

MINUTES
REGULAR SESSION BOARD OF COMMISSIONERS March 7, 2022
Flag Salute

Meeting came to order: 4:03 p.m.
 Clerk calls the roll: Mayor Joseph H. Mancini PRESENT
 Commissioner Ralph H. Bayard PRESENT
 Commissioner Joseph P. Lattanzi ABSENT

Also in attendance: Danielle La Valle, Municipal Clerk
 Kyle Ominski, Administrator

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 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:

PROCLAMATION

Celebrating The 50th Anniversary Of The Older Americans Act Nutrition Program - March 2022

AGENDA

ORDINANCES & PUBLIC HEARINGS

1. Second Reading Ordinance 22-03 : **BOND ORDINANCE AUTHORIZING THE CONSTRUCTION OF VARIOUS BUILDINGS IN AND FOR THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$250,000 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 \$237,500; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING.**

Passed on first reading at a regular meeting held on February 7, 2022 and advertised in the BEACH HAVEN TIMES issue of February 10, 2022.

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

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

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

(a) the estimated amount to be raised by the Township from all sources for the purpose stated in Section 7 hereof is \$250,000; and

(b) the estimated amount of bonds or bond anticipation notes to be issued for the purpose stated in Section 7 hereof is \$237,500; and

(c) a down payment in the amount of \$12,500 for the purpose stated in Section 7 hereof is currently available in accordance with the requirements of Section 11 of the Local Bond Law, N.J.S.A. 40A:2-11.

Section 3. The sum of \$237,500, to be raised by the issuance of bonds or bond anticipation notes, together with the sum of \$12,500, which amount represents the required down payment, are hereby appropriated for the purpose stated in this bond ordinance ("Bond Ordinance").

Section 4. The issuance of negotiable bonds of the Township in an amount not to exceed \$237,500 to finance the costs of the purpose described in Section 7 hereof is hereby authorized. Said bonds shall be sold in accordance with the requirements of the Local Bond Law.

Section 5. In order to temporarily finance the purpose described in Section 7 hereof, the issuance of bond anticipation notes of the Township in an amount not to exceed \$237,500 is hereby authorized. Pursuant to the Local Bond Law, the Chief Financial Officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver the same to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their date to delivery thereof. The Chief Financial Officer is hereby directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this Bond Ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 6. The amount of the proceeds of the obligations authorized by this Bond Ordinance which may be used for the payment of interest on such obligations, accounting, engineering, legal fees and other items as provided in Section 20 of the Local Bond Law, N.J.S.A. 40A:2-20, shall not exceed the sum of \$50,000.

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

<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
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	<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
A.	Construction of Various Municipal Buildings, including, but not limited to, the 68 th Street Bath House/Comfort Station, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	\$250,000	\$12,500	\$237,500	20 years

Section 8. The supplemental debt statement provided for in Section 10 of the Local Bond Law, N.J.S.A. 40A:2-10, was duly filed in the office of the Clerk prior to the passage of this Bond Ordinance on first reading and a complete executed duplicate original thereof has been filed in the Office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. The supplemental debt statement shows that the gross debt of the Township, as defined in Section 43 of the Local Bond Law, N.J.S.A. 40A:2-43, is increased by this Bond Ordinance by \$237,500 and that the obligations authorized by this Bond Ordinance will be within all debt limitations prescribed by said Local Bond Law.

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

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

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

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

Section 13. The Township hereby covenants as follows:

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

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

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

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

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

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

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

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

OPEN PUBLIC HEARING

No public comment.

CLOSE PUBLIC HEARING

Motion to approve/adopt Ordinance 22-03 on Second Reading:

Motion: Bayard Ayes: Bayard, Mancini

Second: Mancini Nays:

2. Second Reading Ordinance 22-04 : **BOND ORDINANCE AUTHORIZING RENOVATIONS AND IMPROVEMENTS TO THE TRANSPORTATION BUILDING IN THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$150,000 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 \$142,500;**

MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING

Passed on first reading at a regular meeting held on February 7, 2022 and advertised in the BEACH HAVEN TIMES issue of February 10, 2022.

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

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

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

(a) the estimated amount to be raised by the Township from all sources for the purpose stated in Section 7 hereof is \$150,000; and

(b) the estimated amount of bonds or bond anticipation notes to be issued for the purpose stated in Section 7 hereof is \$142,500; and

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

Section 3. The sum of \$142,500, to be raised by the issuance of bonds or bond anticipation notes, together with the sum of \$7,500, which amount represents the required down payment, are hereby appropriated for the purpose stated in this bond ordinance ("Bond Ordinance").

Section 4. The issuance of negotiable bonds of the Township in an amount not to exceed \$142,500 to finance the costs of the purpose described in Section 7 hereof is hereby authorized. Said bonds shall be sold in accordance with the requirements of the Local Bond Law.

Section 5. In order to temporarily finance the purpose described in Section 7 hereof, the issuance of bond anticipation notes of the Township in an amount not to exceed \$142,500 is hereby authorized. Pursuant to the Local Bond Law, the Chief Financial Officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver the same to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their date to delivery thereof. The Chief Financial Officer is hereby directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this Bond Ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 6. The amount of the proceeds of the obligations authorized by this Bond Ordinance which may be used for the payment of interest on such obligations, accounting, engineering, legal fees and other items as provided in Section 20 of the Local Bond Law, *N.J.S.A. 40A:2-20*, shall not exceed the sum of \$30,000.

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

<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
A. Renovations and Improvements to the Transportation Building located at 9306 Long Beach Boulevard in the Township, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	\$150,000	\$7,500	\$142,500	20 years

Section 8. The supplemental debt statement provided for in Section 10 of the Local Bond Law, *N.J.S.A. 40A:2-10*, was duly filed in the office of the Clerk prior to the passage of this Bond Ordinance on first reading and a complete executed duplicate original thereof has been filed in the Office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. The supplemental debt statement shows that the gross debt of the Township, as defined in Section 43 of the Local Bond Law, *N.J.S.A. 40A:2-43*, is increased by this Bond Ordinance by \$142,500 and that the obligations authorized by this Bond Ordinance will be within all debt limitations prescribed by said Local Bond Law.

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

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

Section 11. The Capital Budget is hereby amended to conform with the provisions of this Bond Ordinance to the extent of any inconsistency therewith, and the resolution promulgated by the Local Finance Board showing full detail of the amended Capital Budget and Capital Program as

approved by the Director of the Division of Local Government Services, is on file with the Clerk and available for inspection.

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

Section 13. The Township hereby covenants as follows:

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

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

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

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

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

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

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

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

OPEN PUBLIC HEARING

No public comment.

CLOSE PUBLIC HEARING

Motion to approve/adopt Ordinance 22-04 on Second Reading:

Motion: Bayard Ayes: Bayard, Mancini

Second: Mancini Nays:

3. Second Reading Ordinance 22-05 : **BOND ORDINANCE AUTHORIZING THE COMPLETION OF VARIOUS RECREATIONAL IMPROVEMENTS IN AND FOR THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$450,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$427,500; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

Passed on first reading at a regular meeting held on February 7, 2022 and advertised in the BEACH HAVEN TIMES issue of February 10, 2022.

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

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

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

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

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

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

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

Section 4. The issuance of negotiable bonds of the Township in an amount not to exceed \$427,500 to finance the costs of the purpose described in Section 7 hereof is hereby authorized. Said bonds shall be sold in accordance with the requirements of the Local Bond Law.

Section 5. In order to temporarily finance the purpose described in Section 7 hereof, the issuance of bond anticipation notes of the Township in an amount not to exceed \$427,500 is hereby authorized. Pursuant to the Local Bond Law, the Chief Financial Officer is hereby authorized to sell

part or all of the bond anticipation notes from time to time at public or private sale and to deliver the same to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their date to delivery thereof. The Chief Financial Officer is hereby directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this Bond Ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

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

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

<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
A. Completion of Various Recreation Improvements Throughout the Township including, but not limited to, basketball courts, pickle ball courts and parking, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	\$450,000	\$22,500	\$427,500	15 years

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

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

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

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

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

Section 13. The Township hereby covenants as follows:

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

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

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

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

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

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

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

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

OPEN PUBLIC HEARING

Ann Barkey, Loveladies- questions regarding what was occurring with this ordinance.

Mayor Mancini explains that this would be for pickleball and tennis courts.

Steve Helveka, Brant Beach- requests regarding timeline for the M&M courts to be open.

Mayor Mancini states that the hope is to open for June.

CLOSE PUBLIC HEARING

Motion to approve/adopt Ordinance 22-05 on Second Reading:

Motion: Bayard Ayes: Bayard, Mancini

Second: Mancini Nays:

4. Second Reading Ordinance 22-06C : **AN ORDINANCE AMENDING AN ORDINANCE ENTITLED, "CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, (1997)" IN CHAPTER 180, WHICH PERTAINS TO SWIMMING POOLS AND HOT TUBS, AND CHAPTER 205, WHICH PERTAINS TO ZONING**

Passed on first reading at a regular meeting held on February 7, 2022 and advertised in the BEACH HAVEN TIMES issue of February 10, 2022. This ordinance was reviewed by the Land Use Board at their February 9, 2022 meeting.

STATEMENT OF PURPOSE

This Ordinance amends Chapter 180 to prohibit all types of pools and hot tubs, except specific recessed hot tubs, from installation and placement on roof and roof deck structures and amends Chapter 205 to define awnings and roof deck structures, to amend and clarify the height restrictions for structures, fixtures, property, and accessories, and to adopt regulations relating to roof deck structures.

SECTION I

§180-3B(5) is hereby repealed and replaced as follows.

- (5) No swimming pool, lap pool, or any type of pool shall be installed or permitted on a roof or roof deck structure.

SECTION II

§180-3B(6) and (7) are deleted and a new B(6) is added as follows.

- (6) Only 1 hot tub is permitted on a roof or roof deck structure provided it does not exceed 64 square feet in area and does not exceed the maximum permitted building height of the applicable zone. No other hot tubs shall be installed or permitted on any roof or roof deck structure.

SECTION III

§205-2 is hereby revised to add the following definitions in alphabetical order.

AWNING

A canvas or other material stretched over a frame mounted on a wall over a window, door, or deck area. The maximum height above grade or deck area shall be 8 feet. The maximum covered area shall be 10 feet by 12 feet and shall not be counted as lot coverage.

ROOF DECK STRUCTURE

A deck that is constructed on top of a roof or constitutes the roof of a building.

SECTION IV

§205-10F(1)-(9) is hereby repealed and replaced as follows.

F. The following structures may exceed the height limits prescribed by this Chapter as set forth as follows.

- (1) Chimneys provided for fireplaces and the like: maximum of 42 inches.
- (2) Freestanding flagpoles shall be permitted with height limitations not to exceed the following.
 - (a) Commercial zone flagpoles installed at grade level utilized with a commercial use: maximum of 40 feet.
 - (b) Residential flagpoles installed at grade level in a residential zone or in any zone used in conjunction with a residence: maximum of 34 feet.
- (3) Satellite dish antennas not exceeding 2 feet in diameter: maximum of 3 feet.
- (4) Open railing systems for safety around rooftop decks which do not exceed 42 inches in height and which are open and unobstructed to the maximum extent permitted by appropriate building codes.
- (5) Television antennas: maximum of 8 feet.
- (6) Elevator towers.
 - (a) Commercial: maximum of 8 feet.
 - (b) Residential: maximum of 40 feet above grade level.
 - [1] The elevator tower which exceeds the maximum permitted height limitation shall be located no less than 10 feet from all exterior walls of the building in which it is located and no less than 15 feet from the exterior front wall of such building.
 - [2] The elevator tower shall contain nothing other than the elevator which it is designed to house.

SECTION V

§205-10G is hereby added as follows.

- G. No portion of any permitted permanent or built-in structures, pools, hot tubs, outdoor kitchens, any type of fire device, awnings, pergolas, flags other than as permitted by F(2) above, decorations, landscaping, real or fake plants, or similar property, accessories, and fixtures shall exceed the maximum permitted building height of the applicable zone, except 1 portable cooking grill not exceeding 12 square feet, moveable or portable deck furniture, and patio table umbrellas shall be permitted to exceed the maximum permitted building height.

SECTION VI

§205-22 is hereby repealed and replaced with the following.

§205-22 Roofs and roof deck structures.

- A. Pursuant to Chapter 180, only 1 hot tub is permitted on a roof deck structure provided it does not exceed 64 square feet in area and does not exceed the maximum building height of the applicable zone. No other swimming pool, lap pool, or any other type of pool shall be installed or permitted on any roof or roof deck structure.
- B. Permitted permanent and built-in structures, pools, hot tubs, outdoor kitchens, any type of fire device, awnings, pergolas, flags, decorations, landscaping, real or fake plants, or similar property, accessories, and fixtures are permitted on roof and roof deck structures provided no portion of the foregoing exceeds the maximum permitted building height of the applicable zone.

SECTION VII

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

SECTION VIII

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 IX

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

OPEN PUBLIC HEARING

Rand Pearsall, Holgate- questions if this ordinance would be retroactive.

Mayor Mancini responds by saying no, unless renovations are being made to the property, the railings should be see-thru.

CLOSE PUBLIC HEARING

Motion to approve/adopt Ordinance 22-06C on Second Reading:

Motion: Bayard Ayes: Bayard, Mancini

Second: Mancini Nays:

5. Second Reading Ordinance 22-07C: AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, (1997) TO ELIMINATE AN ERRONEOUS ORDINANCE HEADING AND UPDATE SPECIFIC ORDINANCES

Passed on first reading at a regular meeting held on February 7, 2022 and advertised in the BEACH HAVEN TIMES issue of February 10, 2022.

STATEMENT OF PURPOSE

The purpose of this ordinance is to correct the heading to Article I of the Chapter 22 within the Township's Ordinance, eliminate reference to the position of Deputy Chief, revise the responsibilities of Captain within the Police Department, update Ordinance § 22-6 "Post-Offer, Pre-Employment Examinations, Tests and Background Checks" and revise Ordinance § 22-7 Nepotism.

SECTION I

Part I, Administrative Legislation, Chapter 5, § 5-8A(4)(a) shall be amended as follows:

Replace "Deputy Chief" with "Captain"

Add to the end of the paragraph "In the event the Board of Commissioners appoints more than one Captain, it shall designate the Captain who will temporarily assume the position of Acting Chief of Police."

SECTION II

Part I, Administrative Legislation, Chapter 22, Personnel Policies, Article I, the Title is hereby amended as follows:

Replace "Family and Medical Leaves of Absence" with "Employment Policies in General"

SECTION III

Part I, Administrative Legislation, Chapter 22, Personnel Policies, Article I, § 22-6 "Post-Offer, Pre-Employment Examinations, Tests and Background Checks" shall be amended as follows:

Replace §22-6 in its entirety with the following: The Township maintains various policies and procedures related to its hiring practices including but not limited to its Post-Offer, Pre-Employment Examinations, Tests and Background Checks, and Protection and Safe Treatment of Minors policies which are available from the office of the Township Clerk upon request. The Township shall comply with all applicable federal and state laws in connection with its hiring practices.

SECTION III

Part I, Administrative Legislation, Chapter 22, Personnel Policies, Article I, §22-7 Anti-Nepotism policy, shall be amended as follows:

§ 22-7B shall be replaced with the following:

B. Applicability. The prohibitions set forth in this policy apply solely to employment with the Township and do not apply to appointments to the various boards, commissions, committees and authorities of the Township. Nor shall this policy prohibit employment with the Township that was established prior to July 6, 2004. Individuals appointed for a set term on or before that date may continue to be hired, re-hired, reappointed, or promoted to any position in the Township without violating this policy provided that elected officials or relatives recuse themselves from any such decisions. This policy shall not apply to seasonal part-time employment, provided that the employment shall not result in a supervisor-subordinate relationship with a relative as that term is defined within this policy.

§ 22-7C, Definitions, Relative, shall be amended as follows:

Add a comma after "civil union partner"

§ 22-7D(1) shall be replaced with the following:

(1) Supervision. No elected official or supervisor of the Township shall employ, nominate, propose or recommend any relative of the elected official or supervisor for employment by the Township for a position held by that elected official or supervisor-or over which that elected official or supervisor has supervision except as may be provided below.

§ 22-7G shall be revised as follows:

G. Bargaining and negotiations. No elected official or supervisor of the Township who has a relative employed within a bargaining unit shall discuss, vote upon, or participate in any way, in negotiations, consideration or formulation of proposals or positions, or proposed terms and conditions of employment involving a collective bargaining agreement with the Township; provided, however, that a person may serve as a technical resource for the Township so long as no information pertaining to the foregoing topics is disclosed to that person.

§ 22-7 shall be revised to add the following:

J. Notwithstanding the restrictions in hiring and promoting employees indicated above, the Township may hire or promote a relative of an elected official or supervisor if all of the following criteria are met:

- (1) the relative has applied for a position that the Civil Service Commission deems as "open competitive" or "promotional;"
- (2) the relative has passed the open competitive or promotional examination and/or his/her name appears on a Civil Service hiring or promotional list;
- (3) the decision to hire or promote the relative is made by a person other than the Elected Official or Supervisor and is made from an authorized Civil Service list.
- (4) continued compliance with all other aspects of this policy including recusal of the official or supervisor in connection with any future recommendations, nominations, proposals, or employment actions, decisions or disciplinary actions related to the relative of the elected official or supervisor.

For the purposes of subparagraph J, the individual making the hiring or promotional decision in place of the Elected Official or Supervisor shall not be subject to retaliation or adverse employment action for recommending, nominating or proposing hiring or promoting someone other than the Elected Official or Supervisor's relative or for any employment action, decision or disciplinary action involving that relative so long as it is in accordance with Civil Service requirements.

SECTION IV

Each section of this ordinance, and each section contained within the Township's Employee Handbooks and Personnel Policies and Procedures Manual, is an independent section, and if a legally binding determination is made that any section, part, clause, word or portion thereof is unconstitutional, illegal, unenforceable, void or ineffective, then that item shall be severable from the balance and shall not be deemed to affect any other sections or portion thereof.

SECTION V

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

SECTION VI

This ordinance shall take effect after the first publication thereof after final adoption according to law.

Effective date.

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

OPEN PUBLIC HEARING

No public comment.

CLOSE PUBLIC HEARING

Motion to approve/adopt Ordinance 22-07C on Second Reading:

Motion: Bayard Ayes: Bayard, Mancini

Second: Mancini Nays:

6. First Reading Ordinance 22-08 AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK IN 2022

Motion to approve/adopt Ordinance 22-08 on First Reading:

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

7. First Reading Ordinance 22-09C: **AN ORDINANCE AMENDING AN ORDINANCE ENTITLED, "CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, (1997)" IN CHAPTER 39 WHICH PERTAINS TO ALCOHOLIC BEVERAGES**

Motion to approve/adopt Ordinance 22-09C on First Reading:

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

8. First Reading Ordinance 22-10C: **AN ORDINANCE AMENDING AN ORDINANCE ENTITLED, "CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, (1997)" IN CHAPTER 5, WHICH PERTAINS TO ADMINISTRATION**

Motion to approve/adopt Ordinance 22-10C on First Reading:

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

ADOPTIONS & APPROVALS

9. Resolution 22-0307.01: Approve Various Personnel Matters

RESOLUTION 22-0307.01

APPROVE VARIOUS PERSONNEL MATTERS

Finance

Hire the following employee as a Clerk 1 with an annual base salary of \$38,000.00 to be paid from Finance Salary & Wage effective March 1, 2022:

Shannon Bowker

Construction

Hire the following employee as a Seasonal Clerk at the rate of \$18.00 per hour to be paid from Construction Salary & Wage effective retroactive February 17, 2022:

Rachel Ferrulli

Approve the one-time stipend off \$3,000.00 to be paid to the following employee for additional duties effective March 7, 2022.

Susan Elassar

Water/Sewer

Adjust the following employee's annual base salary to \$58,000.00 to be paid from Water/Sewer Salary & Wage effective retroactive to March 1, 2022.

Ryan Brady

Adjust the following employee's annual base salary to \$58,000.00 to be paid from Water/Sewer Salary & Wage effective retroactive to March 1, 2022.

Cody Lippincott

10. Resolution 22-0307.02: Authorizing an Application to The Complete Streets Technical Assistance Program

RESOLUTION 22-0307.02

AUTHORIZING AN APPLICATION TO

THE COMPLETE STREETS TECHNICAL ASSISTANCE PROGRAM

WHEREAS, the New Jersey Department of Transportation Complete Streets Design Guide defines complete streets as follows: "Complete Streets are streets designed for all users, all modes of transportation, and all ability levels. They balance the needs of drivers, pedestrians, bicyclists, transit riders, emergency responders, and goods movement based on the local context"; and

WHEREAS, while the primary benefit of complete streets is improved safety, particularly for people who walk or bike who are the most vulnerable users of the street, there are other positive outcomes. Complete streets create better places to live, work, and do business. They can help improve the health of a community by encouraging people to walk and bike, bolster the local economy by generating foot traffic in business districts and provide greater mobility options for residents and visitors; and

WHEREAS, through the North Jersey Transportation Planning Authority's FY2022 *Complete Streets Technical Assistance Program*, Sustainable Jersey will coordinate and the Voorhees Transportation Center at Rutgers University will provide planning-level technical assistance services to municipalities for a specific project related to advancing a complete streets initiative in their communities; and

WHEREAS, although no direct funding is provided, selected municipalities will receive free direct technical assistance services to complete a specific task related to advancing a complete streets initiative in their communities.

THEREFORE, BE IT RESOLVED the Commissioners of the Township of Long Beach authorizes the authorized administrator to submit an application to the ***Complete Streets Technical Assistance Program*** to receive free direct technical assistance services to complete a specific task related to advancing complete streets, and also commits pertinent municipal staff to coordinate and collaborate with Sustainable Jersey, Voorhees Transportation Center and the North Jersey Transportation Planning Authority to support the successful and timely delivery of technical assistance services.

11. Resolution 22-0307.03: Confirming Annual Right-Of-Way Fee For Small Wireless Facilities

RESOLUTION 22-0307.03

A RESOLUTION OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, CONFIRMING THE ANNUAL RIGHT-OF-WAY FEE FOR SMALL WIRELESS FACILITIES PURSUANT TO CHAPTER 205 OF THE TOWNSHIP CODE

WHEREAS, pursuant to the 2018 Federal Communications Commission Small Cell Order (“FCC Order”) and in accordance with Federal and State law, the Township of Long Beach (“Township”) adopted an annual right-of-way (“ROW”) management fee by way of §205-38G for certain wireless communications facilities; and

WHEREAS, Federal and State law and §205-38G authorize the Township to fix an annual fee based upon the Township’s actual ROW management costs, if any, including, but not limited to, the costs of the administration and performance of all review, inspection, supervision, and other ROW management activities by the Township; and

WHEREAS, the FCC Order set the safe harbor fee at \$270 for ROW management costs as to each small wireless facility site in the ROW and unless the Township determines that the actual costs exceed the foregoing fee, that is the annual fee imposed upon each small wireless facility site in the ROW;

WHEREAS, based upon its review and investigation, the Township has determined and confirmed that the 2022 annual per site fee shall remain at \$270 for each small wireless facility site in the ROW and shall not be increased above that amount.

NOW, THEREFORE, BE IT RESOLVED, based upon the foregoing Recitals, which are incorporated herein by reference, the Mayor and Board of Commissioners of the Township of Long Beach, County of Ocean, State of New Jersey, hereby confirms that the annual fee set by §205-38G for each small wireless facility in the ROW shall remain \$270

12. Resolution 22-0307.04: Approve the 2021 Addendum of the 2015 Multi-Jurisdictional Program for Public Information in the National Flood Insurance Community Rating System

RESOLUTION 22-0307.04

APPROVING 2021 ADDENDUM OF THE 2015 MULTI-JURISDICTIONAL PROGRAM FOR PUBLIC INFORMATION WHICH IS PART OF THE NATIONAL FLOOD INSURANCE COMMUNITY RATING SYSTEM

WHEREAS, the Township Of Long Beach is enrolled in the National Flood Insurance Program (NFIP) to provide flood insurance for the residents of Long Beach; and

WHEREAS, the NFIP provides for insurance premium discounts for communities that voluntarily take part in the Community Rating System (CRS) program that is a component of the NFIP; and

WHEREAS, the Township of Long Beach takes part in the Community Rating System and presently holds a Class 5 Rating, which the Township’s Office of Emergency Management (OEM) strives to maintain or possibly improve; and

WHEREAS, currently the Township’s Class 5 Rating provides for a 25% discount on flood insurance for its residents and businesses; and

WHEREAS, the Township disseminates flood hazard information that not only is beneficial to the residents through mitigation of the hazardous effects of flooding, but is also beneficial in maximizing credit in the CRS program by conforming to the Program for Public Information standard outlined in the 2017 CRS Coordinator’s Manual; and

WHEREAS, all the other municipalities on Long Beach Island and Stafford Township also participate in the CRS program and are trying to maintain their flood insurance discounts for their residents; and

WHEREAS, a Multijurisdictional Program for Public Information was formulated including all six municipalities on Long Beach Island and Stafford Township to deliver consistent outreach messages to all island and Stafford Township residents; and

WHEREAS, the OEM has determined that it was necessary to create a Program for Public Information (PPI) in order to maintain the present Class 5 Rating; and

WHEREAS, the OEM recommends the Township of Long Beach approve the Program for Public Information Amendment; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Township of Long Beach that the Township supports the adoption of the 2021 addendum of the 2015 MULTI-JURISDICTIONAL PROGRAM FOR PUBLIC INFORMATION WHICH IS PART OF THE NATIONAL FLOOD INSURANCE COMMUNITY RATING SYSTEM, a copy of which is available for review at the office of the Municipal Clerk, 6805 Long Beach Blvd Brant Beach, NJ 08008.

Motion to approve Items 1-4 :

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

LICENSES & PERMITS

13. Resolution 22-0307.05: Authorize Amount of Ice Cream Vendor Licenses for 2022

RESOLUTION 22-0307.05

AUTHORIZING THE AMOUNT OF ICE CREAM VENDING LICENSES FOR 2022

WHEREAS, pursuant to §195-7.M. of the Code of the Township of Long Beach, the Board of Commissioners may, from time to time by resolution, limit the number of licenses issued for Ice Cream Vending as necessary.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach does hereby set the maximum number of Ice Cream Vending licenses issued for 2022 at six (6).

Motion to approve Item 13:

Motion: Bayard Ayes: Bayard, Mancini

Second: Mancini Nays:

PURCHASES, CONTRACTS & AWARDS

14. Resolution 22-0307.06(a&b): Award Various Contracts by Public Bid
- a. Maryland Ave Stormwater Pump Station
 - b. Repair Various Athletic Courts; Loveladies Tennis Court & Holgate Basketball Court

RESOLUTION 22-0307.06(a)

A RESOLUTION AWARDING A CONTRACT FOR THE 2022 STORMWATER PUMP STATIONS PROJECT- MARYLAND AVE (132nd STREET) FOR THE TOWNSHIP OF LONG BEACH, PER BID

WHEREAS, the Township of Long Beach has solicited and received bids for the 2022 Stormwater Pump Stations Project on March 2, 2022; and

WHEREAS, Level – 1 Construction, Inc. provided the lowest responsible and responsive bid in the amount of Three Hundred Twenty-One Thousand Dollars (\$321,000.00) for the project; and

WHEREAS, the Board of Commissioners deem it in the best interest of the Township to award a contract as per the Township’s Municipal Solicitor, Engineer, Qualified Purchasing Agent and Department of Public Works Deputy Department Head review and approval; and

WHEREAS, the Chief Financial Officer has certified the availability of funds in the following appropriations: ORD 18-18 Construction of Storm Pump Various, Account # U-08-55-988-901 in the amount of Three Hundred Twenty-One Thousand Dollars (\$321,000.00).

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach this 7th day of March 2022 for the reasons aforesaid, that a contract be and is hereby awarded to:

Level – 1 Construction, Inc.
980 Coles Mill Road
Williamstown, NJ 08094

for the 2022 Stormwater Pump Stations Project in the amount of Three Hundred Twenty-One Thousand Dollars (\$321,000.00) pursuant to the bid received by Long Beach Township on March 2, 2022.

RESOLUTION 22-0307.06(b)

A RESOLUTION AWARDING A CONTRACT FOR THE 2022 HOLGATE BASKETBALL COURT REHABILITATION AND LOVELADIES TENNIS COURT FOR THE TOWNSHIP OF LONG BEACH DEPARTMENT OF PUBLIC WORKS, PER BID

WHEREAS, the Township of Long Beach has solicited and received bids for the 2022 Holgate Basketball Court Rehabilitation and Loveladies Tennis Court for the Department of Public Works on March 2, 2022; and

WHEREAS, Shore Top Construction. provided the lowest and responsive and responsible bid in the amount of One Hundred Forty-One Thousand Four Hundred Dollars (\$141,400); and

WHEREAS, the Board of Commissioners deem it in the best interest of the Township to award a contract as per the Township’s Municipal Solicitor, Engineer, Qualified Purchasing Agent and Department of Public Works Deputy Department Head review and approval; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available in the appropriation created by Ord 21-23 Various Recreational Projects Account # C-04-56-169-901 in the amount of One Hundred Forty-One Thousand Four Hundred (\$141,400.00).

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach this 7th day of March 2022, for the reasons aforesaid, that a contract be and is hereby awarded to:

Shore Top Construction
23 Yellowbrook Road
Freehold, NJ 07728

for the 2022 Holgate Basketball Court Rehabilitation and Loveladies Tennis Court in Long Beach Township in the amount of One Hundred Forty-One Thousand Four Hundred Dollars (\$141,400.00), pursuant to the bid by Long Beach Township received on March 2, 2022.

15. Resolution 22-0307.07: Approve the Sale of Surplus Materials by Utilizing GovDeals

RESOLUTION 22-0307.07

AUTHORIZING THE SALE OF SURPLUS PROPERTY NO LONGER NEEDED FOR PUBLIC USE ON “GOVDEALS” AN ONLINE AUCTION WEBSITE

WHEREAS, the Township of Long Beach is the owner of certain surplus property which is no longer needed for public use; and

WHEREAS, the Board of Commissioners are desirous of selling said surplus property in an “as is” condition without express or implied warranties; and

WHEREAS, pursuant to N.J.S.A. 40A:11-36, Long Beach Township authorizes the online auction of property no longer needed for public use; and

WHEREAS, the sale is being conducted pursuant to the Division of Local Government Services’ Local Finance Notice 2008-9; and

WHEREAS, pursuant to Resolution 21-1206.03, the Township of Long Beach has entered an agreement with GovDeals, Inc., for online auctioneering services; and

WHEREAS, the sale will be online, and the address of the auction site is www.govdeals.com for the following items:

2015 John Deere 650K Dozer	VIN #1T0650KXJFF277534
2013 PT 30 Terex Skid Steer	VIN #ASVPTO3I3W506323
2008 Ford Ranger XLT 4x4	VIN #1FTYR15EX8PA85791

3- 71 ½ x 81 ½ Pella 350 series sliding glass door

1- 71 ¾ x 23 ¾ Casement window 2x6 jambs

1-23 ¾ x 23 ¾ Casement Window 2x6 jambs

1-17 ¾ x 36 ½ Casement window 2x6 jambs

1-59 ½ x 60 ½ Double hung window

1-79 ½ x 59 ½ Double hung window

5 - 20’ treated 2x10

10 -10’ treated 6x6

49-16’ treated 2X10

1-12’ treated 2x10

NOW, THEREFORE, BE IT RESOLVED by Board of Commissioners of the Township of Long Beach, County of Ocean, State of New Jersey, that the Township of Long Beach approves the online auctioneering for the above property no longer of use to the Township in January 2022.

16. Resolution 22-0307.08 Authorize Various Services under “Schedule C”

RESOLUTION 22-0307.08

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 \$427,000.00; 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 Municipal 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 \$402,000.00 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, 2022. Sufficient funds have been appropriated in the 2022 Temporary Municipal Budget and are subject to amendment at such time the 2022 Municipal Budget is adopted. Appropriated funds will be available for this purpose in the municipal budget under Schedule “C” Other Expenses.

Motion to approve Items :14-16

Motion: Bayard Ayes: Bayard, Mancini

Second: Mancini Nays:

FINANCIAL APPROVALS

17. Resolution 22-0307.09

Approve Refunds to Various Tax Accounts for Overpayment

RESOLUTION 22-0307.09

APPROVE REFUNDS TO VARIOUS TAX ACCOUNTS FOR OVERPAYMENT

WHEREAS, the following Tax Accounts are to be refunded due to the overpayment of taxes; and

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

<u>BLOCK</u>	<u>LOT</u>	<u>ADDRESS</u>	<u>PAYEE</u>	<u>AMOUNT</u>
15.21	2.02	6703 Ocean Blvd	Thomas Potenza 1 Finn Court Mahwah, NJ 07430	\$9,577.30
13.14	9	20 E Connecticut Ave	Richard Wolf 95 Locust Road Pleasantville, NY 10570	\$3,346.92
12.24	10	118 E. Mermaid Lane	Corelogic PO Box 9202 Coppell, Texas 75019	\$4,963.64
20.63	4	84B Bayview Ave	Robert & Pamela Epifano 824 Summit Ridge Drive Bridgewater, NJ 08807	\$7,041.42

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Township of Long Beach that the Chief Financial Officer be, and is hereby authorized, to make the above-noted refunds.

18. Resolution 22-0307.10:

Approve Various Appropriation Transfers

RESOLUTION 22-0307.10

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
Lifeguards- Salaries& Wages	S&W	1-01-28-380-011	\$ 1,000.00
Fin Admin-Other Expenses	O&E	1-01-20-130-100	\$ 1,000.00
TOTAL			\$ 2,000.00
TO:	DEPT:	ACCT#	AMOUNT
Lifeguards-Other Expenses	O&E	1-01-28-380-100	\$ 1,000.00
Engineering-Other Expenses	O&E	1-01-20-165-100	\$ 1,000.00
TOTAL			\$ 2,000.00

19. Resolution 22-0307.11:

Increase Temporary Budget

RESOLUTION 22-0307.11

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

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

NOW, THEREFORE BE IT RESOLVED, by the Board of Commissioners of the Township of Long Beach that the following appropriations, attached as Schedule A and Schedule B, are hereby adopted as the 2022 Temporary Capital Budget.

22-0307.11
Schedule A

REV & FINANCE	S & W	2-01-20-100-010	\$5,000.00	PUBLIC WORKS	S & W	2-01-26-302-011	\$350,000.00
	O & E	2-01-20-100-100	\$0.00		O & E	2-01-26-302-100	\$100,000.00
PUBLICITY	O & E	2-01-20-101-100	\$0.00	PUB BLDGS & GRNDS	S & W	2-01-26-310-011	\$225,000.00
MUN CLERK	S & W	2-01-20-120-010	\$60,000.00	PUB BLDGS & GRNDS	O & E	2-01-26-310-100	\$125,000.00
	O & E	2-01-20-120-100	\$7,000.00	RECYCLING	S & W	2-01-26-307-011	\$75,000.00
ADVERTISING	O & E	2-01-20-120-200	\$2,500.00		O & E	2-01-26-307-100	\$2,500.00
ELECTION	O & E	2-01-20-121-100	\$0.00	BEACH EROSION	O & E	2-01-26-311-100	\$0.00
FIN ADMIN	S & W	2-01-20-130-010	\$80,000.00	BRD OF HEALTH	S & W	2-01-27-330-010	\$130,000.00
	O & E	2-01-20-130-100	\$5,000.00		O & E	2-01-27-330-100	\$30,000.00
AUDITING	O & E	2-01-20-130-200	\$2,500.00	ANIMAL CONTROL	O & E	2-01-27-340-100	\$5,000.00
PURCHASING	S & W	2-01-20-131-010	\$10,000.00	HANDICAP ADA	O & E	2-01-27-360-000	\$0.00
	O & E	2-01-20-131-100	\$250.00	AID TO DEM VIOLENCE	O & E	2-01-27-362-000	\$0.00
CENTRALIZED PURCHASING	O&E	2-01-20-132-100	\$10,000.00	RECREATION	O & E	2-01-28-370-100	\$100.00
TAX COLLECTION	S & W	2-01-20-145-010	\$55,000.00	PARKS & PLAYGROUNDS	S & W	2-01-28-375-011	\$30,000.00
	O & E	2-01-20-145-100	\$5,000.00		O & E	2-01-28-375-020	\$2,500.00
TAX ASSESSMENT	S & W	2-01-20-150-010	\$100,000.00	LIFEGUARDS	S & W	2-01-28-380-011	\$75,000.00
	O & E	2-01-20-150-100	\$15,000.00		O & E	2-01-28-380-100	\$30,000.00
LEGAL	O & E	2-01-20-155-100	\$100,000.00	BEACH BADGE	S & W	2-01-28-381-011	\$25,000.00
LOBBYIST-BEACH REPLEN	O & E	2-01-20-156-100	\$0.00		O & E	2-01-28-381-100	\$17,000.00
CONSULTING SERVICES	O&E	2-01-20-158-010	\$0.00	ACCUM ABSENCES	O & E	2-01-30-415-000	\$0.00
ENGINEERING	O & E	2-01-20-165-100	\$45,000.00	CELEB PUB EVENTS	O & E	2-01-30-420-000	\$0.00
LAND USE	S & W	2-01-21-180-010	\$17,500.00	UTILITY CHARGES			
	O & E	2-01-21-180-100	\$5,000.00	ELECTRICITY	O & E	2-01-31-430-000	\$100,000.00
UNIF CONST CODE (I/C)	S & W	2-01-22-195-010	\$120,000.00	STREET LIGHTING	O & E	2-01-31-435-000	\$100,000.00
	O & E	2-01-22-195-100	\$10,000.00	TELEPHONE	O & E	2-01-31-440-000	\$75,000.00
UNIF CONST CODE (O/C)	S & W	2-01-22-195-201	\$70,000.00	NATURAL GAS	O & E	2-01-31-446-000	\$20,000.00
	O & E	2-01-22-195-300	\$45,000.00	GASOLINE	O & E	2-01-31-447-000	\$100,000.00
OTHER INSURANCE				SHARED EQUIP	O & E	2-01-31-451-100	\$130,000.00
OTHER INSURANCE	O & E	2-01-23-210-000	\$3,000.00	COMM RATING	S & W	2-01-31-470-010	\$2,600.00
GENERAL LIABILITY	O & E	2-01-23-210-001	\$115,473.00		O & E	2-01-31-470-100	\$1,000.00
SURETY BONDS	O & E	2-01-23-210-002	\$0.00	TRANSPORTATION	S&W	2-01-31-471-011	\$10,000.00
WORKERS COMP	O & E	2-01-23-215-000	\$132,670.00		O & E	2-01-31-471-100	\$5,000.00
GRP INS EMPLOYEES	O & E	2-01-23-220-000	\$1,200,000.00	SOC SECURITY	O & E	2-01-36-472-000	\$300,000.00
UNEMPLOY INS	O & E	2-01-23-225-000	\$22,000.00	I/L POLICE	O & E	2-01-42-100-100	\$0.00
PUB AFF/SAFETY DIR	S & W	2-01-25-200-010	\$7,000.00	I/L DISPATCHING	O & E	2-01-42-150-100	\$0.00
	O & E	2-01-25-200-100	\$1,000.00	I/L BRD OF HEALTH	O & E	2-01-42-100-000	\$0.00
POLICE DEPT	S & W	2-01-25-240-010	\$2,000,000.00	MUN COURT	S & W	2-01-43-490-011	\$85,000.00
	O & E	2-01-25-240-100	\$240,000.00		O & E	2-01-43-490-100	\$9,000.00
911 EMERG	S & W	2-01-25-250-010	\$0.00	MUN PUB DEFENDER	O & E	2-01-43-495-100	\$2,100.00
	O & E	2-01-25-250-100	\$0.00	RES FOR VARIOUS TECHN	O & E	2-01-44-901-001	\$40,000.00
EMERGENCY MNGT	S & W	2-01-25-252-011	\$0.00	RES FOR PURCHASE PLAYGROUND	O & E	2-01-44-901-100	\$35,000.00
EMERGENCY MNGT	O & E	2-01-25-252-100	\$0.00	PURCH OF REAL PROPERTY	O & E	2-01-44-916-103	\$0.00
PROSECUTOR'S OFFICE	S & W	2-01-25-275-010	\$0.00	BOND PRINCIPAL	O & E	2-01-45-920-000	\$768,000.00
	O & E	2-01-25-275-100	\$6,000.00	BOND INTEREST	O & E	2-01-45-930-000	\$285,000.00
PUBLIC WORKS DIR	S & W	2-01-26-200-010	\$7,000.00	NOTE PRINCIPAL	O & E	2-01-45-925-000	\$0.00
	O & E	2-01-26-200-100	\$0.00	NOTE INTEREST	O & E	2-01-45-935-000	\$0.00
STREETS & RDS	S & W	2-01-26-290-010	\$200,000.00	GREEN TRUST LOAN	O & E	2-01-45-950-000	\$0.00
	O & E	2-01-26-290-100	\$75,000.00	PERS CONTRIBUTION	O & E	2-01-36-471-000	\$614,682.00
SCHEDULE "C"	O & E	2-01-26-300-020	\$10,000.00	PFRS CONTRIBUTION	O & E	2-01-36-475-000	\$1,421,622.00
GARBAGE & TRASH	O & E	2-01-26-305-100	\$558,340.00	DCRP CONTRIBUTION	O & E	2-01-36-471-001	\$1,500.00
SANITARY LANDFILL	O & E	2-01-26-306-100	\$100,000.00	SHARED- TAX COLLECTOR	O & E	2-01-42-145-001	\$19,500.00
HR	S&W	2-01-20-105-010	\$75,000.00				\$5,347,104.00
	O&E	2-01-20-105-100	\$2,500.00			TOTAL BUDGET:	\$10,871,837.00
			\$5,524,733.00				

22-0307.11
Schedule B

OPERATING:	Acct Number	Amount
Salary & Wages	2-09-55-549-111	\$650,000.00
Other Expenses	2-09-55-549-100	\$1,070,000.00
SHARED SERVICE AGREEMENTS:		
Water-Barnegat Light	2-09-55-549-201	\$105,000.00
Water-Harvey Cedars	2-09-55-549-202	\$244,000.00
Water-Surf City	2-09-55-549-203	\$0.00
Water-Ship Bottom	2-09-55-549-204	\$2,600.00
Sewer-Beach Haven	2-09-55-549-205	\$5,000.00
Capital Improvements:		
Capital Improvement Fund	2-09-55-549-900	\$0.00
Capital Outlay	2-09-55-549-910	\$0.00
Debt Service:		
Payment of Bond Principal	2-09-55-549-920	\$493,000.00
Payment of BAN's	2-09-55-549-925	\$0.00
Interest on Bonds	2-09-55-549-930	\$302,465.00
Interest on Notes	2-09-55-549-940	\$0.00
Infrastructure Loan Principal	2-09-55-549-945	\$400,000.00
Infrastructure Loan Interest	2-09-55-549-946	\$225,000.00
Deferred Charges:		
Emergency Authorizations		\$0.00
Statutory Expenditures:		
Contrib to PERS	2-09-55-549-471	\$263,435.00
Social Security	2-09-55-549-472	\$60,000.00
Unemployment Ins	2-09-55-549-225	\$8,500.00
		\$3,829,000.00

20. Resolution 22-0307.12: Approve Bills and Payroll:
 Bills in the amount of: \$ 7,131,051.08
 Payroll in the amount of: \$ 1,444,961.44

RESOLUTION 22-0307.12

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 \$1,444,961.41.

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

1. The said approved vouchers amounting to the sum of \$7,131,051.08 be and the same are hereby authorized to be paid on Monday, March 07, 2022.
2. The said approved payroll amounting to the sum of \$1,444,961.41 be and the same are hereby authorized to be paid on Monday, March 07, 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: 17-20

Motion: Bayard Ayes: Bayard, Mancini

Second: Mancini Nays:

COMMISSIONERS' REPORTS

Commissioner Bayard: in regards to the Water/Sewer bills that were sent out, the Township received over 300 voicemails and we apologize for not being able to get back to everyone. Water meters must be activated April 1, 2022 to avoid a shut off.

Mayor Mancini: The next meeting of the Land Use Board will be held on Wednesday, March 9, 2022 at 7:00 pm in the Municipal Court Room. Second Reading and Public Hearing for Ordinance(s) 22-08, 22-09C, and 22-10C will take place at the public meeting held on Monday, April 4, 2022 at 4:00 pm. Please be aware that bike rider laws in NJ have changed. Reminds the public that dogs must be on a leash and that dogs are prohibited in the pavilions or on Bay beaches at all times.

OPEN PUBLIC SESSION

Ann Barkey, Loveladies- Questions/comments in regards to the construction going on in North Beach.

Commissioner Bayard explains that they will be working up until Memorial Day/mid-June and then they will return in the Fall.

Rand Pearsall, Holgate- the Taxpayer Associations can help to get information out to residents. Questions regarding beach maintenance budgeting, and dune fencing timelines.

Ally Mehhan, Beach Haven Gardens- states that the M&M property looks great now that the demo is complete. Questions regarding speed limits on the back roads and bikes being chained to handrails.

John LaPilusa, Beach Haven Gardens- questions regarding what the increase to the temporary budget resolution was.

Mayor Mancini explains that we have to move money around until we adopt the budget. The budget will be introduced in April and hopefully adopted in May.

CLOSE PUBLIC SESSION

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

Motion: Bayard Ayes: Bayard, Mancini

Second: Mancini Nays:

Danielle La Valle, RMC
Municipal Clerk

Joseph H. Mancini
Mayor

Ralph H. Bayard
Commissioner