

**MINUTES**  
**REGULAR SESSION BOARD OF COMMISSIONERS April 4, 2022**

**Flag Salute**

Meeting came to order: 4:00 p.m.  
Clerk calls the roll: Mayor Joseph H. Mancini PRESENT  
Commissioner Ralph H. Bayard PRESENT  
Commissioner Joseph P. Lattanzi PRESENT  
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: Lattanzi Ayes: Lattanzi, Bayard, Mancini  
Second: Bayard Nays:

Mayor Mancini announces the swearing in of a new police officer, Kevin Lyons, Jr..  
Chief Mahon speaks of Kevin Lyons, Jr.'s accomplishments and how he is a great addition to the Long Beach Township Police Department. Mayor Mancini reads the Oath of Office and Kevin Lyons, Jr. signs his Oath as a Police Officer.

**PROCLAMATIONS**

National Library Week – April 3 – 9, 2022  
Distracted Driving Crackdown 2022–April 1 –30,2022

**AGENDA**

**ORDINANCES & PUBLIC HEARINGS**

1. Second Reading Ordinance 22-08: **AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK IN 2022**

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

**WHEREAS**, the Local Government Cap Law, N.J.S. 40A:4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and

**WHEREAS**, N.J.S.A. 40A:4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and

**WHEREAS**, the Board of Commissioners finds it advisable and necessary to increase its CY 2022 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and

**WHEREAS**, the Board of Commissioners hereby determines that a 1.0% increase in the budget for said year, amounting to \$242,245.02 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

**WHEREAS**, the Board of Commissioners hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget, shall be retained as an exception to final appropriation in either of the next two succeeding years.

**NOW THEREFORE BE IT ORDAINED**, by the Board of Commissioners of the Township of Long Beach, in the County of Ocean, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2022 budget year, the final appropriations of the Township of Long Beach shall, in accordance with this ordinance and N.J.S.A. 40A:4-45.14, be increased by 3.5%, amounting to \$847,857.57; and

**BE IT FURTHER ORDAINED**, that any amount authorized hereinabove, that is not appropriated as part of the final budget, shall be retained as an exception to final appropriation in either of the next two succeeding years; and

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services with 5 days of introduction; and

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

OPEN PUBLIC HEARING

No public comment.

CLOSE PUBLIC HEARING

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

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

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

**STATEMENT OF PURPOSE**

The purpose of the Ordinance is to authorize the Township to designate certain areas during Township-sponsored events at which people are permitted to carry and consumer open containers of alcoholic beverages outdoors.

**SECTION I**

§39-7 is hereby repealed and replaced as follows.

§39-7 Consumption in public.

- A. Except as set forth herein, no person shall at any time consume alcoholic beverages or have in his or her possession any open container containing any alcoholic beverage on any street, highway, alley, sidewalk, approach, or step to any building or in any automobile or other motor vehicle on any street, highway, or alley. No person shall at any time consume or have in his or her possession any open container containing any alcoholic beverage in any public building or public place except in a licensed establishment as regulated by the provisions of this Chapter and further licensed in accordance with State law. No person shall at any time consume or possess in any container opened or unopened any alcoholic beverage on any public beach.
- B. The prohibitions shall not prohibit an employee of a licensed premises or licensed building, licensed to sell alcoholic beverages, from carrying and having in his or her possession open containers of alcoholic beverages on a public sidewalk, approach, or step to any building if the same be necessary to serve patrons of the licensed establishment or building who are legally seated at outdoor seating as set forth in the Township Code, and nothing contained in this section shall prohibit customers or patrons of a lawfully licensed establishment or building from consuming alcoholic beverages while seated at any permitted outdoor seating, permitted pursuant to the terms of the Code.
- C. The prohibitions shall not prohibit any patron who is legally seated at outdoor seating as provided in the Township Code from consuming alcoholic beverages at such legal seating, which beverages are brought by the patron or a fellow patron sitting at the same table for personal consumption. It is the intent of this prohibition waiver to permit patrons of food establishments with lawful outdoor seating to bring their own bottle, often called "BYOB," to consume alcohol in advance of or with a meal to be consumed by persons legally seated at outdoor seating.
- D. The Township may by resolution designate specific public outdoor areas used for Township-sponsored events and for a set period of time to be an "open container area" where people of lawful drinking age are permitted to carry and consume open containers of alcoholic beverages outdoors.

**SECTION II**

All Ordinances or parts of Ordinance inconsistent herewith are 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.

**SECTION IV**

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

**OPEN PUBLIC HEARING**

John Fiore, Brant Beach- questions regarding if this was something the Township requested.

Mayor Mancini states that the State passed a Bill allowing this, the ordinance helps us regulate it within the Township.

**CLOSE PUBLIC HEARING**

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

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

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

**STATEMENT OF PURPOSE**

The purpose of the Ordinance is to amend Chapter 5 to revise the special service charges for public records requests that require action by the Police Department.

**SECTION I**

§5-10C(1) is repealed and replaced with the following.

- (1) If the actual cost of duplication of government records exceeds the rates set by N.J.S.A. 47:1A-5, the actual cost of duplication shall be charged and whenever the nature, format, manner of collation, or volume of a government record embodied in the form to be located, inspected, reviewed and analyzed, redacted, and/or copied is

such that the record cannot be reproduced by ordinary document copying equipment in ordinary business size and/or where the location, inspection, review and analysis, and/or redaction involves an extraordinary expenditure of time and effort to accommodate the request, in addition to the actual cost of duplicating the record, if any, a special service charge shall be assessed and charged in accordance with the following.

- (a) Where the required work can be performed by an officer and/or employee of the Municipal Clerk's office, the special service charge shall be equal to the prorated salary of the lowest salaried employee in the Municipal Clerk's office for the time expended to comply with the request.
- (b) Where the required work must be performed by a member of the Police Department due to authorized access requirements and/or the nature of the records requested, the special service charge shall be equal to the prorated salary of the lowest ranked full-time police officer employed by the Police Department for the time expended to comply with the request.
- (c) Where the required work necessitates a third-party to perform the work, the special service charge shall be equal to the fees and costs charged by the third-party in accordance with the Local Public Contracts Law.

**SECTION II**

All Ordinances or parts of Ordinance inconsistent herewith are 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.

**SECTION IV**

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**

No public comment.

**CLOSE PUBLIC HEARING**

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

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

- 4. First Reading Ordinance 22-11C: **AN ORDINANCE AMENDING AN ORDINANCE ENTITLED, "CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, (1997)" AS THE SAME IN CHAPTER 1, WHICH PERTAINS TO GENERAL PROVISIONS, AND CHAPTER 189, WHICH PERTAINS TO TRAFFIC REGULATIONS, CHAPTER 89, WHICH PERTAINS TO FIREWORKS, AND CHAPTER 172, WHICH PERTAINS TO SIDEWALKS AND CURBS, AND CHAPTER 51, WHICH PERTAINS TO BEACHES**

Motion to approve/adopt Ordinance 22-11C on First Reading:

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

- 5. First Reading Ordinance 22-12C: **AN ORDINANCE AMENDING AN ORDINANCE ENTITLED, "CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, (1997)" IN CHAPTER 181, WHICH PERTAINS TO TENNIS COURTS, AND CHAPTER 194, WHICH PERTAINS TO PARKS AND RECREATION**

Motion to approve/adopt Ordinance 22-12C on First Reading:

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

**ADOPTIONS & APPROVALS**

- 6. Resolution 22-0404.01: Approve Various Personnel Matters

**RESOLUTION 22-0404.01**

**APPROVE VARIOUS PERSONNEL MATTERS**

Approve the Family Medical Leave Act (FMLA) for employee with Civil Service number \*\*\*\*\*5157 effective retroactive to March 1, 2022.

**Beach Patrol**

Hire the following individuals as Seasonal Part Time Laborers at the rate of \$13.00 per hour to be paid from Lifeguard Salary & Wage effective retroactive to March 4, 2022:

Erin Barrett Thomas Clifford Matthew Ihnken Stephan Golembioski

Hire the following individual as Seasonal Beach Badge Program Director, at the following rate of pay, to be paid from Beach Badge Salary & Wage effective April 1, 2022.

\$18.00 per hour

Brielle Cacoilo

Hire the following as Seasonal Beach Badge Program Seller/Checkers part time at the following rate of pay, to be paid from Beach Badge Salary & Wage effective April 1, 2022.

\$13.50 per hour

JoAnn Byckiewicz

**Public Works**

Hire the following employees at the annual base salary of \$32,000.00 to be paid from Public Works Salary & Wage effective retroactive to March 1, 2022.

Parker Leech

Anthony McCall

Hire the following employee as a Permanent Full-Time at the annual base salary of \$38,000 effective retroactive to April 1,2022.

Taylor Teliszewski

**Police**

Hire the following employee as a Part-Time Dispatch Trainee at the rate of \$13.00 per hour to be paid from Police Dispatch Salary & Wage retroactive March 16, 2022.

Gavin Cassidy

Hire the following employees as Full-Time Police Officer at the annual base salary of \$43,638.00 effective retroactive to April 2, 2022.

Kevin Lyons, Jr.

Hire the following employee as a Part-Time Public Safety Telecommunicator Trainee at the rate of \$15.00 per hour to be paid from Police Salary & Wage effective April 4, 2022.

Todd Augustine

**Municipal Clerk**

Adjust the following employee's annual base salary to \$42,320.00 to be paid from Municipal Clerk Salary & Wage effective April 2, 2022.

David Brady

- 7. Resolution 22-0404.02: Authorize Public Auction for Food Concession Services at Bayview Park

**RESOLUTION 22-0404.02**

**RESOLUTION AUTHORIZING THE ADVERTISEMENT FOR THE RECEIPT OF BIDS FOR BAYVIEW PARK FOOD CONCESSION SERVICES IN THE TOWNSHIP OF LONG BEACH**

**WHEREAS**, pursuant to N.J.S.A. 40:61-1, the Township of Long Beach may lease out public space when not in use; and

**WHEREAS**, pursuant to N.J.S.A. 40A:12-14, bids are to be received during a live public auction; and

**WHEREAS**, pursuant to resolution 22-0105.14(d), the minimum bid has been set at \$3,000.00 (Three Thousand dollars); and

**WHEREAS**, the Board of Commissioners desire to bid the service.

**NOW, THEREFORE, BE IT RESOLVED**, that the Board of Commissioners of the Township of Long Beach, a Municipal Corporation of the State of New Jersey, at a regular meeting held Monday, April 4, 2022, hereby authorizes the advertisement of bids in the Asbury Park Press and the Beach Haven Times for Bayview Park Food Concession Services that shall be received on April 21<sup>st</sup>, 2022, at 11:00am at the Municipal Clerk's Office.

- 8. Resolution 22-0404.03: Authorize Application for the LEAP Implementation Grant as Lead Agency

**Resolution 22-0404.03**

**RESOLUTION AUTHORIZING APPLICATION FOR THE LEAP IMPLEMENTATION GRANT AS LEAD AGENCY**

**WHEREAS**, the State of New Jersey has appropriated \$10 million for Shared Services and School District Consolidation Study and Implementation Grants to assist local units with the study, development, and implementation of new shared and regional services; and

**WHEREAS**, the Department of Community Affairs, Division of Local Government Services (DLGS) is tasked with administering these grant funds through the Local Efficiency Achievement Program (LEAP); and

**WHEREAS**, \$2 million in LEAP Implementation Grant funds has been set allocated to support costs associated with school district consolidation studies; and

**WHEREAS**, the Township of Long Beach has determined to evaluate whether LBI Elementary, Southern Regional Middle School, and Southern Regional High School may be able to attain improved educational quality and efficiencies through consolidation or regionalization; and

**WHEREAS**, a formal study must be undertaken to accomplish this objective; and

**WHEREAS**, the Township of Long Beach has agreed to be the lead entity in conducting this study and will submit the application for financial support for this study to DLGS on behalf of all participating units.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Township of Long Beach, that the Township of Long Beach will apply for a LEAP Implementation Grant to support undertaking a feasibility study with regard to the various educational options available to the students of Long Beach.

- 9. Resolution 22-0404.04 Authorize Agreement Between Long Beach Health Department and Stockton University to Sponsor Internships, Clinical Education, and Fieldwork Programs

**RESOLUTION 22-0404.04**

**AUTHORIZING THE LONG BEACH ISLAND HEALTH DEPARTMENT TO ENTER INTO AN AGREEMENT WITH STOCKTON UNIVERSITY**

**WHEREAS**, the Long Beach Island Health Department would like to continue the agreement with Stockton University to sponsor internships, clinical education, and fieldwork programs; and

**WHEREAS**, in order for the Long Beach Island Health Department to enter into an Agreement for these opportunities, it is necessary for it to be authorized by the Board of Commissioners; and

**WHEREAS**, the duties and responsibilities are more fully set forth in the Agreement, which is attached hereto, and made a part hereof as Schedule "A".

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Township of Long Beach this 4<sup>th</sup> day of April 2022, that Daniel J. Krupinski, as Director, on behalf of the Long Beach Island Health Department, be and is hereby authorized to enter into an Agreement with Stockton University and the Long Beach Island Health Department to provide students with internship opportunities in the field of Public Health; and

**BE IT FURTHER RESOLVED** that a copy of this resolution be forwarded along with the executed Agreement to Stockton University.

Motion to approve Items 6-9 :

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

### **LICENSES & PERMITS**

10. Resolution 22-0404.05: Approve the Person-to-Person Transfer of a Liquor License from Wooley Holding Company, T/A Spray Beach Motor Inn to 208 24<sup>th</sup> Street, LLC

#### **RESOLUTION 22-0404.05**

#### **APPROVE A PERSON-TO-PERSON TRANSFER OF PLENARY RETAIL CONSUMPTION (HOTEL/MOTEL EXCEPTION) LIQUOR**

**WHEREAS**, an application has been filed for a Person-to-Person Transfer of Plenary Retail Consumption (Hotel/Motel Exception) License Number 1517-36-007-001, heretofore issued to Woolley Holding Company, T/A Spray Beach Motor Inn for premises located at Ocean front at 24<sup>th</sup> Street, Spray Beach, Long Beach Township, New Jersey, 08008; and

**WHEREAS**, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term; and

**WHEREAS**, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33; and

**WHEREAS**, the applicant has disclosed and the issuing authority reviewed the source of all funds used in the purchase of the license and the licensed business and all additional financing obtained in connection with the licensed business.

**NOW, THEREFORE BE IT RESOLVED** that the Board of Commissioners of the Township of Long Beach does hereby approve, effective April 4, 2022, the transfer of the aforesaid Plenary Retail Consumption (Hotel/Motel Exception) License to 208 24<sup>th</sup> Street, LLC, and does hereby direct the Township Clerk / A.B.C. Board Secretary to endorse the license certificate to the new ownership as follows: "This license, subject to all its terms and conditions, is hereby transferred to 208 24<sup>th</sup> Street, LLC, effective April 4, 2022".

11. Resolution 22-0404.06(a&b): Approve Various Vendor Licenses 2022  
a. Ice Cream Vendor  
b. Bayview Park Vendor

#### **RESOLUTION 22-0404.06(a)**

#### **APPROVE ICE CREAM VENDORS FOR THE 2022 SUMMER SEASON**

**WHEREAS**, the Revised General Code of the Township of Long Beach, Chapter 195, provides that the Board of Commissioners shall permit and limit the number of persons desiring to sell ice cream products in the Township of Long Beach; and

**WHEREAS**, the Board of Commissioners has deemed the following vendors have met the criteria for vendor licensing in 2022:

<b><u>Vendor Name</u></b>	<b><u>Vendor ID Number</u></b>
B & P Ice Cream	ICM 22-01
Bun Jim Ice Cream	ICM 22-02
Surf Ice Cream	ICM 22-03
Bayberry Ice Cream	ICM 22-04
Cold Waves	ICM 22-05
Francesca's	ICM 22-06

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Commissioners of the Township of Long Beach that each of the above listed vendors shall be issued a license to sell ice cream products, subject to the provisions of Chapter 195 of the Code, for the year 2022.

#### **RESOLUTION 22-0404.06(b)**

#### **APPROVE BAYVIEW PARK VENDORS FOR THE 2022 SUMMER SEASON**

**WHEREAS**, the Revised General Code of the Township of Long Beach, Chapter 194, provides that the Board of Commissioners shall permit and limit the number of persons desiring to provide recreational activities in Bayview Park in the Township of Long Beach; and

**WHEREAS**, the Board of Commissioners has deemed the following vendors have met the criteria for vendor licensing in 2022:

<u>Vendor Name</u>	<u>Vendor ID Number</u>
Planet Skate Inc., d/b/a Acme Surf and Sport	PRK 22-01
South end Surf N' Paddle LLC	PRK 22-02
Island Surf & Sail	PRK 22-03
Tutoring Taxi Inc., d/b/a LBI Surfing	PRK 22-04

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Commissioners of the Township of Long Beach that each of the above listed vendors shall be issued a license to provide recreational activities, subject to the provisions of Chapter 194 of the Code, for the year 2022.

Motion to approve Items 10-11:

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

**PURCHASES, CONTRACTS & AWARDS**

12. Resolution 22-0404.07: Authorize the Award of Professional Service Contract; Brian M. Bartlett-Alt. Municipal Prosecutor

**RESOLUTION 22-0404.07**

**RESOLUTION AUTHORIZING THE AWARD OF CONTRACT FOR 2022 PROFESSIONAL SERVICES**

**WHEREAS**, pursuant to resolution 21-1220.07(b) the Township of Long Beach awarded a professional service contract to Citta, Holzapfel, & Zabarsky for Municipal prosecutorial services; and

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

**WHEREAS**, the Township of Long Beach wishes to add an additional alternate Municipal prosecutor as follows; and

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

<u>NAME</u>	<u>DESCRIPTION OF SERVICES</u>	<u>AMOUNT</u>
<u>Citta, Holzapfel, &amp; Zabarsky</u>		
Brian M. Bartlett, Esq	Alt. Municipal Prosecutor	Hourly Max: \$200.00 Annual: \$22,367.60 Special Session(s): \$500.00

**NOW, THEREFORE BE IT RESOLVED** that the Board of Commissioners of the Township of Long Beach authorizes the Mayor to amend the contract effective January 1, 2022 through December 31<sup>st</sup> 2022; and

**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 appointment and have same published at least once in the official newspaper of the Township of Long Beach and shall keep the resolution and contract on file for public inspection.

13. Resolution 22-0404.08: Approve the Extension of an EUS Contract:  
 The Stockton University Coastal Research Center Effective Through December 31, 2022

**RESOLUTION 22-0404.08**

**RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT TO THE STOCKTON UNIVESITY COASTAL RESEARCH CENTER PURSUANT TO THE EUS EXCEPTION OF THE LOCAL PUBLIC CONTRACTS LAW**

**WHEREAS**, pursuant to N.J.S.A. 40A:11-5, a municipality is authorized to award a contract in excess of \$44,000 without public advertising for bids pursuant to the extraordinary unspcifiable service ("EUS") exception; and

**WHEREAS**, the Township of Long Beach ("Township") and The Stockton University Coastal Research Center ("CRC") previously entered into a contract in 2018 pursuant to the EUS exception to the Local Public Contracts Law; and

**WHEREAS**, the 2018 contract was extended pursuant to its terms and in accordance with N.J.S.A. 40A:11-15; and

**WHEREAS**, the Township's need continues for the services provided by CRC to perform Shoreline monitoring near the rehabilitated (steel sheeting) terminal groin in the Holgate section of the Township; and

**WHEREAS**, as set forth in the CRC's proposal, which is attached hereto as Exhibit A and incorporated herein, the services include: (i) the topographic/swimmer surveys to determine beach and nearshore profile variability and quantity volumetric changes, the CRC will complete profile surveys at 18 locations which will be surveyed twice in 2022 ( March and September); (ii) Boat surveys the CRC will complete hydrographic surveys at 11 transect lines that were surveyed in 2019, 2020 and 2021 CRC field evaluations; (iii) Data Analysis, the CRC will process and reduce topographic/nearshore datasets and analyze using existing CRC software and data reduction

procedures using comparisons from 2019, 2020, 2021 and 2022; (iv) Report and Meetings, the CRC will submit a final report that summarizes the conditions and shoreline and volume changes.

**WHEREAS**, as a municipality located on an eighteen-mile-long barrier island, there are few issues, if any, more significant to the public health, welfare, and safety than the maintenance of the shoreline and the scientific study and reports relating to and in support of protection of the public from flooding; and

**WHEREAS**, based upon the services required and the expertise, reputation, its familiarity with the geographic location, and its proximity to the Township, the Township has concluded, based upon the advice of the Township's counsel and pursuant to the Certification of the Qualified Purchasing Agent ("QPA") that the services provided by CRC are specialized and qualitative in nature requiring expertise, extensive training and proven reputation in the field of endeavor, and, therefore, the contract complies with the EUS exception to the Local Public Contracts Law; and

**WHEREAS**, the designated administrative official of the Township duly prepared and filed a Certification with the Mayor and Commissioners describing in detail why the contract meets the legal requirements for an EUS contract; and

**WHEREAS**, the Administrative Code places additional requirements on EUS contracts that are not expressly authorized by statute and the Township has nevertheless determined pursuant to N.J.A.C. 5:34-2.3(b) that the compliance with such requirements is both impracticable as authorized therein for the reasons set forth in the Certification; and

**WHEREAS**, the Township, through its QPA has determined and certified in writing that the value of the acquisition will exceed \$17,500; and

**WHEREAS**, the Chief Financial Officer has certified the availability of funds for this contract as an appropriation created by Reserve for Beach Replenishment, Account # C-04-55-320-001 in the amount not to exceed of \$44,957.40

**WHEREAS**, the Township, through its QPA has issued the mandatory documents (packet) including but not limited to a Business Entity Disclosure Certification, pursuant to the provisions of N.J.S.A. 19:44A-20.1, *et seq.*, to CRC with the completed packet received and opened on March 4, 2021; and

**WHEREAS**, CRC has certified that it has not made any reportable contributions to a political candidate in the Township in the previous year, and that the contract will prohibit CRC from making any reportable contributions to a political or candidate committee in the Township through the term of the contract; and

**WHEREAS**, pursuant to the governing provisions of N.J.S.A. 40A:11-1, *et seq.*, and N.J.S.A. 19:44A-20.5, the Township has engaged in a legally authorized procurement process; and

**WHEREAS**, therefore, the Township previously concluded and again concludes that the CRC is the necessary entity to perform the required extraordinary unspecifiable service of shoreline monitoring, related scientific study and reports, and to ensure compliance with the conditions of the Army permit; and

**WHEREAS**, pursuant to and in accordance with the Local Public Contracts Law and based upon the opinion of the Township's counsel, the CRC is awarded a contract pursuant to the EUS and professional services exceptions to the local government bidding requirements.

**NOW, THEREFORE BE IT RESOLVED** by the governing body of Township of Long Beach, County of Ocean, State of New Jersey, in accordance with the foregoing Recitals, which are incorporated herein by reference, as follows.

1. That the Township does hereby award CRC, the contract proposal as Exhibit A pursuant to the EUS contract exception to the Local Public Contracts Law.
2. The Mayor and Municipal Clerk are hereby authorized to execute the contract, subject to the terms of this Resolution.
3. Pursuant to N.J.S.A. 40A:11-15, the contract may be extended for two one-year extensions at the same or less consideration set forth in the contract awarded herein.
4. A certified copy of this resolution, together with a copy of the Agreement between the parties, shall be forwarded to the CRC.
5. A copy of this resolution awarding the contract shall be advertised in an official newspaper pursuant to the requirements of N.J.S.A. 40A:11-5(1)(a).

14. Resolution 22-0404.09(a&b): Award Various Contracts by Public Bidding:
- a. Beach Patrol Uniforms: Jetty Life, LLC & Shore Promotion
  - b. Construction of Various Pickleball Courts by public bidding: Shore Top Construction; \$354,703.00

**RESOLUTION 22-0404.09(a)**

**A RESOLUTION AWARDING A CONTRACT FOR 2022 BEACH PATROL UNIFORMS FOR THE TOWNSHIP OF LONG BEACH, PER BID**

**WHEREAS**, the Township of Long Beach has solicited bids for the purchase of Beach Patrol uniforms for the Township; and

**WHEREAS**, the bid specifications advised multiple contract awards shall be made; the low bidder per group shall be contacted first, should the low bidder be unable to furnish the goods in the timeframe needed, the next lowest bidder shall be contacted; and

**WHEREAS**, it is in the opinion of the Board of Commissioners of the Township of Long Beach the following vendors have provided responsive bids, said bids having received the review and approval of the Long Beach Township Qualified Purchasing Agent and Municipal Solicitor and they be accepted for the same:

Jetty Life, LLC  
509 N. Main Street Unit 3  
Manahawkin, NJ 08050

Shore Promotions  
351 W 6<sup>th</sup> Street  
Ship Bottom, NJ 08008

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Commissioners of the Township of Long Beach this 4<sup>th</sup> day of April, for the reasons aforesaid, that one (1) two-year contract in amounts submitted pursuant to their bid received by Long Beach Township on March 24, 2022 be awarded to the following organizations effective April 4, 2022 through December 31, 2023:

**RESOLUTION 22-0404.09(b)**

**A RESOLUTION AWARDING A CONTRACT FOR THE 2022 BEACH HAVEN TERRACE PICKLEBALL COURTS AND PARKING FOR THE TOWNSHIP OF LONG BEACH DEPARTMENT OF PUBLIC WORKS, PER BID**

**WHEREAS**, the Township of Long Beach has solicited bids for the 2022 Beach Haven Terrace Pickleball Courts and Parking for the Department of Public Works; and

**WHEREAS**, it is in the opinion of the Board of Commissioners of the Township of Long Beach that the lowest qualified bid be accepted for same; and

**WHEREAS**, Shore Top Construction. gave the lowest qualified bid as per the Township's Engineer, Solicitor, Qualified Purchasing Agent and Public Works Commissioner's review and approval; and

**WHEREAS**, the Chief Financial Officer has certified that sufficient funds are available in the appropriation created by Ord 15-3 1RPL Various Recreational Improvements Account # C-04-56-175-901 in the amount of Three Hundred Fifty-Four Thousand Seven Hundred Three Dollars (\$354,703.00)

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Township of Long Beach this 31st 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 Beach Haven Terrace Pickleball Court and Parking in Long Beach Township in the amount of Three Hundred Fifty-Four Thousand Seven Hundred Three Dollars (\$354,703.00), pursuant to the bid received on March 31, 2022.

15. Resolution 22-0404.10 Amend Resolution 19-603.17(a) and the Service Agreement for Full-Service Water Maintenance & Asset Program with Suez Advanced Solutions

**RESOLUTION 22-0404.10**

**RESOLUTION AMENDING THE CONTRACT FOR THE SERVICE AGREEMENT FOR A FULL-SERVICE MAINTENANCE & ASSET MANAGEMENT PROGRAM FOR WATER STORAGE VESSELS IN LONG BEACH TOWNSHIP**

**WHEREAS**, pursuant to Resolution 19-0603.17(a), the Township of Long Beach awarded a multi-year agreement for Water Supply Services/Maintenance to Suez Advanced Solutions; and

**WHEREAS**, it was determined that an amendment to the program shall be made to add the renovation plan of the Brant Beach and Holgate tanks to the overall Asset Management Program; and

**WHEREAS**, the original agreement included the two tanks in the program there, the amendment is adding scope for Brant Beach and Holgate tanks for renovation work, additional services as well as aligning all 5 tanks for the 20-year service period (laid out in exhibit A); and

**WHEREAS**, the Board of Commissioners of the Township of Long Beach wishes to amend Resolution 19-0603.17(a) awarded to Suez Advanced Solutions for a multi-year agreement for Water Supply Services/Maintenance through December 31<sup>st</sup> 2038 pursuant to the specifications and prices received from Suez Advanced Solutions and shown in exhibit A.

16. Resolution 22-0404.11 Authorize Auction of Tangible Personal Property Held for 6 Months or More; Saturday, May 14, 2022

**RESOLUTION 22-0404.11**

**WHEREAS**, certain items of tangible personal property have come into the possession of the Police Department of the Township of Long Beach; and

**WHEREAS**, the owner and/or owners of such tangible personal property are unknown and cannot be ascertained; and

**WHEREAS**, the Police Department has held such items of tangible personal property in excess of six (6) months; and

**WHEREAS**, N.J.S.A. 40A:14-157 provides that such tangible personal and public property may be disposed of at public auction along with Township owned public property as per N.J.S.A. 40A:11-36.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Township of Long Beach that: PUBLIC NOTICE IS HEREBY GIVEN that a Public Auction will be held by the Township of Long Beach on May 14, 2022, at the Municipal Garage, 7910 Long Beach Blvd., Beach Haven Crest, N.J., at which times and place, the qualifying items will be exposed for sale at Public Auction. The public is invited to view items commencing at 10:30 a.m.; auction shall begin at 11:00a.m; and



**BE IT FURTHER RESOLVED** that the items to be sold are being offered "as is" and under a "cash and carry", "all sales final" condition, with the Township of Long Beach assuming no responsibility as to any expressed or implied guarantee and/or performance; and

**BE IT FURTHER RESOLVED** all items purchased must be removed from the Township at the conclusion of the Auction.

17. Resolution 22-0404.12 Authorize Receipt of bids for Lease Space on the Holgate (Roosevelt) Water Tower for the Placement of Wireless Communications Equipment

**RESOLUTION 22-0404.12**

**WHEREAS**, pursuant to N.J.S.A. 40A:12-14, the Township of Long Beach ("Township") is authorized to lease any real property, capital improvement, or personal property not needed for public use; and

**WHEREAS**, pursuant to N.J.S.A. 40A:12-14, the Township is authorized to lease such real property to a private person to the highest bidder by public auction or open public bidding; and

**WHEREAS**, the Township has determined that there is one (1) space located on the Township-owned water tower ("Tower") and related land space and easement access located at 21 West Roosevelt Avenue ("Property") not needed for public use which is sufficient in size and scope for use by private companies for wireless communications facilities; and

**WHEREAS**, the Township has elected to auction the space on the Tower and at the Property and to set a minimum bid of forty-two-thousand dollars (\$42,000.00) for the space; and

**WHEREAS**, the Township has elected to lease the space to the highest bidder pursuant to and in accordance with the terms of the attached Agreement and Public Notice, Instructions, and Specifications attached hereto as Exhibit A and incorporated herein by reference; and

**NOW, THEREFORE, BE IT RESOLVED** that provided the minimum bid or bids exceed forty-two-thousand dollars (\$42,000.00), the Borough approves and authorizes the award of the space or spaces on the Tower and at the Property to each of the bidders and authorizes the execution and award of the Agreement attached as Exhibit A pursuant to N.J.S.A. 40A:12-14.

Motion to approve Items :12-17

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

**FINANCIAL APPROVALS**

18. Resolution 22-0404.13: Various Changes to Water/Sewer

**RESOLUTION 22-0404.13**

**APPROVE VARIOUS CHANGES TO WATER/SEWER ACCOUNTS**

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

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

<u>BLOCK</u>	<u>LOT/QUAL</u>	<u>ACCT #/ACCT</u>	<u>YEAR</u>	<u>CANCEL/CHANGE</u>	<u>AMOUNT</u>
11.14	3	3533-0	2021	Refund	\$398.50

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Commissioners of the Township of Long Beach that the Municipal Clerk be, and is hereby, authorized to make these changes.

19. Resolution 22-0404.14: Increase Temporary Budget

**RESOLUTION 22-0404.14**

**WHEREAS**, the statutes provide for the making of temporary appropriations for the period of January 1<sup>st</sup> 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.

20. Resolution 22-0404.15: Introduction of the 2022 Municipal Budget

**RESOLUTION 22-0404.15**

**INTRODUCING THE 2022 MUNICIPAL BUDGET**

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Commissioners of the Township of Long Beach that the following statements of revenues and appropriations shall constitute the Local Municipal Budget for the year 2022; and

**BE IT FURTHER RESOLVED**, that said Budget shall be published in the Beach Haven Times, issue of April 14, 2022.

The Governing Body of the Township of Long Beach does hereby approve the following as the Budget for the year 2022:

**VOTE: AYES: LATTANZI, BAYARD, MANCINI**

**NAYS:**

**ABSTENTIONS:**

**ABSENCES:**

21. Resolution 22-0404.16: Approve Bills and Payroll:

Bills in the amount of: \$ 4,683,310.03  
Payroll in the amount of: \$ 1,453,243.24

**RESOLUTION 22-0404.16**

**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 \$1,453,243.24

**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 \$4,683,310.03 be and the same are hereby authorized to be paid on Monday, April 04, 2022.
2. The said approved payroll amounting to the sum of \$1,453,243.24 be and the same are hereby authorized to be paid on Monday, April 04, 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: 18-21

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

**COMMISSIONERS' REPORTS**

**Commissioner Lattanzi:** states that the buses are expected to be busy this year, there will be no change in times, we will see with the price of gas if fees to ride the shuttles need to be adjusted.

**Commissioner Bayard:** reminds everyone that the State plastic bag ban goes into effect on 5/4/22

**Mayor Mancini:** The next meeting of the Land Use Board will be held on Wednesday, April 13, 2022 at 6:30 pm in the Municipal Court Room.

**OPEN PUBLIC SESSION**

Rand Pearsall, Holgate- comments regarding bicycles being ridden 2-3 abreast are becoming more common, asks for more policing.

Pat Heimlick, Brant Beach- comments regarding south shore of Bayview Park and old macadam falling into the Bay and safety.

Mayor Mancini explains that this area is owned by the State, the cost would be too much at this time for the Township to take on without any help from the State.

Peter Trainor, North Beach Haven- comments regarding nuisance flooding and swimming pools.

Ann Barkey, Loveladies- questions regarding what the transfer of a liquor license is.

John LaPilusa, Beach Haven Gardens- questions regarding the fees for pickleball and tennis courts.

Mayor Mancini explains that other Island towns have a recreation pass and we are attempting to match what they already have in place, it will be an annual badge that runs for the calendar year.

Conrad Renner, Brant Beach- questions regarding the paving of certain streets.

Commissioner Bayard states that the County should be in this Spring and W. 65<sup>th</sup> Street is a priority on the list to be paved.

John Fiore, Brant Beach- requests an update on Bayview Park and what's going on there.

Mayor Mancini explains that the Township has cleaned up the area and ordered some new trees.

**CLOSE PUBLIC SESSION**

Motion for adjournment at 4:35 p.m.:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

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Danielle La Valle, RMC  
Municipal Clerk

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Joseph H. Mancini  
Mayor

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Ralph H. Bayard  
Commissioner

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Dr. Joseph P. Lattanzi  
Commissioner