

MINUTES
REGULAR SESSION BOARD OF COMMISSIONERS April 6, 2020
Flag Salute

Meeting came to order: 4:05 p.m.
Clerk calls the roll: Mayor Joseph H. Mancini PRESENT
Commissioner Ralph H. Bayard PRESENT
Commissioner Joseph P. Lattanzi PRESENT

Also in attendance: Lynda J. Wells, Municipal Clerk
Kyle Ominski, Administrator
Danielle La Valle, Deputy Municipal Clerk

Municipal Clerk announces: Notice of the time and place of this meeting has been posted in the office of the Municipal Clerk, published by the BEACH HAVEN TIMES and ASBURY PARK PRESS on December 5, 2019; and filed with the Municipal Clerk.

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

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

AGENDA

PROCLAMATIONS

- **National Library Week, April 19-25, 2020**

Libraries offer services and educational programming that transform lives and strengthen communities.

- **National Service Recognition Day, April 7, 2020**
- **National Volunteer Week, April 19-25, 2020**

Volunteerism and Service are vital for civic leadership. National Service Day and National Volunteer Week are about inspiring, recognizing and encouraging people to seek out imaginative ways to engage in their communities.

ORDINANCES & PUBLIC HEARINGS

1. Second Reading Ordinance 20-10C: **AN ORDINANCE AMENDING AN ORDINANCE ENTITLED, "CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, (1997)" IN CHAPTER 205 AND PERTAINING TO HEIGHT LIMITS**

This ordinance was reviewed and approved by the Land Use Board at their March 11, 2020 meeting. Passed on first reading at a regular meeting held on March 3, 2020 and advertised in the BEACH HAVEN TIMES issue of March 5, 2020.

ORDINANCE 20-10C

AN ORDINANCE AMENDING AN ORDINANCE ENTITLED, "CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, (1997)" IN CHAPTER 205 AND PERTAINING TO HEIGHT LIMITS

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

STATEMENT OF PURPOSE

This Ordinance amends the height regulations relating to awnings.

SECTION I

§205-10F(9) is hereby repealed and replaced as follows.

(9) Rooftop awnings, provided they comply with each of the following.

SECTION II

§205-10F(9)(b) and (c) are hereby repealed and replaced as follows.

(b) The proposed awning shall be totally removable or fully retractable by either a motorized or manual function.

(c) Only one (1) rooftop awning structure with a maximum area 10 feet by 12 feet shall be permitted.

SECTION III

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

SECTION IV

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.

SECTION V

OPEN PUBLIC HEARING

No comments.

CLOSE PUBLIC HEARING

Motion to adopt Ordinance 20-10C on Second Reading:

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

2. Second Reading Ordinance 20-11C: **AN ORDINANCE AMENDING AN ORDINANCE ENTITLED, "CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY (1997)," AS THE SAME IN CHAPTER 205 WHICH PERTAINS TO THE ZONING AND REGULATION OF SMALL WIRELESS FACILITIES IN THE TOWNSHIP**

This ordinance was reviewed and approved by the Land Use Board at their March 11, 2020 meeting. Passed on first reading at a regular meeting held on March 2, 2020 and advertised in the BEACH HAVEN TIMES issue of March 5, 2020.

ORDINANCE 20-11C

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

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

STATEMENT OF PURPOSE

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

SECTION I

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

- (c) The siting of new small wireless facility poles shall not be greater than 5 feet from the point where the shared property line between 2 properties and the ROW intersect. Small wireless facilities in the ROW may be sited by way of replacement utility poles within 10 feet in non-residential zones and 5 feet in residential zones from the point of the preexisting utility pole that shall be replaced. All small wireless facilities, including the foregoing, shall be only permitted in the ROW by collocation on existing utility poles or replacement of existing utility poles in all zones if within 15 feet from the point where the shared property line between 2 properties and the ROW intersect.

SECTION II

§123-5A(1) is hereby added as follows.

- (1) In all residential zones, wireless communications facilities and all related antennae, equipment, and cabinets shall not exceed 50 decibels between 8:00 a.m. and 8:00 p.m. and 40 decibels between 8:00 p.m. and 8:00 a.m. at the source. In all non-residential zones, the foregoing decibel limit at any time shall increase to 60 decibels at the source, provided that the wireless communications facilities (source) is located a minimum of 50 feet from any residential lot line.

SECTION III

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

SECTION IV

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

Effective date.

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

OPEN PUBLIC HEARING

No comments.

CLOSE PUBLIC HEARING

Motion to adopt Ordinance 20-11C on Second Reading:

3. Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

4. Second: Bayard Nays:

5. First Reading Ordinance 20-12: **BOND ORDINANCE AUTHORIZING ACQUISITION OF AND IMPROVEMENTS TO CERTAIN REAL PROPERTY IN AND FOR THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$925,000 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 \$878,750; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

Motion to adopt Ordinance 20-12 on First Reading:

6. Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

7. Second: Bayard Nays:
8. First Reading Ordinance 20-13C: **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**

Motion to adopt Ordinance 20-13C on First Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

ADOPTIONS & APPROVALS

9. Resolution 20-0406.01: Approve a Special Event:
Cold War Surf, Surf Contest, Wooden Jetty, 3/7/2020

RESOLUTION 20-0406.01

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

HOST	DESCRIPTION	TIME & DATE(S)
Cold War Surf	Surf Contest Wooden Jetty Holgate	Daybreak through Sunset (5 hour contest) March 7, 2020

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, retroactively, permission and waives beach buggy fees and suspend alternate side parking regulations for the duration of the above cited event.

10. Resolution 20-0406.02: Authorize the acceptance of a Grant:
Strengthening Local Public Health Capacity Training
Scholarship Grant: \$5,763.15 to be used for training
and/or COVID-19 Preparedness activities

RESOLUTION 20-0406.02

RESOLUTION OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE ACCEPTANCE OF A GRANT AWARD FOR THE LONG BEACH ISLAND BOARD OF HEALTH

WHEREAS, the Long Beach Island Board of Health applied for, and was awarded, the Strengthening Local Public Health Capacity Training Scholarship Grant in the amount of \$5,763.15 available through July 31, 2020; and

WHEREAS, the Strengthening Local Public Health Capacity Training Scholarship Grant funds shall be used to support Local Health Departments communicable disease training, outbreak preparedness and/or approved COVID-19 Preparedness activities as outlined by the New Jersey Association of County and City Health Officials.

NOW, THEREFORE, BE IT RESOLVED, that the Board Commissioners of the Township of Long Beach, in the County of Ocean, State of New Jersey, accepts the award of the Strengthening Local Public Health Capacity Training Scholarship Grant facilitated by the New Jersey Association of County and City Health Officials in the amount of \$5,763.15.

11. Resolution 20-0406.03: Oppose Assembly bill A 678
Establishes a certification program for Zoning and
Land Use Board administrators

RESOLUTION 20-0406.03

WHEREAS, the ongoing education of zoning officers and land use board administrators is important in the delivery of municipal services; and

WHEREAS, funded through the NJ State Budget, Rutgers University Center for Government currently offers said training and is available for Municipalities to make part of their conditions of employment, as determined by local conditions; and

WHEREAS, on February 3, 2020 NJ State Assembly State and Local Government committee unanimously approved Assembly Bill 678 (A 678) establishing a certification program for zoning and land use board administrators; and

WHEREAS, the legislation establishes zoning officer/land use board administrator certification as a required condition of municipal employment; and

WHEREAS, the legislation requires a prerequisite for certification a minimum of 2 years of education at a college of recognized standing; and

WHEREAS, Assembly bill A 678 creates a certification which requires renewal every 3 years and the cost of said certification, both initial and renewal is to be borne by the local municipality; and

WHEREAS, A 678 recognizes this funding mandate by acknowledging in it's text that "a municipal governing body, by resolution, may determine to reimburse an

individual for all costs"; and

WHEREAS, under A 678 a municipality also may establish fees associated with permits, certificates or authorizations related to the municipal land use board to "be used to defray the cost of satisfying the education requirements established" pursuant to the legislation; and

WHEREAS, the proposed legislation requires the certified zoning officer/land use board administrator to report to the Commission of the Department of Community Affairs any employment which involves sharing municipal services; and

WHEREAS, as such the bill inserts the Commissioner into both the Municipal employer-employee relationship and shared service agreements between municipalities by permitting analysis/sufficiency of said agreements by the Commissioner; and

WHEREAS, A 678 states that 30 days after the effective date, "a person shall not accept appointment or reappointment" without first notifying the commission; and

WHEREAS, the Commissioner may revoke or suspend certification independently of the appointing municipality's reporting and afterward the municipality may request a review; and

WHEREAS, A 678 does not impact or override civil service requirements or procedures so;

THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach, County of Ocean, State of New Jersey opposes the following aspects of the proposed A 678.

1. Unfunded mandate.
2. Shifts fund responsibility of Rutgers University Center for Government Services from the State of NJ budget to local municipalities.
3. Interferes with the local municipal employer-employee relationship.
4. Circumvents municipal authority in appointing, reappointing and supervising employees.
5. Interferes with municipal shared service agreements.
6. Is unequally applied to all municipalities while de-facto requires non-civil service municipalities to function as civil service entities.

THEREFORE, BE IT FURTHER RESOLVED that Assembly Bill A 678 removed from consideration in the legislative process.

12. Resolution 20-0406.04: Approve various personnel matters

Resolution 20-0406.04

Accept & Approve the Early 55+ Retirement of Sharon Bongiovani effective May 1, 2020.

Accept & Approve the Family Medical Leave Act (FMLA) for employee with Civil Service number *****5816.

Beach Patrol

Hire the following employees as Seasonal Part Time Laborer at the rate of \$ 11.00 per hour to be paid from Lifeguard Salary & Wage retro-active to March 1, 2020.

Erin Barrett
Harold Buck
Thomas Clifford
Patrick J. Kelly
Diana Muia
Emily Wilbert
George Wilbert

Hire the following employees as Seasonal Part Time Laborers at the rate of \$ 15.00 per hour to be paid from Lifeguard Salary & Wage retro-active to March 1, 2020.

Anne Larkin
Olivia Lattanzi
Taylor Teliszewski

Health Department

Hire the following employee as a Permanent Full-Time Clerk 1 at the annual rate of \$32,000.00 to be paid from Health Salary & Wage effective retroactive to March 21, 2020.

Melissa English

Municipal Clerk

Change the following employee annual base salary to \$39,070.00 to be paid from Municipal Clerk Salary & Wage effective April 6, 2020.

Scott Lawrence

Hire the following employee as a Seasonal Clerk 1 at the rate of \$15.00 per hour to be paid from the Municipal Clerk Salary & Wage effective March 1, 2020.

Alexander Meehan

Police

Hire the following employees as Seasonal Class I Officers at the rate of \$11.00 per hour to be paid from Police Salary & Wage effective May 4, 2020.

Michael Fife Matthew Barnett Anthony Capriani
Kelley Lutz Michael Barbagallo Alexis Bruno
Andrew Conover Jason Muldanado

Upon completion and graduation from the Class II Academy at the Ocean County Police Academy, change the following employee's hourly rate to \$15.00 to be paid from Police Salary & Wage.

Anthony Hause Kevin Lyons Michael Kadlubowski
Dominic VanDebrook

Hire the following employee as a Permanent Full-Time Pubic Safety Telecommunicator Trainee at the annual base salary of \$31,000.00 to be paid from Police Salary & Wage effective to April 11, 2020.

Megan Foster

Public Works

Hire the following employees as Permanent Full-Time Laborer 1 at the annual rate of \$32,000.00 to be paid from Public Works Salary & Wage effective April 4, 2020.

Marty Gill Drew Horvat

Hire the following employees as Seasonal Full-Time Laborers at the rate of \$12.50 per hour to be paid from Public Works Salary & Wage effective retroactive to March 7, 2020.

Priscilla Johnson Anthony Simonelli Jon Cossman

Hire the following employees as Seasonal Full-Time Laborers at the rate of \$12.00 per hour to be paid from Public Works Salary & Wage effective retroactive to March 16, 2020.

Erick Darcy

Recreation

Hire the following employee as a Permanent Full-Time Clerk 1 at the annual base salary of \$36,000.00 to be paid from Parks & Recreation Salary & Wage effective April 4, 2020.

Regina Lotito

Change the following employee's annual base salary to \$45,709.00 to be paid from the Parks & Playgrounds Salary & Wage effective retroactive February 24, 2020.

Joni Bakum

Tax Collector

Change the following employee's annual base salary to \$50,244.00 to be paid from Tax Collector Salary & Wage effective April 6, 2020.

Katy Mancini

Water/Sewer

Hire the following employee as a Permanent Full-Time Laborer 1 at the annual base salary of \$32,000.00 to be paid from Water/Sewer Salary & Wage effective April 4, 2020.

James Forbes

Change the following employee's title to Laborer 2 and annual base salary to \$48,198.00 to be paid from Water/Sewer Salary & Wage effective April 6, 2020.

Christopher Stankowski

Change the following employee's annual base salary to \$53,750.00 to be paid from Water/Sewer Salary & Wage effective April 6, 2020.

Croix Corliss

Change the following employee's annual base salary to \$39,851.00 to be paid from Water/Sewer Salary & Wage effective April 6, 2020.

Cody Lippincott

Change the following employee's annual base salary to \$60,799.00 to be paid from Water/Sewer Salary & Wage effective April 6, 2020.

Dan Vickers

Change the following employee's rate of pay to \$14.00 per hour to be paid from Water/Sewer Salary & Wage effective retroactive March 14, 2020.

Brady Clark

Approve an annual stipend of \$1,800.00 for the year of 2020 for the following non-contractual employee for holding a Commercial Driver's License B as per Board of Commissioner's decision that it is considered job related.

Derek Wilson

Motion to approve Items 5-8:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

PURCHASES, CONTRACTS & AWARDS

13. Resolution 20-0406.05: Authorize Various Emergency Purchases for Goods and Services

RESOLUTION 20-0406.05

RESOLUTION AUTHORIZING VARIOUS EMERGENCY CONTRACTS FOR COVID-19 CORONA VIRUS-RELATED GOODS AND SERVICES IN THE TOWNSHIP OF LONG BEACH

WHEREAS, on March 9th 2020, a state of emergency was declared by Governor Murphy for the State of New Jersey via Executive Order 103 as a result of the prevalent and continued spread of the COVID-19 Corona Virus; and

WHEREAS, as the pandemic viral infection continues to spread throughout the county, state and nation, the full extent of afflicted persons, as well as the prognosis for those diagnosed with the Virus, cannot be ascertained at the current time; and

WHEREAS, the State has issued further guidance recognizing the dangers posed to municipal employees and the public health, welfare, and safety arising out of the procedures required by the Local Public Contracts Law, including, but not limited to, the hand delivery of bids and conducting of public bid openings and the need to procure necessary goods and services pursuant to the emergency exception and without compliance with certain bidding and other requirements; and

WHEREAS, the Board of Commissioners deem it in the best interest of its employees and citizens to enter into various goods and services contracts in accordance with emergency procurement guidelines in order to provide essential public services to meet various needs and assure the public health, safety and welfare during this time of emergency; and

WHEREAS, the Local Public Contracts Law permits such emergency contracts pursuant to N.J.S.A.40A:11-6.

NOW THEREFORE BE IT RESOLVED, by the Board of Commissioners of the Township of Long Beach, a Municipal Corporation of the State of New Jersey, at a regular meeting held Monday April 6, 2020, that the Board of Commissioners hereby authorizes and approves various emergency contracts for goods and services necessitated due to, and as a result of, the COVID-19 Corona Virus.

14. Resolution 20-0406.06: Authorize the extension of a contract by option:
Shore Promotions: Various Clothing Items for the Police Department. Effective through December 31, **RESOLUTION 20-0406.06**

A RESOLUTION AUTHORIZING THE EXTENSION OF A CONTRACT FOR VARIOUS CLOTHING ITEMS FOR THE LONG BEACH TOWNSHIP POLICE DEPARTMENT

WHEREAS, pursuant to Resolution 18-0409.13(d) passed on April 9, 2018 the Township entered into an agreement with the following vendor:

Shore Promotions
P.O. Box 205
Ship Bottom, NJ 08008

WHEREAS, said contract was awarded to the lowest qualified bidder, and provided for one (1) 2-year option to extend the contract; and

WHEREAS, both parties have agreed to the contract extension provisions established by the Local Public Contracts Law N.J.S.A 40A:11-15(45); and

WHEREAS, this Resolution shall be deemed to be the extension; effective January 1, 2020 through December 31, 2021.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach this 6th day of April 2020, for the reasons aforesaid, that a contract shall be and is hereby extended for a period of two years, effective retroactively to January 1, 2020, pursuant to the terms and conditions stated herein to:

Shore Promotions
P.O. Box 205
Ship Bottom, NJ 08008

For the purchase of various police clothing items for the Township of Long Beach Police Department, pursuant to the bid received April 3, 2018.2021

15. Resolution 20-0406.07: Award a Contract Per Bid:
Portable Bathrooms Ready2Go Restroom Trailers, LLC
\$45,135.00

RESOLUTION 20-0406.07

A RESOLUTION AWARDING A CONTRACT FOR PURCHASE AND DELIVERY OF ONE (1) PORTABLE RESTROOM TRAILER FOR THE TOWNSHIP OF LONG BEACH, PER BID

WHEREAS, pursuant to N.J.S.A.40A:11-1 et seq., the Township of Long Beach solicited and received bids for Purchase and Delivery of One (1) Portable Restroom for the Township of Long Beach Public Works Department on March 13, 2020; and

WHEREAS, Ready2Go Restroom Trailers, LLC was the sole bidder; said bid was deemed responsive and the vendor responsible as per the Municipal Solicitor's review and certification; and

WHEREAS, the Chief Financial Officer of the Township of Long Beach has issued a Certificate of Availability of Funds in the following appropriations created by: Ordinance 15-51 Variance Recreational IMP 2:20 Account # C-04-56-136-951 in the amount of \$45,135.00.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach this 6th day of April 2020, for the reasons aforesaid, that a contract be and is hereby awarded to:

Ready2Go Restroom Trailers, LLC
1208 Balsam Drive
Imperial, PA 15126

For the Purchase and Delivery of One (1) 8-Station Portable Restroom Trailer-Classic Series for the Township of Long Beach pursuant to the bid received March 13, 2020 in the amount of Forty-Five Thousand One Hundred Thirty-Five Dollars (\$45,135.00).

16. Resolution 20-0406.08: Award a Contract Per State Contract:
Konica Minolta: lease various copiers for Township Departments (LIT, Construction, Tax/WS, Municipal Clerk, Court). 60 months at \$709.59/month (\$42,575.40 total)

RESOLUTION 20-0406.08

WHEREAS, the Township of Long Beach wishes to purchase from an authorized vendor under the State of New Jersey Cooperative Purchasing Program INJCP; 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, Konica Minolta has been awarded New Jersey State Contract #4064 (Index #T-2075) for Copiers; and

WHEREAS, the Commissioner of Revenue and Finance and the Qualified Purchasing Agent recommend the utilization of this contract on the grounds that it represents the most cost-effective method to meet the needs of the Township; and

WHEREAS, the actual cost to lease three (3) BIZHUB 308E (Construction, 1st Floor Tax/WS Office, Municipal Clerk) and two (2) BIZHUB 3850FS (LIT Building, Court) for a sixty-month (60) period is Seven Hundred Nine Dollars and Fifty Nine Cents (\$709.59) per month which includes maintenance and toner; total multi-year contract Forty Two Thousand Five Hundred Seventy Five Dollars and Forty Cents (\$42,575.40); and

WHEREAS, the Finance Officer has certified the availability of funds for this contract in the following appropriations: Lifeguards Office Equipment Account #0-01-28-380-053 in the amount of \$118.79/mo; Construction Other Equipment Account #0-00-22-195-258 in the amount of \$157.34/mo; Tax Collector Office Equipment Account #0-01-20-145-053 in the amount of \$78.67/mo; W/S Office Equipment Account #0-09-55-549-053 in the amount of \$78.67/mo; Municipal Clerks' Office Account #0-01-20-120-053 in the amount of \$157.34; and the Municipal Court Office Equipment Account #0-01-43-490-053 in the amount of \$118.79 and an allowance will be made in all future budgets for the term of the lease.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach that Konica Minolta Business Solutions USA, Inc., 500 Day Hill Road, Windsor, CT 06095 be awarded a contract for the lease of three (3) BIZHUB 308E (Construction, 1st Floor Tax/WS Office, Municipal Clerk) and two (2) BIZHUB 3850FS (LIT Building, Court) for a sixty-month (60) period at the rate of Seven Hundred Nine Dollars and Fifty Nine Cents (\$709.59) per month which includes maintenance and toner; total multi-year contract not to exceed Forty-Two Thousand Five Hundred Seventy-Five Dollars and Forty Cents (\$42,575.40), pursuant to N.J.S.A.40A:11-15.

17. Resolution 20-0406.09(a&b): Approve Various Shared Service Agreements:
a. County of Ocean Police Services Prosecutor's Program
b. Ocean County; Schedule C: Roads & Engineering Services: \$350,000 Roads, \$25,000 Engineering

RESOLUTION 20-0406.09(a)

A RESOLUTION AUTHORIZING THE RENEWAL OF A SHARED SERVICES AGREEMENT WITH OCEAN COUNTY FOR THE COUNTY OF OCEAN POLICE SERVICES PROSECUTOR'S PROGRAM

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

WHEREAS, the Township of Long Beach desires to continue to participate in the County of Ocean Police Services Prosecutor's Program formerly known as the Fatal Accident Support Team (F.A.S.T.); and

WHEREAS, there is a need for Traffic Safety Officers to attend accidents when a fatality has occurred; and

WHEREAS, these Traffic Safety Officers are available through the municipalities within the County of Ocean; and

WHEREAS, funds for the Prosecutor's Program are available From the County of Ocean.

NOW, THEREFORE, BE IT RESOLVED the Board of Commissioners of the Township of Long Beach does hereby authorize the execution of the Prosecutor's Program Shared Services Agreement effective January 1, 2020 through December 31, 2020 with compensation to the Township set at the rate of fifty-five dollars (\$55.00) per hour per officer.

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

RESOLUTION 20-0406.09(b)

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

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

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

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

WHEREAS, the Governing Body of the Township of Long Beach has requested the County to provide certain various services on certain municipal streets and property within the municipality at a cost not to exceed \$375,000.00; and

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

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

1. The Commissioner of Public Works and Clerk of the Township of Long Beach are hereby authorized and directed to enter into and execute a "Schedule C" Agreement with the County of Ocean in accordance with the provisions of the law to include \$350,000.00 for the Road Department and \$25,000.00 for the Engineering Department for various engineering services for traffic signals and sign installations.
2. A copy of this Agreement shall be kept on file and be available for public inspection at the Office of the Township Clerk.
3. This Agreement shall take effect upon full execution by the parties and shall remain in full force and effect through December 31, 2020. Sufficient funds have been appropriated in the 2020 Temporary Municipal Budget and are subject to amendment at such time the 2020 Municipal Budget is adopted. Appropriated funds will be available for this purpose in the municipal budget under Schedule "C" Other Expenses.
4. A certified copy of this resolution shall be forwarded to:
 - Clerk of the Ocean County Board of Chosen Freeholders
 - Ocean County Engineering Department
 - Ocean County Department of Finance

Motion to approve Items 9-13:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

FINANCIAL APPROVALS

18. Resolution 20-0406.10: Increase the Temporary Budget

RESOLUTION 20-0406.10

WHEREAS, the 2020 Temporary Budget was approved pursuant to Resolution 19-1216.09 and increased pursuant to Resolution 20-0302.16; and

WHEREAS, the Chief Financial Officer of the Township of Long Beach has determined that another increase is necessary; and

WHEREAS, appropriations for the A – Temporary Current Fund Budget are hereby adopted as the 2020 Temporary Budget and shall be increased April 6, 2020 pursuant to Schedule A attached hereto.

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach that the Chief Financial Officer be and she is hereby authorized to approve the increase to the 2020 Temporary Current Fund Budget.

19. Resolution 20-0406.11: Introduce the 2020 Municipal Budget

RESOLUTION 20-0406.11

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach that the following statements of revenues and appropriations shall constitute the Local Municipal Budget for the year 2020; and

BE IT FURTHER RESOLVED that said Budget shall be published in the Beach Haven Times, issue of April 9, 2020.

The Governing Body of the Township of Long Beach does hereby approve the following as the Budget for the year 2020:

20. Resolution 20-0406.12: Approve a Change Order: #3; Level-1 Construction: 2019 Stormwater Pump Station, \$13,878.00

RESOLUTION 20-0406.12

**RESOLUTION AUTHORIZING CHANGE ORDER #3 FOR THE
2019 STORMWATER PUMP STATION IN THE TOWNSHIP OF LONG BEACH**

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

WHEREAS, Change Order #1 in the amount of Two Thousand Nine Hundred Seventy-six Dollars (\$2,976.00), and Change Order #2 in the amount of Nine Thousand Five Hundred Seventeen Dollars and Eighty-six cents (\$9,517.86), was approved pursuant to Resolution 20-0203.09(a) passed on February 9th, 2020 that was required for additional work and personnel; and

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

WHEREAS, sufficient funds are available and certified by the Chief Financial Officer from the Appropriation made by Ordinance 18-18 Construction of Storm Pump Various, Account # U-08-55-988-901 in the amount of Thirteen Thousand Eight Hundred Seventy-Eight Dollars (\$13,878.00).

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach at a regular scheduled meeting, (not less than two-thirds (2/3) of the members thereof affirmatively concurring) this 6th day of April 2020 that Level-1 Construction Inc, 980 Coles Mill Road, Williamstown, NJ 08094, be and is hereby awarded Change Order #3 in the amount of Thirteen Thousand Eight Hundred Seventy-Eight Dollars (\$13,878.00) representing a 6.31% increase over the original contract price, for payment of the work required to complete the 2019 Stormwater Pump Station in the Township of Long Beach.

21. Resolution 20-0406.13: Approve the issuance and sale of General Obligation Bonds

RESOLUTION NO. 20-0406.13

RESOLUTION OF THE MAYOR AND BOARD OF COMMISSIONERS OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY AUTHORIZING AND APPROVING THE ISSUANCE AND SALE OF UP TO \$9,590,792 OF BONDS OF THE TOWNSHIP OF LONG BEACH CONSISTING OF THE TOWNSHIP'S GENERAL OBLIGATION BONDS, SERIES 2020A; THE TOWNSHIP'S GENERAL OBLIGATION BONDS, SERIES 2020B; AUTHORIZING THE EXECUTION AND DELIVERY OF THE LOAN AGREEMENTS TO BE EXECUTED BY THE TOWNSHIP AND EACH OF THE NEW JERSEY INFRASTRUCTURE BANK AND STATE OF NEW JERSEY, ACTING BY AND THROUGH THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION; FURTHER AUTHORIZING THE EXECUTION AND DELIVERY OF AN ESCROW AGREEMENT, ALL PURSUANT TO THE 2020 NEW JERSEY INFRASTRUCTURE BANK FINANCING PROGRAM; AND DETERMINING CERTAIN OTHER MATTERS IN CONNECTION THEREWITH

BACKGROUND

WHEREAS, the Township of Long Beach, County of Ocean, New Jersey ("Township") has determined there exists a need for the rehabilitation and/or replacement of Brant Beach Water Plant –Phase II ("2020 Project") as described in that certain Loan Agreement ("I-Bank Loan Agreement") to be entered into between the Township and the New Jersey Infrastructure Bank ("I-Bank") and that certain Loan Agreement ("Fund Loan Agreement"; together with the I-Bank Loan Agreement, the "Loan Agreements") to be entered into between the Township and the State of New Jersey, acting by and through the New Jersey Department of Environmental Protection ("State"), all pursuant to the 2020 New Jersey Infrastructure Bank Financing Program ("Program"); and

WHEREAS, the Township has determined to use the proceeds of a loan to be made by each of the I-Bank ("I-Bank Loan") and the State ("Fund Loan"; together with the I-Bank Loan, the "Loans") pursuant to the I-Bank Loan Agreement and the Fund Loan Agreement, respectively, to permanently finance the 2020 Project; and

WHEREAS, to evidence the Loans, each of the I-Bank and the State require the Township to authorize, execute and deliver its General Obligation Bonds, Series 2020A ("2020A Bonds") to the I-Bank, and its General Obligation Bonds, Series 2020B ("2020B Bonds") to the State, pursuant to the terms of applicable law and pursuant to the terms of the Loan Agreements, all as more particularly described in Exhibit "A" attached hereto; and

WHEREAS, pursuant to the Local Bond Law, constituting Chapter 169 of the Laws of 1960 of the State of New Jersey, as amended and supplemented ("Local Bond Law"), the Mayor and Board of Commissioners of the Township have, pursuant to Bond Ordinance No. 17-08, duly and finally adopted and published in accordance with the requirements of the Local Bond Law ("Bond Ordinance"), authorized the issuance of general obligation bonds or bond anticipation notes of the Township to finance the costs of the 2020 Project; and

WHEREAS, the I-Bank and the State have expressed their desire to close in escrow the making of the Loans, the issuance of the 2020A Bonds and the 2020B Bonds (collectively, the "2020 Bonds") and the execution and delivery of the Loan Agreements, all pursuant to the terms of an Escrow Agreement ("Escrow Agreement") to be entered into between the I-Bank, the State, the Escrow Agent and the Township; and

WHEREAS, to effectuate the financing plan described in the above mentioned paragraphs, it is necessary for the Township to adopt this resolution and to authorize and approve the issuance and sale of the 2020 Bonds in a principal amount up to \$9,590,792; and

WHEREAS, N.J.S.A. 40A:2-27(a)(2) allows for the sale of the 2020A Bonds and the 2020B Bonds, to the I-Bank and the State, respectively, without any public offering, and N.J.S.A. 58:11B-9(a) allows for the sale of the 2020 Bonds to the I-Bank, without any public offering, all under the terms and conditions set forth herein.

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

Section 1. The Township authorizes and approves the issuance of the 2020 Bonds in two (2) series in a total principal amount of up to \$9,590,792 to be designated, "Township of Long Beach, County of Ocean, New Jersey, General Obligation Bonds, Series 2020A" and "Township of Long Beach, County of Ocean, New Jersey, General Obligation Bonds, Series 2020B", respectively. The 2020 Bonds will be used to pay the costs of the 2020 Project. In accordance with N.J.S.A. 40A:2-27(a)(2) and N.J.S.A. 58:11B-9(a), the Township hereby sells and awards the 2020A Bonds and the 2020B Bonds to the I-Bank and to the State in accordance with the provisions hereof.

Section 2. The Chief Financial Officer is hereby authorized to determine in accordance with the Local Bond Law and pursuant to the terms and conditions established by the I-Bank and the State under the Loan Agreements and the terms and conditions hereof, the following items with respect to the 2020A Bonds and the 2020B Bonds:

- (a) The aggregate principal amount of the 2020A Bonds and the 2020B Bonds to be issued;
- (b) The maturity and annual principal installments of the 2020A Bonds and the 2020B Bonds, which maturity shall not exceed thirty (30) years;
- (c) The date of the 2020 Bonds;
- (d) The interest rates of the 2020 Bonds;
- (e) The purchase price for the 2020 Bonds; and
- (f) The terms and conditions under which the 2020 Bonds shall be subject to redemption prior to their stated maturities.

Any determination made by the Chief Financial Officer pursuant to the terms hereof shall be conclusively evidenced by the execution and attestation of the 2020 Bonds by the parties authorized under Section 3 hereof.

Section 3. The 2020 Bonds shall be in the form prescribed and permitted by the Local Bond Law, as Bond Counsel may advise, and as the Township, the I-Bank and the State shall approve. The 2020 Bonds shall be issued in fully registered form and shall be payable to the registered owners thereof as to principal and interest in lawful money of the United States of America. The 2020 Bonds will be executed on behalf of the Township by the manual signatures or facsimile signatures of the Mayor and Chief Financial Officer, attested by the Municipal Clerk (such execution shall constitute conclusive approval by the Township of the form of the 2020 Bonds), and shall bear the affixed, imprinted or reproduced seal of the Township thereon. The 2020A Bonds and the 2020B Bonds shall be substantially in the form set forth in the I-Bank Loan Agreement and the Fund Loan Agreement, respectively.

Section 4. The terms of the 2020 Bonds authorized to be set forth by the Chief Financial Officer in accordance with Section 2 hereof shall be ratified by the affirmative vote of 2/3 of the full members of the Board of Commissioners.

Section 5. The full faith and credit of the Township are irrevocably pledged to the punctual payment of the principal of and interest on the 2020 Bonds and, to the extent payment is not otherwise provided, the Township shall be obligated to levy *ad valorem* taxes upon all taxable real property within the Township without limitation as to rate or amount for the payment thereof.

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

Section 7. All actions heretofore taken and documents prepared or executed by or on behalf of the Township by the Mayor, Chief Financial Officer, Municipal Clerk, other Township officials or by the Township's professional advisors, in connection with the issuance and sale of the 2020 Bonds or the 2020 Project are hereby ratified, confirmed, approved and adopted.

Section 8. The Mayor, Chief Financial Officer and Municipal Clerk are each hereby authorized to determine all matters and execute all documents and instruments in connection with the 2020 Bonds or the 2020 Project not determined or otherwise directed to be executed by the Local Bond Law, the Bond Ordinances, or by this or any subsequent resolution, and the signature of the Mayor, Chief Financial Officer or Municipal Clerk on such documents or instruments shall be conclusive as to such determinations.

Section 9. All other resolutions, or parts thereof, inconsistent herewith are hereby rescinded and repealed to the extent of any such inconsistency.

Section 10. This resolution shall take effect immediately upon adoption this 6th day of April, 2020.

22. Resolution 20-0406.14: Approve Bills & Payroll
Bills in the amount of: \$3,816,923.02
Payroll in the amount of: \$496,558.20

RESOLUTION 20-0406.14

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 \$496,558.20.

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 \$3,816,923.02 be and the same are hereby authorized to be paid on Monday, April 6, 2020.
2. The said approved payroll amounting to the sum of \$496,558.20 be and the same are hereby authorized to be paid on Monday, April 6, 2020.

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

Motion to approve Items 14-18:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

COMMISSIONERS' REPORTS

Commissioner Lattanzi: spoke about the virus and how the outbreak down here seemed to stem back to travel from New York. Updated how north Jersey was in much worse shape than we were and the best thing we could do is keep as many people as we could from traveling to the Island. We have been working with ACME to help elderly and immunocompromised residents with ordering and delivering groceries, the program was working well.

Commissioner Bayard: We extended the due date for meter installation. All trash must be in covered containers, garbage fines would be issued for non-co.

Mayor Mancini: The next meeting of the Land Use Board scheduled for Wednesday, April 8th at 7:00 pm has been cancelled until further notice.

Second Reading and Public Hearing for Ordinances 20-12 and 13C will take place at the public meeting held on Monday, May 4th at 4:00 pm. Explained it would be essential that only people with placards be allowed on the beaches, 2 adults and children per placard and no new placards would be issued at this time. The Governor had shut down all public recreation and sports activities. Urged people to obey traffic regulations, especially on Beach Ave. / Ocean Blvd. and to stay off the roads except for essential travel only.

OPEN PUBLIC SESSION

Rand Pearsal, Holgate: wanted to know when the short-term rental ban would end and how the Township plans to enforce the beach regulations.

Mayor Mancini stated the ban would end when the pandemic ends. Other beach patrons could advise people of the beach regulations regarding the placards, and if people aren't cooperating, they can call the police.

Carol Formica: questioned if our Health Department would be open for testing.

Commissioner Dr. Lattanzi explained that they do not test at our Health Department, but to check with the Ocean County Board of Health as they can test with a prescription from a doctor.

Tom Beatty, Holgate: Asked for a dredging update.

Mayor Mancini stated that the dredging ended for now until the pandemic restrictions were lifted.

Various residents and visitors said "thank you" for all the hard work being done by the Township.

CLOSE PUBLIC SESSION

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

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

Lynda J. Wells, RMC
Municipal Clerk

Joseph H. Mancini, Mayor

Ralph H. Bayard, Commissioner

Dr. Joseph P. Lattanzi, Commissioner