, lots, buildings, premises, dwellings, and structures (hereinafter collectively "lands and structures"), as well as the public rights-of-way in the streets and easements, are free from debris, filth, brush, trash, refuse, solid waste, weeds, dead and dying trees, stumps, roots, obnoxious growths, obnoxious materials, soil, sediment, and other discarded materials, including, but not limited to discarded furniture, appliances, and pipes (hereinafter collectively "debris") in order to protect against, remedy, and eliminate threats to persons, property, and the public health, welfare, and safety, health and fire hazards, and to protect private property rights, economic activities, and neighboring property values.
- (1) Property owners shall be responsible to remove the accumulation of all soil and/or sediment from the public rights-of-way adjacent to their properties in the streets and easements within twenty-four hours of any accumulation of any such soil and/or sediment.

SECTION III

§ 60-1C and D are hereby repealed and replaced with the following.

- C. The Township further finds that certain threats to persons and property and the public health, safety, and welfare will be abated, addressed, and remedied if the lands and structures in the Township are free from debris and depressions, as well as graded and maintained to control soil erosion and sediment, all of which cause and pose threats to persons, property, and the public health, welfare, and safety, create fire and health hazards, diminish and damage private property rights, economic activities, and neighboring property values, and constitute both public and attractive nuisances.
- (1) It shall be the responsibility of the property owners to grade and maintain the land to control soil erosion and sediment damages in compliance with the requirements of Chapter 166. All necessary soil erosion and sediment control measures shall be installed to prevent the accumulation of soil and sediment onto adjacent properties and the public right-of-way adjacent to the owners' properties.

SECTION IV

§ 60-3A through D are hereby repealed and replaced with the following.

- A. It shall be the duty of the owners, tenants, or persons in possession of any lands and structures to maintain those lands and structures free from debris and to keep same maintained in a clean, safe, and sanitary condition.
- B. It shall be the duty of the owners, tenants, or persons in possession of any lands and structures to maintain those lands and structures free from depressions and that all depressions that occur or are created are filled with a clean fill to a street grade height of eight inches.
- C. It shall be the duty of the owners of any lands and structures to grade and maintain the land to control soil erosion and sediment damages in compliance with the requirements of Chapter 166. It shall be the duty of the owners, tenants, or persons in possession of any lands and structures to remove the accumulation of all soil and/or sediment from the public rights-of-way adjacent to their properties in the streets and easements within twenty-four hours of any accumulation of any such soil and/or sediment.
- D. Should the owners, tenants, or persons in possession of any lands and structures fail to maintain those lands, structures, public rights-of-way, streets, and easements in accordance with the duties set forth herein, the designated public officer may serve notices of penalties and removal as provided herein.
- E. It shall be the duty of the owners, tenants, or persons in possession of any lands and structures to remove debris, fill depressions, and otherwise comply with A through D above within 10 days after receipt of notice from the designated public officer.

SECTION V

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

SECTION VI

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

Effective date.

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

OPEN PUBLIC HEARING

No comments.

CLOSE PUBLIC HEARING

Motion to approve Ordinance 18-43C on Second Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

6. Second Reading Ordinance 18-44: **BOND ORDINANCE AUTHORIZING THE CONSTRUCTION OF VARIOUS BUILDINGS IN AND FOR THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$350,000 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 \$332,500; 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 December 3, 2018 and advertised in the BEACH HAVEN TIMES issue of December 6, 2018.

TOWNSHIP OF LONG BEACH, NEW JERSEY

ORDINANCE 18-44

BOND ORDINANCE AUTHORIZING THE CONSTRUCTION OF VARIOUS BUILDINGS IN AND FOR THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$350,000 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 \$332,500; 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 purposes described in Section 7 hereof are hereby authorized as general improvements to be made or acquired by the Township of Long Beach, County of Ocean, New Jersey ("Township").

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

- (a) the estimated amount to be raised by the Township from all sources for the purposes stated in Section 7 hereof is \$350,000;
- (b) the estimated amount of bonds or bond anticipation notes to be issued for the purposes stated in Section 7 hereof is \$332,500; and
- (c) a down payment in the amount of \$17,500 for the purposes 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 \$332,500, to be raised by the issuance of bonds or bond anticipation notes, together with the sum of \$17,500, which amount represents the required down payment, is hereby appropriated for the purposes stated in this bond ordinance ("Bond Ordinance").

Section 4. The issuance of negotiable bonds of the Township in an amount not to exceed \$332,500 to finance the costs of the purposes described in Section 7 hereof is hereby authorized. Said bonds shall be sold in accordance with the requirements of the Local Bond Law.

Section 5. In order to temporarily finance the purposes described in Section 7 hereof, the issuance of bond anticipation notes of the Township in an amount not to exceed \$332,500 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 \$70,000.

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

	<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
A.	Construction of Various Municipal Buildings including, but not limited to, the Storage Building at the Municipal Complex, the Field Station at Osborne Avenue and the Comfort Station at 69 th Street; together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	\$350,000	\$17,500	\$332,500	20 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 \$332,500 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 improvements described in Section 7 above.

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

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

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

Section 13. The Township hereby covenants as follows:

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

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

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

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

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

Section 14. The improvements authorized hereby are not current expenses and are improvements that the Township may lawfully make. No part of the cost of the improvements authorized hereby has been or shall be specially assessed on any property specially benefited thereby.

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

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

Date of Introduction: December 3, 2018

Date of Final Adoption: December 17, 2018

OPEN PUBLIC HEARING

No comments.

CLOSE PUBLIC HEARING

Motion to approve Ordinance 18-44 on Second Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

ADOPTIONS & APPROVALS

7. Resolution 18-1217.01 (a-p): Approve various appointments for 2019:

- a) Administrator for DOT Alcohol and Drug Testing Policy: Gabrielle Albert
- b) Insurance Fund Commissioner: Lydia D'Amore
- c) Workers Compensation Administrator: Lydia D'Amore
- d) Public Agency Compliance Officer: Lynda Wells
- e) Americans with Disabilities Act Coordinator: Lynda Wells
- f) Local Emergency Planning Committee/Hazardous Mitigation Planning Committee Membership 2018
- g) Assessment Search Officer: Lynda Wells
- h) Designate signatories for Certified Lists of Adjacent Properties for Land Use and CAFRA applications
- i) Tax Search Officer: Dawn Annarumma
- j) CDBG Representative: Andrew Baran
- k) Certifying Agents for the administration of the Public Employees' Retirement System, the Police and Firemen's Retirement System
- l) Certifying Agents for the administration of the Civil Service Commission
- m) Municipal Engineer: Frank J. Little
3/year term
- n) Municipal Judge: James Liquori
- o) Appoint temporary CFO: Lydia D'Amore
- p) Appoint the Municipal Court Administrator: Maureen Daniels

RESOLUTION 18-1217.01(a)

WHEREAS, the Board of Commissioners of the Township of Long Beach has adopted a Drug Free Workplace Policy; and

WHEREAS, it is required that an administrator of said policy be appointed.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach that Gabrielle Albert, be and she hereby is appointed Administrator for 2019 to be responsible for the Township of Long Beach DOT Alcohol and Drug Testing Policy and Program as per Ordinance 00-16C; and

BE IT FURTHER RESOLVED that Kyle Ominski, Business Administrator be appointed as Alternate.

RESOLUTION 18-1217.01(b)

BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach that Lydia D'Amore be and she is hereby appointed Fund Commissioner to represent the Township of Long Beach in the Ocean County Municipal Joint Insurance Fund for the year 2019; and

BE IT FURTHER RESOLVED that Erica Nicholes be appointed as Alternate.

RESOLUTION 18-1217.01(c)

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach that Lydia D'Amore be and she hereby is appointed Workers Compensation Administrator for 2019; and

BE IT FURTHER RESOLVED that Erica Nicholes be appointed as Alternate.

RESOLUTION 18-1217.01(d)

BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach designate Municipal Clerk, Lynda J. Wells, as the Public Agency Compliance Officer (P.A.C.O.) for 2019 as regulated by the New Jersey Division of Contract Compliance with regard to equal employment opportunity in public contracts and as per NJAC17:27-3.5.

RESOLUTION 18-1217.01(e)

BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach, County of Ocean, State of New Jersey that Lynda J. Wells is hereby appointed Americans with Disabilities Act (ADA) Coordinator for a term effective January 1, 2019 through December 31, 2019.

RESOLUTION 17-1218.01(f)

WHEREAS, the Township of Long Beach Office of Emergency Management is required by the State of New Jersey to appoint a Local Emergency Planning Committee (LEPC) and a Hazardous Mitigation Planning Committee (HMPC); and

WHEREAS, the following individuals have agreed to serve as members of the LEPC and the HMPC:

Joseph Mancini	Mayor
Lynda J. Wells	Municipal Clerk
Chief Anthony Deely	Emergency Management Coordinator
James Hartmann	Deputy Emergency Management Coordinator
Brendan Kerlin	Deputy Emergency Management Coordinator
Anthony O'Cone	Long Beach Twp. Police, Annex Coordinator
Michelle Degeso	Long Beach Twp. Police, Annex Coordinator & Chief Tele-communicator
Kimberly Walker	Annex Coordinator
Ted Johnson	Beach Haven Fire Department
Jodi Parker	Long Beach Township OEM
JoAnne Tallon	Long Beach Township OEM
Christopher Connors	Long Beach Township OEM
James O'Brien	Long Beach Township DPW
Dan Krupinski	Long Beach Island Health Department
Rebecca Kath	Long Beach Island Health Department
Robert Weidman	Beach Haven First Aid Squad
David Yates	LBI School Representative
Angela Andersen	Media Representative & Township Resident
Dan Rodriguez	St. Francis Center Representative
John Tichy	Citizen Representative

WHEREAS, public meetings shall be held concurrently on the following dates and times:

Date	Time	Location
March 6, 2019	4:00 p.m.	Municipal Courtroom
June 5, 2019	4:00 p.m.	Municipal Courtroom
September 4, 2019	4:00 p.m.	Municipal Courtroom

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach that the above-named individuals be and they are hereby appointed as members of the 2019 Local Emergency Planning Committee and the 2019 Hazardous Mitigation Planning Committee effective January 1, 2019 through December 31, 2019.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach that the above-named individuals be and they are hereby appointed as members of the 2019 Local Emergency Planning Committee and the 2019 Hazardous Mitigation Planning Committee effective January 1, 2019 through December 31, 2019.

RESOLUTION 18-1217.01(g)

BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach, County of Ocean, State of New Jersey, designates Municipal Clerk Lynda J. Wells as the Official Assessment Search Officer of the Township of Long Beach.

BE IT FURTHER RESOLVED that Kyle Ominski be and is hereby appointed the Deputy Assessment Search Officer of the Township of Long Beach.

RESOLUTION 18-1217.01(h)

BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach, County of Ocean, State of New Jersey, at the Public Meeting held this 17th day of December 2018 that Tracy Hafner be and she is hereby appointed the authorized signatory for Certified Lists of Adjacent Properties for Land Use and CAFRA application notices for the Township of Long Beach; Barbara Bielawne is hereby designated as alternate signatory for the execution of said documents as necessary, effective January 1, 2019 through December 31, 2019.

RESOLUTION 18-1217.01(i)

BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach, County of Ocean, State of New Jersey, that Dawn Annarumma be and she is hereby appointed the 2019 Official Tax Search Officer of the Township of Long Beach; and

BE IT FURTHER RESOLVED that Katie Mancini be and she is hereby appointed the Deputy Tax Search Officer of the Township of Long Beach.

RESOLUTION 18-1217.01(j)

WHEREAS, the Ocean County Department of Economic Development has requested, pursuant to a Cooperative Agreement between the County of Ocean and the Municipality of the Township of Long Beach, that a representative and/or an alternate be appointed to serve on the Community Development Block Grant.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach that Andrew Baran be and he hereby is appointed as Community Development Block Grant Representative for the year 2019 and that Lynda J. Wells, Municipal Clerk, be and she hereby is appointed the Alternate for the year 2019.

RESOLUTION 18-1217.d(k)

BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach, County of Ocean, State of New Jersey, that Lydia D'Amore be and is hereby designated as certifying agent supervisor and that Christopher Connors be and is hereby designated as a certifying agent to facilitate the administration of the Public Employees' Retirement System and the Police and Fireman's Retirement System in the Township of Long Beach i.e.; the responsibility of processing, at the local level, all documents pertaining to the Public Employees' Retirement enrollments, transfers of members accounts, retirement, withdrawals and claims; and

BE IT FINALLY RESOLVED that a certified copy of this resolution be forwarded to the Public Employees' Retirement System and the Police and Fireman's Retirement System, State of New Jersey.

RESOLUTION 18-1217.01(l)

BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach do hereby authorize Kyle Ominski as the appointing authority and Gabrielle Albert as authorized representative to facilitate the administration of the Civil Service Commission in the Township of Long Beach i.e.; the responsibility of processing, at the local level, all documents pertaining to new hires, disciplines, title changes and separation's; and

BE IT FINALLY RESOLVED that a certified copy of this resolution be forwarded to the Civil Service Commission, Trenton, New Jersey.

RESOLUTION 18-1217.01(m)

**RESOLUTION APPOINTING THE MUNICIPAL ENGINEER BY
PROFESSIONAL SERVICE CONTRACT**

WHEREAS, the Township of Long Beach has a need for the services of a Municipal Engineer and N.J.S.A. 40A: 9-140 allows for such an appointment for a term of three (3) years effective January 1, 2019 through December 31, 2021; and

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

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

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

WHEREAS, Municipal Engineer is a recognized profession, which profession is regulated by N.J.S.A. 40A:9-140; and

WHEREAS, the Township of Long Beach wishes to award a contract without competitive bidding for Municipal Engineer pursuant to N.J.S.A. 40A: 9-140 and N.J.S.A.40A:11-5(a)(a)(i) to Frank J. Little, Jr., P.E., P.P., C.M.E. with rates in accordance with the 2019 fee schedule dated January 1, 2019; minimum hourly rate of \$40.00 with a

maximum rate not to exceed \$195.00 per hour; minimum rate of \$200.00 for meetings; effective January 1, 2019 through December 31, 2019; and

WHEREAS, Frank J. Little, Jr., P.E., P.P., C.M.E. completed and submitted a Business Entity Disclosure Certification and a Political Contribution Disclosure Form, which certifies no reportable contributions have been made to any political candidate in the Township of Long Beach in the previous year, and that the contract will prohibit those listed from making any reportable contributions through the term of the contract; and

WHEREAS, the Board of Commissioners of Township of Long Beach has determined that the value of the services will likely exceed \$17,500.00 per year.

NOW, THEREFORE BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach authorizes the Mayor to enter into an alternative method professional service contract with Frank Little, Jr., P.E., P.P., C.M.E., 443 Atlantic City Boulevard, Beachwood, NJ 08722 for Municipal Engineer; and

BE IT FINALLY RESOLVED that the Municipal Clerk shall send a notice of this 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.

RESOLUTION 18-1217.01(n)

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach, County of Ocean, State of New Jersey that James A. Liguori Esq., a New Jersey Attorney at Law, be and he hereby is appointed as Judge of the Municipal Court of the Township of Long Beach, Pursuant to the Provisions of N.J.S.A. 2B:12-4 for a term of three years effective January 1, 2019, to expire December 31, 2021 with compensation, pursuant to N.J.S.A. 2B:12-7(b), of \$44,131.00 for the year 2019 and subject to the appropriate annual increases for the balance of his term.

RESOLUTION 18-1217.01(o)

BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach, County of Ocean, State of New Jersey, hereby appoint Lydia D'Amore as Temporary Chief Financial Officer for a term of 1-year term commencing January 1, 2019 and effective through December 31, 2019.

RESOLUTION 18-1217.01(p)

BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach, County of Ocean, State of New Jersey, pursuant to N.J.S.A. 2B:12-11(e), hereby appoint Maureen F. Daniels as Municipal Court Administrator for a term of 3-year commencing January 1, 2019 and effective through December 31, 2021.

8. Resolution 18-1217.02: Authorize various employees to prepare and submit Grant Applications on behalf of Long Beach Twp.

RESOLUTION 18-1217.02

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach that the following municipal employees: Sgt. James Hartmann, Ptl. Megan Keller, Sgt. Brendan Kerlin, Ptl. Neil Rojas, Angela Andersen, Dan Krupinski, Paul Vereb, LuAnn Rozek, Gabrielle Albert, Lydia D'Amore and Municipal Engineer Frank Little be and they hereby are authorized and directed to apply for various grants in 2019.

9. Resolution 18-1217.03: Approve various water sewer changes

RESOLUTION 18-1217.03

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

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

<u>BLOCK LOT/QUAL</u>	<u>ACCT #/ACCT</u>	<u>YEAR</u>	<u>CANCEL/CHANGE</u>	<u>AMOUNT</u>
7.24 18	2515-0 Water	2018	Standby Credit	\$72.00
15.09 7	5067-0 W/S	2017	Standby Credit	\$777.25
15.84 3	5765-0 Water	2017	Standby Credit	\$155.75

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.

10. Resolution 18-1217.04(a-c): Approve various personnel matters

- a) Various personnel matters
- b) Addendum to Current Agreement with Chief of Police
- c) Agreement with Chief of Police
- d) Agreement with Business Administrator

RESOLUTION 18-1217.04 (a)

BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach:

WHEREAS, there are established salary and wage ranges for the classification of certain Officers and Employees of the Township of Long Beach, pursuant to Ordinance No. 77-1 and any amendments and supplements made thereto; and

WHEREAS, Ordinance No. 77-1 provides that the amount to be paid to each Officer and Employee, within the said salary and wage ranges, shall be fixed from time to time by Resolution of the Board of Commissioners.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach that the annual salaries of the following Officers and Employees of the Township of Long Beach be and hereby are determined and fixed as follows for 2019; and

ADMINISTRATION AND EXECUTIVE

MAYOR

Joseph H. Mancini, Director PA&S \$14,464.00

COMMISSIONER

Ralph H. Bayard, Director PW&P \$13,018.00

Joseph Lattanzi, Director R&F \$13,018.00

MUNICIPAL CLERK

Lynda Wells \$123,345.00

DEPUTY MUNICIPAL CLERK

Danielle La Valle \$61,895.00

CHIEF FINANCIAL OFFICER

Lydia D'Amore \$91,705.00

REGISTRAR/CLERK 1

Sharon Bongiovani \$61,660.00

ASSESSMENT OF TAXES

TAX ASSESSOR

Tracy Hafner \$104,412.00

STATE UNIFORM CONSTRUCTION CODE

CONSTRUCTION OFFICIAL

Jon D. Sprague \$104,660.00

CODE ENFORCEMENT OFFICER/ZONING OFFICER

JoAnne Tallon \$66,887.00

TECHNICAL ASSISTANT TO THE

CONSTRUCTION OFFICIAL

MaryJane McGowan \$74,970.00

MUNICIPAL COURT

MUNICIPAL JUDGE

James Liquori \$44,131.00

MUNICIPAL COURT ADMINISTRATOR

Maureen Daniels \$67,148.00

WATER/SEWER DEPARTMENT

WATER TREATMENT PLANT OPERATOR

Michael Clark \$84,385.00

EQUIPMENT OPERATOR

Timothy Kearney \$46,067.00

PUBLIC WORKS REPAIRER

James DeAngelo \$44,415.00

Stuart McGowan \$81,592.00

Mark E. Riddell \$81,612.00

LABORER 1

Ryan Brady \$30,450.00

Bruce Caporusso \$34,168.00

Croix Corliss \$42,870.00

Cody Lippincott \$32,480.00

Robert Pinto \$62,861.00

Christopher Stankowski \$42,183.00

Alex Toth \$30,450.00

Dan Vickers \$52,977.00

PLUMBER

Ian Schrader \$40,661.00

HEALTH DEPARTMENT

ASSISTANT HEALTH OFFICER

Dan Krupinski \$88,010.00

PUBLIC HEALTH NURSE SUPERVISOR	
Dana A. O'Connor	\$94,896.00
PUBLIC HEALTH NURSE	
Rebecca Kath	\$54,810.00
REGISTERED ENVIRONMENTAL HEALTH SPECIALIST	
Nora Sullivan	\$46,793.00
GRADUATE NURSE, PUBLIC HEALTH	
Ann Pepe	\$56,532.00
<u>MISCELLANEOUS TOWNSHIP SERVICES</u>	
SECRETARY BOARD/COMMISSION	
Leslie Krueger	\$55,521.00
PRINCIPAL ACCOUNT CLERK	
Mary Brewster	\$60,597.00
SENIOR ACCOUNT CLERK	
Nancy Broker-Fritz	\$55,156.00
Christopher Connors	\$75,120.00
CLERK 3	
Joan Kearney	\$49,198.00
Debra Thompson	\$46,772.00
CLERK 2	
Angela Andersen	\$68,284.00
Kathleen Bayley	\$46,609.00
Barbara Bielawne	\$55,328.00
Kelley Sheldon	\$47,090.00
Kimberley Walker	\$60,127.00
CLERK 1	
Gabrielle Albert	\$65,800.00
Joni Bakum	\$40,600.00
Ashley Bromiley	\$47,153.00
Greg Cirillo	\$82,012.00
Jennifer Diodata	\$43,755.00
Renee Gresko	\$40,636.00
Katlyn Kerlin	\$56,338.00
Susan Levance	\$38,383.00
Katy Mancini	\$41,509.00
Linda Middleton	\$42,085.00
Erica Nicholes	\$42,630.00
Kyle Ominski	\$115,000.00
Courtney Palughi	\$34,835.00
Jodi Parker	\$32,480.00
Anthony Pesic	\$47,265.00
Nicole Rullo	\$32,480.00
Casey Wolf	\$34,655.00
LABORER 1	
Josh Bligh	\$50,927.00
Tracey Schmidt	\$53,610.00
<u>PUBLIC WORKS, PARKS & PROPERTY</u>	
SUPERINTENDENT PUBLIC WORKS	
Andrew Baran	\$122,114.00
ASSISTANT PUBLIC WORKS SUPERINTENDENT	
James O'Brien	\$109,169.56
SUPERVISING EQUIPMENT OPERATOR	
Dustin Martin	\$ 71,003.00
<u>PUBLIC WORKS SUPERVISOR</u>	
Brian Golla	\$64,024.37
EQUIPMENT OPERATOR/MAINTENANCE REPAIRER	
Matthew Beningaso	\$40,866.17
Joseph Fleck	\$40,866.17
Timothy Kelly	\$58,281.47
MECHANIC	
James Bazel	\$76,024.30
MECHANIC'S HELPER	
Stephen Johnson	\$53,649.94
Scott Wilson	\$50,833.14

CARPENTER

Todd Hambly	\$40,557.14
Mark Heslin	\$46,843.94

CARPENTER'S HELPER

Shane Fairhurst	\$39,529.12
-----------------	-------------

PUBLIC WORKS REPAIRER

Jack Bazel	\$53,378.30
Dennis Mahoney	\$35,175.94
Bruce Rice	\$35,175.94
Cody Tomczyk	\$36,946.30

LABORER 1

Thomas Hogan	\$30,000.00
Ronald Maresca	\$30,000.00
Thomas Patch	\$31,527.00
George Rhubart	\$42,337.32
James Truitt	\$30,000.00

BUILDING MAINTENANCE WORKER

Anthony Gentile	\$35,175.94
Sherry Rahrer	\$40,663.80

POLICE DEPARTMENT**POLICE CHIEF**

Anthony Deely	\$182,660.46
---------------	--------------

POLICE CAPTAIN

Kevin Mahon	\$154,432.20
-------------	--------------

POLICE LIEUTENANT

Michael Brennan	\$139,139.40
Edward Berhard	\$139,139.40

POLICE SERGEANT

Gary Gore	\$127,629.92
Gerard Traynor	\$127,629.92
James Hartmann	\$124,211.26
Brendan Kerlin	\$123,071.70
Ronald Hullings	\$124,211.26

POLICE OFFICERS

Robert Andrews	\$112,528.58
Matthew Compitello	\$104,490.82
Brian Delpriora	\$108,509.70
Angelo Fiorentino	\$108,509.70
Sean Ferguson	\$104,490.82
Jason Hildebrant	\$110,519.14
Justin Hoffman	\$106,500.26
Megan Keller	\$109,514.42
Patrick Mazzella	\$108,509.70
Anthony O'Cone	\$106,500.26
Daniel Petrone	\$104,490.82
Jeffrey Pharo	\$78,919.23
Philip Pollina	\$109,514.42
Neil Rojas	\$110,519.14
Matthew Ruark	\$78,919.23
Thomas Rubel Jr.	\$68,915.17
James Seidenfaden	\$108,509.70
Mark Stanish	\$110,519.14
Michael Thompson	\$109,514.42
Matt Vereb	\$92,832.97
Paul P. Vereb Jr.	\$108,509.70
Daniel Voorhees	\$78,919.23
Richard Reynolds	\$68,915.17
Zeffen Bazerque	\$68,915.17
Jessica Burkhard	\$49,276.00
Sean Farrell	\$49,276.00

CHIEF PUBLIC SAFETY TELECOMMUNICATORS

Michelle DeGeso	\$82,503.35
-----------------	-------------

PUBLIC SAFETY TELECOMMUNICATORS

Christine Eberle	\$47,347.36
------------------	-------------

Linda Laviola	\$37,513.70
Brianna Maglio	\$29,733.91
Lindsay Robbins	\$30,237.29
Anna Marie Toledo	\$32,788.10
Mary Wickert	\$50,097.30
Daniel Sodano	\$32,977.51
Jessica Vanpelt	\$32,788.10
Melissa Lewis	\$30,059.65

KEYBOARDING CLERK 3

Deborah Bonicky	\$65,848.82
-----------------	-------------

CLERK 1

Nicole Andreotta	\$35,059.48
------------------	-------------

MISCELLANEOUS

Appoint Joan Kearney, Tracey Schmidt and Robert Pinto as Co-Safety Coordinators for the Township of Long Beach with an annual stipend of \$3,000.00 each to be paid equally from the Revenue & Finance, Public Works & Property and Public Affairs & Safety Salary & Wage effective January 1, 2019.

Appoint Brian Golla and Dustin Martin as Co-Safety Coordinators for the Township of Long Beach with an annual stipend of \$1,500.00 each to be paid equally from the Revenue & Finance, Public Works & Property and Public Affairs & Safety Salary & Wage effective January 1, 2019.

Approve an annual stipend of \$2,100.00 for the year of 2019 for the following non-contractual employees for holding a Commercial Drivers License A as per Board of Commissioner's decision that it is considered job related.

Stuart McGowan	Daniel Vickers	James DeAngelo
----------------	----------------	----------------

Approve an annual stipend of \$1,600.00 for the year of 2019 for the following non-contractual employees for holding a Commercial Drivers License B as per Board of Commissioner's decision that it is considered job related.

Andy Baran	Croix Corliss	Tracey Schmidt
Bruce Caporusso	Ian Schrader	Cody Lippincott
		Robert Pinto

Appoint the following as Commissioners' Secretaries with an annual stipend of \$3,000 for 2019:

Kelley Sheldon-Public Works, Parks & Property

Katlyn Kerlin -Revenue & Finance

Katlyn Kerlin – Public Affairs & Safety

Approve the distribution of the following 2019 annual Emergency Management stipends:

Anthony Deely – Coordinator	\$5,250.00
James Hartman – Deputy Coordinator	\$1,750.00
Brendan Kerlin-Deputy Coordinator	\$1,750.00
Jodi Parker – Annex Coordinator	\$1,050.00
Christopher Connors-Annex Coordinator	\$1,050.00
Michelle DeGeso – Annex Coordinator	\$1,050.00
Christine Eberle-Annex Coordinator	\$1,050.00
JoAnne Tallon - Annex Coordinator	\$1,050.00
James Seidenfaden – Annex Coordinator	\$1,050.00
Kimberly Walker – Annex Coordinator	\$1,050.00
Anthony O'Cone – Radio Communications	\$1,050.00

Tax Assessor

Change the following employee's annual base salary to \$112,700.00 to be paid from Tax Assessor Salary & Wage effective retroactive to January 1, 2019.

Tracy Hafner

Water/Sewer

Change the following employee's title to Water and Sewer Utilities Superintendent and annual salary to \$92,824.00 to be paid from Water/Sewer Salary & Wage effective January 1, 2019.

Michael Clark

Change the following employee's title to Plumber and annual salary to \$44,727.00 to be paid from Water/Sewer Salary & Wage effective January 1, 2019.

Ian Schrader

Transfer the following employee Payroll Account from Public Works to Water/Sewer effective retroactive to December 3, 2018.

Timothy Kearney

Hire the following employee as a Seasonal Part-Time Laborer 1 at the rate of \$12.00 per hour to be paid from Water/Sewer Salary & Wage effective December 17, 2018.

Brady Clark

RESOLUTION 18-1217.04(b)

RESOLUTION OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY AUTHORIZING ADDENDUM TO EMPLOYMENT AGREEMENT

WHEREAS, the Governing Body of the Township of Long Beach ("Township") recognizes the need to memorialize an Addendum to the Employment Agreement entered into between the Township and Anthony Deely dated January 1, 2018; and

WHEREAS, a copy of the Addendum is attached hereto as Exhibit A and made part hereof;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach approves the Addendum attached hereto as Exhibit A and authorizes the Mayor to execute same on behalf of the Township.

RESOLUTION 18-1217.04(c)

RESOLUTION OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY AUTHORIZING THE MAYOR TO EXECUTE AN EMPLOYMENT AGREEMENT BETWEEN THE TOWNSHIP OF LONG BEACH AND ANTHONY DEELY AS POLICE CHIEF

WHEREAS, the Township of Long Beach ("Township") previously hired Anthony Deely ("Deely") as Police Chief for Township; and

WHEREAS, the Township and Deely entered into a certain employment agreement that commenced on January 1, 2018;

WHEREAS, based upon expiration of the 2018 Employment Agreement, the exceptional performance of Deely and the need to further retain Deely going forward, there exists a need to enter into a new written employment agreement ("Employment Agreement") that shall memorialize Deely's various duties and compensation; and

WHEREAS, the Mayor of Township has negotiated the terms of the Employment Agreement and presented those terms to the Board of Commissioners for review and the Board of Commissioners had reviewed the terms of the Employment Agreement, which is attached hereto and incorporated herein by reference.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of the Township of Long Beach authorize the Mayor and/or his designees to execute the Employment Agreement between Deely and Township. Attached hereto as Exhibit A.

RESOLUTION 18-1217.04(d)

RESOLUTION OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY AUTHORIZING THE MAYOR TO EXECUTE AN EMPLOYMENT AGREEMENT BETWEEN THE TOWNSHIP OF LONG BEACH AND KYLE OMINSKI AS BUSINESS ADMINISTRATOR

WHEREAS, the Township of Long Beach ("Township") previously hired Kyle Ominski ("Ominski") as the Business Administrator for Township; and

WHEREAS, the Township and Ominski entered into a certain employment agreement that commenced on January 1, 2016;

WHEREAS, based upon expiration of the 2016 Employment Agreement, the exceptional performance of Ominski, the need to further retain Ominski going forward, and the additional duties added to his employment, there exists a need to enter into a new written employment agreement ("Employment Agreement") that shall memorialize Ominski's various duties and compensation; and

WHEREAS, the Mayor of Township has negotiated the terms of the Employment Agreement and presented those terms to the Board of Commissioners for review and the Board of Commissioners had reviewed the terms of the Employment Agreement, which is attached hereto and incorporated herein by reference.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of the Township of Long Beach authorize the Mayor and/or his designees to execute the Employment Agreement between Ominski and Township. attached hereto as Exhibit A.

11. Resolution 18-1217.05(a-c): Approve Various State Health Insurance changes:

- a) Repeal Ch. 88
- b) Adopt Ch. 48
- c) Employee Handbook Policy Changes 4.10 & 4.11

Resolution 18-1217.05(a)

Township of Long Beach

A RESOLUTION ADOPTING THE

TOWNSHIP'S REPEAL OF RESOLUTION ADOPTING CHAPTER 88

A copy of this resolution shall be published in the official newspaper of the Township in order for the public to be made aware of this policy and the Township's commitment to the implementation and enforcement of this policy.

NOW, THEREFORE BE IT ADOPTED by the Board of Commissioners of the Township of Long Beach:

(a) Policy Nos. 4.10 and 4.11 are revised as reflected within the attached documents.

(b) The Township Business Administrator shall distribute the revised policies to employees.

This resolution shall take effect immediately.

Attachment 18-1217.05(c)

4.10 Duplicate Coverage (1 Page)

The State Health Benefits Plan prohibits multiple coverage as an employee, dependent or retiree. This prohibition is implemented in accordance with the rules and regulations promulgated by the State Health Benefits Commission. For example, if an employee is covered as a dependent under a spouse's coverage, the employee is not eligible for coverage as an employee. Accordingly, payment for a waiver of benefits (described below) is only available if the employee is eligible for coverage.

An eligible employee who elects not to participate in the Township's medical and prescription drug benefit coverage will not be required to pay the Employee Premium Sharing Contribution. An eligible employee must complete and submit all Township required documents including but not limited to a waiver of benefits application form, proof of alternative coverage or, in the Township's discretion, a certification from the employee. The waiver and required documentation must be provided to the Health Benefits Administrator on or before February 15th of the calendar year during which the waiver is to take place.

An eligible employee may resume coverage if alternate coverage is no longer in effect or available.

Motion to approve Items 7-11:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

PURCHASES, CONTRACTS & AWARDS

12. Resolution 18-1217.06(a&b): Authorize various Professional Service Contracts for 2019

a) Contractors meeting or exceeding \$17,500

b) Contractors not meeting \$17,500

RESOLUTION 18-1217.06(a)

RESOLUTION AUTHORIZING THE AWARD OF CONTRACTS FOR 2019 PROFESSIONAL SERVICES

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

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

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

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

WHEREAS, the listed services are recognized professions, which professions are regulated by law; and

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

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

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

NOW, THEREFORE BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach authorizes the Mayor to enter into contracts from January 1st 2019 through December 31st 2019 as per specific contract terms with the Professionals listed below as described herein; and

<u>NAME</u>	<u>DESCRIPTION OF SERVICES</u>	<u>AMOUNT</u>
Tennant D. Magee, Sr.	Municipal Solicitor	Hourly \$175.00
Raymond, Coleman,		
Heinold & Norman, LLP		
Thomas Coleman, Esq.	Asst. Municipal Solicitor	Hourly \$175.00

<u>Armando Riccio, Esq</u>	Contract Negotiations & Personnel Matters	Hourly:	\$175.00	
<u>Paul V. Fernicola, Esq.</u>	Condemnations	Hourly:	\$225.00	
	Associate Fee	Hourly:	\$175.00	
<u>Citta, Holzapfel, & Zabarsky</u>				
Steven A. Zabarsky, Esq.	General Conflict Attorney	Hourly Max:	\$200.00	
Steven A. Zabarsky, Esq.	Municipal Prosecutor	Annual:	\$22,367.60	
Ronald DeLigny, Esq.	Alt. Municipal Prosecutor	Special Session(s):		
	\$500.00			
Brian K. Wilkie, Esq.	Alt. Municipal Prosecutor			
Morgan R. Montano, Esq	Alt. Municipal Prosecutor			
Alexander A. Becker, Esq	Alt. Municipal Prosecutor			
Paul Granick, Esq	Alt. Municipal Prosecutor			
Robert A. Greitz, Esq	Alt. Municipal Prosecutor			
<u>Parker McCay, P.A.</u>	Bond Attorney Statement Prep (hrly)	\$95.00		to
	\$300.00			
	Bond Sales	Max:	\$20,000.00	
<u>Winne Banta Basralian & Kahn, P.C</u>	Bound Counsel Services	Hourly	\$90.00 to \$150.00	
<u>Suplee, Clooney & Co.</u>	Auditor	Hourly	\$75.00	
			to \$175.00	
<u>RPL Consulting, LLC</u>	Construction Consultant	Annual:	\$100,128.00	
<u>Hall Realty Consultants</u>	Appraisal Services	Hourly:	\$55.00 to	
Richard E. Hall, MAI, CRE			\$160.00	
	File Preparation		\$320.00	
<u>Robert W. Kirwan Appraisal</u>	Appraisal Services	Hourly:	\$55.00 to \$320.00	
		Appraisal Max:	\$800.00	
<u>Jerome McHale</u>	Real Estate Appraisal Services	Hourly:	\$150.00	
	Various Fees as per Proposal Schedule			
<u>Lehman Appraisal LLC</u>	Appraisal Services	Hourly:	\$150.00	
<u>Tetra Tech</u>	Ground Water Sampling	Hourly:	\$53.00	
		To:	\$360.00	

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

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

RESOLUTION 18-1217.06(b)

RESOLUTION AUTHORIZING AWARD OF CONTRACT FOR PROFESSIONAL SERVICES

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

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

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

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

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

WHEREAS, the Board of Commissioners of Township of Long Beach has determined and certified in writing that the value of the services will not meet or exceed \$17,500.00; and

WHEREAS, the CFO has provided certification of the availability of funds as per N.J.A.C. 5:30-5.4.

NOW, THEREFORE BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach authorizes the Mayor to enter into a contract with the

Professionals listed below as described herein effective January 1, 2019 through Dec. 31, 2019; and

<u>NAME</u>	<u>DESCRIPTION OF SERVICES</u>	<u>AMOUNT</u>
Stuart D. Snyder, Esq.	Public Defender	Annual: \$8,140.00
Debra Rumpf, P.C	Conflict Public Defender	Per session: \$400.00
William Wright, Esq.	Conflict Public Defender	Per session: \$400.00
Timothy Wintrobe, Esq.	Conflict Public Defender	Per session: \$400.00
Robert L. Morgan	Pediatric Services	Per session: \$500.00
Henderson Labs	Water Sampling	Per Test: \$ 5.00 to \$500.00
Island Medical P.A.	Medical Services	Per visit: \$35.00 to \$140.00
Bonnie Peterson, Esq.	Conflict Prosecutor	Per Session: \$1,400.00

BE IT FURTHER RESOLVED that the Municipal Clerk shall send a notice of the professional appointments and have same published at least once in the official newspaper of the Township of Long Beach and shall keep the resolution, contracts, and certifications on file for public inspection.

13. Resolution 18-1217.07(a-c): Approve various employee benefit contracts as follows:

- a) Delta Dental: effective 1/1/19 to 12/31/19
- b) NVA(vision): effective 1/1/19 to 12/31/19
- c) Bollinger (Prescription): effective 1/1/19 to 12/31/19

RESOLUTION 18-1217.07(a)

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach that the Commissioner of Revenue & Finance and the Municipal Clerk be and they hereby are authorized and directed to extend the current contract with Delta Dental as the Dental Benefits Administrator for the Long Beach Township employee dental plan coverage effective January 1, 2019 through December 31, 2019.

RESOLUTION 18-1217.07(b)

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach that the Commissioner of Revenue & Finance and the Municipal Clerk be and they hereby are authorized and directed to extend the current contract with National Vision Administrators as the Vision Benefits Administrator for the Long Beach Township employee vision plan coverage effective January 1, 2019 through December 31, 2019.

RESOLUTION 18-1217.07(c)

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach that the Commissioner of Revenue and Finance and the Municipal Clerk be and they are hereby authorized and directed to execute a renewal contract from Monumental Life Insurance Company designating Bollinger Insurance Co. as the Pharmacy Benefits Administrator for the Long Beach Township employee prescription plan coverage effective January 1, 2019 through December 31, 2019.

14. Resolution 18-1217.08:(a-c): Approve various contracts per bid:

- a) Steel Installation: R.E. Pierson Construction, \$184,100.00
- b) Water/Sewer Main Project 22nd ST, OHIO AVE, HIGHLAND AVE): P& A Construction, \$439,122.92
- c) 2017 Water Main Replacement Project NJEIP # 1517001-015 and 2017 Sewer Main Replacement Project NJEIP # S340023-07 P&A Construction, \$5,772,562.53

RESOLUTION 18-1217.08(a)

A RESOLUTION AWARDING A CONTRACT FOR 2018 INSTALLATION OF STEEL SHEETING FOR THE HOLGATE GROIN PROJECT 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 ("Township") solicited and received bids for 2018 Installation of Steel Sheeting for the Holgate Groin Project in the Township on December 11, 2018; and

WHEREAS, CRS Contractors, Inc., submitted what appeared to be the lowest bid, but subsequently withdrew its bid pursuant to, inter alia, N.J.S.A. 40A:11-23.3, and the Township has accepted the withdrawal of the bid; and

WHEREAS, R.E. Pierson Construction Co., 426 Swedesboro Road, Pilesgrove, New Jersey 08098 submitted the next-lowest, qualified bid as per the municipal engineer and the municipal attorney's review and certification; and

WHEREAS, the Chief Financial Officer of the Township has issued a Certificate of Availability of Funds in the appropriation created by: Ordinance 18-27 Const/Install Groin/Jetties Account #C-04-56-156-901 in the amount of \$184,100.00.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach this 17th day of December 2018, for the reasons aforesaid, that a contract be and is hereby awarded to:

R.E. Pierson Construction Co.
426 Swedesboro Road
Pilesgrove, New Jersey 08098

For 2018 Installation of Steel Sheet piling for the Holgate Groin Project in the Township of Long Beach in an amount not to exceed One-Hundred Forty-Eight-Thousand Dollars (\$184,100.00), as per the bid received on December 11, 2018.

RESOLUTION 18-1217.08(b)

A RESOLUTION AWARDED A CONTRACT FOR WATER AND SEWER MAIN REPLACEMENT PROJECT (22nd ST, OHIO AVE, HIGHLAND AVE) 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 ("Township") solicited and received bids for 2018 Water and Sewer Main Replacement Project (22nd Street, Ohio Ave and Highland Ave) in the Township on December 11, 2018; and

WHEREAS, P& A Construction. P.O. Box 28, Colonia, New Jersey 07067, submitted the lowest qualified bid as per the municipal engineer and the municipal attorney's review and certification; and

WHEREAS, the Chief Financial Officer of the Township 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 \$439,122.92.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach this 17th day of December 2018, for the reasons aforesaid, that a contract be and is hereby awarded to:

P& A Construction.
P.O. Box 28
Colonia, NJ 07067

For 2018 Water and Sewer Main Replacement Project (22nd Street, Ohio Ave and Highland Ave) in the Township of Long Beach in an amount not to exceed Four-Hundred-Thirty-Nine Thousand and One-Hundred-Twenty-Two Dollars and Ninety-Two Cents (\$439,122.92), as per the bid received on December 11, 2018.

RESOLUTION 18-1217.08(c)

A RESOLUTION AWARDED A CONTRACT FOR 2017 WATER MAIN REPLACEMENT PROJECT NJEIP # 1517001-015 and 2017 SEWER MAIN REPLACEMENT PROJECT NJEIP # S340023-07 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 ("Township") solicited and received bids for 2017 Water Main Replacement Project NJEIP # 1517001-015 and 2017 Sewer Main Replacement Project NJEIP # S340023-07 in the Township on December 11, 2018; and

WHEREAS, P& A Construction., P.O. Box 28, Colonia, New Jersey 07067, submitted the lowest qualified bid as per the municipal engineer and the municipal attorney's review and certification; and

WHEREAS, the Chief Financial Officer of the Township has issued a Certificate of Availability of Funds in the appropriation created by: Ordinance 17-25 Replace Water Mains NJEIP-1517001-015 Account # U-08-55-984-901 in the amount of \$2,727,288.66 and ORD 17-26 REP Sewer Mains NJEIP S340023-07 Account # U-08-55-985-901 in the amount of \$3,045,273.87.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach this 17th day of December 2018, for the reasons aforesaid, that a contract be and is hereby awarded to:

P&A Construction.
P.O. Box 28
Colonia, New Jersey 07067

For 2017 Water Main Replacement Project NJEIP # 1517001-015 and 2017 Sewer Main Replacement Project NJEIP # S340023-07 in the Township of Long Beach in an amount not to Five-Million and Seven-Hundred-Seventy-Seven Thousand and Five-Hundred Sixty-Two Dollars and Fifty-Three Cents (\$5,772,562.53), as per the bid received on December 11, 2018.

15. Resolution 18-1217.09(a&b): Approve Shared Service Agreements

- a) Zoning Officer for Beach Haven
- b) Ocean County for Fire Inspector Services

RESOLUTION 18-1217.09(a)

RESOLUTION AUTHORIZING THE EXECUTION OF A SHARED SERVICES AGREEMENT WITH THE BOROUGH OF BEACH HAVEN FOR ZONING OFFICER SERVICES

WHEREAS, both the Township and the Borough are required to enforce the Municipal Land Use Law and their respective local zoning and land use regulations, and, to that end, employee administrative officers to administer the enforcement of same; and

WHEREAS, in order to fulfill the aforesaid requirement, the Borough has a desire to retain the part-time services of the Township's Zoning Officer through a Shared Services Agreement; and

WHEREAS, the Township is interested in sharing the services of the Zoning Officer employed by the Township as a full-time employee with the Borough pursuant to a Shared Services Agreement; and

WHEREAS, the Township and Borough are authorized pursuant to N.J.S.A. 40A:65-1, *et seq.*, to share certain services, including the sharing of the services provided by municipal employees and officers; and

WHEREAS, the Township and Borough are of the opinion that the administration of the enforcement of the Municipal Land Use Law and their respective zoning and land use regulations can be more efficiently and economically provided to each municipality through the joint agreement for the Borough's subcontracting of the services of the Zoning Officer employed by the Township; and

WHEREAS, the Township and Borough agree to enter into an Agreement pursuant to N.J.S.A. 40A:65-1, *et seq.*

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. The Mayor and Municipal Clerk are hereby authorized to execute a Shared Services Agreement with the Borough of Beach Haven for Zoning Officer Services in accordance with the provisions of law. A copy of said agreement is attached hereto and made a part hereof as Schedule 'A'.
2. That a copy of the agreement referenced herein shall be kept on file and made available for public inspection at the Municipal Clerk's office during normal business hours.
3. That a certified copy of this resolution shall be forwarded to:
 - The Division of Local Government Services
 - The Borough of Beach Haven
 - Chief Financial Officer of Long Beach Township

**TOWNSHIP OF LONG BEACH AND BOROUGH OF BEACH HAVEN
SHARED SERVICES AGREEMENT FOR
ZONING OFFICER SERVICES**

THIS SHARED SERVICES AGREEMENT ("Agreement"), is made on this ____ day of December 2018 by and between the Township of Long Beach ("Township") and the Borough of Beach Haven ("Borough") and effective upon the adoption of the required resolutions by the Township and Borough.

RECITALS

WHEREAS, both the Township and the Borough are required to enforce the Municipal Land Use Law and their respective local zoning and land use regulations, and, to that end, employee administrative officers to administer the enforcement of same; and

WHEREAS, in order to fulfill the aforesaid requirement, the Borough has a desire to retain the part-time services of the Township's Zoning Officer through a Shared Services Agreement; and

WHEREAS, the Township is interested in sharing the services of the Zoning Officer employed by the Township as a full-time employee with the Borough pursuant to a Shared Services Agreement; and

WHEREAS, the Township and Borough are authorized pursuant to N.J.S.A. 40A:65-1, *et seq.*, to share certain services, including the sharing of the services provided by municipal employees and officers; and

WHEREAS, the Township and Borough are of the opinion that the administration of the enforcement of the Municipal Land Use Law and their respective zoning and land use regulations can be more efficiently and economically provided to each municipality through the joint agreement for the Borough's subcontracting of the services of the Zoning Officer employed by the Township; and

WHEREAS, the Township and Borough agree to enter into this Agreement pursuant to N.J.S.A. 40A:65-1, *et seq.*

NOW, THEREFORE, BE IT RESOLVED, based upon the foregoing Recitals, which are incorporated herein and made material terms of this Agreement by reference, and in consideration of the mutual promises and representations set forth herein, the Township and Borough hereby and expressly agree as follows.

1. Shared Service. The Township and Borough shall share the services of the Township's full-time Zoning Officer, who shall act as the Borough's Zoning Officer pursuant to and in accordance with the terms of this Agreement.
2. Details and Schedule of Service. On each non-holiday Monday and Wednesday, the Township's Zoning Officer shall provide services to and be the Borough's Zoning Officer between the hours of 9:00 a.m. and 1:00 p.m. While employed by the Borough during the aforesaid time periods, the Zoning Officer shall fulfill and perform all necessary duties relating to and arising out of enforcement of the Borough's Code and the Municipal Land Use Law, as required and directed by the Borough and pursuant to the requirements of the Borough's Code.
3. Term. This Agreement shall commence on January 1, 2019, and shall continue through December 31, 2019, and shall renew for successive, one-year terms, unless and until either party provides written notice of non-renewal to the other party not later than November 1st.
4. Consideration. In consideration for the terms of this Agreement, the Borough shall pay the Township twenty-thousand dollars (\$20,000.00) *per annum*, which shall be due on or before January 31st of each one-year term. The Zoning Officer shall receive a percentage of the aforesaid compensation as salary, as negotiated and agreed upon by and between the Zoning Officer and the Township.
5. Employment Status and Supervision. The Zoning Officer shall continue to be an employee of the Township and shall not be an employee of the Borough. The Zoning Officer, therefore, shall continue to receive all salary, compensation, and benefits of employment from the Township, and, upon termination of this Agreement by either party, the Borough shall not be obligated to the Zoning Officer in any way and shall not be obligated to the Township, except for any payment as required by Paragraph 4. The Township, however, does not have and shall not be responsible for day-to-day review, oversight, and supervision of the Zoning Officer while same is providing services for the Borough pursuant to this Agreement and has no control over the Zoning Officer's actions or work while performing those duties.
6. Performance Review and Notices. The Business Administrators for each Township shall periodically conference to review and discuss operational and performance matters relating to this Agreement, including, any issues of concern relating to the delivery of the services by the Zoning Officer for the Borough. Any disputes which arise under this Agreement relating to the foregoing shall be attempted to be resolved by the Business Administrators. Any failure by the Zoning Officer to properly perform services to the Borough pursuant to this Agreement shall be reviewed by the Township and any and all actions relating to the Zoning Officer's employment may be taken by the Township alone, at the Township's sole discretion.
7. Insurance. Insurance coverage is provided to each party through the Joint Insurance Fund. Each municipality shall provide insurance coverage for the services that are specifically performed by the Zoning Officer for the respective municipality.
8. Indemnification. The parties expressly, knowingly, and, to the fullest extent permitted by law, agree to and shall release, indemnify, defend, and hold each other and their respective elected and appointed officials, officers, employees, agents, volunteers, and others working on their behalf from and against any loss, damages, claims, causes of action, liabilities, obligations, penalties, demands, and any and all other costs and expenses, including attorneys' fees and costs, threatened against, suffered, and/or incurred by each other and their elected and appointed officials, officers, employees, agents, volunteers, and others working on each party's behalf arising out of and/or in any manner relating to the Zoning Officer's performance of services as required by this Agreement for the other party.
9. Dispute Resolution. In the event that any dispute arises between the parties that the parties cannot themselves resolve, the dispute shall be submitted to binding arbitration to be conducted by JAMS and shall be governed by the JAMS Comprehensive Arbitration Rules & Procedures and the laws of the State of New Jersey. Each party shall pay for one-half of the JAMS costs.
10. Assignment. This Agreement and all rights, duties, and obligations contained herein shall not be assigned.

11. Amendment by Operation of Law. Any provision of this Agreement that are affected by any changes in federal or state law or administrative regulations will necessarily and accordingly be modified automatically and such changes shall be deemed incorporated herein by reference as if set forth fully herein, without any action by the parties required, so as to render this Agreement consistent with such changes in federal or state law or administrative regulations.

12. Termination. In addition to termination by non-renewal pursuant to Paragraph 3, this Agreement may be terminated for cause by the Borough on thirty-days written notice prior to the termination date ("Termination Date") in the event that the Zoning Officer has failed to perform the services as required by Paragraph 2. In the event that it is agreed by the parties or upheld this Agreement is properly terminated for cause, the consideration set forth in Paragraph 4 shall be pro-rated to the Termination Date and the remaining pro-rated portion of the calendar year refunded to the Borough within sixty days from the Termination Date. This Agreement may be terminated at the discretion of the Township on thirty-days written notice in the event that the Township concludes, in its discretion, that the Zoning Officer is being directed or requested to perform duties outside the scope of Paragraph 2 or that the Zoning Officer has been subject to a hostile, discriminatory, or otherwise unlawful or inappropriate working environment. In the event of such termination by the Township, the consideration set forth in Paragraph 4 shall be pro-rated to the Termination Date and the remaining pro-rated portion of the calendar year refunded to the Borough within sixty days from the Termination Date

13. Severability. If any term of this Agreement or the application thereof to any extent be held invalid or unenforceable, the remainder of this Agreement shall not be affected thereby and each term of this Agreement shall be valid and enforceable to the fullest extent permitted by law.

14. Governing Law. The parties acknowledge that this Lease was prepared under the laws of the State of New Jersey, and, therefore, that this Agreement shall be interpreted under the laws of the State of New Jersey.

15. Counterparts. This Agreement may be executed in counterparts and multiple copies of this Agreement may be executed, each of which, however, shall be one and the same document. Facsimile and electronic signatures shall be binding to the same effect as originals and the parties agree to be bound thereby and to waive any argument that such facsimile or electronic signatures are invalid.

16. Amendments. This Agreement may not be amended, altered, or modified in any manner except in writing signed by the parties, except that this Agreement may be terminated pursuant to the terms of hereof.

17. Construction. The parties acknowledge that each participated in the negotiation and drafting of this Agreement with the assistance of counsel or after being advised to retain and having waived the assistance of counsel, and, therefore, waive the defense of *contra proferentem*, i.e., that this Agreement or any part thereof may be ambiguous and therefore construed against any party as the drafter thereof.

18. Entire Agreement. This Agreement comprises the entire agreement and understanding between the parties and it is acknowledged that there is and supersedes all previous understandings and agreements between the parties, whether oral or written. The parties hereby acknowledge and agree that they have not relied on any representation, assertion, guarantee, warranty, collateral contract or other assurance, except those set out in this Agreement. The parties hereby waive all rights and remedies, at law or in equity, arising or which may arise as the result of a party's reliance on such representation, assertion, guarantee, warranty, collateral contract or other assurance.

19. Waivers. Any failure or delay in the enforcement of any of the provisions of this Agreement by either of the parties shall not be construed as a waiver of those provisions.

20. Authorization. The parties represents and warrants that he/she/it has the authority to enter into and be bound by the terms of this Agreement.

21. Notices. Any notice, request, instruction, approval, consent, or other communication to be provided hereunder by parties shall be deemed validly given, made, or served if in writing and delivered personally (as of such delivery) or sent by certified mail (as of three days after deposit in a United States Post Office), postage prepaid, or by facsimile or email followed by telephone confirmation, or overnight courier service charges prepaid (as of the date of confirmation of receipt), and shall be given to either party at its respective addresses set forth below, or to such individual or address as a party hereto may designate for itself by notice given as herein provided.

Township
Municipal Clerk
Township of Long Beach
6805 Long Beach Boulevard
Brant Beach, New Jersey 08008
Facsimile: (609) 494-4999
Email: wells@longbeachtownship.com

Borough
Municipal Clerk
Borough of Beach Haven
300 Engleside Avenue
Beach Haven, New Jersey 08008
Facsimile: (609) 492-6262
Email: smason@beachhaven-nj.gov

22. Headings. The headings preceding the text of sections of this Agreement are for convenience only and shall not be deemed part of this Agreement.

23. Public Inspection. Each party shall maintain a copy of this Agreement on file at its offices, which shall be open to the public for inspection.

IN WITNESS WHEREOF, the Parties hereto have hereunto set their hands and seals the day and date first written above.

RESOLUTION 18-1217.09(b)

RESOLUTION OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING A SHARED SERVICE AGREEMENT WITH OCEAN COUNTY FOR FIRE INSPECTION SERVICES

WHEREAS, Ocean County currently serves as the Local Enforcing Agency (LEA) for the Township of Long Beach; and

WHEREAS, the Township of Long Beach wishes to enter into a Shared Service Agreement with Ocean County for Fire Inspection Services which will more specifically define and clarify the scope of responsibilities of the respective parties for the conduct of certain inspections and related services under the Act and Code; and

WHEREAS, the Township of Long Beach will continue to do inspections including smoke alarm, carbon monoxide alarm and portable fire extinguisher for resales and Certificate of Occupancy on all one (1) and two (2) family attached single family residential structures and a formal written confirmation will be issued by Ocean County.

NOW, THEREFORE BE IT RESOLVED, that the Board of Commissioners of the Township of Long Beach, County of Ocean, hereby authorize the Mayor and the Clerk to attest to a Shared Services Agreement with Ocean County for Fire Inspection Services excluding inspections including smoke alarm, carbon monoxide alarm and portable fire extinguisher for resales and Certificate of Occupancy on all one (1) and two (2) family or attached single family residential structures.

16. Resolution 18-1217.10: Authorize per State Contract for Service and Support of Local Area Network Computers and Radio Equipment for Police and Beach Patrol, GTBM: \$76,142.00

RESOLUTION 18-1217.10

A RESOLUTION AUTHORIZING A CONTRACT FOR SERVICE AND SUPPORT OF LOCAL AREA NETWORK COMPUTERS AND RADIO EQUIPMENT FOR THE LONG BEACH TOWNSHIP POLICE AND BEACH PATROL DEPARTMENTS, PER STATE CONTRACT

WHEREAS, the Township of Long Beach wishes to purchase from an authorized vendor under the State of New Jersey Cooperative Purchasing Services Program INJCP, service and support of Local Area Network Computers and Radio Equipment for the Long Beach Township Police and Beach Patrol Departments; and

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

WHEREAS, Gold Type Business Machines, 351 Paterson Avenue, East Rutherford, NJ, 07073, has been awarded the following New Jersey State Contracts: #83904 for Index #-T0109 Radio Communication Equipment and Accessories effective May 1, 2012 through January 22, 2019, #81342 for Index #T0106 12-x-21817 Police and Homeland Security Equipment and Supplies-Statewide effective May 1, 2012 through January 22, 2019; and #81341 for Index T-0106 Police and Homeland Security Equipment and Supplies Statewide effective May 1, 2012 through January 22, 2019; and

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

WHEREAS, the actual cost to provide service and support of Local Area Network Computers and Radio Equipment for of the Long Beach Township Police and Beach Patrol Departments is Seventy-Six Thousand One Hundred Forty-Two Dollars (\$76,142.00) per year, for two (2) years; and

WHEREAS, the Chief Financial Officer has certified the availability of sufficient funds for this purchase are available as an appropriation created by: Police Other Contractual Account #9-01-25-240-029 in the amount of \$76,142.00, which represents the annual fee of the contract with GTBM.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach hereby authorizes execution of a contract with GTBM to provide service and support of Local Area Network Computers and Radio Equipment for of the Long Beach Township Police and Beach Patrol Departments in the amount of Seventy-Six Thousand One Hundred Forty-Two Dollars (\$76,142.00) per year, for two years.

17. Resolution 18-1217.11: Collective Bargaining Contract: Teamsters

RESOLUTION 18-1217.11

RESOLUTION AUTHORIZING EXECUTION OF TEAMSTERS LOCAL #35 COLLECTIVE BARGAINING AGREEMENT REPRESENTING RANK & FILE EMPLOYEES IN THE DEPARTMENT OF PUBLIC WORKS AND PROPERTY

WHEREAS, as a result of negotiations between Teamsters Local #35 Public Works Employees (Rank & File), and the Township of Long Beach, contract terms for 2018 through 2020 were agreed upon between the said parties; and

WHEREAS, a Collective Bargaining Agreement has been prepared which accurately reflects the agreement between the parties and has been reviewed and approved by the appropriate representatives of both parties; and

WHEREAS, the Commissioner of Public Works, Parks, and Property and the entire Board of Commissioners deem it to be in the best interest of the Township of Long Beach to approve said Collective Bargaining Agreement between the Township and Teamsters Local #35 (Rank & File).

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach at a regular meeting held this 17th day of December 2018 that the Mayor and Municipal Clerk shall and are hereby authorized to execute the appropriate document as described above once executed and submitted by Teamsters Local #35 (Rank & File) to the Township, and enter into a three (3) year Collective Bargaining Agreement with Teamsters Local #35 for Rank & File Employees covering the period January 1, 2018 through December 31, 2020. Certain salaries are subject to various contingencies agreed upon by the parties.

18. Resolution 18-1217.12: Authorize the Extension of a Contract, Extraordinary Unspecifiable Service contract: Stockton University Coastal Research Center for evaluation/re-design of timber-pile-rock groin in Holgate

RESOLUTION 18-1217.12

A RESOLUTION EXTENDING AN EXTRAORDINARY UNSPECIFIABLE PROFESSIONAL SERVICES CONTRACT TO RETAIN AN EXPERT IN SHORELINE TRENDS AND ENVIRONMENTAL FORCING MECHANISMS PERTAINING TO NUISANCE FLOODING AND WATERSHED MANAGEMENT IN LONG BEACH TOWNSHIP

WHEREAS, N.J.S.A. 40A:11-5, *et seq.*, permits a municipality to award a contract without public advertising for bids and bidding thereof under certain circumstances for contracts for goods and services that exceed the bid threshold of \$40,000.00; and

WHEREAS, pursuant to Resolution 18-0205.12 passed on February 5th 2018, the Long Beach Township Board of Commissioners awarded an EUS contract effective for one 12-month period to:

Dr. Stewart Farrell &
The Stockton University Coastal Research Center
30 Wilson Avenue
Port Republic, New Jersey 08241

WHEREAS, there exists the continued need to retain the services of said qualified expert to evaluate, compile data and prepare reports relating to coastal flooding along the length of Long Beach Island to complete beach profile surveys in order to determine changes of the shoreline and nearshore following Phase 1 reconstruction of the Holgate Groin/Jetty; and

WHEREAS, Township has received a proposal dated November 27th 2018 from Dr. Stewart Farrell and The Stockton University Coastal Research Center to perform the aforesaid continued expert services; and

WHEREAS, Township shall extend this extraordinary unspecifiable services contract for one (1) addition 12-month period based upon the foregoing, the terms set forth

herein, and the nature, abilities, and qualifications of Dr. Stewart Farrell and The Stockton University Coastal Research Center; and

WHEREAS, the Board of Commissioners is of the opinion that the specific circumstances for the EUS contractual arrangement set forth herein complies with the applicable statutory and regulatory requirements and has continued its certification of this contract extension as an EUS; and

WHEREAS, Township Chief Financial Officer has certified the availability of sufficient funds in the Appropriation: Reserve for Beach Replenishment #C-04-55-320-001 in the amount of \$60,561.93.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Township on this 17th day of December 2018, for the reasons aforesaid, that one (1) 12-month contract extension be and is hereby approved in an amount not to exceed Sixty Thousand Five Hundred Sixty One Dollars and Ninety Three Cents (\$60,561.93).

Motion to approve Items 12-18:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

FINANCIAL APPROVALS

19. Resolution 18-1217.13: Authorize the Tax Appeal Officers for 2019

RESOLUTION 18-1217.13

WHEREAS, from time to time the Tax Assessor discovers an error in calculation, transposing, measurement, or typographical errors, in the tax assessments on the tax list after the time the County Board of Taxation has certified the tax rates for the tax year or a property becomes subject to a roll-back assessment; and

WHEREAS, the governing body of the Taxing District of the Township of Long Beach is desirous that every taxpayer pays his fair share of taxes; and

WHEREAS, if the above discovered errors are not corrected or a roll-back assessment not applied, the taxpayers affected would not be paying their fair share of taxes; and

WHEREAS, the method for correcting such errors is to file a Petition of Appeal or Complaint with the Ocean County Board of Taxation; and

WHEREAS, the Long Beach Township Tax Assessor Tracy A. Hafner was appointed in June 30, 2005 with an end term of June 30, 2021, the office hours of the Tax Assessor are Monday thru Friday 9am to 4pm and has a current salary of \$112,700.00.

NOW, THEREFORE BE IT RESOLVED, by the Governing Body of the Taxing District of the Township of Long Beach that Tracy A. Hafner, Certified Tax Assessor, and / or the firm of Raymond, Coleman, Heinold & Norman, LP is/are hereby authorized to act as the agents for the Taxing District during the Year of 2019 and file a Petition of Appeal or Complaint with the Ocean County Board of Taxation to correct such assessments to the proper value and that a copy of any Petition of Appeal or Complaint filed with the Ocean County Board of Taxation under this Resolution be filed with the Municipal Clerk; and

BE IT FURTHER RESOLVED that the Certified Tax Assessor and/or the firm of Raymond, Coleman, Heinold & Norman, LP is/are hereby authorized to execute stipulations of settlement on any tax appeal or complaint filed by the taxing district or by a taxpayer in the tax year 2019 and that a certified copy of this Resolution be forwarded to the Ocean County Board of Taxation with any such Petition of Appeal.

20. Resolution 18-1217.14: Approve the 2019 Temporary Municipal Budget

RESOLUTION 18-1217.14

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

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

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach that the following appropriations, attached as Schedule A – Temporary Current Fund, Schedule B – Temporary Water/Sewer Budget, are hereby adopted as the 2019 Temporary Budget.

21. Resolution 18-1217.15(a-c): Approve various actions by the Tax Collector:

- a) Authorize the interest rate to be charged on delinquent accounts and to waive interest charges for a 10-day period after a due date
- b) Authorize the cancellation of over-payments and delinquencies of less than \$10 for taxes

- c) Authorize the Tax Collector to hold a tax sale in 2019 for 2018 delinquencies

RESOLUTION 18-1217.15(a)

RESOLUTION AUTHORIZING A TAX SALE FOR 2018 CHARGES

WHEREAS, N.J.S.A. 54:5-19 provides that a municipality may, by resolution, provide for tax sale no earlier than the last month of the municipality's fiscal year when unpaid taxes or other municipal liens or charges are in arrears in the fiscal year designated in such resolution; and

WHEREAS, the governing body acknowledges that a tax sale shall be held no earlier than December 2018 and no later than December 31, 2019 for the charges in arrears for the year 2018.

WHEREAS, N.J.S.A. 54:5-26 provides that in lieu of any two of the four publications, notice to the property owner and to any person or entity entitled to notice of foreclosure as per N.J.S.A. 54:5-104.48 may be given. The costs of which shall be additional to the cost of sale provided in N.J.S.A. 54:5-38. The additional costs are not to exceed \$25.00 for each set of notices for a particular property.

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

1. The Tax Collector is hereby directed and authorized to conduct a tax sale no earlier than December of 2018 and no later than December 31, 2019 for unpaid taxes or other municipal liens or charges, or parts thereof, that are in arrears for the 2018 fiscal year upon written authorization by the Board of Commissioners.
2. The Tax Collector may, in lieu of any two of the four publications, send notification of the Lien Sale and said charges are not to exceed \$25.00 for each set of notices for a particular property.
3. A certified copy of this resolution shall be forwarded to the Tax Collector and Chief Financial Officer for the Township of Long Beach.

RESOLUTION 18-1217.15(b)

RESOLUTION AUTHORIZING THE CANCELLATION OF

OVERPAYMENTS AND DELINQUENCIES OF LESS THAN \$10.00 FOR TAXES 2019

WHEREAS N.J.S.A. 40A:5-17.1(b) authorizes a governing body to designate an authorized municipal employee to process, without further action on the part of the governing body, the cancellation of any property tax overpayment or delinquency of less than ten dollars (\$10.00); and

WHEREAS, it is more cost effective to cancel said overpayments and delinquent amounts.

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 Tax Collector is hereby authorized to cancel the overpayment or delinquent balances of less than \$10.00 on the tax records.

RESOLUTION 18-1217.15(c)

RESOLUTION FIXING THE RATE OF INTEREST TO BE CHARGED

ON DELINQUENT TAXES AND SETTING THE GRACE PERIOD FOR 2019

WHEREAS, N.J.S.A. 54:4-67 governs the interest rates to be charged on delinquent taxes and allows the governing body to set a grace period not to exceed ten (10) calendar days. Payments received after the ten-day grace period will have interest charged back to the due date; and

WHEREAS, interest on delinquent taxes may be fixed at a rate that shall not exceed 8% per annum on the first \$1,500.00 of delinquency, and 18% per annum on that portion in excess of \$1,500.00, to be calculated from the date the tax was payable until the date that actual payment to the tax collector is made.

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 Tax Collector is instructed that no interest shall be charged if a payment of a quarterly tax installment is received by the Tax Collector within the tenth (10th) calendar day following the date upon which that tax installment became payable. Payments received after the 10 day grace period will have interest charged back to the due date.
2. That the Tax Collector is hereby authorized and directed to charge 8% per annum on the first \$1,500.00 of taxes becoming delinquent after the due date and 18% per annum on any amount of the delinquent taxes in excess of \$1,500.00.

22. Resolution 18-1217.16: Approve various appropriation transfers

RESOLUTION 18-1217.16

WHEREAS, the New Jersey statutes provide for the making of appropriation transfers between the period of November 1, 2018 and December 31, 2018; and

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

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

CURRENT FUND			
FROM:	DEPT	ACCOUNT #	AMOUNT
Transportation	S&W	8-01-31-471-011	\$75,000.00
Lifeguards	S&W	8-01-28-380-011	\$48,500.00
TOTAL			\$ 123,500.00
TO:	DEPT:	ACCT#	AMOUNT
Transportation	O&E	8-01-31-471-100	\$75,000.00
Legal	S&W	8-01-20-155-100	\$25,000.00
Lifeguards	O&E	8-01-28-380-100	\$15,000.00
Streets & Roads	S&W	8-01-26-290-011	\$8,500.00
TOTAL			\$123,500.00
WATER SEWER			
FROM:	DEPT	ACCOUNT#	AMOUNT
W/S Other Expenses	O&E	8-09-55-549-100	\$8000.00
TOTAL			\$8000.00
TO:	DEPT	ACCOUNT#	AMOUNT
W/S Social Security	O&E	8-09-55-54-472	\$8000.00
TOTAL			\$8000.00

Motion to approve Items 19-22:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

Administrator's Report: The jetty permit WAS due this week from the State Agencies, the Township should have it by the weekend.

COMMISSIONERS' REPORTS

Commissioner Lattanzi: The budget looked good and the transportation meeting with all the other Island towns went well.

Commissioner Bayard: The recycle and trash calendars would be mailed the end of December.

Mayor Mancini: The next meeting of the Land Use Board would be held on Wednesday, January 9, 2019 at 7:00 pm in the upstairs multi-purpose room.

OPEN PUBLIC SESSION

Bill Hutson, Holgate: Thanked everyone for all the hard work in Holgate. Merry Christmas.

CLOSE PUBLIC SESSION

Motion for adjournment at 4:21pm:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

Lynda J. Wells, RMC
Municipal Clerk

Joseph H. Mancini, Mayor

Ralph H. Bayard, Commissioner

Dr. Joseph P. Lattanzi, Commissioner