

**MINUTES**  
**REGULAR SESSION BOARD OF COMMISSIONERS DECEMBER 5, 2022**

**Flag Salute**

Meeting came to order: 4:04p.m.

Clerk calls the roll:	Mayor Joseph H. Mancini	PRESENT
	Commissioner Ralph H. Bayard	ABSENT
	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, Mancini
Second:	Mancini	Nays:

**AGENDA**

**ORDINANCES & PUBLIC HEARINGS**

1. Second Reading Ordinance 22-23C **AN ORDINANCE AMENDING AN ORDINANCE ENTITLED, "CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, (1997)" IN CHAPTER 94, WHICH PERTAINS TO FLOOD DAMAGE PREVENTION**

**STATEMENT OF PURPOSE**

The purpose of the ordinance is to amend Chapters 94 to confirm and clarify flood elevation requirements.

**SECTION I**

§94-2.3(5) is repealed and replaced as follows.

5) Flood Hazard Protection Area – V – For FHPA-V areas designated in 94-2.2 with mapped with mapped elevations VE 9 or less, the Local Design Flood Elevation on shall be 14 feet NAVD88 plus 1 foot of freeboard. In no case shall the Local Design Flood Elevation in this area be lower than required by 94-2.3(1).

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All Ordinances or parts of Ordinance inconsistent herewith are repealed to the extent of such inconsistency.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

**No Comment**

**CLOSE PUBLIC COMMENT**

Motion to adopt Ordinance 22-23C on Second Reading:

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

2. Second Reading Ordinance 22-24C: **AN ORDINANCE AMENDING AN ORDINANCE ENTITLED, "CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, (1997)" IN CHAPTER 64, WHICH PERTAINS TO CONSTRUCTION AND PROPERTY MAINTENANCE, AND CHAPTER 82, WHICH PERTAINS TO FEES, LICENSES, BONDS, AND PERMITS**

**STATEMENT OF PURPOSE**

The purpose of the ordinance is to amend Chapters 64 to clarify construction elevation and measurement requirements on bayfront and lagoon lots and to amend Chapter 82 to revise the fee for sheds, grade-level decks, pavers, and similar structures.

**SECTION I**

§205-10B is repealed and replaced as follows.

- B. On bayfront lots and lagoon lots, no building shall be erected or enlarged which shall exceed 34 feet in height. In measuring the building height to determine a conformity with this subsection, the measurement shall be taken from the crown of the road, easement, maximum finished grade of the lot, or finished bulkhead on which the building is located, but in no case shall the point of measurement exceed Elevation 5 NAVD 1988."

**SECTION II**

§82-10A(2) is repealed and replaced as follows.

- (2) Sheds, grade-level decks, pavers, and similar structures: \$75.00.

**SECTION III**

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

**SECTION IV**

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

**SECTION V**

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 COMMENT**

No Comment

**CLOSE PUBLIC COMMENT**

Motion to adopt Ordinance 22-24C on Second Reading:

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

- 3. First Reading Ordinance 22-25C: **AN ORDINANCE AMENDING AN ORDINANCE ENTITLED, "CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, (1997)" IN CHAPTER 82, WHICH PERTAINS TO FEES, LICENSES, BONDS, AND PERMITS**

Motion to approve Ordinance 22-25C on First Reading:

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

- 4. First Reading Ordinance 22-26: **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 22-26C on First Reading:

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

**ADOPTIONS & APPROVALS**

- 5. Resolution 1205.01 Approve Various Personnel Matters

**RESOLUTION 22-1205.01**

Accept the General Resignation of Shannon Bowker effective October 15<sup>th</sup>, 2022.  
Accept the General Resignation of Lydia D'Amore effective December 2, 2022.  
Approve Family Medical Leave for employee MG effective retroactive to November 26, 2022.

**Beach Patrol**

Change the following employee's payroll account to Beach Patrol Salary & Wage effective November 26, 2022.

Joni Bakum

**Finance**

Hire the following employee as a Part-Time Clerk 1 at the rate of \$125.00 per hour to be paid from Finance Salary & Wage effective retroactive to November 30, 2022.

Doug Gannon

Adjust the following employees annual base salary to \$66,516.00 to be paid from Finance Salary & Wage effective retroactive to November 26, 2022.

Erica Nicholes

Adjust the following employees annual base salary to \$50,820.00 to be paid from Finance Salary & Wage effective retroactive to November 26, 2022.

Mary Nolan

**Water/Sewer**

Hire the following employee as a Seasonal Laborer 1 at the rate of \$18.00 per hour to be paid from Water/Sewer Salary & Wage effective retroactive to November 28, 2022.

Brady Clark

6. Resolution 1205.02 Appoint Temporary CFO

**RESOLUTION 22-1205.02**

**RESOLUTION OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY APPOINTING AN TEMPORARY CHIEF FINANCIAL OFFICER**

**WHEREAS**, the Township of Long Beach has accepted the resignation of the Certified Chief Financial Officer, Lydia D'Amore, effective December 2, 2022; and

**WHEREAS**, a need exists to appoint a Temporary Chief Financial Officer.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Commissioners of the Township of Long Beach does hereby appoint Erica Nichols as Temporary Chief Financial Officer, effective through December 31, 2022.

Motion to approve Items 5-6:

Motion: Lattanzi Ayes: Lattanzi, Mancini

Second: Mancini Nays:

**PURCHASES, CONTRACTS & AWARDS**

7. Resolution 1205.03(a-d): Award Various Contracts via Bid

- a. Water/ Sewer Maintenance and Repair
- b. Electrical Maintenance and Repair
- c. Dozer Rental with Driver
- d. Dozer Rental without Driver

**RESOLUTION 22-1205.03(a)**

**A RESOLUTION AWARDING A CONTRACT FOR EMERGENCY REPAIRS TO WATER AND SEWER SYSTEMS FOR THE TOWNSHIP OF LONG BEACH, PER BID**

**WHEREAS**, pursuant to N.J.S.A.40A:11-1 et seq., the Township of Long Beach has solicited and received bids for emergency repairs to water and sewer systems in the Township of Long Beach on November 17, 2022; 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**, Mathis Construction 1510 RTE 539 STE 1, Little Egg Harbor, NJ 08087 gave the lowest qualified bid as per the municipal engineer and the municipal attorney's review and certification.

**WHEREAS**, the contract term shall have a duration of one (1) year commencing January 1, 2023 and ending December 31, 2023 with an option to extend for a period of one (1) year as agreed to in writing by both parties at the end of the initial contract period.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Township of Long Beach this 5<sup>th</sup> day of December 2022, for the reasons aforesaid, that a contract be and is hereby awarded to:

Mathis Construction  
1510 RTE 539 STE 1  
Little Egg Harbor, NJ 08087

for emergency repairs to water and sewer systems in the Township of Long Beach pursuant to their bid received by Long Beach Township on November 17, 2022; effective January 1, 2023 through December 31, 2023.

**RESOLUTION 22-1205.03(b)**

**A RESOLUTION AWARDING A CONTRACT FOR 2023 EMERGENCY ELECTRICAL REPAIRS FOR THE TOWNSHIP OF LONG BEACH, PER BID**

**WHEREAS**, pursuant to N.J.S.A.40A:11-1 et seq., the Township of Long Beach solicited and received bids for 2023 Emergency Electrical Repair in the Township of Long Beach on November 17, 2022; and

**WHEREAS**, the Township Attorney and Township Engineer reviewed the bids received and rendered opinions on which bids were responsive and which was the lowest responsible bidder; and

**WHEREAS**, based upon the bid specifications requirements, the bid documents submitted, and the Township Attorney and Township Engineer opinions it is determined that the purported bid submitted by KRS Services, Inc. ("KRS"), contains a material, non-waivable defect, and, therefore, is nonresponsive and null and void, specifically it fails to comply with New Jersey Prevailing Wage Act requirements set forth in the specifications and as required by law; and

**WHEREAS**, it is in the opinion of the Board of Commissioners, the Township Attorney, and the Township Engineer that the second lowest qualified bid be accepted for the 2023 Emergency Electrical Repairs: and

**WHEREAS**, Municipal Maintenance Co. of 1352 Taylors Lane, Cinnaminson, NJ 08077 gave the second lowest qualified bid as per the Township Attorney's and Township Engineer's review and certification.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Township of Long Beach this 5th day of December 2022, for the reasons aforesaid, that a contract be and is hereby awarded to:

Municipal Maintenance Co.  
1352 Taylors Lane  
Cinnaminson, NJ 08077

for Emergency Electrical Repairs in the Township of Long Beach in various amounts pursuant to the bid received November 17, 2022, effective January 1, 2023, through December 31, 2023 with a one (1) year option to extend.

**RESOLUTION 22-1205.03(c)**

**RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR RENTAL AND DELIVERY OF BULLDOZERS AND LOADERS WITH OPERATORS**

**WHEREAS**, pursuant to N.J.S.A.40A:11-1 et seq., the Township of Long Beach solicited and received bids for rental and delivery of bulldozers and loaders with operators in the Township of Long Beach on November 30, 2022; and

**WHEREAS**, it is in the opinion of the Board of Commissioners of the Township that the multiple bids be accepted and awarded for same; and

***Rental and Delivery of Bulldozers and Loaders with Operators*** - Various items per individual contracts on file in the Municipal Clerk's Office:

**HAAS Sand & Gravel**

PO BOX 2329  
1812 Rout 206

Vincentown, NJ 08088

**Mathis Construction Co, Inc**

1510 Route 539  
Suite 1

Little Egg Harbor, NJ 08087

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Township of Long Beach this 5<sup>th</sup> day of December 2022, that the above listed vendors shall be and hereby are awarded the above stated contracts effective January 1, 2023 through December 31, 2024 with one (1) one-year option to extend.

**RESOLUTION 22-1205.03(d)**

**RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR RENTAL AND DELIVERY OF BULLDOZERS AND LOADERS WITHOUT OPERATORS**

**WHEREAS**, pursuant to N.J.S.A.40A:11-1 et seq., the Township of Long Beach solicited and received bids for rental and delivery of bulldozers and loaders without operators in the Township of Long Beach on November 30, 2022; and

**WHEREAS**, it is in the opinion of the Board of Commissioners of the Township that the multiple bids be accepted and awarded for same; and

***Rental and Delivery of Bulldozers and Loaders without Operators*** - Various items per individual contracts on file in the Municipal Clerk's Office:

**Haas Sand & Gravel**

PO BOX 2329  
1812 Route 206

Vincentown, NJ 08088

**Central Jersey Construction Equip. Sales LLC**

**d/b/a Jersey Rents**

252 Route 9

Bayville, NJ 08721

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Township of Long Beach this 5<sup>th</sup> day of December 2022, that the above listed vendors shall be and hereby are awarded the above stated contracts effective January 1, 2023 through December 31, 2024 with one (1) one-year option to extend.

8. Resolution 1205.04: Award Professional Service Contract to Warwick Group

**RESOLUTION 22-1205.04**

**AUTHORIZING THE AWARD OF CONTRACTS FOR 2022 PROFESSIONAL LOBBYIST SERVICES – MEETING OR EXCEEDING \$17,500**

**WHEREAS**, the Township of Long Beach has a need to obtain the professional services listed below as an alternative method contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 or 20.5; and

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

**WHEREAS**, the Township of Long Beach wishes to award a contract utilizing a non-fair and non-open process for professional services pursuant to N.J.S.A. 40A:11-5(1)(a)(i) and such contracts and resolutions are available for public inspection at the office of the Township Clerk; and

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

**WHEREAS**, the listed services are recognized professions regulated by law; and

**WHEREAS**, those listed below completed and submitted Business Entity Disclosure and Political Contribution Disclosure Certifications which certify that they have not made any reportable contributions to a political or candidate committee in the Township of Long Beach in the previous one year, and that the contract will prohibit those listed from making any reportable contributions through the term of the contract; and

**WHEREAS**, the Board of Commissioners of the Township of Long Beach has determined and certified in writing that the value of the services will meet or exceed \$17,500.00; and

**WHEREAS**, pursuant to N.J.A.C. 5:30-5.3, et seq., the certification of funds by the Chief Financial Officer for the open-ended professional services contract which does not coincide with the fiscal year shall be certified each time an order or service is placed, contingent upon the availability in the appropriate 2022/2023 municipal or capital budgets.

**NOW, THEREFORE, BE IT RESOLVED**, that the Board of Commissioners of the Township of Long Beach authorizes the Mayor to enter into the following contracts with the lobbyist professionals listed as described herein effective December 01, 2022, through December 31, 2023, at the indicated amount and rates in a total aggregate amount not to exceed \$96,000.00:

Warwick Group	Lobbyist	\$8,000/ month
Consultants		\$96,000 per year

**BE IT FURTHER RESOLVED**, that the Business Disclosure Entity Certification and the Political Contribution Disclosure Form as required be placed on file with the Municipal Clerk; and

**BE IT FINALLY RESOLVED** that the Municipal Clerk shall send a notice of the alternative method professional contract appointments and have same published at least once in the official newspaper of the Township of Long Beach and shall keep the resolution, contracts, and certifications on file for public inspection.

9. Resolution 1205.05: Award a Contract via the Sourcewell Cooperative Purchasing Program: Purchase of an F350 Super Cab Trucks for \$53,381.50

**RESOLUTION 22-1205.05**

**AUTHORIZING PURCHASE UNDER THE NATIONAL COOPERATIVE PURCHASING PROGRAM SOURCEWELL 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 SOURCEWELL; 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**, National Auto Fleet Group., has been awarded the Sourcewell Contract #091521-NAF; 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 Public works Department also wishes to purchase one (1) 2023 Ford Super Duty F-350 SRW (X3B) XL 4WD Super Cab for the amount of Fifty-three Thousand Three Hundred Eighty-One Dollars and Fifty cents (\$53,381.50); and

**WHEREAS**, the Finance Officer has certified the availability of funds for this contract in the appropriation created by: Reserve Purchase of F350 Beach Truck Account #C-04-55-300-054 in the amount not to exceed Fifty-three Thousand Three Hundred Eighty-one and Fifty cents (\$53,381.50); and

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Commissioners of the Township of Long Beach that National Auto fleet Group, 490 Auto Center Drive, Watsonville, CA 95078 be awarded a contract for the purchase and delivery of one (1) 2023 F350 SRW (X3B) XL 4WD Super Cab, for Public Works Department.

Motion to approve Items 7-9:

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

**FINANCIAL APPROVALS**

10. Resolution 22-1205.06: Accept Performance Bond; 11 Lincoln Avenue Partners; Block 1.04 Lots 2 & 6; LUB# 12-22

**RESOLUTION 22-1205.06**

**ACCEPT A PERFORMANCE BOND**

**WHEREAS**, the Township of Long Beach accepted from 11 Lincoln Avenue Partners, LLC Treasurer’s Check No. 17 013331 drawn on Unity Bank dated November 7, 2022, in the amount of Five Thousand Nine Hundred Forty Dollars (\$5,940.00) as the required Performance Cash Bond and a surety bond in the amount of Fifteen Thousand Eight Hundred Forty dollars (\$15,840.00) for Minor Subdivision #LUB-12-22, Block 1.04, Lots 2 & 6.

**NOW, THEREFORE, BE IT RESOLVED**, that the Board of Commissioners accepts this Performance Bond as per its Municipal Ordinance and as recommended by the Municipal Engineer.

11. Resolution 22-1205.07: Approve Refund to Tax Account for Overpayment

**RESOLUTION 22-1205.07**

**APPROVE REFUND TO TAX ACCOUNTS FOR OVERPAYMENT**

**WHEREAS**, the following Tax Account is 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>
10.09	12	38 W Colorado Ave	Richard Cartlidge 2671 Avenir Place Vienna, VA 22180	\$1775.41

**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.

12. Resolution 22-1205.08: Approve Various Appropriation Transfers

**RESOLUTION 22-1205.08**

**WHEREAS**, the New Jersey statutes provide for the making of appropriation transfers between the period of November 1, 2022 and December 31, 2022; 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:

<b>CURRENT FUND</b>			
<b>FROM:</b>	<b>DEPT</b>	<b>ACCOUNT #</b>	<b>AMOUNT</b>
Construction Code Official	S&W	2-01-22-195-201	\$1,551.00
Transportation	S&W	2-01-31-471-011	\$3,000.00
<b>TOTAL</b>			<b>\$4,551.00</b>
<b>TO:</b>	<b>DEPT:</b>	<b>ACCT#</b>	<b>AMOUNT</b>
Construction Code Official	OE	2-01-22-195-229	\$1,551.00
Municipal Court	S&W	2-01-43-490-011	\$3,000.00
<b>TOTAL</b>			<b>\$4,551.00</b>

13. Resolution 22-1205.09: Approve Bills and Payroll:  
Bills in the amount of: \$ 4,562,056.38  
Payroll in the amount of: \$ 967,574.25

**RESOLUTION 22-1205.09**

**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 \$967,574.25

**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 \$4,562,056.38 be and the same are hereby authorized to be paid on Monday, December 5, 2022.
2. The said approved payroll amounting to the sum of \$967,574.25 be and the same are hereby authorized to be paid on Monday, December 5, 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 10-13:

Motion: Lattanzi Ayes: Lattanzi, Mancini

Second: Mancini Nays:

**Administrator's Report:** Kyle Ominski gave a brief explanation of the new water rates.

#### **COMMISSIONERS' REPORTS**

**Commissioner Lattanzi:** Informed all in attendance that Lydia D'Amore has resigned as Chief Financial Officer.

**Commissioner Bayard: ABSENT**

**Mayor Mancini:** The next meeting of the Land Use Board will be held on December 14, 2022, at 7:00 pm in the Municipal Court Room.

Second Reading and Public Hearing for Ordinance(s) 22-25C and 22-26 will take place at the public meeting held on Monday, December 19, 2022, at 4:00 pm.

Mayor Mancini reminded residents to register an emergency contact and vacant home with the Police Department, ensure that outside plumbing has been winterized, and to lock vehicles and residences as vehicle thefts are still occurring throughout Ocean County.

#### **OPEN PUBLIC SESSION**

Pat Van Beveran, Brant Beach-had questions regarding the water rate change amounts and why we were changing the rates.

#### **CLOSE PUBLIC SESSION**

Motion for adjournment at 4:15pm:

Motion: Lattanzi Ayes: Lattanzi, Mancini

Second: Mancini Nays:

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Danielle La Valle, RMC  
Municipal Clerk

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Joseph H. Mancini, Mayor

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Dr. Joseph P. Lattanzi, Commissioner