

MINUTES
REGULAR SESSION BOARD OF COMMISSIONERS October 1, 2018
Flag Salute

Meeting came to order: 4:00 p.m.
Clerk called the roll: Mayor Joseph H. Mancini PRESENT
Commissioner Ralph H. Bayard PRESENT
Commissioner Joseph P. Lattanzi PRESENT
Also in attendance: Lynda J. Wells, Municipal Clerk
Kyle Ominski, Administrator

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

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

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

AGENDA

PROCLAMATION

October 2018: Pregnancy and Infant Loss Awareness Month

ORDINANCES & PUBLIC HEARINGS

1. Second Reading Ordinance 18-26C: **AN ORDINANCE AMENDING AN ORDINANCE ENTITLED, "CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY (1997)," AS THE SAME IN CHAPTER 183 AS IT PERTAINS TO TOWING**

ORDINANCE 18-26C

AN ORDINANCE AMENDING AN ORDINANCE ENTITLED, "CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY (1997)," AS THE SAME IN CHAPTER 183 AS IT PERTAINS TO TOWING

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

STATEMENT OF PURPOSE

The purpose of this Ordinance is to amend §183-6D in order to comply with the license fees set forth in Chapter 82 of the Township Code, Zoning, as they pertain to Chapter 183.

SECTION I

§183-6D is hereby deleted and replaced with the following.

D. The fee for the license issued under this chapter will be \$25 per vehicle. The fee for the annual review of certification and inspection of vehicles and equipment will be \$20.

SECTION II

All ordinances, or parts of ordinances, inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

SECTION III

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

Effective date.

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

Passed on first reading at a regular meeting held on August 29, 2018 and advertised in the BEACH HAVEN TIMES issue of August 30, 2018.

OPEN PUBLIC HEARING

No comment.

CLOSE PUBLIC HEARING

Motion to adopt Ordinance 18-26C on Second Reading:

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

2. Second Reading Ordinance 18-27: **BOND ORDINANCE AUTHORIZING THE CONSTRUCTION AND INSTALLATION OF TERMINAL GROINS AND JETTIES IN AND FOR THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$3,000,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY IN THE AGGREGATE PRINCIPAL AMOUNT**

**OF UP TO \$2,850,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND
AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING
ORDINANCE 18-27**

BOND ORDINANCE AUTHORIZING THE CONSTRUCTION AND INSTALLATION OF TERMINAL GROINS AND JETTIES IN AND FOR THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$3,000,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$2,850,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING

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

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

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

(a) the estimated amount to be raised by the Township from all sources for the purposes stated in Section 7 hereof is \$3,000,000;

(b) the estimated amount of bonds or bond anticipation notes to be issued for the purposes stated in Section 7 hereof is \$2,850,000; and

(c) a down payment in the amount of \$150,000 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 \$2,850,000, to be raised by the issuance of bonds or bond anticipation notes, together with the sum of \$150,000, 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 \$2,850,000 to finance the costs of the purposes described in Section 7 hereof is hereby authorized. Said bonds shall be sold in accordance with the requirements of the Local Bond Law.

Section 5. In order to temporarily finance the purposes described in Section 7 hereof, the issuance of bond anticipation notes of the Township in an amount not to exceed \$2,850,000 is hereby authorized. Pursuant to the Local Bond Law, the Chief Financial Officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver the same to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their date to delivery thereof. The Chief Financial Officer is hereby directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this Bond Ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 6. The amount of the proceeds of the obligations authorized by this Bond Ordinance which may be used for the payment of interest on such obligations, accounting, engineering, legal fees and other items as provided in Section 20 of the Local Bond Law, N.J.S.A. 40A:2-20, shall not exceed the sum of \$600,000.

Section 7. The 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 and Installation of Terminal Groins and Jetties in and for the Township; together with the acquisition of all materials and equipment and completion of all work necessary therefor or related	\$3,000,000	\$150,000	\$2,850,000	40 years

<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
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thereto

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 \$2,850,000 and that the obligations authorized by this Bond Ordinance will be within all debt limitations prescribed by said Local Bond Law.

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

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

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

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

Section 13. The Township hereby covenants as follows:

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

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

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

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

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

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

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

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

Passed on first reading at a regular meeting held on August 29, 2018 and advertised in the BEACH HAVEN TIMES issue of August 30, 2018.

OPEN PUBLIC HEARING

No comment.

CLOSE PUBLIC HEARING

Motion to adopt Ordinance 18-27 on Second Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

- 3. Second Reading Ordinance 18-28C: **AN ORDINANCE AMENDING AN ORDINANCE ENTITLED, "CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, (1997)" AS THE SAME IN CHAPTER 51 WHICH PERTAINS TO BEACHES**

ORDINANCE 18-28C

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

STATEMENT OF PURPOSE

This Ordinance amends Chapter 51 to amend the regulations regarding the setbacks from the oceanfront building line.

SECTION I

§51-3 is hereby amended to delete the definition for "PRONOUNCED UNIFORMITY."

SECTION II

§51-4 is hereby amended to delete Subsections B, B(1), B(2), and C and replace them with the following, new Subsection B.

B. All construction may be built to the oceanfront building line, except that the following shall apply.

- (1) New construction and the expansion of the footprint of existing buildings to the oceanfront building line shall be required to either obtain a Coastal Area Facility Review Act ("CAFRA") Permit ("CAFRA Permit") which approves the construction or obtain a jurisdictional determination from the State that a CAFRA Permit is not required.

SECTION III

§51-5D is hereby deleted and replaced with the following.

- D. Any lot in the beach dune area that has the oceanfront building line traverse the property or has the easterly property lot line immediately adjacent to a non-buildable vacant lot or parcel of land located east of the oceanfront building line, shall be considered a lot fronting on the ocean and subject to the provisions of this Chapter and Chapter 205. If the oceanfront building line does not traverse the property, then the maximum setback from the oceanfront shall be the easterly property lot line.

SECTION IV

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

SECTION V

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. Passed on first reading at a regular meeting held on August 29, 2018 and advertised in the BEACH HAVEN TIMES issue of September 13, 2018.

OPEN PUBLIC HEARING

No comment.

CLOSE PUBLIC HEARING

Motion to adopt Ordinance 18-28C on Second Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

- 4. First Reading Ordinance 18-29C: **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 195 PERTAINS TO VENDOR LICENSING**

Motion to approve Ordinance 18-29C on First Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

- 5. First Reading Ordinance 18-30C: **AN ORDINANCE AMENDING AN ORDINANCE ENTITLED, "CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, (1997)" AS THE SAME IN CHAPTER 51, ARTICLE III, SECTION 23 WHICH PERTAINS TO MOTOR VEHICLES ON THE BEACH AND CHAPTER 82 PERTAINING TO FEES**

Motion to approve Ordinance 18-30C on First Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

- 6. First Reading Ordinance 18-31C: **AN ORDINANCE AMENDING AN ORDINANCE ENTITLED, "CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, (1997)" AS THE SAME IN CHAPTER 205 PERTAINS TO ZONING, AND CHAPTER 64, WHICH PERTAINS TO ANCHORING REQUIREMENTS**

Motion to approve Ordinance 18-31C on First Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

- 7. First Reading Ordinance 18-32C: **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 SECTION 18-13. B. UPDATES THE CHECKLIST FOR USE IN LAND USE BOARD APPLICATION PROCEEDINGS**

Motion to approve Ordinance 18-32C on First Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

- 8. First Reading Ordinance 18-33C: **AN ORDINANCE AMENDING AN ORDINANCE ENTITLED "CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, 1997" IN CHAPTER 64 AND CHAPTER 180, AMENDING SWIMMING POOL AND HOT TUB REGULATIONS AND REFORMATTING CHAPTERS**

Motion to approve Ordinance 18-33C on First Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

- 9. First Reading Ordinance 18-34C: **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 94 WHICH PERTAINS TO FLOOD DAMAGE PREVENTION**

Motion to approve Ordinance 18-34C on First Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

ADOPTIONS & APPROVALS

- 10. Resolution 18-1001.01: Affirm Township Employee Civil Rights Policy

Resolution 18-1001.01

Township of Long Beach

Declaration of Civil Rights

A RESOLUTION AFFIRMING THE TOWNSHIP'S CIVIL RIGHTS POLICY WITH RESPECT TO ALL OFFICIALS, APPOINTEES, EMPLOYEES, PROSPECTIVE EMPLOYEES, VOLUNTERS, INDEPENDENT CONTRACTORS, AND MEMBERS OF THE PUBLIC THAT COME INTO CONTACT WITH MUNICIPAL EMPLOYEES, OFFICIALS AND VOLUNTEERS

WHEREAS, it is the policy of Township to treat the public, employees, prospective employees, appointees, volunteers and contractors in a manner consistent with all applicable civil rights laws and regulations including, but not limited to the Title VII of the Civil Rights Act of 1964, as amended by the Equal Opportunity Act of 1972, the Age Discrimination in Employment Act, the Genetic Information Nondiscrimination Act, the Equal Pay for Equal Work Act, the Fair Labor Standards Act, the Fair Credit Reporting Act, the Americans with Disabilities Act, the Vocational Rehabilitation Act, the Family and Medical Leave Act, the Federal Consolidated Omnibus Budget Reconciliation Act (COBRA), the New Jersey Law Against Discrimination, the New Jersey Family Leave Act, the New Jersey SAFE Act, the New Jersey Public Employer-Employee Relations Act (as applicable), the New Jersey Public Employee Occupational Safety and Health Act, the New Jersey Equal Pay Act, the Conscientious Employee Protection Act, New Jersey Wage and Hour laws, the Public Employee Occupational Safety and Health Act, the New Jersey Civil Service Act, the New Jersey Attorney General's guidelines with respect to Police Department personnel matters, the New Jersey Workers Compensation Act, the Open Public Meeting Act, free speech, due process or other applicable constitutional rights; and

WHEREAS, the governing body of Township has determined that certain procedures need to be established to accomplish this policy

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

Section 1: No official, employee, appointee or volunteer of the Township by whatever title known, or any entity that is in any way a part of the Township shall engage, either directly or indirectly in any act including the failure to act that constitutes discrimination, harassment, denial of a legally required reasonable

accommodation or a violation of any person's constitutional rights while such official, employee, appointee volunteer, or entity is engaged in or acting on behalf of the Township's business or using the facilities or property of the Township.

Section 2: The prohibitions and requirements of this resolution shall extend to any person or entity, including but not limited to any volunteer organization or inter-local organization, whether structured as a governmental entity or a private entity, that receives authorization or support in any way from the Township to provide services that otherwise could be performed by the Township.

Section 3: Discrimination, harassment, denial of a legally required reasonable accommodation and civil rights shall be defined for purposes of this resolution using the latest definitions contained in the applicable Federal and State laws concerning those issues.

Section 4: The Township has established written procedures for any person to report alleged violations prohibited by this resolution affixed as Attachment A. Such procedures shall include alternate ways to report a complaint so that the person making the complaint need not communicate with the alleged violator in the event the alleged violator would be the normal contact for such complaints. Individuals and organizations are encouraged to promptly report all violations or complaints for the reasons explained within the Prompt Reporting of Complaints or Violations portion of Attachment A.

Section 5: No person shall retaliate against any person who reports any alleged discrimination, harassment, denial of a legally required reasonable accommodation or violation of civil rights, provided however, that any person who reports alleged violations in bad faith shall be subject to appropriate discipline.

Section 6: The Township shall establish written procedures that require all officials, employees, appointees and volunteers of the Township as well as all other entities subject to this resolution to periodically complete training concerning their duties, responsibilities and rights pursuant to this resolution.

Section 7: The Business Administrator shall establish a system to monitor compliance and shall report at least annually to the governing body the results of the monitoring.

Section 8: At least annually, the Business Administrator shall cause a summary of this resolution and the procedures established pursuant to this resolution to be communicated within the Township. This communication shall include a statement from the governing body expressing its unequivocal commitment to enforce this resolution. This summary shall also be posted on the Township's web site.

Section 9: This resolution shall take effect immediately and remain in effect until any future update be deemed necessary.

Section 10: 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.

11. Resolution 18-1001.02: Adopt various revisions to the Long Beach Township Personnel Policies and Procedures Manual and the Employee Handbook

Resolution 18-1001.02

Personnel Policies and Procedures

WHEREAS, it is the policy of the Township of Long Beach ("Township") to treat employees, prospective employees, volunteers, residents and other non-employees in a manner consistent with all applicable employment and civil rights laws and regulations, including, but not limited to, Title VII of the Civil Rights Act of 1964, as amended by the Equal Opportunity Act of 1972, the Age Discrimination in Employment Act, the Equal Pay for Equal Work Act, the Fair Labor Standards Act, the New Jersey Law Against Discrimination, the Americans with Disabilities Act, the Family and Medical Leave Act, the New Jersey Family Leave Act, the Conscientious Employee Protection Act, the Public Employee Occupational Safety and Health Act, the New Jersey Civil Service Act, the New Jersey Attorney General's guidelines with respect to Police Department personnel matters, the New Jersey Workers Compensation Act, the Federal Consolidated Omnibus Budget Reconciliation Act (COBRA), and the Open Public Meeting Act; and

WHEREAS, the Township has determined that there is a need for personnel policies and procedures to ensure that employees, prospective employees and non-employees are treated in a manner consistent with all laws and regulations; and

WHEREAS, the Township has previously adopted personnel policies manual ("Manual") and handbook ("Handbook") pursuant to Ordinance 16-41C; and

WHEREAS, from time to time, revisions to the Manual and Handbook are necessary to reflect changes in law as well as other changes deemed necessary by the Township and/or the Municipal Excess Liability Fund to which the Township belongs; such revision by resolution of the Governing Body is permitted pursuant to Chapter 22-1. of the Code of Long Beach Township.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach that the Manual and Handbook are hereby revised as reflected within the attached Policy Updates and pursuant to Chapter 22-1 and 22-6 of the Code; and

BE IT FURTHER RESOLVED that these Policy Updates shall apply to all Township officials, appointees, employees, volunteers and independent contractors. In the event there is a conflict between these policies and any collective bargaining agreement, personnel services contract or Federal or State law, the terms and conditions of that contract or law shall prevail. In all other cases, these policies and procedures shall prevail. The attached Updated Policies adopted today supersede all prior policies regarding the same topics; and

BE IT FURTHER RESOLVED that the Manual and Handbook are intended to provide guidelines covering public service by Township employees and is not a contract. The provisions of the Manual and the Handbook may be amended and supplemented from time to time without notice and at the sole discretion of the Township; and

BE IT FINALLY RESOLVED that to the maximum extent permitted by law, employment practices for the Township shall operate under the legal doctrine known as "employment at will".

12. Resolution 18-1001.03: Approve various appointments for 2018:
Tax Search Officers: Dawn Annarumma/ Katy Mancini

RESOLUTION 18-1001.03

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 2018 Official Tax Search Officer of the Township of Long Beach; and

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

13. Resolution 18-1001.04: Approve various personnel matters

RESOLUTION 18-1001.04

Approve the Family Medical Leave Act (FMLA) for employee RP effective retroactive to July 24, 2018.

Police

Hire the following employee as a Full-Time Class II Officer at the rate of \$15.50 per hour to be paid from Police Salary & wage effective October 1, 2018.

James Ayers

Public Works

Hire the following employee as a Seasonal Full-Time Laborer 1 at the rate of \$10.00 per hour to be paid from Public Works Salary & Wage effective retroactive to September 10, 2018.

Travis Spagnola

Tax Collector

Accept and Approve the Service Retirement for the following employee effective October 1, 2018.

Carol Cerbone

14. Resolution 18-1001.05: Authorize application for SFY 2019 Municipal Aid Project

RESOLUTION 18-1001.05

AUTHORIZATION TO APPLY AND EXECUTE A GRANT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION

WHEREAS, the Township of Long Beach desires to apply for and execute an agreement with the New Jersey Department of Transportation for the MA-2019-Cedar Drive-00222 Road Reconstruction / Improvement Project in the amount of Three Hundred Forty Four Thousand One Hundred Seventy Two Dollars (\$344,172.00) for the following project:

Pave Cedar Drive

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Commissioners of the Township of Long Beach, County of Ocean, formally approves the grant application for the above stated project; and

BE IT FURTHER RESOLVED that the Municipal Engineer is hereby authorized to submit an electronic grant application identified as MA-2019-Cedar Drive-0022 to the

New Jersey Department of Transportation on behalf of the Township of Long Beach; and

BE IT FURTHER RESOLVED that the Mayor and Municipal Clerk are hereby authorized to sign the grant agreement on behalf of the Township of Long Beach and that their signatures constitute acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

15. Resolution 18-1001.06(a-c): Approve various Special Events:

(a) Annual Harvest Hayride October 27th from 1:00 to 3:00pm
in Bayview Park

(b) LBT Shellabration: October 6, 2018 from 12:00pm to 6:00pm

(c) Fishing Tournament November 3rd from 5am-3pm

RESOLUTION 18-1001.06(a)

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

HOST	DESCRIPTION	TIME & DATE(S)
Long Beach Twp. PBA 373	Harvest Fest Bayview Park	October 27, 2018 Rain date October 28 th 1:00 pm to 3:00 pm

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

NOW, THEREFORE BE IT RESOLVED, that the Board of Commissioners of the Township of Long Beach does hereby grant permission for the above cited event.

RESOLUTION 18-1001.06(b)

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

HOST	DESCRIPTION	TIME & DATE(S)
Long Beach Twp. Jetty Rock Foundation	Shellabration Bayview Park	October 6, 2018 Rain date October 7 th 12:00 pm to 6:00 pm

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

NOW, THEREFORE BE IT RESOLVED, that the Board of Commissioners of the Township of Long Beach does hereby grant permission for the above cited event.

RESOLUTION 18-1001.06(c)

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

HOST	DESCRIPTION	TIME & DATE(S)
Association of Surf Anglers Club	Fishing Tournament LBT Beaches	November 3, 2018 5:00 am to 3:00 pm

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

NOW, THEREFORE BE IT RESOLVED, that the Board of Commissioners of the Township of Long Beach does hereby grant permission for the above cited event.

Motion to approve Items 10-15:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

PURCHASES, CONTRACTS & AWARDS

16. Resolution 18-1001.07: Authorize the extension of a Shared Service Agreement for Third Party Construction Inspection Services: Boroughs of Barnegat Light and Ship Bottom – one year

RESOLUTION 18-1001.07

RESOLUTION AUTHORIZING THE EXTENSION OF A SHARED SERVICE AGREEMENT FOR THIRD-PARTY CONSTRUCTION INSPECTION SERVICES BETWEEN THE TOWNSHIP OF LONG BEACH AND THE BOROUGHS OF SHIP BOTTOM AND BARNEGAT LIGHT

WHEREAS, pursuant to Resolution 18-0829.06 dated August 29, 2018, the Township of Long Beach ("Township") approved the extension of a contract ("Shared Services Agreement") for the final one-year option for third-party construction inspection services with the following vendor: Trinity Code Inspection, LLC, 735 Shunpike Road, Cape May, New Jersey 08204 ("Vendor"); and

WHEREAS, the one-year option shall be effective and begin upon October 1, 2018, and extend through September 30, 2019; and

WHEREAS, Vendor has agreed to provide third-party construction inspection services for electric, plumbing, and fire sub-codes for the Township pursuant to the rates and terms specified in their bid received on August 31, 2016; and

WHEREAS, pursuant to Resolution14-0912.10 dated September 12, 2014, and the Shared Services Agreement, the Township and the Boroughs of Barnegat Light and Ship Bottom (collectively "Boroughs") agreed to share the construction inspection services Vendor effective October 1, 2014, through September 30, 2018; and

WHEREAS, all participating parties (i.e., Township, Boroughs, and Vendor) have elected to extend the Shared Service Agreement for one-year in order to continue said services through September 30, 2019, at which time third-party construction inspection services shall be again procured by competitive bid and a new shared service agreement by and between the Township and Boroughs shall be negotiated; and

WHEREAS, this Resolution shall be deemed to be the extension of the Shared Services Agreement, shall be incorporated hereby, and, along with similar resolutions adopted by the Boroughs, shall serve as the written Shared Services extension.

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Township at the regularly scheduled meeting held Monday, October 1, 2018, that the aforesaid Shared Service Agreement shall be and is hereby extended for a period of one-year pursuant to the terms and conditions stated herein.

17. Resolution 18-1001.08: Award contract, per bid:
Trash Removal and Recycling Services:
Meadowbrook Industries, LLC

RESOLUTION 18-1001.08

A RESOLUTION ASSIGNING A CONTRACT FOR THE DISPOSAL OF SOLID WASTE AND RECYCLABLE MATERIALS IN THE TOWNSHIP OF LONG BEACH

WHEREAS, pursuant to N.J.S.A.40A:11-1 et seq., the Township of Long Beach solicited for, and accepted bids on September 26, 2018 for the disposal of solid waste and recyclables in the Township of Long Beach; and

WHEREAS, one (1) bid was received, reviewed and approved by the Commissioner of Public Works, the Public Works Deputy Department Head, the Municipal Solicitor and the Qualified Purchasing Agent; and

WHEREAS, pursuant to the above approvals, it is the opinion of the Board of Commissioners of the Township that the qualified bid submitted by Meadowbrook Industries, LLC be accepted for same as follows:

•	2019 - Year One	\$1,325,000.00
•	2020 – Year Two	\$1,325,000.00
•	2021 – Year Three	\$1,335,000.00
•	2022 – Year Four	\$1,340,000.00
•	2023 – Year Five	\$1,345,000.00
•	Total Contract Amount	\$6,670,000.00

WHEREAS, the Chief Financial Officer has certified the availability of funds for this contract are available in the appropriation (s) Garbage & Trash Account #9-01-26-305-100 and Landfill Contractual Account #9-01-26-306-029 in the amount of \$1,325,000.00 and allowance will be made in all future budgets for the term of the contract.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach this 1st day of September 2018, for the reasons aforesaid, that a contract be and is hereby awarded to:

Meadowbrook Industries, LLC.
800 East Grand Street
Elizabeth, NJ 07201

for the disposal of solid waste and recyclables in the Township of Long Beach in amounts not to exceed the prices quoted and submitted in the bid received September 26, 2018, effective January 1, 2019 through December 31, 2023.

BE IT FURTHER RESOLVED that the Municipal Clerk shall send a notice of the award of this contract shall be published at least once in the official newspaper of the Township of Long Beach and shall keep the resolution and contract amendment on file for public inspection.

Motion to approve Items 16-17:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

FINANCIAL APPROVALS

18. Resolution 18-1001.09(a&b):Accept various Performance Bonds:

a. LUB 10-18: 2015 Atlantic Ave., LLP, \$14,630.00 Block 4.49, Lot 12

b. LUB 37-17: Willow Pond, LP, \$2,400.00 Block 20.165, Lot 1.01

RESOLUTION 18-1001.09(a)

WHEREAS, the Township of Long Beach has accepted from 2015 Atlantic Ave., LLP, Cashier's Check No. 6757401583 from Wells Fargo Bank, dated September 7, 2018 in the amount of Fourteen Thousand Six Hundred and Thirty Dollars (\$14,630.00), as the required Performance Bond for Minor Sub-division #LUB-10-18, Block 4.49, Lot 12.

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

RESOLUTION 18-1001.09(b)

WHEREAS, the Township of Long Beach has accepted from Willow Pond LP, Personal Check No. 1118 from UMB Bank, dated July 2, 2018 in the amount of Two Thousand Four Hundred Dollars (\$2,400.00), as the required Performance Bond for Minor Sub-division #LUB-37-17, Block 20.165, Lot 1.01.

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

19. Resolution 18-1001.10: Approve Bills & Payroll
Bills in the amount of: \$ 11,821,824.40
Payroll in the amount of: \$ 1,119,148.73

RESOLUTION 18-1001.10

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

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

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

WHEREAS, Payroll Department has certified and submitted a request for approval of Township payroll in the amount of \$1,119,148.73.

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

1. The said approved vouchers amounting to the sum of \$11,821,824.40 be and the same are hereby authorized to be paid on Monday, October 1, 2018.

2. The said approved payroll amounting to the sum of \$1,119,148.73 be and the same are hereby authorized to be paid on Monday, October 1, 2018.

The Municipal Clerk be and she is hereby directed to list on the page in the Minute Book following the Minutes of this meeting all of the said vouchers hereby authorized to be paid.

Motion to approve Items 18-19:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

Administrator's Report:

COMMISSIONERS' REPORTS

Commissioner Lattanzi announced shuttle service would continue through the weekend. Revenue goals set for the 2018 summer season for transportation was met. Transportation service would be evaluated over the winter; suggestions and ideas would be discussed and addressed at that time.

Commissioner Bayard advised dune grass would be available 10/9/18 for resident pick-up.

Mayor Mancini announced the next meeting of the Land Use Board would be held on Wednesday, October 10th at 7:00 pm in the upstairs multi-purpose room.

Second Reading and Public Hearing for Ordinances 18-29C, 30C, 31C, 32C, 33C and 34C would take place at the public meeting held on November 5, 2018 at 4:00 pm. He invited everyone to the Oysterfest Shellabration taking place on Saturday 10/6/18 from 12pm-6pm, and also the annual Kite Festival would take place at this time as well.

OPEN PUBLIC SESSION

Claudia Freeman, Brant Beach reiterated her ongoing problems with a neighbor; i.e. smoke from wood burning outdoor fireplace, problems with bright sensor lighting, a security camera which points at her house, and high frequency sound devises to control pets. Mrs. Freeman asked that local ordinances be amended to more highly regulate these matters.

Mayor Mancini advised this was a neighbor dispute issue and the Township police had responded to her complaints numerous times, as had the Board of Health. The neighbor in question was compliant with the rules. He explained this was a civil matter.

Joni Bakum, Director of Bayview Park was happy to present the Township with a \$1000 donation from DQ Events who had sponsored the recent annual Triathlon that was a great success.

Dan Macone, Holgate updated the Commissioners regarding a recent Holgate Taxpayers Association meeting with Dr. Farrell, Marine Studies at Stockton University. The was held at the new Holgate Field Station. He thanked Angela Anderson for supplying chairs for the meeting.

Anthony Chicolini, Brant Beach noticed mark-outs made by the gas company on his street and inquired when construction would begin.

Bill Hutson, Holgate thanked the Commissioners for the Trolley Service and was looking forward to the Oysterfest Shellabration and Kite Festival.

John Fiore, Brant Beach advised there had been a Brant Beach Tax Payers Association meeting this past weekend. Guest speaker Angela Anderson did a great job. He also noted the Association was hoping to be able to donate an additional Gator vehicle to the Township.

CLOSE PUBLIC SESSION

Motion for adjournment at: 4:21 pm

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