

**MINUTES**  
**REGULAR SESSION      BOARD OF COMMISSIONERS      December 6, 2021**  
**Flag Salute**

Meeting came to order: 4:05 p.m.  
Clerk calls the roll: Mayor Joseph H. Mancini PRESENT  
Commissioner Ralph H. Bayard PRESENT  
Commissioner Joseph P. Lattanzi PRESENT  
Also in attendance: 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 24, 2020; and filed with the Municipal Clerk.

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

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

**AGENDA**

**ORDINANCES & PUBLIC HEARINGS**

1. Second Reading Ordinance 21-30C: **AN ORDINANCE AMENDING AN ORDINANCE ENTITLED, "CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, (1997)" AS THE SAME IN CHAPTER 82, WHICH PERTAINS TO FEES**

Passed on first reading at a regular meeting held on October 4, 2021 and advertised in the BEACH HAVEN TIMES issue of October 7, 2021.

Motion to decline to adopt Ordinance 21-30C on Second Reading:

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

2. Second Reading 21-31C: **AN ORDINANCE AMENDING AN ORDINANCE ENTITLED, "CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, (1997)" AS THE SAME IN CHAPTER 94, WHICH PERTAINS TO FLOOD DAMAGE PREVENTION**

Passed on first reading at a regular meeting held on November 1, 2021 and advertised in the BEACH HAVEN TIMES issue of November 4, 2021.

Mayor Mancini explains that we had to introduce two versions of this ordinance while waiting for the State to approve which version we can adopt, the State ultimately decided on the State DEP version which is Ordinance 21-32C.

Motion to decline to adopt Ordinance 21-31C on Second Reading:

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

3. Second Reading Ordinance 21-32C: **AN ORDINANCE BY THE BOARD OF COMMISSIONERS AMENDING THE TOWNSHIP OF LONG BEACH CODE OF ORDINANCES TO REPEAL CHAPTER 94; TO ADOPT FLOOD HAZARD MAPS; TO DESIGNATE A FLOODPLAIN ADMINISTRATOR; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.**

Passed on first reading at a regular meeting held on November 1, 2021 and advertised in the BEACH HAVEN TIMES issue of November 4, 2021.

OPEN PUBLIC HEARING

Craig (inaudible last name), High Bar Harbor- questioned if the zones would be changing.

Francesca Smith, High Bar Harbor- questioned the way public meetings are run in regards to what the public is allowed to comment on and when.

CLOSE PUBLIC HEARING

Motion to adopt Ordinance 21-32C on Second Reading:

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

4. First Reading Ordinance 21-33C: **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 82, WHICH PERTAINS TO FEES**

Motion to approve Ordinance 21-33C on First Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

5. First Reading Ordinance 21-34: **AN ORDINANCE AMENDING AN ORDINANCE ENTITLED: "AN ORDINANCE FIXING AND DETERMINING THE ANNUAL SALARIES, DESIGNATING HOLIDAYS AND PROVIDING FOR OVERTIME COMPENSATION OF CERTAIN OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY".**

Motion to approve Ordinance 21-34 on First Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

### **ADOPTIONS & APPROVALS**

6. Resolution 21-1206.01: Approve Various Personnel Matters

#### **RESOLUTION 21-1206.01**

Accept & Approve the Family Medical Leave Act (FMLA) for employee with Civil Service number \*\*\*674684

#### **Finance**

Adjust the following employee's annual base salary to \$59,283.00 to be paid from Finance Salary & Wage effective retroactive to November 13, 2021.

Erica Nicholes

Adjust the following employee's annual base salary to \$41,500.00 to be paid from Finance Salary & Wage effective retroactive to November 13, 2021.

Lisa Kenny

Adjust the following employee's annual base salary to \$41,000.00 to be paid from Finance Salary & Wage effective retroactive to November 13, 2021.

Mary Nolan

#### **Health Department**

Hire the following employee as a Part-Time Public Health Nurse at the rate of \$32.00 per hour to be paid from Health Salary & Wage effective December 14<sup>th</sup>, 2021.

Tracy Brown

#### **Municipal Clerk**

Adjust the following employee's annual base salary to \$40,500.00 to be paid from Municipal Clerk Salary & Wage effective retroactive to November 1, 2021.

David Brady

Hire the following employee as a Permanent Full-Time Clerk 1 with the annual base salary of \$38,000.00 to be paid from Municipal Clerk Salary & Wage effective December 13, 2021.

Kristen Bellito

#### **Municipal Court**

Approve a one-time stipend in the amount of \$5,000.00 to the following employee for an increase workload due to COVID-19 and NJ Court requirements.

Kimberley Walker

#### **Public Works**

Hire the following employee as a Seasonal Laborer at the rate of \$14.00 per hour to be paid from Public Works Salary & Wage effective retroactive to November 29, 2021.

Parker Lech

Adjust the following employee's rate of pay to \$19.00 per hour to be paid from Public Works Salary & Wage effective retroactive November 13, 2021.

Barret Cox

Change the following employee's annual base salary to \$47,950.00 and title to Equipment Operator effective November 29, 2021.

Cody Tomczyk

#### **Tax Assessor Office**

Hire the following employee as a Permanent Full-Time Clerk 1 with the annual base salary of \$50,000.00 to be paid from Tax Assessor Salary & Wage effective retroactive to November 15, 2021.

Kelly Vito

Motion to approve Item 6:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

### **PURCHASES, CONTRACTS & AWARDS**

7. Resolution 21-1206.02(a&b): Authorize the Extension of Various Contracts:  
a. Emergency Repairs to Water & Sewer Systems;

Crest Construction, through 12/31/2022, rates not to increase more than 2%

- b. Emergency Repairs to Water & Sewer Systems:  
KRS Services, through 12/31/2022, current rates

**RESOLUTION 21-1206.02(a)**

**RESOLUTION AUTHORIZING THE EXTENSION OF A CONTRACT FOR EMERGENCY REPAIRS TO WATER AND SEWER SYSTEMS FOR THE TOWNSHIP OF LONG BEACH**

**WHEREAS**, pursuant to Resolution 20-1207.06(a) dated December 7, 2020, the Township entered into an agreement, procured by competitive bid, with the following vendor:

**Crest Construction**

880 Route 9

Little Egg Harbor, NJ 08087

**WHEREAS**, the said contract referred to specifications and fees and provided for one (2) two-year option to extend the contract; and

**WHEREAS**, both parties have agreed to extend the contract for one-year, effective January 1, 2022 through December 31, 2022 with an increase to rates in an amount not to exceed 2%; and

**WHEREAS**, this Resolution shall be deemed and shall serve as the written contract extension.

**NOW, THEREFORE BE IT RESOLVED** by the Board of Commissioners of the Township of Long Beach at their regularly scheduled meeting held Monday, December 6, 2021 that the aforesaid contract shall be and is hereby extended for a period of one (1) year, effective January 1, 2022 through December 31, 2022, pursuant to the terms and conditions stated herein.

**RESOLUTION 21-1206.02(b)**

**RESOLUTION AUTHORIZING THE EXTENSION OF A CONTRACT FOR EMERGENCY REPAIRS TO WATER AND SEWER SYSTEMS FOR THE TOWNSHIP OF LONG BEACH**

**WHEREAS**, pursuant to Resolution 20-1207.06(b) dated December 7, 2020, the Township entered into an agreement, procured by competitive bid, with the following vendor:

**KRS Services**

1806 Route 206

Southampton, NJ 08088

**WHEREAS**, the said contract referred to specifications and fees and provided for one (2) two-year option to extend the contract; and

**WHEREAS**, both parties have agreed to extend the contract, for one (1) year effective January 1, 2022 through December 31, 2022 at the current cost rate(s); and

**WHEREAS**, this Resolution shall be deemed and shall serve as the written contract extension.

**NOW, THEREFORE BE IT RESOLVED** by the Board of Commissioners of the Township of Long Beach at their regularly scheduled meeting held Monday, December 6, 2021 that the aforesaid contract shall be and is hereby extended for a period of one (1) year, effective January 1, 2022 through December 31, 2022, pursuant to the terms and conditions stated herein.

8. Resolution 21-1206.03: Authorize the Extension of Auctioneering Services for Internet Auctions Contract; GovDeals, Inc, through 12/31/2023

**RESOLUTION 21-1206.03**

**RESOLUTION AUTHORIZING THE EXTENSION OF A CONTRACT FOR AUCTIONEERING SERVICES: INTERNET AUCTIONS TO SELL SURPLUS PROPERTY OBTAINED THROUGH THE NEW JERSEY STATE CONTRACT**

**WHEREAS**, pursuant to Resolution 19-1202.06 dated December 2, 2019, the Township entered into an agreement with the following vendor:

**GovDeals, Inc.**

100 Capitol Commerce Blvd

Suite 110

Montgomery, AL 36117

**WHEREAS**, said contract referred to specifications pursuant to New Jersey Department of Community Affairs Local Finance Notice #LFN 2008-9 dated April 28, 2008 approval has been granted for the sale of surplus personal property no longer needed for public use through online auctions by approved vendors; and

**WHEREAS**, Resolution 08-0222.12(c) approved participation by Township of Long Beach in the E-Procurement Pilot Program, waiver requests and online auctions for disposal of Township surplus property pursuant to the above-noted LFN, and the requirements of N.J.S.A. 40A:11-36; and

**WHEREAS**, both parties have agreed to exercise the option to extend the contract for one (1) two-year period effective January 1, 2022, through December 31, 2023; and

**WHEREAS**, this Resolution shall be deemed to be the extension and any changes in the original contract shall be incorporated hereby and this Resolution shall serve as the written contract extension.

**NOW, THEREFORE BE IT RESOLVED** by the Board of Commissioners of the Township of Long Beach at their regularly scheduled meeting held Monday, December 6, 2021 that the aforesaid contract shall be and is hereby extended for a period of two years pursuant to the terms and conditions stated herein.

9. Resolution 21-1206.04(a-c):Authorize Various Shared Service Agreements with Ocean County:
  - a. Prosecutor's Office, DRE Grant FY 21/22
  - b. Prosecutor's Office, DWI Grant FY 21/22
  - c. Solid Waste Management, Truck Wash Facilities

**RESOLUTION 21-1206.04(a)**

**A RESOLUTION AUTHORIZING A SHARED SERVICES AGREEMENT WITH OCEAN COUNTY POLICE SERVICES, DRUG RECOGNITION EXPERT CALLOUT PROGRAM**

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

**WHEREAS**, the Township of Long Beach wishes to enter into an agreement with the County for the purpose of setting forth the terms and conditions regarding the assignment of police officers employed by the Township to the Drug Recognition Expert Callout Program; and

**WHEREAS**, the Drug Recognition Expert Callout Program is a traffic safety program run by the Ocean County Prosecutors Office utilizing a Drug Recognition Expert to assist with identifying/removing Intoxicated drivers from the roadway; and

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

**NOW, THEREFORE, BE IT RESOLVED** the Board of Commissioners of the Township of Long Beach does hereby authorize the execution of the of the Ocean County Drug Recognition Expert Callout Program Shared Services Agreement effective October 1, 2021 through September 30, 2022 with compensation to the Township set at the rate of Sixty Dollars (\$60.00) per hour, per officer.

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

**RESOLUTION 21-1206.04(b)**

**A RESOLUTION AUTHORIZING THE RENEWAL OF A SHARED SERVICES AGREEMENT WITH OCEAN COUNTY FOR THE DRIVING WHILE INTOXICATED ENFORCEMENT PROGRAM**

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

**WHEREAS**, there is a continued need for Police Officers to be assigned to various DWI checkpoints; and

**WHEREAS**, the Township of Long Beach desires to continue to participate in the Ocean County Driving While Intoxicated Enforcement Program; and

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

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

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

**RESOLUTION 21-1206.04(c)**

**A RESOLUTION AUTHORIZING A SHARED SERVICES AGREEMENT WITH OCEAN COUNTY BOARD OF COMMISSIONER, COUNTY TRUCK WASH FACILITY**

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

**WHEREAS**, the Township of Long Beach wishes to enter into an agreement with the County for the purpose of setting forth the terms and conditions permitting the local unit to utilize the various County Truck Wash Facilities for their public works vehicles; and

**NOW, THEREFORE, BE IT RESOLVED** the Board of Commissioners of the Township of Long Beach does hereby authorize the execution of the of the Ocean County Board of Commissioners, County Truck Wash Facility effective January 1, 2022, through December 31, 2024, and an automatic renewal for Three year terms with the rate of Thirty-Five Dollars (35.00) per automated wash and Thirty Dollars (30.00) per self-wash.

**BE IT FURTHER RESOLVED**, certified copies of this Resolution shall be forwarded to the Ocean County Office of the Board of Commissioners.

10. Resolution 21-1206.05: Authorize Shared Service Agreement with Stafford Township, Animal Control Services

**RESOLUTION 21-1206.05**

**A RESOLUTION OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE CONTINUED SHARED SERVICE AGREEMENT WITH THE TOWNSHIP OF STAFFORD FOR ANIMAL CONTROL SERVICES FY 2022-2026**

**WHEREAS**, the Shared Services Act, N.J.S.A. 40A:65-4(3)b, authorizes two or more municipalities to enter into a mutual service agreement for the provision of certain governmental services; and

**WHEREAS**, pursuant to Resolution 17-1204.03, the Township of Long Beach wishes to extend the agreement with the Township of Stafford for (4) years, effective January 1, 2022 through December 31, 2026, to provide animal control officer services in accordance with and provided by, the terms set forth in the said Agreement.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Township of Long Beach, County of Ocean, State of New Jersey that the Mayor and Municipal Clerk are hereby authorized to execute a Shared Services Agreement with the Township of Stafford for the provision of Animal Control Services for four (4) years, a copy of which is on file in the office of the Municipal Clerk, in accordance with the provisions of law.

11. Resolution 21-1206.06: Award a Contract, Per National Cooperative Purchasing Program, HGACBUY: Purchase of Two (2) 24-passanger StarCraft Buses for the Transportation Dept.: Creative Bus Sales, \$189,760.00

**RESOLUTION 21-1206.06**

**AUTHORIZING PURCHASE UNDER THE NATIONAL COOPERATIVE PURCHASING PROGRAM HGACBUY PER THE LOCAL PUBLIC CONTRACTS LAW N.J.S.A. 52:34-6.2**

**WHEREAS**, the Township of Long Beach wishes to purchase from an authorized vendor under the National Purchasing Cooperative HGACBUY; and

**WHEREAS**, pursuant to N.J.S.A. 52:34-6.2, a contracting unit is authorized to utilize a National Coop if determined to be in the best interest of the contracting unit; and

**WHEREAS**, Creative Bus Sales Inc., has been awarded the HGACBUY Contract #BT01-21 which expires December 31, 2023; and

**WHEREAS**, the Commissioner of Revenue and Finance recommends the utilization of this contract on the grounds that it represents the most cost-effective method for the needs of the Township; and

**WHEREAS**, the actual cost for the purchase of two (2) 26' Allstar 24 Passenger StarCraft Buses for the Transportation Department is One Hundred Eighty-Nine Thousand Seven Hundred Sixty Dollars (\$189,760.00); and

**WHEREAS**, the Finance Officer has certified the availability of funds for this contract in the appropriation created by: ORD 21-28 Transportation Buses Account #C-04-56-172-901 in the amount of One Hundred Fifty-Two Thousand Dollars (\$152,000.00) and ORD 21-28 Transportation Buses 2:20 Account # C-04-56-172-951 in the amount of Thirty-Seven Thousand Seven Hundred and Sixty Dollars (\$37,760.00).

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Commissioners of the

Township of Long Beach that Creative Bus Sales, 14740 Ramona Ave, Chino, CA 91710 be awarded a contract for the purchase and delivery of two (2) 26' Allstar 24 Passenger StarCraft Buses for the Transportation Department.

12. Resolution 21-1206.07: Authorize Correcting a Prior Reverse Change Order for the 2019 Water Meter Equipment Project – Phase 2 – and Authorize the Purchase of Water Meters and Related Equipment

**RESOLUTION 21-1206.07**

**RESOLUTION AUTHORIZING CORRECTING A PRIOR REVERSE CHANGE ORDER FOR THE 2019 WATER METER EQUIPMENT PROJECT – PHASE 2 – AND AUTHORIZING THE PURCHASE OF WATER METERS AND RELATED EQUIPMENT**

**WHEREAS**, pursuant to State requirements and an order issued by the New Jersey Department of Environmental Protection (“NJDEP”), the Township is required to ensure the installation of water meters and water meter reading sensors (collectively “Water Meters”) on or before December 31, 2021; and

**WHEREAS**, the Township initiated its planning for the Water Meters project (“Project”) in or about 2018 and separated it into Phase 1, which included the installation of a tower and communications and data collections systems (“Communications Equipment”) intended to work and communicate with the Water Meters, and Phase 2, which included the purchase and installation of the Water Meters; and

**WHEREAS**, Waterworks Supply Co. (“Waterworks”) was the lowest responsible bidder and awarded a contract for Phase 1 and as part of the contract the Mueller, Inc. (“Mueller”), MiNet was the Communications Equipment installed; and

**WHEREAS**, Waterworks was the lowest responsible bidder and awarded a contract for Phase 2 of the Project by and through Resolution 19-0506.11(c), which authorized and encumbered Two-Million and Two-Hundred and Seventy-Five-Thousand Dollars (\$2,275,745.00) for the Water Meters as per the bid received on April 25, 2019; and

**WHEREAS**, on June 7, 2021, the Township adopted Resolution 21-0607.13(b), which set forth that “[t]he Township completed the project and did not require any additional meters or equipment” and “[a]s a result, reduction in the quantity of materials was realized and a reduction in cost occurred[;]” and

**WHEREAS**, Resolution 21-0607.13(b), therefore, approved Reverse Change Order #1 in the amount of Five-Hundred and Eighty-Three-Thousand and Eight-Hundred and Fifty-Two Dollars (\$583,852.00); and

**WHEREAS**, Resolution 21-0607.13(b) was adopted in error, as the project to purchase and install Water Meters did not and has not concluded and additional Water Meters were required to be purchased pursuant to the contract in order to ensure the Township's compliance with the deadline set by the NJDEP; and

**WHEREAS**, at some point during the term of the Phase 2 contract, Waterworks ceased doing business and was sold to Ferguson Supply, Ferguson did not sell Mueller products, at that time there was no distributor of Mueller Water Meters in New Jersey, and the Mueller Water Meters were nevertheless required to complete the project to comply with the order of the NJDEP, and, therefore, Mueller agreed to honor the contract terms for the Water Meters agreed upon by and between Waterworks and the Township; and

**WHEREAS**, during Phase 2 of the project and including the end of 2019, all of 2020, and 2021 through present, the Covid-19 pandemic had a significant impact upon the project and the supply chain, inflation, and the scarcity of goods and services; and

**WHEREAS**, N.J.S.A. 40A:11-5(1)(gg) establishes that the Township may award a contract for the provision, designing, financing, construction, operation, or maintenance, or any combination thereof, of a water supply facility and any of its component part or parts; and

**WHEREAS**, N.J.S.A. 40A:11-5(1)(gg) and N.J.S.A. 40A:11-15(16) define water supply facility as the plants, structures, or interconnections between existing water supply facilities, machinery, and equipment and other property, real, personal, and mixed, acquired, constructed, or operated, or to be acquired, constructed, or operated, in whole or in part for the purpose of augmenting water and making available an increased supply of water for all uses, or of conserving existing water resources, and any and all appurtenances necessary, useful, or convenient for the collecting, impounding, storing, improving, treating, filtering, conserving, or transmitting of water and for the

preservation and protection of these resources and facilities and providing for the conservation and development of future water supply resources; and

**WHEREAS**, the aforesaid exception includes the purchase of any component parts or parts thereof; and

**WHEREAS**, the Water and Sewer Department and the Township Engineer have advised the Board of Commissioners that the Mueller Water Meters and required to properly and efficiently communicate and work with the Communications Equipment installed pursuant to Phase 1 of the Project and that the Water Meters support the conservation of the water supply; and

**WHEREAS**, based upon the foregoing circumstances and legal support, the Township purchased additional Water Meters from Mueller required to comply with the NJDEP order on the following dates after Resolution 19-0506.11(c) and in the following amounts: (i) 8/6/2021 PO 21-02293 -- \$10,575.95; (ii) 8/30/2021 PO 21-02515 -- \$4815.00; (iii) 9/2/2021 PO 21-02559 -- \$11,049.50; (iv) 10/5/21 PO 21-02867 -- \$17,725.28; (v) 10/29/21 Req R210222 -- \$32,678.10; and

**WHEREAS**, although the Project still has not been completed following the aforesaid purchases and shall continue in order to ensure that Water Meters are available for new construction and for the replacement Water Meters pursuant to the Township Code, the contract has terminated and the Township shall procure the additional Water Meters by and through a future bid or pursuant to applicable exceptions permitted by the Local Public Contracts Law; and

**WHEREAS**, Reverse Change Order #1 is voided and the final cost of the project was \$1,768,736.83; and

**WHEREAS**, the foregoing requires the approval of a replacement Reverse Change Order #1, dated December 6, 2021, which is attached hereto and incorporated herein by reference, and which is certified by the Township Engineer in accordance with State law.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioner of the Township of Long Beach, in accordance with the foregoing Recitals which are incorporated herein by reference, that the attached replacement Reverse Change Order 1 is hereby approved in the reduced amount of \$507,008.17 for Phase 2 of the Project.

13. Resolution 21-1206.08: Award a Proprietary Contract to Mueller Systems Inc.:  
Water Meter App.

**RESOLUTION 21-1206.08**

**RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT TO MUELLER SYSTEMS INC.  
PURSUANT TO THE PROPRIETARY AND WATER SUPPLY SERVICE EXCEPTIONS OF THE LOCAL  
PUBLIC CONTRACTS LAW**

**WHEREAS**, pursuant to N.J.S.A. 40A:11-5, the Township of Long Beach ("Township") is authorized to award certain contracts for goods and services in an amount which exceeds the bidding threshold in accordance with certain exceptions; and

**WHEREAS**, N.J.S.A. 40A:11-5(1)(gg) establishes that the Township may award a contract for the provision, designing, financing, construction, operation, or maintenance, or any combination thereof, of a water supply facility and any of its component part or parts; and

**WHEREAS**, N.J.S.A. 40A:11-5(1)(gg) and N.J.S.A. 40A:11-15(16) define water supply facility as the plants, structures, or interconnections between existing water supply facilities, machinery, and equipment and other property, real, personal, and mixed, acquired, constructed, or operated, or to be acquired, constructed, or operated, in whole or in part for the purpose of augmenting water and making available an increased supply of water for all uses, or of conserving existing water resources, and any and all appurtenances necessary, useful, or convenient for the collecting, impounding, storing, improving, treating, filtering, conserving, or transmitting of water and for the preservation and protection of these resources and facilities and providing for the conservation and development of future water supply resources; and

**WHEREAS**, N.J.S.A. 40A:11-5(dd) establishes that the Township may award a contract for goods and services for the maintenance or support of proprietary computer hardware and software; and

**WHEREAS**, pursuant to State requirements and an order issued by the New Jersey Department of Environmental Protection with a deadline for compliance of December 31, 2021, the Township has and continues to require the installation of water meters and water meter reading sensors (collectively "Water Meters"); and

**WHEREAS**, pursuant to Phase I of the installation of the Water Meters and related systems, the Township awarded a contract after the solicitation of public bids for a tower and data collection system ("Communications Systems") for the Water Meters; and

**WHEREAS**, the installed tower and data collections system is compatible and works most efficiently with the Watersmart App ("App") created and maintained by Mueller, Inc., and the App was designed to specifically work and communicate with the Communications System; and

**WHEREAS**, the App will provide the public access to their water usage, billing, program management, an analytic dashboard, customer support, and communication interfaces, will be used by the Township and the public, and will support the conservation of water; and

**WHEREAS**, based upon the opinions of the Township Engineer and Water and Sewer Department, the Township Qualified Purchasing Agent has certified in writing to the governing body that the purchase, installation, and maintenance of the App are of a specialized nature that supports its purchase pursuant to the proprietary exception and constitutes a good that assists with the conservation, transmission, protection, etc., of water, and, therefore, qualifies for the water supply services exception; and

**WHEREAS**, pursuant to N.J.S.A. 40A:11-15(8) and (16), the contract is for voice, data, transmission and/or water supply facility goods and services, and, therefore, the contract may be awarded for a five (5) year term; and

**WHEREAS**, pursuant to and in accordance with the Local Public Contracts Law, the foregoing, and based upon the opinion of the Township Attorney, the Board of Commissioners has elected to award Mueller, Inc., a contract pursuant to the foregoing exceptions to the Local Public Contracts Law as set forth herein.

**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 awards Mueller, Inc., the contract attached as Exhibit A pursuant to the proprietary and water supply facility exceptions 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 is for a term of five (5) years.

4. A certified copy of this resolution, together with a copy of the Agreement between the parties, shall be forwarded to Mueller, Inc.

14. Resolution 21-1206.09: Award a Contract per Bid to Brennan Brothers Contracting, LLC: 2021 Building Demolition of 13301 Long Beach Boulevard, \$169,650.00

**RESOLUTION 21-1206.09**

**A RESOLUTION AWARDED A CONTRACT FOR THE 2021 BUILDING DEMOLITION OF 13301 LONG BEACH BOULEVARD IN THE TOWNSHIP OF LONG BEACH, PER BID**

**WHEREAS**, pursuant to N.J.S.A.40A:11-1 et seq., the Township of Long Beach has solicited bids for the 2021 Building Demolition of 13301 Long Beach Blvd in the Township of Long Beach; and

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

**WHEREAS**, Brennan Brothers Contracting, LLC., 28 Maple Street, Old Bridge, NJ 08857 gave the lowest qualified bid as per the municipal engineer and the municipal attorney's review and certification; and

**WHEREAS**, the Chief Financial Officer has certified the availability of funds for this contract in the following appropriation: ORD21-11, Account # C-04-56-167-901 in the amount not to exceed One hundred Sixty-Nine Thousand Six Hundred Fifty Dollars and Fifty Cents (\$169,650.00).

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Township of Long Beach this 6th day of December 2021, for the reasons aforesaid, that a contract be and is hereby awarded to:

Brennan Brothers Contracting, LLC.  
28 Maple Street  
Old Bridge, NJ 08857

for the 2021 Building Demolition of 13301 Long Beach Blvd project in the amount not to exceed One hundred Sixty-Nine Thousand Six Hundred Fifty Dollars and Fifty Cents (\$169,650.00) as per the bid received December 1, 2021.



Motion to approve Items 7-14:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

**FINANCIAL APPROVALS**

15. Resolution 21-1206.10: Authorize a Ch. 159, Body Worn Cameras, \$77,444.00

**RESOLUTION 21-1206.10**

**RESOLUTION OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING AN AMENDMENT TO THE 2021 BUDGET TO ALLOW FOR THE INSERTION OF A SPECIAL ITEM OF REVENUE AND APPROPRIATION PURSUANT TO N.J.S.A. 40A:4-87 (CHAPTER 159) BODY-WORN CAMERA GRANT PROGRAM**

**WHEREAS**, N.J.S.A. 40A:4-87 provides that the Director of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof shall not have been determined at the time of the adoption of the budget; and

**WHEREAS**, N.J.S.A. 40A:4-87 further provides that the Director may approve the insertion of an appropriation item of an amount equal to any such special item of revenue making such item of revenue available for expenditure; and

**WHEREAS**, the State of New Jersey has approved a grant with an additional amount of \$77,444.00; and

**WHEREAS**, it is the desire of the Board of Commissioners of the Township of Long Beach to amend the 2021 Municipal Budget to provide for the insertion of this grant as a source of revenue and an expenditure appropriation.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Township of Long Beach, County of Ocean, State of New Jersey as follows:

- 1. That the Board of Commissioners does hereby authorize an amendment to the 2021 Municipal Budget to provide for the insertion of a Chapter 159 (N.J.S.A. 40A:4-87) Special Item of Revenue as follows:

GENERAL REVENUES

Miscellaneous revenues

Section F: Special Items of General Revenue anticipated with prior written consent of the Director of Local Government Services – public and private revenues offset with appropriations:

ADDITIONAL AMOUNT OF: \$77,444.00

- 2. That the Board of Commissioners does hereby further authorize an appropriation of an equal sum under the caption of:

GENERAL APPROPRIATION:

(A) OPERATIONS – Excluded from CAPS:

Public and private programs offset by revenues:

ADDITIONAL AMOUNT OF: \$77,444.00

- 3. That one certified copy of this resolution shall be forwarded to the Director of the Division of Local Government Services, with one copy to the Township Auditor and the Township Treasurer.

16. Resolution 21-1206.11: Approve Various Appropriation Transfers

**RESOLUTION 21-1206.11**

**TRANSFER OF APPROPRIATIONS**

**WHEREAS**, the New Jersey statutes provide for the making of appropriation transfers between the period of November 1, 2021 and December 31, 2021; and

**WHEREAS**, the Board of Commissioners of the Township of Long Beach, County of Ocean, desires to make the following 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
Feasibility Study	O&E	1-01-20-157-010	\$15,000.00
Group Ins-Employees	O&E	1-01-23-220-000	\$18,000.00
<b>TOTAL</b>			<b>\$33,000.00</b>
TO:	DEPT:	ACCT#	AMOUNT

Mun Court	O&E	1-01-43-490-020	\$1,000.00
Legal	O&E	1-01-20-155-020	\$32,000.00
<b>TOTAL</b>			<b>\$33,000.00</b>

17. Resolution 21-1206.12: Cancellation of Outstanding Checks

**RESOLUTION 21-1206.12**

**RESOLUTION OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, FOR CANCELLATION OF OUTSTANDING CHECKS**

**WHEREAS**, there exist certain prior year's outstanding checks on the bank reconciliations of the Township of Long Beach; and

**WHEREAS**, it has been determined that these checks are at least one year old and should be cancelled.

**NOW, THEREFORE BE IT RESOLVED**, by the Board of Commissioners of the Township of Long Beach, in the County Ocean, State of New Jersey that the following prior year's outstanding checks be voided, and the funds returned to the cash account of the applicable fund:

<b>FUND</b>	<b>CHECK #</b>	<b>AMOUNT</b>
Current Fund	12024	\$868.42
	14066	\$7.99
	14650	\$194.53
	14810	\$75.00
	14972	\$4.28
	15178	\$7.22
	15215	\$57.25
	15703	\$77.22
	15994	\$53.25
	17286	\$16.62
	17559	\$310.48
	17714	\$225.00
	18476	\$60.00
	18651	\$45.00
	18698	\$215.10
	18874	\$367.29
	18972	\$66.98
	19162	\$6.96
	19168	\$549.00
	19390	\$75.00
	20114	\$136.80
	21001	\$238.83
	21628	\$6.79
Trust	2326	\$496.28
	2382	\$150.00
	2415	\$549.00

18. Resolution 21-1206.13(a&b): Authorize Various Changes to Tax Accounts

**RESOLUTION 21-1206.13(a)**

**AUTHORIZING THE CANCELLATION OF PROPERTY TAXES**

**WHEREAS**, George M. Firrincili applied for a total tax exemption on 36A Long Beach Blvd., Block 20.36, Lot 1, due to a veteran-related disability and has been approved as of August 1, 2021; and

**WHEREAS**, the taxes have been billed and paid for August thru September 2021; and

**WHEREAS**, the total to be refunded is One Thousand Seven Hundred Twenty dollars and twenty cents (\$1720.20); and

**WHEREAS**, the remaining taxes billed on the above listed property are cancelled for the remainder of 2021 as follows:

4<sup>th</sup> Quarter  
\$2594.49

**WHEREAS**, the taxes billed on the above listed property are cancelled for 2022 as follows:

<u>1<sup>st</sup> Quarter</u>	<u>2<sup>nd</sup> Quarter</u>
\$2348.28	\$2348.28

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Commissioners of the Township of Long Beach, County of Ocean, State of New Jersey that the Tax Collector cancel taxes for the given property and make the appropriate adjustments to the tax record.

**BE IT FUTHER RESOLVED**, a certified copy of this resolution will be forwarded to the Tax Collector and the Tax Assessor.

**RESOLUTION 21-1206.13(b)**

**APPROVE A REFUND 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:

<b><u>BLOCK</u></b>	<b><u>LOT</u></b>	<b><u>ADDRESS</u></b>	<b><u>PAYEE</u></b>	<b><u>AMOUNT</u></b>
11.04	1.29	38 Hideaway Drive	Matthew Hinzpeter & D. Catanio	\$1,718.81
23.11	18	70 Butler Road	Brian & Cortney Sabarese	\$2,500.22
18.126	3	1126C Long Beach Blvd	Matthew & Laurie Finelli	\$5,522.22
11.34	3	9327 Mark Drive	CoreLogic Attn: Centralized Refunds 3001 Hackberry Rd. Irving, TX 75063	\$1,138.57

**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.

19. Resolution 21-1206.14: Approve Various Changes to Water/Sewer Accounts

**RESOLUTION 21-1206.14**

**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:

<b><u>BLOCK</u></b>	<b><u>LOT/QUAL</u></b>	<b><u>ACCT #/ACCT</u></b>	<b><u>YEAR</u></b>	<b><u>CANCEL/CHANGE</u></b>	<b><u>AMOUNT</u></b>
6.47	1	2138	2021	Cancel	\$265.50

**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.

20. Resolution 21-1206.15: Approve Bills and Payroll:  
 Bills in the amount of: \$5,239,357.93  
 Payroll in the amount of: \$995,386.90

**RESOLUTION 21-1206.15**

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

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

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

**WHEREAS**, Payroll Department has certified and submitted a request for approval of Township payroll in the amount of \$995,386.90.

**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 \$5,239,357.93 be and the same are hereby authorized to be paid on Monday, December 6, 2021.
2. The said approved payroll amounting to the sum of \$995,386.90 be and the same are hereby authorized to be paid on Monday, December 6, 2021.

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 15-20:

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

### **COMMISSIONERS' REPORTS**

**Commissioner Lattanzi:** No report.

**Commissioner Bayard:** No report.

**Mayor Mancini:** The next meeting of the Land Use Board will be held on Wednesday, December 8, 2021 at 7:00 pm. Second Reading and Public Hearing for Ordinance(s) 21-33C and 21-34 will take place at the public meeting held on Monday, December 20, 2021, at 4:00 pm.

### **OPEN PUBLIC SESSION**

John Fiore, Brant Beach- comments regarding the water/sewer rate ordinance.

Commissioner Bayard- explains that after hearing the comments and concerns of the residents, the Township has decided to increase water/sewer rates by 10% for 2022 until more data could be obtained.

Kyle Ominski, Business Administrator- explains the app takes 90-100 days to onboard, hoping it is up and running soon.

Rand Pearsall, Holgate- questions regarding the app for water/sewer monitoring and how will it show usage.

Kyle Ominski, Business Administrator- the app will use real-time data that is updated daily.

Mayor Mancini- in regards to the bulkhead ordinance, you will not need to raise your bulkheads unless you are doing substantial construction or selling your home, wooden bulkheads will need to be replaced per State mandate, if it's the newer vinyl, that is fine.

The following residents had comments and concerns regarding the bulkhead ordinance 21-27C:

Anne Petka - Collier Rd., Eddie Caruso- High Bar Harbor, Robert Moscato- Arnold Blvd., Ken Evans- Arnold Blvd., Ken Keane- High Bar Harbor, Bill Greik- High Bar Harbor, Pete Potochney- Brant Beach, Sue DeHaven- Brant Beach, Daina Dale- High Bar Harbor, Rob Pitts- Louisiana Ct., Craig- High Bar Harbor, Francesca Smith- Albright Rd., John Boyuo- High Bar Harbor, Mike Fitzpatrick- Arnold Ave., Pete Edgar- High Bar Harbor, Bob Ford- High Bar Harbor, Pam Pitts- Louisiana Ct., Bill Cordrey- Amhurst Rd., Bob Cianci- High Bar Harbor.

### **CLOSE PUBLIC SESSION**

Motion for adjournment at 5:25 P.M.:

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

---

Danielle La Valle, RMC  
Municipal Clerk

---

Joseph H. Mancini  
Mayor

---

Ralph H. Bayard  
Commissioner

---

Dr. Joseph P. Lattanzi  
Commissioner