

**MINUTES**  
**REGULAR SESSION BOARD OF COMMISSIONERS April 1, 2019**

**Flag Salute**

Meeting came to order: 4:00 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  
Kyle Ominski, Administrator  
Danielle La Valle, Deputy Municipal Clerk

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 on December 6, 2018 and ASBURY PARK PRESS on December 10, 2018; and filed with the Municipal Clerk.

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

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

**AGENDA**

**PROCLAMATIONS**

National Library Week, April 7-13, 2019

**Bernadette Callanan/ Friends of the Public Library** noted the many programs available at the Ocean County Library and encouraged all residents to visit and explore its many resources.

**ORDINANCES & PUBLIC HEARINGS**

1. Second Reading Ordinance 19-07: **BOND ORDINANCE AUTHORIZING THE RECONSTRUCTION AND/OR RESURFACING OF VARIOUS ROADWAYS IN THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$450,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$427,500; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

Passed on first reading at a regular meeting held on March 4, 2019 and advertised in the BEACH HAVEN TIMES issue of March 7, 2019.

**TOWNSHIP OF LONG BEACH, NEW JERSEY**

**ORDINANCE ~~19-07~~**

**BOND ORDINANCE AUTHORIZING THE RECONSTRUCTION AND/OR RESURFACING OF VARIOUS ROADWAYS IN THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$450,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$427,500; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

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

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

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

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

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

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

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

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

**Section 5.** In order to temporarily finance the purpose described in Section 7 hereof, the issuance of bond anticipation notes of the Township in an amount not to exceed \$427,500 is hereby authorized. Pursuant to the Local Bond Law, the Chief Financial Officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver the same to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their date to delivery thereof. The Chief Financial Officer is hereby directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this Bond Ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

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

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

	<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
A.	Reconstruction and/or Resurfacing Various Roadways in the Township, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	\$450,000	\$22,500	\$427,500	10 years

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

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

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

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

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

**Section 13.** The Township hereby covenants as follows:

(a) it shall take all actions necessary to ensure that the interest paid on the bonds or bond anticipation notes authorized by this Bond Ordinance is exempt from the gross

income of the owners thereof for federal income taxation purposes, and will not become a specific item of tax preference pursuant to Section 57(a)(5) of the Code;

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

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

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

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

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

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

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

**Date of Introduction:** March 4, 2019

**Date of Final Adoption:** April 1, 2019

OPEN PUBLIC HEARING

No comment.

CLOSE PUBLIC HEARING

Motion to adopt Ordinance 19-07 on Second Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

2. Second Reading Ordinance 19-08: **BOND ORDINANCE AUTHORIZING THE REPAIR AND/OR REPLACEMENT OF BULKHEADS IN THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$200,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$190,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

Passed on first reading at a regular meeting held on March 4, 2019 and advertised in the BEACH HAVEN TIMES issue of March 14, 2019.

**TOWNSHIP OF LONG BEACH, NEW JERSEY**

**ORDINANCE 19-08**

**BOND ORDINANCE AUTHORIZING THE REPAIR AND/OR REPLACEMENT OF BULKHEADS IN THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$200,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$190,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

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

**Section 1.** The purposes described in Section 7 hereof are hereby authorized as general improvements to be made or acquired by the Township of Long Beach, County of Ocean, New Jersey ("Township").

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

(a) the estimated amount to be raised by the Township from all sources for the purpose stated in Section 7 hereof is \$200,000; and

(b) the estimated amount of bonds or bond anticipation notes to be issued for the purpose stated in Section 7 hereof is \$190,000; and

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(c) a down payment in the amount of \$10,000 for the purpose stated in Section 7 hereof is currently available in accordance with the requirements of Section 11 of the Local Bond Law, N.J.S.A. 40A:2-11.

**Section 3.** The sum of \$190,000, to be raised by the issuance of bonds or bond anticipation notes, together with the sum of \$10,000, which amount represents the required down payment, are hereby appropriated for the purposes stated in this bond ordinance ("Bond Ordinance").

**Section 4.** The issuance of negotiable bonds of the Township in an amount not to exceed \$190,000 to finance the costs of the purpose described in Section 7 hereof is hereby authorized. Said bonds shall be sold in accordance with the requirements of the Local Bond Law.

**Section 5.** In order to temporarily finance the purpose described in Section 7 hereof, the issuance of bond anticipation notes of the Township in an amount not to exceed \$190,000 is hereby authorized. Pursuant to the Local Bond Law, the Chief Financial Officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver the same to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their date to delivery thereof. The Chief Financial Officer is hereby directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this Bond Ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

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

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

<u>Purpose/Improvement</u>	<u>Estimate d Total Cost</u>	<u>Down Paymen t</u>	<u>Amount of Obligatio ns</u>	<u>Period of Usefulness</u>
A. Repair and/or Replacement of Bulkheads at various locations including, but not limited to, Bay View Avenue between Pennsylvania Avenue and New Jersey Avenue, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	\$200,000	\$10,000	\$190,000	15 years

**Section 8.** The supplemental debt statement provided for in Section 10 of the Local Bond Law, N.J.S.A. 40A:2-10, was duly filed in the office of the Clerk prior to the passage of this Bond Ordinance on first reading and a complete executed duplicate original thereof has been filed in the Office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. The supplemental debt statement shows that the gross debt of the Township, as defined in Section 43 of the Local Bond Law, N.J.S.A. 40A:2-43, is increased by this Bond Ordinance by \$190,000 and that the obligations authorized by this Bond Ordinance will be within all debt limitations prescribed by said Local Bond Law.

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

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

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

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

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

**Section 13.** The Township hereby covenants as follows:

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

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

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

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

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

**Section 14.** The improvements authorized hereby are not current expenses and are improvements that the Township may lawfully make. No part of the cost of the improvements authorized hereby has been or shall be specially assessed on any property specially benefited thereby.

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

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

**Date of Introduction:** **March 4, 2019**

**Date of Final Adoption:** **April 1, 2019**

OPEN PUBLIC HEARING

No comment.

CLOSE PUBLIC HEARING

Motion to adopt Ordinance 19-08 on Second Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

3. Second Reading Ordinance 19-09C: **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 WHICH PERTAINS TO BEACHES**

Passed on first reading at a regular meeting held on March 4, 2019 and advertised in the BEACH HAVEN TIMES issue of March 7, 2019.

**ORDINANCE 19-09C**

**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 WHICH PERTAINS TO BEACHES**

**STATEMENT OF PURPOSE**

This Ordinance amends Chapter 51 to amend the dune area and construction regulations.

**SECTION I**

§51-3 is hereby amended to repeal and replaced the first sentence with the following:

"The definitions set forth in Chapter 205, as well as the following definitions shall apply to this Chapter:"

**SECTION II**

§51-4 is hereby amended to repeal and replace B(1) as follows.

- (1) All construction of buildings, structures, and decks, as well as any proposed expansion of the footprint of the foregoing, to the oceanfront building line shall be required to either obtain a Coastal Area Facility Review Act ("CAFRA") permit which approves the construction or obtain a jurisdictional determination from the state that a CAFRA permit is not required. All documentation submitted to the State to obtain either of the foregoing shall

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include surveys and plans depicting all proposed buildings, structures, and decks included in all proposed construction and expansion.

**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.

OPEN PUBLIC HEARING

No comment.

CLOSE PUBLIC HEARING

Motion to adopt Ordinance 19-09C on Second Reading:

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

4. First Reading Ordinance 19-10: **AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK IN 2019 (N.J.S.A. 40A: 4-45.14)**

Motion to approve Ordinance 19-10 on First Reading:

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

5. First Reading Ordinance 19-11C: **AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED, "CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, (1997)" IN CHAPTER 205 WHICH PERTAINS TO MIXED USE AND SETBACKS**

Motion to approve Ordinance 19-11C on First Reading:

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

6. First Reading Ordinance 19-12: **BOND ORDINANCE AUTHORIZING THE ACQUISITION AND IMPLEMENTATION OF AN ASSET MANAGEMENT PLAN FOR THE WATER AND SEWER UTILITY SYSTEMS IN AND FOR THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$100,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$100,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

Motion to approve Ordinance 19-12 on First Reading:

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

**ADOPTIONS & APPROVALS**

7. Resolution 19-0401.01: Approve various Water/Sewer account changes  
**RESOLUTION 19-0401.01**

**WHEREAS**, the following Water/Sewer accounts require changes 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>BLOCK</b>	<b>LOT/QUAL</b>	<b>ACCT #/ACCT</b>	<b>YEAR</b>	<b>CANCEL/CHANGE</b>	<b>AMOUNT</b>
1.09	4	45-0 Sewer	2019	Adjusted Rate	\$4,779.00
4.09	9	896-0 W/S	2019	Standby Credit	\$709.50
7.11	13/C0001	2314-0 Water	2019	Per Fixture Count	\$128.00
11.12	6	3502-0 Water	2019	Standby Credit	\$304.00
11.29	16	3778-0 Water	2019	Remove irrigation	\$304.00
11.32	8.01	3816-0 Water	2019	Standby Credit	\$288.75
14.17	20	4832-0 Water	2019	Standby Credit	\$ 46.00
15.39	7	5297-0 Water	2018	Per Fixture Count	\$119.00
15.39	7	5297-0 Water	2019	Per Fixture Count	\$119.00
15.84	4	5766-0 W/S	2017	Standby Credit	\$192.50
23.02	24	7819-0 Water	2019	Removed Pool	\$304.00

**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 these changes.

8. Resolution 19-0401.02: Approve various traffic Regulations:  
Brant Beach Yacht Club Regattas
- Laser North American Championship: July 17-21, 2019
  - LBIYRA Interclub: July 31, 2019
  - BBYC Annual Optimist Regatta: August 1-2, 2019
  - BBYC Annual Optimistic Regatta: August 23-25, 2019

- Optimist Atlantic Coast Championship: September 20-22, 2019

**RESOLUTION 19-0401.02**

**WHEREAS**, the Board of Commissioners of the Township of Long Beach has received and reviewed a request for parking waivers for the below-listed events:

**Brant Beach Sailing Foundation Regattas 2019**

- Laser North American Championship: July 17-21, 2019
- LBIYRA Interclub: July 31, 2019
- BBYC Annual Optimist Regatta: August 1-2, 2019
- BBYC Annual Optimistic Regatta: August 23-25, 2019
- Optimist Atlantic Coast Championship: September 20-22, 2019

**WHEREAS**, to accommodate these various Regattas, participants and trailers, alternate side of the street parking restrictions shall be waived between 59<sup>th</sup> Street and 65<sup>th</sup>, and use of the "Train By-Pass" in Brant Beach for trailer parking between 60<sup>th</sup> and 64<sup>th</sup> Streets from 6:00 am to 8:00 pm, shall be permitted.

**NOW, THEREFORE, BE IT RESOLVED**, the Board of Commissioners of the Township of Long Beach does hereby approve the events and traffic regulations as noted above.

9. Resolution 19-0401.03: Approve Local Commitment for Resilient NJ Grant Program

**Resolution 19-0401.03**

**Resolution of Local Commitment for Resilient NJ Grant Program**

**WHEREAS**, the Township of Long Beach, Ocean County has identified the need to undergo a comprehensive planning approach to identify and address vulnerabilities to increased flood risk, advance regional resilience, and protect environmental resources; and

**WHEREAS**, the Township of Long Beach, Ocean County is eligible for New Jersey Department of Environmental Protection (NJDEP) Resilient NJ Program funds.

**NOW THEREFORE BE IT RESOLVED**, the Township of Long Beach, Ocean County will attend and participate at project meetings and events as Prime Team Leader of the Regional Team; and

**BE IT FURTHER RESOLVED**, the Township of Long Beach, Ocean County authorizes the execution of the grant agreement in the amount offered and approved by NJDEP and further authorizes the expenditure of funds pursuant to the terms of the grant agreement entered into by Long Beach Township Team Leader and NJDEP; and

**BE IT FINALLY RESOLVED**, the Township of Long Beach agrees to adopt, in full, the State of New Jersey Department of Community Affairs "CITIZEN PARTICIPATION PLAN, CDBG-DISASTER RECOVERY" March 12, 2013 (CDBG-DR Citizen Participation Plan) in order to provide citizen participation opportunities required by CDBG-DR regulations as applicable for this project.

10. Resolution 19-0401.04: Approve various personnel matters

**RESOLUTION 19-0401.04**

Approve the Family Medical Leave Act (FMLA) for employee with Civil Service number \*\*\*\*0090 effective retroactive to February 28, 2019.

**Beach Patrol**

Hire the following employees as Seasonal Part Time Laborers at the rate of \$10.00 per hour to be paid from Lifeguard Salary and Wage retro-active to March 1, 2019.

Anne Marie Arcidiacono  
David Behr  
Francis Campana  
Robert Lynch

Hire the following employees as Seasonal Part Time Laborers at the rate of \$10.00 per hour to be paid from Lifeguard Salary and Wage effective April 1, 2019.

James Arcidiacono  
David Gibson  
Krista Jensen  
Patrick Kelly  
Joseph Marmora

Hire the following employees as Seasonal Beach Badge Program Senior Supervisors at the rate of \$16.00 per hour to be paid from Beach Badge Salary & Wage effective April 1, 2019.

Melissa Vurlicer

Hire the following employee as a Seasonal Beach Badge Program Seller/Checker, at the rate of \$ 10.75 per hour to be paid from Beach Badge Salary & Wage effective April 1, 2019.

Patricia-Jo Hoagland

Hire the following employee as a Seasonal Beach Badge Program Seller/Checker at the rate of \$10.50 per hour to be paid from Beach Badge Salary & Wage effective April 1, 2019.

Brielle Cacoilo

**Construction**

Change the following employee's annual base salary to \$35,000.00 and Payroll Account to Construction Salary & Wage effective retroactive to March 9, 2019.

Jodi Parker

Hire the following employee as a Part-Time Clerk 1 at the rate of \$15.00 per hour to be paid from Construction Salary & Wage effective retroactive to March 25, 2019.

Susan Elassar

**Police**

Hire the following Seasonal Class I Officers at the rate of \$8.85 per hour to be paid from Police Salary & Wage effective May 11, 2019.

Abdoulaye Diagne

Brittany Hayes

Matthew Barnett

Anthony Cipriani

Kelly Lutz

Rachel Lange

Michael Barbagallo

Hire the following Seasonal Class I Officers at the rate of \$10.50 per hour to be paid from Police Salary & Wage effective May 11, 2019.

Michael Fife

Anthony Hause

Michael Kadlubowski

Kevin Lyons

Michael Tkaczuk

Mary Toro

Dominic VanDebrook

Hire the following Seasonal Class I Officers at the rate of \$15.50 per hour to be paid from Police Salary & Wage effective May 11, 2019.

Austin Spagnola

Matthew Melega

Upon Completion of the Class II Academy at Ocean County Police Academy, adjust the following employees' rate of pay to \$15.50 per hour to be paid from Police Salary & Wage effective May 15, 2019.

Luke Stambaugh

Jonathan Rainier

**Public Works**

Hire the following employee as a Seasonal Full-Time Laborer 1 at the rate of \$12.50 per hour to be paid from Public Works Salary & Wage effective April 9, 2019.

Jonathan Cossman

Hire the following employee as a Seasonal Full-Time Clerk 1 at the rate of \$15.00 per hour to be paid from Public Works Salary & Wage effective April 9, 2019.

Samantha Tindall

**Water/Sewer**

Change the following employee's annual base salary to \$58,156.00 to be paid from Water/Sewer Salary & Wage effective retroactive to March 23, 2019.

Nancy Broker-Fritz

Hire the following employee as a Part-Time Clerk 1 at the rate of \$15.00 per hour to be paid from Water/Sewer Salary & Wage effective retroactive to March 25, 2019.

Elizabeth Bartram

Motion to approve Items 7-10:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

**LICENSES & PERMITS**

11. Resolution 19-0401.05: Approve applications for various Catering Permits: BI F&B LLC / Kubel's Too; 05/18/2019, 07/05/2019, 07/14/2019, 07/28/2019, 08/11/2019 and 09/01/2019

**RESOLUTION 19-0401.05**

**RESOLUTION OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING AND APPROVING ALCOHOLIC BEVERAGE CATERING PERMITS FOR A SPECIAL PERMIT TO SELL, DISPENSE AND SERVE OFF THE LICENSED PREMISES**

**WHEREAS**, the New Jersey Alcoholic Beverage Law, N.J.S.A. 33:1-74 permits Special Permits to sell, dispense and serve alcoholic beverages off the licensed premises; and



**WHEREAS**, BI F&B, LLC., d/b/a Kubel's Too, License No. 1517-32-003-009, has submitted applications for one-day special events as follows:

- May 18, 2019 between the hours of 3:00 pm and 11:00 pm to be held between 82<sup>nd</sup> and 83<sup>rd</sup> Streets on Long Beach Blvd., located in the Kubel's Too parking lot at 8200 Long Beach Blvd., Long Beach Township
- July 5, 2019, rain date of July 7, 2019, between the hours of 11:00 am and 5:00 pm to be held on the beach at 68<sup>th</sup> Street, Brant Beach
- July 14, 2019, rain date of July 21, 2019, between the hours of 11:00 am and 5:00 pm to be held on the beach at 68<sup>th</sup> Street, Brant Beach; and
- July 28, 2019, rain date of August 4, 2019, between the hours of 10:00 am and 6:00 pm to be held on the beach at 68<sup>th</sup> Street, Brant Beach
- August 11, 2019, rain date of August 18, 2019, between the hours of 11:00 am and 5:00 pm to be held on the beach at 68<sup>th</sup> Street, Brant Beach
- September 1, 2019, between the hours of 11:00 am and 5:00 pm to be held on the beach at 68<sup>th</sup> Street, Brant Beach

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Commissioners of the Township of Long Beach, County of Ocean, State of New Jersey, do hereby approve the above Catering Permits for Special Permit to sell, dispense and serve alcoholic beverages off the licensed premises on the dates, times and locations noted above, subject to State of NJ Alcoholic Beverage Control review and approval.

Motion to approve Item 11:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

**PURCHASES, CONTRACTS & AWARDS**

12. Resolution 19-0401.06: Approve the extension of a lease:  
Food and Beverage Trailer at Bayview Park

**RESOLUTION 19-0401.06**

**WHEREAS**, as per Resolution 17-0605.11, passed on June 5, 2017, SunnyRaes Kitchen, 44 Windsor St, Forked River, NJ 08731 was awarded a lease for food concession services in Bayview Park; and

**WHEREAS**, pursuant to the lease terms, an option to extend said lease has been agreed to by both parties.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Commissioners of the Township of Long Beach hereby approves the extension of said lease, attached hereto as Exhibit A, for an additional one-year (1) term, beginning on January 1, 2019 through December 31, 2019.

13. Resolution 19-0401.07: Authorize various actions pertaining to 2019 Water Meter Equipment Project Bid

**RESOLUTION 19-0401.07**

RESOLUTION AUTHORIZING VARIOUS ACTIONS  
PERTAINING TO 2019 WATER METER EQUIPMENT PROJECT BID FOR  
LONG BEACH TOWNSHIP

**WHEREAS**, the Township of Long Beach wishes to approve the following actions as they pertain to bids for 2019 Water Meter Equipment Project for Water Sewer Department:

- Pursuant to NJSA 40A:11-13.2.d., reject all bids received 02/26/19 for the 2019 Water Meter Equipment Project for the Water Sewer Department
- Authorize the re-advertisement for the receipt of bids for the 2019 Water Meter Equipment Project for the 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, April 1, 2019 authorize the above noted actions pertaining to Water Meter Equipment bids.

Motion to approve Items 12 & 13:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

**FINANCIAL APPROVALS**

14. Resolution 19-0401.08: Accept a performance bond:  
Jones/Hooven, B-18.08 L-5.01 & 5.02, LUB-39-17, \$4,400.00

**RESOLUTION 19-0401.08**

**WHEREAS**, the Township of Long Beach accepted from Evan Jones and Christine Hooven, Official Check No. 400600536-3 drawn on M&T Bank dated January 30, 2019 in the amount of Four Thousand Four Hundred Dollars (\$4,400.00), as the required Performance Bond for Minor Sub-Division #LUB-39-17, Block 18.08, Lots 5.01 & 5.02.

**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.

15. Resolution 19-0401.09: Authorize an increase to a Change Fund

**RESOLUTION 19-0401.09**  
**RESOLUTION OF THE TOWNSHIP OF LONG BEACH,**  
**COUNTY OF OCEAN, STATE OF NEW JERSEY,**  
**INCREASING CHANGE FUND**

**WHEREAS**, the Governing Body wishes to increase the change fund for the Water/Sewer Department to \$500.00.

**NOW, THEREFORE, BE IT RESOLVED**, that the Board of Commissioners hereby authorizes the increase of the change fund for the Water/Sewer Department to \$500.00, which increases the total amount of all change funds to \$1,450.00.

16. Resolution 19-0401.10: Setting various rates for municipal transportation vehicles

**RESOLUTION 19-0401.10**  
**RESOLUTION OF THE TOWNSHIP OF LONG BEACH,**  
**COUNTY OF OCEAN, STATE OF NEW JERSEY**  
**SETTING VARIOUS RATES FOR MUNICIPAL TRANSPORTATION VEHICLES**

**WHEREAS**, pursuant to and in accordance with NJSA 40:48-1 et seq and Ordinance 14-07C, the Township of Long Beach created a Municipal Transportation System ("LBI Shuttle"); and

**WHEREAS**, pursuant to Chapter 111-1.F of the Township Code, the Township shall be authorized to charge the public money for the use of the transportation system to help offset the cost of maintenance and operation of the Shuttle system; and

**WHEREAS**, the Board of Commissioners sets the fares and fees for 2019, for riders over the age of twelve (12), as follows:

One-way fare until 7:00 pm	\$2.00 per ride
One-way fare after 7:00 pm	\$5.00 per ride
Season pass, effective 5/24/2019 through 12/31/2019	\$125.00 per season

**NOW, THEREFORE, BE IT RESOLVED**, that the Board of Commissioners of the Township of Long Beach hereby authorizes the above-noted fees for 2019.

17. Resolution 19-0401.11: Approve an increase to Current W/S Temporary Budget

**RESOLUTION 19-0401.11**

**WHEREAS**, the Chief Financial Officer of the Township of Long Beach has determined that an increase to the 2019 Temporary Budget, approved pursuant to Resolution 18-1217.14 and increased pursuant to Resolution 19-0204.15, 19-0204.01, and 19-0304.12 is necessary; and

**WHEREAS**, appropriations for the Schedule A – Temporary Current Fund, Schedule B – Temporary Water/Sewer Budget are hereby adopted as the 2019 Temporary Budget and shall be increased April 1, 2019 pursuant to Schedule A and B attached hereto.

**NOW, THEREFORE BE IT RESOLVED** by the Board of Commissioners of the Township of Long Beach that the Chief Financial Officer be and she is hereby authorized to approve the increase to the 2019 Temporary Current Fund and Temporary W/S Budget.

18. Resolution 19-0401.12: Authorize the Use of a Three-Year Average Collection Rate for the 2019 Budget's Reserve for Uncollected Taxes

**RESOLUTION 19-0401.12**  
**RESOLUTION OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE USE OF A THREE-YEAR AVERAGE COLLECTION RATE FOR THE 2019 BUDGET'S RESERVE FOR UNCOLLECTED TAXES**

**WHEREAS**, according to N.J.S.A. 40A:4-40 et seq., a municipality may utilize a three-year average tax collection rate to calculate a line item appropriation known as Reserve for Uncollected Taxes; and

**WHEREAS**, prior Township of Long Beach tax collection rates for 2016, 2017 and 2018 were 99.18%, 99.21% and 98.93% respectively; and

**WHEREAS**, the average of these aforementioned collection rates is 99.11%.

**NOW THEREFORE, BE IT RESOLVED** the Township of Long Beach requests that it utilize a tax collection rate up to, but not exceeding, 99.11% when calculating the line item appropriation Reserve for Uncollected Taxes in its 2019 Budget.

19. Resolution 19-0401.13: Introduce 2019 Municipal Budget

**RESOLUTION 19-0401.13**

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Township of Long Beach that the following statements of revenues and appropriations shall constitute the Local Municipal Budget for the year 2019; and

**BE IT FURTHER RESOLVED** that said Budget shall be published in the Beach Haven Times, issue of April 25, 2019.

The Governing Body of the Township of Long Beach does hereby approve the following as the Budget for the year 2019:

**VOTE:**

**AYES: LATTANZI, BAYARD, MANCINI**

**NAYS:**

**ABSTENTIONS:**

**ABSENCES:**

**NOTICE**

**NOTICE IS HEREBY GIVEN** that the Budget was approved by the Board of Commissioners of the Township of Long Beach, County of Ocean, on April 1, 2019; A public hearing on the Budget will be held at the Public Safety Building on May 6, 2019 at 4:00 P.M., at which time and place, objections to said budget for the year 2019 may be presented by taxpayers or other interested persons.

20. Resolution 19-0401.14: Approve Bills & Payroll

Bills in the amount of: \$6,484,143.17

Payroll in the amount of: \$ 868,560.07

**RESOLUTION 19-0401.14**

**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 \$868,560.07

**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 \$6,484,143.17 be and the same are hereby authorized to be paid on Monday, April 1, 2019

2. The said approved payroll amounting to the sum of \$868,560.07 be and the same are hereby authorized to be paid on Monday, April 1, 2019.

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 14-20:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

**Administrator's Report:** No report.

**COMMISSIONERS' REPORTS**

**Commissioner Lattanzi** thanked CFO Lydia D'Amore and Auditor Brian Logan for a good job with the budget. There was an increase of 4/10 of a penny which represented an increase in the total budget of approximately \$316,000.00 over the 2018 budget, and individual tax bills would see an increase of around \$37 per home, for the year. The increase was due to health care and pension contribution increases.

**Commissioner Bayard** advised P&A Construction started the water main project along the Blvd. which should be completed before summer.

**Mayor Mancini** announced the next meeting of the Land Use Board would be held on Wednesday, April 10<sup>th</sup>, 2019 at 7:00 pm in the upstairs multi-purpose room.

Second Reading and Public Hearing for Ordinances 19-10, 11C and 12 would take place at the public meeting held on May 6, 2019 at 4:00 pm. He noted the State accepted the Township tax maps and would begin the reassessment in the near future. Fire inspections were done through Ocean County. Information was available on the website and was also mailed with utility bills. Terminal Groin in Holgate Phase I was complete and beach erosion had improved. Once Phase II was complete, conditions were expected to improve again.

**OPEN PUBLIC SESSION**

**Sue DeHaven/Brant Beach** posed various questions regarding the fishing pier and proposed parking lot in Bayview Park; she asked if Long Beach Twp. would be moving forward with the project, where the idea came from and who requested it, and approximately how many vehicles were anticipated to access the handicapped parking area.

**Mayor Mancini** explained the proposed parking was for handicapped people who wanted to access the pier; he had received approximately 18 requests for accommodation. The plans had been modified from 7 down to 5 spaces; the DEP would notify affected property owners regarding the public comment period.

**Sue DeHaven**/Brant Beach stated she had never seen anyone fishing from the pier and felt there currently was adequate parking. She added there was no ADA requirement, and parking spots were not permitted in wetland areas.

**Mayor Mancini** advised proposed parking was not located in a wetlands-designated area.

**Dennis O'Day**/Brant Beach asked if there was a mandate for handicapped parking and stated the area was designated as wetlands.

**Mayor Mancini** stated there was no mandate for handicapped parking, however the Board of Commissioners were committed to making the fishing pier accessible for public use and enjoyment. He reiterated the fact that the area was not wetlands.

**Laura Mascali**/Brant Beach asked that phone books no longer be left at residences in Long Beach Township. She felt they were no longer utilized and also alerted individuals to empty buildings.

**Mayor Mancini** asked Administrator Ominski to look into the problem.

**CLOSE PUBLIC SESSION**

Motion for adjournment at 4:26:

Motion: Lattanzi      Ayes: Lattanzi, Bayard, Mancini

Second: Bayard      Nays:

\_\_\_\_\_  
Lynda J. Wells, RMC  
Municipal Clerk

\_\_\_\_\_  
Joseph H. Mancini, Mayor

\_\_\_\_\_  
Ralph H. Bayard, Commissioner

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Dr. Joseph P. Lattanzi, Commissioner