

MINUTES
REGULAR SESSION BOARD OF COMMISSIONERS January 5, 2022
Flag Salute

Meeting came to order: 11 a.m.
Clerk calls the roll: Mayor Joseph H. Mancini PRESENT
Commissioner Ralph H. Bayard PRESENT
Commissioner Joseph P. Lattanzi ABSENT
Also in attendance: Danielle La Valle, Municipal Clerk
Kyle Ominski, Administrator

Municipal Clerk announces: Notice of the time and place of this rescheduled meeting has been posted in the office of the Municipal Clerk and posted on the Township's official website and social media pages on January 3, 2022. The regular meeting notice has been published by the BEACH HAVEN TIMES and ASBURY PARK PRESS on December 23, 2021; and filed with the Municipal Clerk.

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

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

AGENDA

ORDINANCES & PUBLIC HEARINGS

1. First Reading Ordinance 22-01C: **AN ORDINANCE AMENDING AN ORDINANCE ENTITLED, "CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, (1997)" AS THE SAME IN CHAPTER 64, WHICH PERTAINS TO BUILDING CONSTRUCTION**

ORDINANCE 22-01C

AN ORDINANCE AMENDING AN ORDINANCE ENTITLED, "CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, (1997)" AS THE SAME IN CHAPTER 64, WHICH PERTAINS TO BUILDING CONSTRUCTION

STATEMENT OF PURPOSE

This Ordinance amends Chapter 64 to repeal certain regulations relating to bulkhead construction requirements for lagoon and bayside properties as a condition of certificates of occupancy.

SECTION I

§64-13A is hereby deleted and B and C are hereby redesignated as A and B, respectively.

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All ordinances, or parts of ordinances, inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.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

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

Mayor Mancini announces that this ordinance ultimately rescinds Ordinance 21-27C.

Motion to approve Ordinance 22-01C on First Reading:

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

2. First Reading Ordinance 22-02C: **AN ORDINANCE AMENDING AN ORDINANCE ENTITLED, "CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, (1997)" IN CHAPTER 205 WHICH PERTAINS TO ZONING.**

ORDINANCE 22-02C

AN ORDINANCE AMENDING AN ORDINANCE ENTITLED, "CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, (1997)" IN CHAPTER 205 WHICH PERTAINS TO ZONING.

WHEREAS, the periodic increase of allowable uses within non-residential zone districts is desirable to promote economic development and sustainability in the Township; and

WHEREAS, microbreweries and craft distilleries can have a symbiotic relationship with local restaurants through the serving of a locally brewed beer or spirit which could help local restaurants further distinguish themselves in the marketplace; and

WHEREAS, the establishment of microbreweries and craft distilleries in the Township will also likely increase the number of visitors to the Township throughout the calendar year through the offering of tours of the establishment along with the retail sales and samplings as permitted by State law; and

WHEREAS, microbreweries and craft distilleries have been approved by ordinance and by variance in various municipalities throughout the State and the evidence establishes that they have provided economic benefits to those municipalities; and

WHEREAS, allowing microbreweries and craft distilleries as a conditional use within the General Commercial, Special Commercial, and Marine Zoning Districts would enable the Land Use Board to review the development proposal prior to establishment; and

WHEREAS, the Board of Commissioners does hereby further find that the public interest of the Township will be served by amending the Township Code in the manner set forth herein; and

WHEREAS, this ordinance shall further amend and clarify the regulations relating to conditional use permits.

NOW THEREFORE, BE IT ORDAINED by the Mayor and Board of Commissioners of Township of Long Beach, Ocean County, State of New Jersey, in accordance with the aforesaid Recitals, which are incorporated herein by reference, as follows:

STATEMENT OF PURPOSE

The purpose of the Ordinance is to authorize microbreweries and craft distilleries in the General Commercial Zone as a conditional permitted use and amend and clarify the regulations relating to conditional use permits.

SECTION I

§205-2 is revised to add the following definitions in alphabetical order to the existing definitions set forth therein.

CRAFT DISTILLERY

A distillery operating with a craft distillery license as defined and regulated within N.J.S.A. 33:1-10.

MICROBREWERY

A brewery operating with a limited brewery license as defined and regulated within N.J.S.A. 33:1-10.

SECTION II

§205-59A(6) is hereby repealed and replaced with the following.

(6) Microbreweries and craft distilleries, provided the following standards and conditions are complied with and a conditional use permit shall be obtained from the Land Use Board.

- (a) Strict compliance with N.J.S.A. 33:1-10 and shall provide a sampling room and retail sales area where product shall be sold to consumers and where samples shall be offered.
- (b) Shall not sell food or operate a restaurant on the licensed premises, including in any outdoor facility. However, pretzels, potato chips, nuts, or similar prepared snack foods are not prohibited from being provided without charge.
- (c) Plans shall be submitted that include a scale diagram of the entire interior of the premises and depicting the location of all receiving, storage, brewing or distilling area, servicing, seating, waiting areas, waste removal and garbage storage areas, and the intended location of tables, counters, bars, and respective seats or chairs.
- (d) Shall be permitted as a principal use only and shall not be permitted as an accessory use.

SECTION III

§205-61A(7) is hereby added as follows.

(7) Microbreweries and craft distilleries, provided the following standards and conditions are complied with and a conditional use permit shall be obtained from the Land Use Board.

- (a) Strict compliance with N.J.S.A. 33:1-10 and shall provide a sampling room and retail sales area where product shall be sold to consumers and where samples shall be offered.
- (b) Shall not sell food or operate a restaurant on the licensed premises, including in any outdoor facility. However, pretzels, potato chips, nuts, or similar prepared snack foods are not prohibited from being provided without charge.
- (c) Plans shall be submitted that include a scale diagram of the entire interior of the premises and depicting the location of all receiving, storage, brewing or distilling area, servicing, seating, waiting areas, waste removal and garbage storage areas, and the intended location of tables, counters, bars, and respective seats or chairs.
- (d) Shall be permitted as a principal use only and shall not be permitted as an accessory use.

SECTION IV

§205-59B(14) and §205-60B(14) are amended to delete the word "taprooms."

SECTION V

§205-73A(1) and (2) are hereby repealed and replaced with the following.

- (1) Applications for any conditional use permit shall be made to the Land Use Board. The Board shall review the application for the conditional use permit pursuant to the requirements of N.J.S.A. 40:55D-67 and shall issue a permit in the event the applicant complies with the required conditions.
- (2) Pursuant to N.J.S.A. 40:55D-67, the applicant shall file its site plan application with its application for a conditional use permit, if required, and the Board shall review and decide the site plan application and application for the conditional use at the same time.

SECTION VI

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

SECTION VII

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

SECTION VIII

This Ordinance shall take effect upon publication thereof after final passage according to law.

Effective date.

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

Motion to approve Ordinance 22-02C on First Reading:

Motion: Bayard Ayes: Bayard, Mancini

Second: Mancini Nays:

ADOPTIONS & APPROVALS

- 3. Resolution 22-0105.01: Approve Various Personnel Matters

RESOLUTION 22-0105.01

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 2022;

ADMINISTRATION AND EXECUTIVE

MAYOR

Joseph H. Mancini, Director PA&S \$ 15,274.00

COMMISSIONER

Ralph H. Bayard, Director PW&P \$ 13,748.00

Joseph Lattanzi, Director R&F \$ 13,748.00

BUSINESS ADMINISTRATOR

Kyle Ominski \$146,441.00

MUNICIPAL CLERK

Danielle La Valle \$ 98,736.00

CHIEF FINANCIAL OFFICER

Lydia D'Amore \$ 106,345.00

ASSESSMENT OF TAXES

TAX ASSESSOR

Tracy Hafner \$ 119,013.00

STATE UNIFORM CONSTRUCTION CODE

CONSTRUCTION OFFICIAL

Greg Cirillo \$104,040.00

- 4. Resolution 22-0105.02(a-m): Authorize Various Appointments for 2022:
 - a. Administrator for DOT Alcohol and Drug Testing Policy: Gabrielle Albert
 - b. Insurance Fund Commissioner: Kyle Ominski
 - c. Workers Compensation Administrator: Gabrielle Albert
 - d. Public Agency Compliance Officer: Danielle La Valle
 - e. Americans with Disabilities Act Coordinator: Danielle La Valle
 - f. Assessment Search Officer: Danielle La Valle
 - g. Signatory for Certified Lists of Adjacent Properties:

- Tracy Hafner
- h. Tax Search Officer: Dawn Annarumma
 - i. Community Development Block Grant Representative: Dustin Martin
 - j. Retirement System Certifying Agent Supervisor: Lydia D' Amore
 - k. Civil Service Commission Appointing Authority: Kyle Ominski
 - l. Local Emergency Planning Committee (LEPC)
 - m. Hazardous Mitigation Planning Committee (HMPC)

RESOLUTION 22-0105.02(a)

APPOINTING AN ALCOHOL AND DRUG FREE WORKPLACE POLICY AND PROGRAM ADMINISTRATOR

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 is hereby, appointed Administrator for 2022 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 22-0105.02(b)

APPOINTING A MUNICIPAL JOINT INSURANCE FUND COMMISSIONER

BE IT RESOLVED, by the Board of Commissioners of the Township of Long Beach that Kyle Ominski, be and is hereby, appointed Fund Commissioner to represent the Township of Long Beach in the Ocean County Municipal Joint Insurance Fund for the year 2022; and

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

RESOLUTION 22-0105.02(c)

APPOINTING A WORKERS COMPENSATION ADMINISTRATOR

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Township of Long Beach that Gabrielle Albert, be and is hereby, appointed Workers Compensation Administrator for 2022; and

BE IT FURTHER RESOLVED, that Chris Connors be appointed as Alternate.

RESOLUTION 22-0105.02(d)

APPOINTING A PUBLIC AGENCY COMPLIANCE OFFICER

BE IT RESOLVED, that the Board of Commissioners of the Township of Long Beach designate Municipal Clerk, Danielle La Valle, as the Public Agency Compliance Officer (P.A.C.O.) for 2022 as regulated by the New Jersey Division of Contract Compliance with regard to equal employment opportunity in public contracts and as per N.J.A.C. 17:27-3.5.

RESOLUTION 22-0105.02(e)

APPOINTING AN AMERICANS WITH DISABILITIES ACT COORDINATOR

BE IT RESOLVED, by the Board of Commissioners of the Township of Long Beach, County of Ocean, State of New Jersey that Danielle La Valle is hereby appointed Americans with Disabilities Act (ADA) Coordinator for a term effective January 1, 2022 through December 31, 2022.

RESOLUTION 22-0105.02(f)

APPOINTING AN OFFICIAL ASSESSMENT SEARCH OFFICER

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

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

RESOLUTION 22-0105.02(g)

APPOINTING AN AUTHORIZED SIGNATORY FOR CERTIFIED LISTS OF ADJACENT PROPERTIES FOR LAND USE AND CAFRA APPLICATION NOTICES

BE IT RESOLVED, by the Board of Commissioners of the Township of Long Beach, County of Ocean, State of New Jersey, at the Regular Meeting held this 3rd day of January 2022 that Tracy Hafner, be and 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;

BE IT FURTHER RESOLVED, that Barbara Bielawne is hereby designated as alternate signatory for the execution of said documents as necessary, effective January 1, 2022 through December 31, 2022.

RESOLUTION 22-0105.02(h)

APPOINTING AN OFFICIAL TAX SEARCH OFFICER

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 is hereby, appointed the Official Tax Search Officer of the Township of Long Beach for 2022; and

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

RESOLUTION 22-0105.02(i)

APPOINTING A COMMUNITY DEVELOPMENT BLOCK GRANT REPRESENTATIVE

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 Dustin Martin, be and is hereby, appointed as Community Development Block Grant Representative for the year 2022 and that Jim O'Brien be and is hereby, appointed the Alternate for the year 2022.

RESOLUTION 22-0105.02(j)

APPOINTING A PUBLIC EMPLOYEES' RETIREMENT SYSTEM AND POLICE AND FIREMENS' RETIREMENT SYSTEM CERTIFYING AGENT SUPERVISOR

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 Firemen'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 Firemen's Retirement System Offices of the State of New Jersey.

RESOLUTION 22-0105.02(k)

APPOINTING A CIVIL SERVICE COMMISSION APPOINTING AUTHORITY

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 separations; and

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

RESOLUTION 22-0105.02(l)

APPOINTING MEMBERS TO LONG BEACH TOWNSHIP'S LOCAL EMERGENCY PLANNING COMMITTEE

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

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

Joseph Mancini	Mayor
Kyle Ominski	Business Administrator
Chief Kevin Mahon	Emergency Management Coordinator
James Hartmann	Deputy Emergency Management Coordinator
Brendan Kerlin	Deputy Emergency Management Coordinator
Todd MacLennan	Ship Bottom Fire Department
George Salazar	Beach Haven Fire Department
Fred Grimste	Barneagt Light Fire Company
Robert Selfriedge	Barneagt Light First Aid
Greg Cirillo	Long Beach Township OEM
Anthony Pesic	Flood Plain Manager
Christopher Connors	Long Beach Township OEM

James O'Brien	Long Beach Township DPW
Dustin Martin	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
Mark Duzban	Citizen/Communications Specialist

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

Date	Time	Location
March 2, 2022	4:00 p.m.	Municipal Courtroom/Zoom
June 1, 2022	4:00 p.m.	Municipal Courtroom/Zoom
September 7, 2022	4:00 p.m.	Municipal Courtroom/Zoom

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Township of Long Beach that the before listed individuals be, and are hereby, appointed as members of the 2022 Local Emergency Planning Committee effective January 1, 2022 through December 31, 2022.

RESOLUTION 22-0105.02(m)

APPOINTING MEMBERS TO LONG BEACH TOWNSHIP'S HAZARDOUS MITIGATION PLANNING COMMITTEE

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

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

Joseph Mancini	Mayor
Danielle La Valle	Municipal Clerk
Chief Kevin Mahon	Emergency Management Coordinator
James Hartmann	Deputy Emergency Management Coordinator
Brendan Kerlin	Deputy Emergency Management Coordinator
Anthony O'Cone	Long Beach Twp. Police, Annex Coordinator Chief Tele-Communicator
Todd MacLennan	Ship Bottom Fire Department
Greg Cirillo	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
Kimberly Walker	Annex Coordinator
Brianna Maglio	Annex Coordinator
Nicole Andreotta	Annex Coordinator
Christine Eberle	Annex Coordinator
James Seidenfaden	Annex Coordinator
Erica Nicholes	Annex Coordinator

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Township of Long Beach that the before listed individuals be, and are hereby, appointed as members of the 2022 Hazardous Mitigation Planning Committee effective January 1, 2022 through December 31, 2022.

5. Resolution 22-0105.03: Approve the 2022 IRS Standard Mileage Reimbursement Rate: \$0.585 cents per mile

RESOLUTION 22-0105.03

WHEREAS, it has been past practice and policy for Long Beach Township to reimburse its eligible employees for gasoline mileage when circumstances warrant such reimbursement; and

WHEREAS, the current rate set by Federal Government regulations is \$0.585 cents per mile, which is accepted by various federal government agencies including, but not limited to, the Internal Revenue Service.

NOW, THEREFORE BE IT RESOLVED, by the Board of Commissioners of the Township of Long Beach that the Long Beach Township mileage reimbursement rate is hereby set at \$0.585 cents per mile, effective January 1, 2022, as per IRS Notice 2022-03.

6. Resolution 22-0105.04: Approve the Annual Town Wide Yard Sales:
Saturday May 28, 2022 (rain date: Sunday, May 29th) and
Saturday, July 2, 2022 (rain date: Sunday, July 3rd)

RESOLUTION 22-0105.04

WHEREAS, pursuant to Chapter 152-3.C. of the Code of the Township of Long Beach, two (2) Town-Wide Private Sales are permitted per year within the municipal town limits.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach at a regular meeting held Monday, January 3, 2022 that town-wide Private Sales (yard sales) shall be authorized for Saturday, May 28, 2022 (rain date: Sunday, May 29th) and Saturday, July 2, 2022 (rain date: Sunday July 3th); said Private Sales shall not be counted in the total permissible Private Sales per year, per property. Participants shall comply with all provisions of Chapter 152 of the Code of the Township of Long Beach.

7. Resolution 22-0105.05: Authorize Various Twp. Employees to Prepare and Submit Various Grant Applications For 2022

RESOLUTION 22-0105.05

AUTHORIZING VARIOUS EMPLOYEES OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, TO PREPARE AND SUBMIT VARIOUS GRANT APPLICATIONS FOR 2022

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 are hereby authorized and directed to apply for various grants in 2022.

8. Resolution 22-0105.06: Approve 2022 Special Events in Long Beach Township

RESOLUTION 22-0105.06

A RESOLUTION AUTHORIZING VARIOUS 2022 SPECIAL EVENTS IN LONG BEACH TOWNSHIP

WHEREAS, the Long Beach Township Board of Commissioners wishes to foster and promote the recreational and social experiences of its citizens and visitors; and

WHEREAS, various applications, documents and certifications are required to be submitted, reviewed, and filed in order to approve and permit such events before sanctioning by the Township.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach does hereby grant permission for various recreational and social events taking place on municipal grounds and buildings in 2022 submitted for approval on the prescribed application form(s), containing sufficient and complete information and necessary documents and/or certification, and approval by affected Township Departments and Commissioners, and County of Ocean Officials as deemed appropriate.

Motion to approve Items 3-8:

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

PURCHASES, CONTRACTS & AWARDS

9. Resolution 22-0105.07: Approve Professional Service Contracts for Appraisal Services: Robert W. Kirwan Appraisal, Jerome McHale, & Lehman Appraisal LLC

RESOLUTION 22-0105.07

AUTHORIZING THE AWARD OF CONTRACTS FOR 2022 PROFESSIONAL APPRAISAL SERVICES

WHEREAS, the Township of Long Beach has a need to obtain the professional services 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 has elected to award contracts pursuant to the professional services exception set forth in N.J.S.A. 40A:11-5(1)(a)(i) and 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 regulated by law; and

WHEREAS, the listed services are recognized professions 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 the Township of Long Beach has determined and certified in writing that the value of the services will meet or exceed \$17,500.00; and

WHEREAS, pursuant to N.J.A.C. 5:30-5.3, et seq., the certification of funds by the Chief Financial Officer for the open-ended professional services contract which does not coincide with the fiscal year shall be certified each time an order or service is placed, contingent upon the availability in the appropriate 2022 municipal or capital budgets.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of the Township of Long Beach authorizes the Mayor to enter into the following contracts with the appraisal service professionals listed as described herein effective January 01, 2022, through December 31, 2022, at the indicated amount and rates in a total aggregate amount not to exceed \$20,000.00:

Robert W. Kirwan Appraisal	Appraisal Services	\$55.00- \$320.00/hour
Jerome McHale	Real Estate Appraisal Services (Various Fees as per Proposal Schedule)	\$150.00/hour
Lehman Appraisal LLC	Appraisal Services	\$175.00/hour

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 contract 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.

10. Resolution 22-0105.08: Approve a Shared Service Agreement with Ocean County: Prosecutor's Office; "Move Over" Grant FY 2021/2022

RESOLUTION 22-0105.08

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

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED, the Board of Commissioners of the Township of Long Beach does hereby authorize the execution of the Ocean County Move Over Law Enforcement Program Shared Services Agreement effective October 1, 2021 through September 30, 2022 with compensation to the Township set at the rate of Sixty Dollars (\$60.00) 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.

11. Resolution 22-0105.09 Approve Change Order #1: Shore Connection; SFY 2019 ROAD RECONSTRUCTION AND IMPROVEMENTPROJECT, \$27,425.03

RESOLUTION 22-0105.09

RESOLUTION AUTHORIZING CHANGE ORDER #1 FOR THE SFY 2019 ROAD RECONSTRUCTION AND IMPROVEMENT PROJECT-CEDAR DRIVE

WHEREAS, Shore Connection was awarded a contract for 2019 Road Reconstruction Project-Cedar Drive in the Township of Long Beach in the amount of Three Hundred Seventy-Seven Thousand Two Hundred Forty-Five dollars (\$377,245.00) as per Resolution 21-0324.01; and

WHEREAS, based on the actual project of the work for the year, additional quantities were added; and

WHEREAS, these changes have resulted in Change Order #1 of the original contract and has been approved by the Board of Commissioners. 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 ORD 19-07 RECON/RESURF VARIOUS ROADS, Account # C-04-56-158-901 in the amount of Twenty-Seven Thousand Four Hundred Twenty-Five Dollars and Three cents (\$27,425.03).

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Township of Long Beach at a regular scheduled meeting, (not less than two-thirds (2/3 of the members thereof affirmatively concurring) this 3rd day of January 2022 that Shore Connection., Inc, 304 Forge Road, Unit 10, West Creek, NJ 08092, be and is hereby awarded Change Order #1 in the amount of Twenty Seven Thousand Four Hundred Twenty-Five Dollars and Three cents (\$27,425.03) representing a 7.27% increase over the original contract price, for payment of the work required to complete the SFY 2019 Road Reconstruction Project- Cedar Drive.

Motion to approve Items: 9-11

Motion: Bayard Ayes: Bayard, Mancini

Second: Mancini Nays:

FINANCIAL APPROVALS

12. Resolution 22-0105.10: Approve Petty Cash Funds and Custodians for 2022

RESOLUTION 22-0105.10

APPROVING PETTY CASH FUNDS AND CUSTODIANS FOR 2022

WHEREAS, the Board of Commissioners of the Township of Long Beach wishes to establish the following Petty Cash Funds and custodians for 2022 in accordance with N.J.S.A. 40:5-21, and

WHEREAS, each custodian is bonded in the amount of \$1,000,000.00 under the Ocean County Municipal Joint Insurance Fund.

Petty Cash Fund	Custodian	Amount
Municipal Clerk	Danielle La Valle	\$50.00
Police Dept.	Chief Kevin Mahon	\$100.00
Water Sewer Utility	Michele Torres	\$150.00
Confidential Account	Patrick Mazzella	\$500.00
Beach Patrol	Tracey Schmidt	\$100.00
Building Dept.	Jennifer Diodata	\$50.00
Finance	Lydia D'Amore	\$100.00
Health Dept.	Daniel Krupinski	\$100.00
DPW	Debra Thompson	\$100.00

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners hereby authorizes the establishment of the funds and custodians as listed above and two certified copies of this resolution are to be filed with the Division of Local Government Services, New Jersey Department of Community Affairs, for approval

13. Resolution 22-0105.11: Authorize an Increase to a Change Fund

RESOLUTION 22-0105.11

**RESOLUTION OF THE TOWNSHIP OF LONG BEACH,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
INCREASING CHANGE FUND**

WHEREAS, the Governing Body wishes to increase the change fund for the Clerk's Office to \$200.00

NOW, THEREFORE BE IT RESOLVED that the Board of Commissioners hereby authorizes the increase of the change fund for the Clerk's Office, which increases the total amount of all change funds as follows:

Change Funds	
Department	Amount
Beach Badges	\$350.00
Water/Sewer	\$500.00
Tax Office	\$200.00
Court	\$300.00
Clerk's Office	\$200.00
TOTAL	\$1550.00

14. Resolution 22-0105.12: Approve an Appropriation Transfer

RESOLUTION 22-0105.12

APPROVING AN APPROPRIATION TRANSFER

WHEREAS, the New Jersey statutes provide for the making of reserve appropriation transfers between the period of January 1, 2022 and March 31, 2022; and

WHEREAS, the Board of Commissioners of the Township of Long Beach, County of Ocean, desires to make 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
Group Insurance- Other Exp	O&E	1-01-23-220-000	\$10,000.00
TOTAL			\$ 10,000.00
TO:			
DEPT:	ACCT#	AMOUNT	
Engineering- Other Expenses	O&E	1-01-20-165-020	\$10,000.00
TOTAL			\$10,000.00

15. Resolution 22-0105.14(a-e) Approve Various fees for 2022

- a. Bayview Park Recreational Vendor
- b. Mobile Ice Cream Vendor
- c. Off-Season Transportation Rates
- d. Bayview Park Trailer Concession & Health Department Inspection
- e. Bayview Park Recreational Apparatus Racks

RESOLUTION 22-0105.14(a)

**RESOLUTION OF THE TOWNSHIP OF LONG BEACH,
COUNTY OF OCEAN, STATE OF NEW JERSEY**

SETTING BAYVIEW PARK RECREATIONAL VENDOR LICENSE FEE FOR 2022

NOW, THEREFORE, BE IT RESOLVED, the Board of Commissioners of the Township of Long Beach hereby fixes, pursuant to Ordinance 16-06C, Chapter 194-2.A. of the Code of Long Beach Township, the 2022 Recreational Vendor License fee at \$2,000.00 per vendor effective through December 31, 2022.

RESOLUTION 22-0105.14(b)

**RESOLUTION OF THE TOWNSHIP OF LONG BEACH,
COUNTY OF OCEAN, STATE OF NEW JERSEY**

SETTING MOBILE ICE CREAM VENDOR LICENSE FEE FOR 2022

NOW, THEREFORE, BE IT RESOLVED, the Board of Commissioners of the Township of Long Beach hereby fixes, pursuant to Ordinance 04-07C, and Chapter 195-3.F.(1) of the Code of Long Beach Township, the 2022 Motorized Ice Cream Vendor License fee at \$5,000.00 per vendor effective through December 31, 2022.

RESOLUTION 22-0105.14(c)

**RESOLUTION OF THE TOWNSHIP OF LONG BEACH,
COUNTY OF OCEAN, STATE OF NEW JERSEY**

SETTING OFF-SEASON RATES FOR MUNICIPAL TRANSPORTATION VEHICLES

WHEREAS, pursuant to and in accordance with state law, the Township of Long Beach created and implemented a Municipal Transportation System ("LBI Shuttle") by and through the adoption of Ordinance 14-07C; and

WHEREAS, pursuant to Ordinance 14-07C and Chapter 111-3.A., and in accordance

with state law, the Township of Long Beach has elected to contract with third-parties for their destination and fee-based use of the shuttle buses that comprise the LBI Shuttle during the off-season from Labor Day to Memorial Day (“Off-Season Shuttle”); and

WHEREAS, the Township of Long Beach finds and declares that the Off-Season Shuttle shall provide additional support to the LBI Shuttle and shall support the public health, welfare, safety, as well as provide additional economic benefits to the businesses, citizens, and visitor of Township of Long Beach and Long Beach Island region as a whole; and

WHEREAS, the Board of Commissioners sets the fee for the Off-Season Shuttle as follows:

- (1) 14 Passenger Bus: 2-hour minimum \$500.00
 Each Additional hour \$75.00; and
- (1) 24 Passenger Bus: 2-hour minimum \$750.00
 Each Additional hour \$75.00

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of the Township of Long Beach hereby authorizes the above-noted fees for 2022.

RESOLUTION 22-0105.14(d)
RESOLUTION OF THE TOWNSHIP OF LONG BEACH,
COUNTY OF OCEAN, STATE OF NEW JERSEY
RENEWING BAYVIEW PARK TRAILER CONCESSION LEASE AND SETTING HEALTH
DEPARTMENT INSPECTION FEE FOR 2022

NOW, THEREFORE, BE IT RESOLVED, the Board of Commissioners of the Township of Long Beach hereby exercises the lease provision to renew Food Concession Services, pursuant to the terms of the Trailer Concession Lease executed no later than May 1, 2022. Trailer Concession Lease fee shall be set at \$3,000.00 effective through December 31, 2022; and

BE IT FURTHER RESOLVED the Board of Health Inspection fee shall be fixed at \$50.00 effective through December 31, 2022.

RESOLUTION 22-0105.14(e)
RESOLUTION OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN,
STATE OF NEW JERSEY SETTING RENTAL RATES FOR BAYVIEW PARK
RECREATIONAL APPARATUS RACKS

WHEREAS, pursuant to Chapter 194-6.A., the recreational equipment storage racks located at Bayview Park may be rented by the Township to the public between May 1 through October 1 at a rental rate set annually by resolution of the Board of Commissioners; and

WHEREAS, the Board of Commissioners sets the fee for the seasonal rental of recreational equipment storage racks for 2020 as follows:

- (1) Storage Rack: May 1st through October 1 \$200.00; and

WHEREAS, any recreational equipment stored in Bayview Park racks that has not been removed prior to October 11th shall be deemed abandoned and offered for public auction pursuant to N.J.S.A.40A:157(a).

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of the Township of Long Beach hereby authorizes the above-noted fees and regulations effective through December 31, 2022.

- 16. Resolution 22-0105.15: Approve Bills and Payroll:
 Bills in the amount of: \$ 333,625.12
 Payroll in the amount of: \$ 463,471.50

RESOLUTION 22-0105.15
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 \$463,471.50.

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 \$333,625.12 be and the same are hereby authorized to be paid on Wednesday, January 05, 2022.
- 2. The said approved payroll amounting to the sum of \$463,471.50 be and the same are hereby authorized to be paid on Wednesday, January 05, 2022.

The Municipal Clerk be, and 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: 12-17

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

COMMISSIONERS' REPORTS

Commissioner Bayard: Informed all that the recycling and trash calendars would be mailed out by January 10 because the county has made changes that need to be reflected in the calendar.

Mayor Mancini: The next meeting of the Land Use Board will be held on Wednesday, January 12th, 2022 at 7:00 pm in the Municipal Court Room.

Second Reading and Public Hearing for Ordinance(s) 22-01C and 22-02C will take place at the public meeting held on Monday, February 7, 2022 at 4:00 pm. Mayor Mancini also commended the DPW for their great job handling the snowstorm on Monday.

OPEN PUBLIC SESSION

Anne Barkey, Loveladies: questions regarding the current Covid numbers, the change order resolution, how information will be posted for 2022 and the Special Events resolution.

Danielle La Valle, Municipal Clerk: explained the new agenda format and how first reading ordinances would be posted on the website after first reading.

John Fiore, Brant Beach: thanked everyone for a good year and commended the Commission for listening to resident concerns and acting accordingly, recommends more regular meetings between the Commissioners and the Taxpayer Associations.

Mayor Mancini stated that he always has an open-door policy and anyone is free to come talk to him when he is in.

Dave McWilliam, Brighton Beach: questions regarding the status of the Kubel's Too property.

Karen Ensslen, High Bar Harbor: questions concerning the town wide yard sale pertaining to fees and the list of participants.

Pete Potochey, Brant Beach: questions regarding the timeline for the storm valve replacement and status of the new pickleball courts.

Mayor Mancini explained that they are working on prioritizing which valves are in most need of installation or repair and hope to have the pickleball courts operating by June.

Commissioner Bayard stated that the tides can make it difficult to change valves, so the order is dependent on tides.

CLOSE PUBLIC SESSION

Motion for adjournment at 11:19 a.m.:

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

Danielle La Valle, RMC
Municipal Clerk

Joseph H. Mancini
Mayor

Ralph H. Bayard
Commissioner