

MINUTES
REGULAR SESSION BOARD OF COMMISSIONERS November 5, 2018
Flag Salute

Meeting came to order: 4:05 p.m.
Clerk called the roll: Mayor Joseph H. Mancini PRESENT
Commissioner Ralph H. Bayard PRESENT
Commissioner Joseph P. Lattanzi PRESENT
Also in attendance: Lynda J. Wells, Municipal Clerk PRESENT

Municipal Clerk announced: 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 21, 2017; 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

Ocean County Board of Chosen Freeholders, Virginia Haines: Presentation to Long Beach Township of World War I Service Flag. The Seaport Stitchers Quilt Guild of Tuckerton donated their time to create twenty-eight commemorative Service Flags, one for each municipality that existed in 1918 in Ocean County, New Jersey. The Ocean County Board of Chosen Freeholders dedicate these commemorative Service Flags to the valiant men and women from Ocean County who served in the armed forces during the U.S. involvement in the Great War.

Long Beach Township: Champion of the Coast recognition from the American Littoral Society

Lynda Wells, Municipal Clerk stated:

"The Littoral Society promotes the study and conservation of marine life and habitat. It protects the coast from harm and empowers others to do the same.

Long Beach Township has supported the efforts and goals of the Littoral Society by the passage of various legislation such as prohibition of the release of helium balloons and the distribution of plastic bags by local merchants, as well as our formal opposition to off-shore drilling. As a result of our commitment to this unique environment, the Littoral Society names Long Beach Township a Champion of the Coast."

ORDINANCES & PUBLIC HEARINGS

1. Second Reading Ordinance 18-29C: **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 195 PERTAINS TO VENDOR LICENSING**

ORDINANCE 18-29C

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 195 PERTAINS TO VENDOR LICENSING

THE BOARD OF COMMISSIONERS OF THE TOWNSHIP OF LONG BEACH DO ORDAIN:

STATEMENT OF PURPOSE

This Ordinance permits Ice Cream Vending by Licensed Vendors on Township beaches and amends application requirements.

SECTION I

§ 195-3H is hereby amended by removal of the following words: "by the Long Beach Township Police Department"

SECTION II

§ 195-4.D.(1) is hereby repealed and replaced with the following:

(1) No more than 10 vehicle licenses for the vending of permissible ice cream products shall be issued annually and such licenses shall be further limited to the following permitted activities.

(a) Sale of pre-packaged frozen ice cream products from a motorized vehicle, pursuant to the provisions this Chapter.

(b) Sale of pre-packaged frozen ice cream products by foot on bay and ocean beaches, provided that such vending on foot comply with the following.

[1] Foot vendors shall carry, wheel, or push a non-motorized cart on the beach along the waterline only. Foot vendors shall access the waterline directly from the beach entrances.

[2] The cooling unit/component used by foot vendors shall have a maximum capacity of 150 quarts with maximum dimensions of 45" long x 33" wide x 41" high. No artificial lighting shall be permitted.

[3] Foot vending apparatus must be inspected and approved by the Long Beach Island Board of Health.

[4] Foot vendors may not shout out or use any audible sound emoting devices to alert beach patrons.

[5] Foot vendors must wear shirts and display Township issued identification cards at all times when vending.

[6] Licensed ice cream vendors shall not simultaneously vend from a motorized truck while also vending by foot.

SECTION III

§195-4.D.(3) is hereby amended by the removal of the word "arty" and the insertion of the word "any" in lieu thereof.

SECTION IV

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

SECTION V

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 VI

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

Passed on first reading at a regular meeting held on October 1, 2018 and advertised in the BEACH HAVEN TIMES issue of October 4, 2018.

OPEN PUBLIC HEARING

No comments.

CLOSE PUBLIC HEARING

Motion to adopt Ordinance 18-29C on Second Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

2. Second Reading Ordinance 18-30C: **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 51, ARTICLE III, SECTION 23 WHICH PERTAINS TO MOTOR VEHICLES ON THE BEACH AND CHAPTER 82 PERTAINING TO FEES**

ORDINANCE 18-30C

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 51, ARTICLE III, SECTION 23 WHICH PERTAINS TO MOTOR VEHICLES ON THE BEACH, CHAPTER 82 PERTAINING TO FEES, AND CHAPTER 197 PERTAINING TO LAND USE BOARD

STATEMENT OF PURPOSE

This Ordinance amends Chapter 51 regulating the use of motor vehicles on the beach, and Chapter 82 to include applicable fees.

SECTION I

§51-3 is hereby amended to add the following definition.

BEACH AND BEACHFRONT

The zone of unconsolidated material (e.g., sandy or pebbly) that extends landward from the low-water line to the place where there is marked change in material or physiographic form, i.e., dune or bulkhead.

SECTION II

§51-20 and -21 are hereby repealed and replaced with the following.

§51-20 Permitted Motor Vehicles, Permits, and Registration.

- A. The only motor vehicles permitted on the beach shall be four-wheel-drive vehicles of the type known as "beach buggy" or "jeep" style vehicles.
 - (1) All municipal, state, or federal vehicles shall be exempt from the requirements of this Chapter.
- B. Prior to use of any motor vehicle on the beach, the motor vehicles shall be registered with the Chief of Police and each operator shall be required to obtain

a permit. Application for the permit shall be made to the Chief of Police, who may require from the applicant complete information as to his or her ability and competence to operate a motor vehicle in a safe and prudent manner so as not to endanger the lives and safety of others using the beach. The information shall include the applicant's age, driving record, and experience.

SECTION III

The following sections shall be renumbered and relocated as follows and the sections shall remain the corresponding Articles, except as otherwise provided:

§51-22 shall become §51-21

§51-23 shall become §51-22

§51-24 shall become §51-23

§51-24 shall be marked (RESERVED)

SECTION IV

§51-23 is hereby repealed and replaced with the following.

§51-23 **Permitted Time, Speed, and Location.**

A. No motor vehicle shall be operated on the beach from May 15 through September 30, except that portion thereof lying south of that northerly boundary of the Holgate Unit of the Brigantine National Wildlife Refuge as designated allowable by the federal authorities.

B. No vehicle shall be operated on the beach at a speed in excess of 15 miles per hour.

C. No vehicle shall be operated on the sand dunes, and all vehicles shall obtain access to the beach from the public streets only at places specifically designated by the Police Department, as follows:

Holgate

Nelson Avenue

Washington Avenue

Holgate Beach, Wildlife Refuge entrance via end of boulevard (closed April 15th through September 1st)

Two From Ship Bottom – Beach Haven

31st Street

46th Street

66th Street

72nd Street

80th Street

106th Street

117th Street

34th Street (BHG)

15th Street (NBH)

North Beach

25th Street

Tract 1065 (behind tennis courts)

Loveladies

Coast Road

Tract 55

SECTION V

§82-8.C. is hereby amended to add the following new sub-section:

(7) Beach Buggy permit: as per 51-22

§82-10.C.(6)(g) is hereby amended as follows:

Replace "\$35" with "\$50"

§82-25.A. is hereby amended as follows:

Replace "\$35" with "\$50"

SECTION VI

§197-13.B.(4) is hereby amended as follows:

In the last sentence, replace "Planning Board" with "Land Use Board".

SECTION VII

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

SECTION VIII

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

Effective date.

This ordinance shall take effect after final adoption and publication as required by law. Passed on first reading at a regular meeting held on October 1, 2018 and advertised in the BEACH HAVEN TIMES issue of October 4, 2018.

OPEN PUBLIC HEARING

No comments.

CLOSE PUBLIC HEARING

Motion to adopt Ordinance 18-30C on Second Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

3. Second Reading Ordinance 18-31C: **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 205 PERTAINS TO ZONING, AND CHAPTER 64, WHICH PERTAINS TO ANCHORING REQUIREMENTS**

ORDINANCE 18-31C

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 205 PERTAINS TO ZONING, AND CHAPTER 64, WHICH PERTAINS TO ANCHORING REQUIREMENTS

THE BOARD OF COMMISSIONERS OF THE TOWNSHIP OF LONG BEACH DOES ORDAIN:

STATEMENT OF PURPOSE

This Ordinance amends Chapter 205 to revise regulations regarding lot lines for the R-6 Residential Zones and Storage Sheds, and amends Chapter 64 to revise anchoring regulations.

SECTION I

§205-54.C.(5)(c) is hereby repealed and replaced with the following.

- (c) No principal building on a lot with a depth of more than 80 feet shall be closer than 25 feet to any rear lot line.

SECTION II

§205-32.C. is hereby repealed and replaced with the following.

- C. There shall be a 10-foot maximum height measured from lot grade to the peak, and sidewalls shall not exceed 7 feet in height.

SECTION III

§205-32.E. is hereby added as follows:

- E. All storage sheds shall be anchored to prevent displacement by natural forces, including, but not limited to, the displacement of same during coastal flooding and severe high tides.

SECTION IV

§64-18.A. is hereby repealed and replaced with the following.

- A. Wooden trash pens, on-grade walkways, grade-level decks, and similar structures shall be secured to a 4-inch thick concrete slab or 4 inches by 4 inches pressure treated posts. The posts shall be set below grade. The anchoring posts shall be placed a maximum of 8 feet apart or less and at each corner of the structure.

SECTION V

All Ordinances or part of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION VI

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.

Effective date.

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

The Land Use Board reviewed and approved this Ordinance at their October 10th meeting.

Passed on first reading at a regular meeting held on October 1, 2018 and advertised in the BEACH HAVEN TIMES issue of October 4, 2018.

OPEN PUBLIC HEARING

No comments.

CLOSE PUBLIC HEARING

Motion to adopt Ordinance 18-31C on Second Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

4. Second Reading Ordinance 18-32C: 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 SECTION 18-13. B. UPDATES THE CHECKLIST FOR USE IN LAND USE BOARD APPLICATION PROCEEDINGS

ORDINANCE 18-32C

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 SECTION 18-13.B. UPDATES THE CHECKLIST FOR USE IN LAND USE BOARD APPLICATION PROCEEDINGS

THE BOARD OF COMMISSIONERS OF THE TOWNSHIP OF LONG BEACH DO ORDAIN:

STATEMENT OF PURPOSE

This Ordinance amends Section 18-13.B. of the Code of the Township of Long Beach and provides an updated Land Use Board Checklist for applicants.

SECTION I

Section 18-13.B. of an Ordinance entitled "CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY 1997" is hereby amended in the required checklist, 18 Attachment 1: Township of Long Beach Land Use Board Checklist, shall be updated as follows in Item 36:

In Item 36, after the word "floors;" add the following:

"Multi-family units and commercial uses require sealed Architectural Plans;"

SECTION II

All ordinances or parts of ordinances in consistent herewith are hereby repealed to the extent of such inconsistency Section 3 if any word, phrase, clause, section or provision of the ordinance shall be found by any court of competent jurisdiction to be an enforceable, illegal or unconstitutional such word, phrase, clause, section or provision all be severable from the balance of the ordinance and the remainder of the ordinance shall remain in full force and effect.

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 only after publication thereof after final passage according to law.

Passed on first reading at a regular meeting held on October 1, 2018 and advertised in the BEACH HAVEN TIMES issue of October 4, 2018.

OPEN PUBLIC HEARING

No comments.

CLOSE PUBLIC HEARING

Motion to adopt Ordinance 18-32C on Second Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

5. Second Reading Ordinance 18-33C: AN ORDINANCE AMENDING AN ORDINANCE ENTITLED "CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, 1997" IN CHAPTER 64 AND CHAPTER 180, AMENDING SWIMMING POOL AND HOT TUB REGULATIONS AND REFORMATTING CHAPTERS

ORDINANCE 18-33C

AN ORDINANCE AMENDING AN ORDINANCE ENTITLED "CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, 1997" IN CHAPTER 64 AND CHAPTER 180, AMENDING SWIMMING POOL AND HOT TUB REGULATIONS AND REFORMATTING CHAPTERS

STATEMENT OF PURPOSE

The purpose of this Ordinance is to establish dates and times when de-watering of inground swimming pool excavations into a public right of way shall be permitted and to amend and reformat the swimming pool and hot tub regulations set forth in Chapter 64 and Chapter 180.

SECTION I

§64-14 is hereby repealed and replaced with “[Reserved]”

SECTION II

§180 is hereby repealed and replaced with the following.

Chapter 180. Swimming Pools and Hot Tubs

§180-1 Definitions.

As used in this Chapter, the following terms shall have the meanings indicated:

HOT TUB

A large tub or container filled with water, typically hot, and typically aerated water used for personal recreation, physical therapy, relaxation, and/or soaking. Includes constructed and purchased hot tubs, spas, Jacuzzi, and whirlpools.

SWIMMING POOL

Any manufactured, artificially constructed, or developed structure intended for swimming, recreational bathing or wading that contains water over 24 inches deep. Includes outdoor, above or below grade level swimming pools that are installed or constructed to provide recreational facilities for swimming, bathing, or wading.

§180-2 Permit, Application, and Exception.

- A. Permit. A Construction Department permit shall be required for the installation and construction of any and all permanent and temporary swimming pools.
- B. Application. All applications shall be filed on the form prescribed by the Construction Department and shall include the certification of an engineer licensed in the State of New Jersey setting forth and attaching the following information and documentation.
 - (1) The proposed construction complies in all respects with the Code, Federal Emergency Management Agency regulations, and the National Flood Insurance Program regulations.
 - (2) The certification and plans shall demonstrate that the pilings to be utilized are of sufficient strength to support the swimming pool when filled with water with all sand removed from beneath the swimming pool structure and are of sufficient length and depth in the ground to support the swimming pool in the event of a 100-year storm flood washout, as that term is defined in the National Flood Insurance Program regulations.
 - (3) The engineer's certification and plans shall further demonstrate that the swimming pool is sufficiently firmly affixed to the piling and supporting members to prevent its flotation in the event of floodwaters rising around the swimming pool when it is not filled with water.
 - (4) The certification shall certify that the installation of the swimming pool shall not result in any increased potential for flood damage, and, when the swimming pool is to be located in the beach dune area, that the disturbance of the dune shall not result in an increased potential for flood damage during the 100-year flood as defined by the National Flood Insurance Program regulations or any lesser flood.
 - (5) A survey performed by a licensed land surveyor depicting the location of all buildings, fences, and improvements on the lot on which the swimming pool is proposed. The survey shall also depict the location of all overhead wires on the property.
- C. Application fee. The application shall be accompanied by an application fee in the amount of \$50.
- D. The permit shall not be required for the following.
 - (1) An above-ground vinyl-lined swimming pool not exceeding 4 feet in depth and not exceeding a capacity of 3,000 gallons of fresh water.
 - (2) An above-ground hot tub having a capacity not in excess of 600 gallons and installed in the yard or on a platform not exceeding 12 inches above the finished grade of the lot.

§180-3 General Regulations.

- A. Impervious coverage. All swimming pools, coping, deck, pavers, concrete, wood, and other material relating to the construction of a swimming pool shall count as "impervious lot coverage" pursuant to §205-56.
- B. Prohibited swimming pools and hot tubs. No swimming pool or hot tub shall be permitted that will be located in or result in the following.
 - (1) If it increases the potential for flood damage to the property on which it is located or adjacent properties.

- (2) Is located within any setback lines on the property as required by Chapter 205, with the following exception: no in-ground swimming pool located less than 5 feet from a principal structure on a lot or within the approved building envelope shall be permitted unless certified by a New Jersey licensed professional engineer or architect.
 - (3) Is located in such location that any overhead electrical wires cross over the swimming pool, with the following exceptions: no in-ground swimming pool located less than 5 feet from a principal structure on a lot or within the approved building envelope shall be permitted unless certified by a New Jersey licensed professional engineer or architect.
 - (4) Is located with the highest point of its coping higher than 1 foot above the average level of the lot measured 5 feet away from the highest point of the coping. If the said highest point of the coping exceeds by a height of 1 foot the average level of the lot measured 5 feet from the highest point of the coping, the swimming pool may not be constructed without the area of the swimming pool and of the deck, pavers, concrete, wood, or other material and the coping being counted in lot coverage for purposes of calculating lot coverage pursuant to the Code.
 - (5) Is located on any roof deck, and, therefore, exceeds the maximum building height as required by Chapter 205.
 - (6) No hot tub shall be installed on any deck or roof deck closer than 3 feet to any guardrail.
- C. Fences. Fences shall be required to surround the perimeter of all swimming pools and adjacent walk and shall be a chain-link-type or comparable type fence that will provide an unobstructed view of the enclosed area and it shall be equipped with a self-locking gate. The height of the fence shall be not less than 4 feet and shall not exceed the height permitted by Chapter 205. The fence shall enclose the swimming pool and deck or patio which surrounds the swimming pool, if any.
- D. De-Watering. A minimum of 48 hours prior to the start of pumping for de-watering of any permanent or temporary swimming pool, notice to the Construction Department shall be required.
- (1) All de-water pumping for swimming pools, including excavation and seasonal draining, shall be completed within 15 days from the start of pumping.
 - (2) Between June 15 and September 15 of any calendar year, a maximum of 10 working days shall be permitted for de-watering an in-ground swimming pool.

§180-4 Construction standards.

- A. Beach dune area swimming pools. Swimming pools constructed in beach dune area shall not be attached to any structure. Any swimming pool to be constructed in the beach dune area, as that area is defined in Chapter 51, or in any area designated on the Federal Insurance Rate Map as any V Zone shall have the bottom of its lowest supporting girders meet or exceed the base flood elevation as established on such Federal Insurance Rate Map. Construction of the supporting girders and pilings shall meet the construction standards and piling requirements set forth in Chapter 64 and shall further meet all construction and elevation standards set forth in Chapter 94. The pilings shall comply with the requirements set forth in Chapter 64 and shall be so placed and affixed at the lowest exterior level of the swimming pool bowl that, in the event all sand is washed out from under the swimming pool structure, it shall remain fully supported by the pilings and supporting girders and in the event of floodwaters rising above the bottom of the swimming pool, flotation of the swimming pool structure, even when empty, shall not occur.
- B. Excavations, footings, and foundations in Flood Zones. Any swimming pool to be constructed in the area designated as the A and AO Zones on the Federal Insurance Rate Map shall be constructed in such manner as to be supported by pilings that comply with the requirements set forth in Chapter 64. The pilings shall be placed and affixed so that for concrete swimming pools they are located at the lowest exterior level of the swimming pool bowl and for fiberglass swimming pools in such manner as approved by the Construction Department that in the event all of the sand is washed out from under the swimming pool structure, it shall remain fully supported, and in the event of floodwaters rising above the

bottom of the swimming pool, floatation of the swimming pool structure shall not occur.

§180-5 Violations and penalties.

A violation of this chapter shall be punishable as provided in Chapter 1, General Provisions, Article III. General Penalty.

SECTION III

All ordinances, or parts of ordinances, inconsistent with this ordinance are hereby 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.

Effective date.

This ordinance shall take effect after final adoption and publication as required by law. Passed on first reading at a regular meeting held on October 1, 2018 and advertised in the BEACH HAVEN TIMES issue of October 4, 2018.

OPEN PUBLIC HEARING

No comments.

CLOSE PUBLIC HEARING

Motion to adopt Ordinance 18-33C on Second Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

6. Second Reading Ordinance 18-34C: **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**

ORDINANCE 18-34C

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

STATEMENT OF PURPOSE

This Ordinance amends Chapter 94 to amend regulations regarding flood damage prevention to comply with the federal regulations.

SECTION I

§94-3 is hereby amended to add the following new definitions.

AH ZONE

Areas subject to inundation by 1-percent-annual-chance shallow flooding (usually areas of ponding) where average depths are between 1 and 3 feet. Base Flood Elevations (BFEs) derived from detailed hydraulic analyses are shown in this Zone.

AO ZONE

Areas subject to inundation by a 1 percent annual chance of shallow flooding (usually sheet flow on sloping terrain) where the average depths are between 1 and 3 feet.

COASTAL A ZONE

The portion of the Special Flood Hazard Area (SFHA) starting from a Velocity (V) Zone and extending up to the landward Limit of the Moderate Wave Action delineation. Where no V Zone is mapped the Coastal A Zone is the portion between the open coast and the landward Limit of the Moderate Wave Action delineation. Coast A Zones may be subject to wave effects, velocity flows, erosion, scour, or a combination of these forces. Construction and development in Coastal A Zones are to be regulated the same as V Zones/Coastal High Hazard Areas.

FLOOD INSURANCE RATE MAP (FIRM)

The official map on which the Federal Insurance Administration had delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

FLOODPROOFING

Any combination of structural or non-structural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures, and their contents.

LIMIT OF MODERATE WAVE ACTION (LIMWA)

Inland limit of the area affected by waves greater than 1.5 feet during the BASE flood conditions between the V Zone and the LIMWA will be similar to, but less severe than those in the V Zone.

VIOLATION

The failure of a structure or other development to be fully compliant with this Chapter. A new or substantially improved structure or other development without the elevation certificate, other certifications, or other evidence of compliance required by 44 C.F.R. §60.3(b)(5), (c)(4), (c)(10), (e)(2), (e)(4), or (e)(5) is presumed to be in violation until such time as that documentation is provided.

SECTION II

§94-3 is hereby amended to repeal definitions and replace them with the following.

AREA OF SPECIAL FLOOD HAZARD

The land in the floodplain within a community subject to a 1-percent or greater chance of flooding in any given year. It is shown on the Firm as Zone V, VE, V1-30, A, AO, A1-A30, AE, A99, or AH.

BASE FLOOD ELEVATION (BFE)

The flood elevation shown on a published Flood Insurance Study (FIS) including the Flood Insurance Rate Map (FIRM). For Zones AE, AH, AO, and A1-30 the elevation represents the water surface elevation resulting from a flood that has a 1-percent or greater chance of being equaled or exceeded in any given year. For Zones VE and V1-30 the elevation represents the stillwater elevation (SWEL) plus wave effect (BFE = SWEL + wave effect) resulting from a flood that has a 1-percent or greater chance of being equaled or exceeded in any given year.

ELEVATED BUILDING

A non-basement building built, in the case of a building in an area of Special Flood Hazard, to have the top of the elevated floor, or, in the case of a building in a Coastal High-Hazard Area or Coastal A Zone, to have the bottom of the lowest horizontal structural member of the elevated floor elevated above the BFE, plus freeboard, by means of piling, columns (posts and piers), or shear walls parallel to the flow of the water and adequately anchored so as not to impair the structural integrity of the building during a flood of up to the magnitude of the base flood. In an Area of Special Flood Hazard, "elevated building" also includes a building elevated by means of fill or solid foundation perimeter walls with openings sufficient to facilitate the unimpeded movement of floodwaters. In Areas of Coastal High Hazard and Coastal A Zones, "elevated building" also includes a building otherwise meeting the definition of "elevated building" even though the lower area is enclosed by means of breakaway walls.

FREEBOARD

Freeboard is a factor of safety usually expressed in feet above a flood level for purposes of floodplain management. Freeboard tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, bridge openings, and the hydrological effect of urbanization of the watershed.

HIGHEST ADJACENT GRADE

The highest natural elevation of the ground surface prior to construction next to the proposed or existing walls of a structure.

LOWEST FLOOR

The lowest floor of the lowest enclosed area (including basement). An unfinished or flood-resistant enclosure, usable solely for the parking of vehicles, building access or storage in an area other than a basement, is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of other applicable non-elevation design requirements of 44 C.F.R. 60.3.

SAND DUNES

Naturally occurring or man-made accumulations of sand in ridges or mounds landward of the beach.

SECTION III

§94-3 is hereby amended to repeal the following definitions: FLOOD HAZARD MAP; AREAS OF SPECIAL FLOOD-RELATED HAZARD; FEMA MAP

SECTION IV

§94-5A is hereby repealed and replaced with the following.

- A. Establishment of development permit. A development permit shall be obtained before construction, development, or placement of any structure, including the placement of manufactured homes, begins within any area of special flood hazard established under the provisions of §94-4B.

SECTION V

§94-6B(1)(c) is hereby repealed and replaced with the following.

- (c) Review all development permits in the Coastal High-Hazard Area and Coastal A Zone area to determine if the proposed development alters sand dunes or other natural coastal protections so as to increase potential flood damage.

SECTION VI

§94-6B(2)(c) is hereby repealed and replaced with the following.

- (c) In Coastal High-Hazard Areas and Coastal A Zones, certification shall be obtained from a registered professional engineer or architect that the structure is securely anchored to adequately anchored piling or columns in order to withstand velocity waters and hurricane wave wash.

SECTION VII

§94-6B(5) is hereby added as follows.

- (5) Substantial damage review. After an event resulting in building damages, assess the damage to structures due to flood and non-flood causes.
- (a) Record and maintain the flood and non-flood damage structures and prove a letter of substantial damage determination to the owner and all other persons and entities as required by federal and State agencies.
- (b) Ensure all substantial improvements comply with this Chapter and federal and state specific standards.

SECTION VIII

§94-8C(3) and E are hereby repealed and replaced with the following.

- (3) All electrical, plumbing, HVAC, and other service equipment installed for new construction and substantial improvements shall be located at or above the BFE of the applicable flood Zone.

- E. Enclosure openings. For all new construction and substantial improvements, fully enclosed areas below the lowest floor that are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or must meet or exceed the following minimum criteria: A minimum of two openings in at least two exterior walls of each enclosed area having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided. The bottom of all openings shall be no higher than one foot above grade. Openings may be equipped with screens, louvers or other coverings or devices, provided that they permit the automatic entry and exit of floodwaters.

SECTION IX

§94-9A(1) is hereby repealed and replaced with the following.

- (1) In all A Zones, new construction and substantial improvement of any residential structures shall have the top of the lowest finished floor and all attendant utilities, mechanical equipment and sanitary facilities elevated at or above the base flood elevation plus 1 foot or more; provided, however, that if the base flood elevation is less than 8 feet, the elevation shall be at elevation 8 feet plus 1 foot or more, or as required by ASCE/SEI 24-14, Table 2-1.

SECTION X

§94-9B(1)(a) is hereby repealed and replaced with the following.

- (a) Elevated to or above the base flood elevation plus one foot or more, or as required by ASCE/SE 24-14, Table 2-1, whichever is more restrictive;

SECTION XI

§94-10 heading and body are hereby repealed and replaced with the following.

§94-10 Coastal High-Hazard Area and Coastal A Zone.

Coastal High-Hazard Areas (V or VE Zones) and Coastal A Zones are located within the areas of special flood hazard established in § 94-4. These areas have special flood

hazards associated with high-velocity waters from tidal surges and hurricane wave wash; therefore, the following provisions shall apply:

SECTION XII

§94-10E(3) is hereby repealed and replaced with the following.

- (3) In all Zones other than V Zones, if breakaway walls are utilized below the BFE elevation, such enclosed space shall be solely for parking of vehicles, building access or storage.

SECTION XIII

§94-13 is hereby repealed and replaced with the following.

The Board of Commissioners of the Township of Long Beach is hereby authorized and designated as the authorized public body required by Part 73 of the National Flood Insurance Program regulations, 44 C.F.R. Ch. 1 (10-1-1987 Edition) to make a declaration that property found to be in violation of Chapter 94 of the Code of the Township of Long Beach or any National Flood Insurance Program regulations is in violation and to so certify to the Administrator of the Federal Emergency Management Agency in accordance with Part 73 of the National Flood Insurance Program regulations revised as of October 1, 1988, AND AS REQUIRED IN 44 C.F.R. Ch. 60.3(b)(5), (c)(4), (c)(10), (e)(2), (e)(4), and (e)(5).

SECTION XIV

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

SECTION XV

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.

Effective date.

This ordinance shall take effect after final adoption and publication as required by law. Passed on first reading at a regular meeting held on October 1, 2018 and advertised in the BEACH HAVEN TIMES issue of October 4, 2018.

OPEN PUBLIC HEARING

No comments.

CLOSE PUBLIC HEARING

Motion to adopt Ordinance 18-34C on Second Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

- 7. First Reading Ordinance 18-35C: **AN ORDINANCE AMENDING AN ORDINANCE ENTITLED, "CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, (1997)" IN CHAPTERS 64 AND 82 PERTAINING TO ZONING PERMIT FEES AND IN CHAPTER 193 PERTAINING TO RECREATIONAL VEHICLES**

Motion to approve Ordinance 18-35C on First Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

- 8. First Reading Ordinance 18-36C: **AN ORDINANCE AMENDING AN ORDINANCE ENTITLED "CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, 1997" IN CHAPTER 5, AMENDING OPRA REGULATIONS**

Motion to approve Ordinance 18-36C on First Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

- 9. First Reading Ordinance 18-37: **AN ORDINANCE OF THE TOWNSHIP OF LONG BEACH VACATING PORTIONS OF THE CUL-DE-SAC LOCATED AT SCOTT DRIVE**

Motion to approve Ordinance 18-37 on First Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

- 10. First Reading Ordinance 18-38C: **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**

Motion to approve Ordinance 18-38C on First Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

ADOPTIONS & APPROVALS

- 11. Resolution 18-1105.01: Authorize rebid for Lease of Water Tank Space and a Portion of Property located at 5707 Bayview Avenue

for Wireless Communications Facility in the Township of Long Beach

RESOLUTION 18-1105.01

**RESOLUTION AUTHORIZING THE RE-ADVERTISEMENT FOR THE RECEIPT OF BIDS:
Lease of Water Tank Space and a Portion of Property located at
5707 Bayview Avenue for Wireless Communications Facility
In the Township of Long Beach**

WHEREAS, the Township of Long Beach advertised for the receipt of bids for Lease of Water Tank Space and a Portion of Property located at 5707 Bayview Avenue for Wireless Communications Facility in the Township of Long Beach on August 10, 2018; and

WHEREAS, pursuant to the Notice to Bidders, receipt of bids took place on October 3, 2018 at 10:30 am; and

WHEREAS, no bids were received; and

WHEREAS, the Board of Commissioners desires that this lease opportunity be re-bid.

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, November 5, 2018 hereby authorizes the re-advertisement for bids for Lease of Water Tank Space and a Portion of Property located at 5707 Bayview Avenue for Wireless Communications Facility in the Township of Long Beach.

- 12. Resolution 18-1105.02: Authorize agreement between Long Beach Island Health Department and Stockton University to sponsor internships, clinical education, and fieldwork programs

RESOLUTION 18-1105.02

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach that the Long Beach Island Board of Health be and is hereby authorized to enter into an agreement with Stockton University to sponsor internships, clinical education, and fieldwork programs.

- 13. Resolution 18-1105.03 Approve a change to a Water/Sewer account

RESOLUTION 18-1105.03

WHEREAS, the following Water/Sewer account requires a change in its billing and/or classification; and

WHEREAS, it is requested by the Director of Revenue and Finance that this change 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>
12.08	3	3945-0 W/S	2017/18	Per Fixture Count	\$182.00

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

- 14. Resolution 18-1105.04: Approve various personnel matters

RESOLUTION 18-1105.04

Municipal Clerk

Change the following employee's annual base salary to \$61,872.00 to be paid from Municipal Clerk's Salary & Wage effective November 5, 2018.

Gabrielle Albert

Police

Hire the following employees to attend the Class II Ocean County Police Academy at the rate of \$8.60 per hour to be paid from Police Salary & Wage effective December 15, 2018.

Robert Rawley Jonathan Rainer Luke Stambaugh

Transportation

Approve a one-time stipend for the following employees in the amount of \$1,000.00 for significant job duties to be paid from Transportation Salary & Wage effective November 5, 2018.

Gladys Callo Yvette Davis Mike DeVirgilis Rich McKean
 Tracy Hines Tom Hartman

Water/Sewer

Approve the donation of 24 hours of sick time from Ian Schrader to Robert Pinto as per Ordinance 08-43.

Approve the donation of 24 hours of vacation time from Ian Schrader to Robert Pinto as per Ordinance 08-43.

Approve the donation of 40 hours of sick time from Croix Corliss to Robert Pinto as per Ordinance 08-43.
 Approve the donation of 24 hours of vacation time from Ian Bruce Caporusso to Robert Pinto as per Ordinance 08-43.
 Approve the donation of 24 hours of vacation time from James Deangelo to Robert Pinto as per Ordinance 08-43.
 Approve the donation of 32 hours of sick time from Stuart McGowan to Robert Pinto as per Ordinance 08-43.
 Approve the donation of 16 hours of sick time from Michael Clark to Robert Pinto as per Ordinance 08-43.
 Approve the donation of 24 hours of vacation time from Michael Clark to Robert Pinto as per Ordinance 08-43.
 Approve the donation of 32 hours of sick time from Dan Vickers to Robert Pinto as per Ordinance 08-43.
 Approve the donation of 35 hours of sick time from Daniel Krupinski to Robert Pinto as per Ordinance 08-43.
 Approve the donation of 21 hours of sick time from Joan Kearney to Robert Pinto as per Ordinance 08-43.
 Hire the following employee as a Permanent Full-Time Laborer 1 at the annual rate of \$32,000.00 to be paid from Water/Sewer Salary & Wage effective retroactive to October 8, 2018.

Stephen Ferringio

Motion to approve Items 11-14:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

PURCHASES, CONTRACTS & AWARDS

- 15. Resolution 18-1105.05(a&b):** Authorize the extension of various contracts by Option:
 a. Emergency W/S Repairs: Shore Connection
 b. Emergency Electrical Repairs: ABS Electric

RESOLUTION 18-1105.05(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 18-0305.10(a) dated March 5, 2018, the Township entered into an agreement, procured by competitive bid, with the following vendor:

Shore Connection, Inc,
 304 Forge Road, Unit 10,
 West Creek, NJ 08092

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, pursuant to the correspondence received on November 5, 2018, for one (1) 2-year period effective January 1, 2019 through December 31, 2020 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, November 5, 2018 that the aforesaid contract shall be and is hereby extended for a period of two (2) years, effective January 1, 2019 through December 31, 2020, pursuant to the terms and conditions stated herein.

RESOLUTION 18-1105.05(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 17-0403.10(a) dated April 3, 2017, the Township entered into an agreement, procured by competitive bid, with the following vendor:

ABS Electric, Inc.
 PO Box 592
 Elmer, NJ 08318

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, pursuant to the correspondence received on October 11, 2018, for two (2) years effective January 1, 2019 through December 31, 2020 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, November 5, 2018 that the aforesaid contract shall be and is hereby extended for a period of two (2) years, effective January 1, 2019 through December 31, 2020, pursuant to the terms and conditions stated herein.

16. Resolution 18-1105.06: Authorize the amendment of a contract:
Shore Connection: Emergency W/S Repair

RESOLUTION 18-1105.06

A RESOLUTION AMENDING 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 solicited and received bids for emergency repairs to water and sewer systems in the Township of Long Beach on March 1, 2018; and

WHEREAS, pursuant to Resolution 18-0305.10(a), a contract was awarded to Shore Connection, Inc, 304 Forge Road, Unit 10, West Creek, NJ 08092 who provided the lowest qualified bid in an amount not to exceed \$140,400.00; and

WHEREAS, in order to ensure the public health, safety and welfare it may, from time to time, be necessary to grant approval for emergency repairs which could exceed \$140,400.00.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of Long Beach Township approve additional funding should unforeseen emergency repairs to water and sewer systems in the Township of Long Beach be deemed necessary; and

BE IT FURTHER RESOLVED by the Board of Commissioners of the Township of Long Beach this 5th day of November 2018, for the reasons aforesaid, that this contract shall be amended as noted above.

17. Resolution 18-1105.07: Authorize the Rejection of a bid for the 2018 Water Meter Installation Project: Exceeded project estimate

RESOLUTION 18-1105.07

RESOLUTION AUTHORIZING REJECTION OF BIDS
PERTAINING TO 2018 WATER METER INSTALLATION PROJECT BID FOR
LONG BEACH TOWNSHIP

WHEREAS, the Township of Long Beach wishes to approve the following actions as they pertain to bids for 2018 Water Meter Installation Project for the Water/Sewer Department:

- Pursuant to NJSA 40A:11-13.2.a., reject all bids received 9/27/18 for the 2018 Water Meter Installation Project for the Township Water Sewer Department.

NOW THEREFORE BE IT RESOLVED, that the Board of Commissioners of the Township of Long Beach, at a regular meeting held Monday, November 5, 2018, authorizes the above-noted actions as they pertain to bids.

18. Resolution 18-1105.08: Award a contract, per Co-op:
Petroleum Traders: Regular Gasoline

RESOLUTION 18-1105.08

RESOLUTION AUTHORIZING A CONTRACT FOR THE SUPPLY AND DELIVERY OF REGULAR-GRADE GASOLINE FUEL BASED ON THE PROCUREMENT OBTAINED THROUGH THE STAFFORD TOWNSHIP COOPERATIVE PRICING SYSTEM

WHEREAS, Long Beach Township is a participating entity of the Stafford Township Cooperative Pricing System, Identifier #33-OCCPS; and

WHEREAS, the Township wishes to utilize the Stafford Township Cooperative Pricing System to contract for the supply and delivery of regular-grade gasoline fuel as may be required for various municipal vehicles; and

WHEREAS, the governing body deems this contract to be necessary for Township use, and is in the best interest of the Township; and

WHEREAS, Petroleum Traders Corp., 7120 Point Inverness Way, Fort Wayne, IN 46804 was the lowest qualified bidder whose bid agreed to extend its prices for the supply and delivery of regular-grade gasoline to the Stafford Township Cooperative Pricing Members.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach at a regular meeting held Monday, November 5, 2018 that the Mayor and Municipal Clerk shall be and are hereby authorized execute a contract for the supply and delivery of regular- grade gasoline effective October 19, 2018 through October 18, 2020 at a fixed margin of \$0.1295 in accordance with the bid received and awarded by the Stafford Township Cooperative Pricing System.

19. Resolution 18-1105.09(a-c): Approve various Shared Service Agreements with Ocean County

- a. Driving While Intoxicated Enforcement Program
- b. Drug Recognition Expert Call-Out Program
- c. Move Over Law Enforcement Program

RESOLUTION 18-1105.09(a)

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, 2018 through September 30, 2019 with compensation to the Township set at the rate of Seventy Dollars (\$70.00) 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 18-1105.09(b)

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, 2018 through September 30, 2019 with compensation to the Township set at the rate of Fifty-Five Dollars (\$55.00) 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 18-1105.09(c)

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

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

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

WHEREAS, the Move Over Law Enforcement Program is a traffic safety program run by the Ocean County Prosecutors Office utilizing a Law Enforcemen Expert to assist

with identifying, educating and removing reckless drivers from the roadways; and

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

NOW, THEREFORE, BE IT RESOLVED the Board of Commissioners of the Township of Long Beach does hereby authorize the execution of the of the Ocean County Move Over Law Enforcement Program Shared Services Agreement effective October 1, 2018 through September 30, 2019 with compensation to the Township set at the rate of Seventy Dollars (\$70.00) 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.

Motion to approve Items 15-19:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

FINANCIAL APPROVALS

20. Resolution 18-1105.10: Approve various appropriation transfers

RESOLUTION 18-1105.10

WHEREAS, the New Jersey statutes provide for the making of appropriation transfers between the period of November 1, 2018 and December 31, 2018; 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
Bldgs & Grounds	O&E	8-01-26-310-020	\$20,000.00
Mun Clerk	O&E	8-01-20-120-020	\$250.00
Lifeguards	S&W	8-01-28-380-011	\$14,460.00
TOTAL			\$ 34,710.00
TO:	DEPT:	ACCT#	AMOUNT
Pub Aff/Safety Dir-	S&W	8-01-25-200-011	\$500.00
Construction O/C	S&W	8-01-22-195-201	\$2,100.00
Election	O&E	8-01-20-121-000	\$250.00
Streets & Road	S&W	8-01-26-290-011	\$20,000.00
Beach Badge	S&W	8-01-28-381-011	\$7360.00
Mun Court	S&W	8-01-43-490-011	\$4,500.00
TOTAL			\$34,710.00

21. Resolution 18-1105.11(a&b): Approve various change orders:

a) Earle Asphalt Co.: 2017 Road Reconstruction /Improvement Project-West Goodrich Ave. Reverse Change Order (\$17,195.82)

b) Quad Construction: 2012 Reconstruction of Facilities at BHT Water Treatment Plant Change Order #3 \$118,406.58

RESOLUTION 18-1105.11(a)

RESOLUTION AUTHORIZING A REVERSE CHANGE ORDER FOR THE 2017 ROAD RECONSTRUCTION/IMPROVEMENT PROJECT – W. GOODRICH AVE. IN THE TOWNSHIP OF LONG BEACH

WHEREAS, Earle Asphalt Co., was awarded a contract for the 2017 Road Reconstruction / Improvement Project – W. Goodrich Ave. in the Township of Long Beach pursuant to Resolution 18-0409.13(b), in the amount of \$229,313.13 as per the bid received April 5, 2018; and

WHEREAS, as a result of the work quantities a reduction in cost occurred; the final cost of the project was Two Hundred Twelve Thousand, One Hundred Seventeen Dollars and Thirty-One Cents (\$212,117.31); and

WHEREAS, these changes have resulted in Reverse Change Order #1 - Final of the original contract and has been approved and certified by the Municipal Engineer. Said detailed Certification contains all the facts associated with this Reverse Change Order in accordance with state statutes and is attached hereto.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach does hereby approve Reverse Change Order #1 in the amount of Two Hundred Twelve Thousand, One Hundred Seventeen Dollars and Thirty-One Cents (\$212,117.31) for the 2017 Road Reconstruction / Improvement Project – W. Goodrich Ave. in the Township of Long Beach.

RESOLUTION 18-1105.11(b)

RESOLUTION AUTHORIZING CHANGE ORDER #3 FOR THE SANDY 2012 RECONSTRUCTION OF FACILITIES AT BEACH HAVEN TERRACE WATER TREATMENT PLANT, IN THE TOWNSHIP OF LONG BEACH

WHEREAS Quad Construction., was awarded a contract for the Sandy 2012 Reconstruction of Facilities at Beach Haven Terrace Water Treatment Plant, in the Township of Long Beach pursuant to Resolution 16-0801.10 in the amount of \$6,434,000.00 on August 10th 2016; and

WHEREAS, Change Order #1 in the amount of Three Hundred Ninety-Nine Thousand Nine Hundred Twenty-Two Dollars and Seventy-One cents (\$399,922.71), a 6.22% increase in the project cost, was approved pursuant to Resolution 17-0403.11 (b); and

WHEREAS, pursuant to the Project Supplementary Specification the following additional work was required; Field updates based on field conditions, which resulted in Change Order #2 in the amount of One Hundred Thirty-Nine Thousand Eight Hundred Forty-Two Dollars and Sixty-Six cents (\$139,842.66), a 2.17% increase in the project cost, was approved pursuant to Resolution 17-0911.07; and

WHEREAS, pursuant to the Project Supplementary Specification the following additional work was required; based on additional goods and services, which has resulted in Change Order #3 of the original contract and has been approved and certified by the Municipal Engineer. Said detailed Certification contains all the facts associated with this Change Order in accordance with state statutes and is attached hereto; and

WHEREAS, the Chief Financial Officer of the Township of Long Beach has issued a Certificate of Availability of Funds in the appropriation created by Ordinance 17-08A Rehab BHT Water Plant Account # U-08-55-981-901 in the amount not to exceed 118,406.58.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach at a regularly scheduled meeting, (not less than two-thirds [2/3] of the members thereof affirmatively concurring) this 5th day of November 2018 that Quad Construction, 732 Eayrestown Rd, Lumberton, NJ 08048 be and is hereby awarded Change Order #3 in an amount not to exceed One Hundred Eighteen Thousand Four Hundred Six Dollars and Fifty-Eight cents (\$118,406.58), a 1.84% increase in the project cost, for payment of the additional work required to complete the Sandy 2012 Reconstruction of Facilities at Beach Haven Terrace Water Treatment Plant, in the Township of Long Beach.

22. Resolution 18-1105.12: Approve Bills & Payroll
Bills in the amount of: \$ 4,872,789.36
Payroll in the amount of: \$ 955,091.45

RESOLUTION 18-1105.12

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

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

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

WHEREAS, Payroll Department has certified and submitted a request for approval of Township payroll in the amount of \$955,091.45.

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 \$ 4,872,789.36 be and the same are hereby authorized to be paid on Monday, November 5, 2018.
 2. The said approved payroll amounting to the sum of \$ 955,091.45 be and the same are hereby authorized to be paid on Monday, November 5, 2018.
- The Municipal Clerk be and she 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 20-22:

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

COMMISSIONERS' REPORTS

Commissioner Lattanzi had no report.

Commissioner Bayard had no report.

Mayor Mancini stated the next meeting of the Land Use Board would be held on Wednesday, November 14th at 7:00 pm in the upstairs multi-purpose room.

Second Reading and Public Hearing for Ordinances 18-35C, 36C, 37C and 38C would take place at the public meeting held on Monday, December 3, 2018 at 4:00 pm.

He explained the Nor'Easter Storm experienced two weeks ago caused the water levels to be the highest they had been since Super Storm Sandy. Many people complained about flooding conditions, however the Commissioners could not control the weather. The Township was still awaiting the State Permit to construct a new jetty in Holgate which could diminish flooding in the area.

OPEN PUBLIC SESSION

John Fiore: Brant Beach commented regarding high water levels during the nor'easter storm and that the police department did a great job ticketing those who created a wake while driving through flooded areas. He questioned when the Brant Beach water sewer plant would be completed.

Commissioner Bayard replied the water sewer plant would hopefully be completed before next summer.

Joni Bakum: Brant Beach reminded the public that on Sunday, November 11th there would be a Veteran's Day ceremony in Veteran's Park starting at 12:00pm.

Bill Hutson: Holgate encouraged everyone to vote in the General Election tomorrow. He appreciated the recognition from the Littoral Society for the Township's efforts to protect our coastal environment.

CLOSE PUBLIC SESSION

Motion for adjournment at 4:26 p.m.:

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

Lynda J. Wells, RMC
Municipal Clerk

Joseph H. Mancini, Mayor

Ralph H. Bayard, Commissioner

Dr. Joseph P. Lattanzi, Commissioner