

RESOLUTIONS ADOPTED BY CITY COUNCIL JANUARY 28, 2014

R21-14 RESOLUTION AUTHORIZING THE AUCTION OF ABANDONED VEHICLES

R22-14 RESOLUTION AUTHORIZING THE 2014 ANNUAL CONTRACT FOR VETERINARY SERVICES

R23-14 RESOLUTION REAPPOINTING MICHAEL BOOTH AS A MEMBER OF THE LONG BRANCH SEWERAGE AUTHORITY

R24-14 RESOLUTION DESIGNATING PUBLIC AGENCY COMPLIANCE OFFICER FOR THE YEAR 2014

R25-14 RESOLUTION OF SUPPORT FROM THE CITY OF LONG BRANCH GOVERNING BODY AUTHORIZING THE NATIONAL FISH & WILDLIFE FOUNDATION GRANT FOR THE WHALE POND BROOK WATERSHED

R26-14 RESOLUTION RESCINDING REMAINING CONTRACT FOR ON-SITE GRINDING, TRANSPORT AND DISPOSAL OF BRUSH/DEBRIS REMOVAL DEPARTMENT OF PUBLIC WORKS

R27-14 RESOLUTION TO REFUND OVERPAYMENT OF TAXES DUE TO A TAX COURT OF NEW JERSEY JUDGMENT

R28-14 RESOLUTION AUTHORIZING THE CITY ATTORNEY FOR THE CITY OF LONG BRANCH TO NOTIFY BROADWAY ARTS CENTER OF ITS DE-DESIGNATION AS A DEVELOPER PURSUANT TO ARTICLE 5.10.2(F) OF THE DEVELOPERS AGREEMENT EXECUTED ON JUNE 28, 2005 AND TO AUTHORIZE THE CITY ATTORNEY TO NOTIFY THE MORTGAGE HOLDER, DIVERSIFIED REALTY ADVISORS AS MORTGAGEE OF ITS RIGHT TO CURE DEFAULT AND ASSUME DEVELOPERS OBLIGATIONS PURSUANT TO ARTICLE 5.10.4.2 OF THE DEVELOPERS AGREEMENT ENTERED JUNE 28, 2005

R29-14 RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A PROFESSIONAL SERVICES PROPOSAL WITH REALTY APPRAISAL COMPANY IN AN AMOUNT NOT TO EXCEED \$629,000.00

R30-14 RESOLUTION APPROVAL PAYMENT OF BILLS

R31-14 RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF LONG BRANCH TO EXECUTE AN INDEMNIFICATION AND HOLD HARMLESS FOR THE FOREST PRESERVATION GRANT PROGRAM FOR ROSS ISLAND STONE HUT RESTORATION PROJECT WITHIN THE CITY OF LONG BRANCH

R# 21-14

RESOLUTION AUTHORIZING THE AUCTION OF ABANDONED VEHICLES

WHEREAS, the procedure for disposition of abandoned vehicles in the possession of a municipality is set forth in N.J.S.A. 39:10A-1 provides that when such vehicles remain unclaimed by the owner for a period of 30 days, they may be sold at auction in a public place. The public agency must give notice of sale by certified mail, to the owner, if his name and address are known as to the holder of any security interest filed with the director of the Division of Motor Vehicles and by publication at least seven (7) days before the date of the sale, in a newspaper in which the motor vehicle auction is held; and

WHEREAS, the traffic safety officer of the City has requested that the vehicles listed on the attached sheet be auctioned, that proper notice of the sale is advertised as required; and

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Long Branch that the Director of Finance or his designee is hereby authorized to conduct an auction of the abandoned vehicles on the attached list at 10:00 a.m. on **Friday, February 7, 2014** at Long Branch City Hall, second floor, 344 Broadway, Long Branch, NJ.

BE IT FURTHER RESOLVED, that the bidders be advised that the items listed below to be auctioned can be viewed at the following locations between the hours of 10:00 am and 2:00 pm, Monday through Friday prior to auction date.

Gabriel's Towing – 40 3rd Avenue, Long Branch, NJ

- 1. 2003 Infinity G35 Vin#JNKCV51E03M301837
- 2. 1994 Toyota Vin JT3VN3921R0169574
- 3. 1999 GMC Vin 1GKFK16R9XJ809649

Collision Repair by Damiano

- 1. 1998 Ford Explorer Vin 1FMZU34E7WZC06984

Johns Truck & Auto

- 1. 2001 Ford Windstar Vin 2FMZA50451BA80413
- 2. 1997 Buick Vin 1G4HP52K9VH569024
- 3. 1997 Toyota Corolla Vin 2T1BA02E9VC173298
- 4. 2000 Chevrolet Vin 2G1WX12K2Y9303463

OFFERED: Bastelli
 SECOND: Siranni
 AYES: 5
 NAYES: 0
 ABSENT: 0
 ABSTAIN: 0

STATE OF NEW JERSEY
 COUNTY OF MONMOUTH
 CITY OF LONG BRANCH
 I, KATHY L. SCHEMEL, MUNICIPAL CLERK OF THE CITY OF LONG BRANCH, DO HEREBY CERTIFY THE FOREGOING TO BE A TRUE, COMPLETE AND CORRECT COPY OF RESOLUTION ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING HELD ON 1-28-14
 IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED THE OFFICIAL SEAL OF THE CITY OF LONG BRANCH, MONMOUTH COUNTY, NEW JERSEY THIS 27 DAY OF JANUARY 2014
Kathy L. Schemel
 MUNICIPAL CLERK, E.T.S.



**CITY OF LONG BRANCH
POLICE DEPARTMENT**
344 BROADWAY
LONG BRANCH, NEW JERSEY 07740
(732) 222-1000

To: Kathy Schmelz
City Clerks Office

January 20, 2014

From: P.O. Cesare Simonelli
Traffic Safety

Ref: Abandoned Vehicle Auction

Kathy,

Here is a list of the abandoned vehicles that Gabriel's Towing, Satisfied Service Center and Collision Repair by Damiano's currently have in the impound yard. We have the paperwork to auction these vehicles off at this time. I have listed the vehicles below.

Gabriels Towing

- 1.) 2003 Infinity G35 Vin# JNKCV51E03M301837
- 2.) 1994 Toyota Vin# JT3VN39W1R0169574
- 3.) 1999 GMC Vin# 1GKFK16R9XJ809649

Collision Repair by Damiano

- 1.) 1998 Ford Explorer Vin# 1FMZU34E7WZC06984

Johns Truck & Auto

- 1.) 2001 Ford Windstar Vin# 2FMZA50451BA80413
- 2.) 1997 Buick Vin# 1G4HP52K9VH569024
- 3.) 1997 Toyota Corolla Vin# 2T1BA02E9VC173298
- 4.) 2000 Chevrolet Vin# 2G1WX12K2Y9303463

Respectfully Submitted,

P.O. Cesare Simonelli #298

P.O. Cesare Simonelli #298

R# 22-14

**RESOLUTION AUTHORIZING 2014 ANNUAL CONTRACT
FOR VETERINARY SERVICES**

WHEREAS, the City of Long Branch has the need to provide for veterinary services in conjunction with its Animal Control Program, and has recommended that, in order to provide services on a 24/7 basis, the City contract with a veterinary hospital; and

WHEREAS, the City Director of Health has recommended that an annual contract be authorized to Dr. Raymond Smith, DVM, of Long Branch Animal Hospital as the City's veterinarian; in accordance with the fee schedules annexed hereto; and

WHEREAS, additionally, the City requires the services of a veterinarian for care of the Police Department K-9 unit, and the Public Safety Director has indicated the desire to have the necessary services provided by Dr. Smith of Long Branch Animal Hospital; and

WHEREAS, in accordance with N.J.S.A. 40A:11-5(1) (a) (i), the local units of government may award a contract for professional services without publicly advertising for bids; and

WHEREAS, the maximum value of this contract is \$17,000, and therefore not subject to N.J.S.A. 19:44A-20.5 et seq.; and

WHEREAS, all contractors awarded professional service contracts are required to comply with City Ordinance #18-05, and execution of the contract documents and the Political Contribution Affidavit will serve as acknowledgement by Long Branch Animal Hospital and that they comply with the Ordinance, and have not made any political contributions that would bar them from being awarded a contract with the City of Long Branch; and

WHEREAS, these contracts are being awarded as open-ended contracts and during the contract year certification of funds will be provided by issuance of a Purchase Order at the time of need for services, and based upon availability of funds.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Long Branch hereby authorizes contracts as follows:

Dr. Raymond N. Smith, DVM, of Long Branch Animal Hospital, for an open-ended annual contract for veterinary services as required by the City's Animal Control Program and veterinary care for the Long Branch Police Department K-9 unit during calendar year 2014, in accordance with the terms and conditions of the proposal and contract annexed hereto.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to execute any and all necessary document pursuant to said contracts.

BE IT FURTHER RESOLVED that the City Clerk shall cause notice of award of these contracts to be advertised in accordance with law.

OFFERED: Bastelli
SECOND: Siranni
AYES: 5
NAYES: 0
ABSENT: 0
ABSTAIN: 0

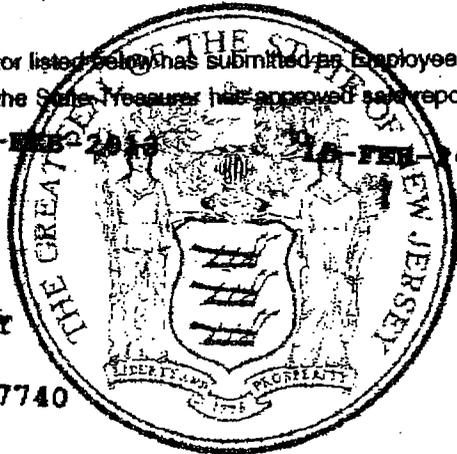
STATE OF NEW JERSEY
COUNTY OF MONMOUTH
CITY OF LONG BRANCH
I, KATHY L. SCHMELZ, MUNICIPAL CLERK OF THE CITY OF
LONG BRANCH, DO HEREBY CERTIFY THE FOREGOING
TO BE A TRUE, COMPLETE AND CORRECT COPY OF
RESOLUTION ADOPTED BY THE CITY COUNCIL AT A
REGULAR MEETING HELD ON 1-28-19
IN WITNESS WHEREOF, I HAVE HEREUNTO SET
MY HAND AND AFFIXED THE OFFICIAL SEAL OF THE
CITY OF LONG BRANCH, MONMOUTH COUNTY, NEW
JERSEY THIS 28th DAY OF FEBRUARY 2019
Kathy L. Schmeltz
MUNICIPAL CLERK, R.M. 25

Certification

50206

CERTIFICATE OF EMPLOYEE INFORMATION REPORT
INITIAL

This is to certify that the contractor listed below has submitted an Employee Information Report pursuant to N.J.A.C. 17:27-1.1 et. seq. and the State Treasurer has approved said report. This approval will remain in effect for the period of ~~15-SEP-2019~~ ~~15-FEB-2020~~



RAYMOND SMITH VETERINARY
224 SECOND AVE.
LONG BRANCH

NJ 07740



A handwritten signature in black ink.

Andrew P. Sidamon-Eristoff
State Treasurer



STATE OF NEW JERSEY BUSINESS REGISTRATION CERTIFICATE

Taxpayer Name:	SMITH, RAYMOND
Trade Name:	RAYMOND SMITH VETERINARY
Address:	224 SECOND AVE LONG BRANCH, NJ 07740
Certificate Number:	0529654
Date of Issuance:	January 12, 2005

For Office Use Only:
20050112160350654

January 10,2014

Dave Roach
Health Department
City of Long Branch
344 Broadway
Long Branch, New Jersey 07740

Dear Dave,

As per your request here is a list of my charges:

Emergency office call after hours	\$180.00
Office call with exam during normal office hour	70.00
Injections (each)	50.00
Hospitalization (1 day)	75.00
Fluid therapy for shock	150.00
Radiographs (x-rays) for 2 plates	175.00
Surgery fees (per hour)	250.00
Rabies clinic services (per hour)	180.00
Cremation fees (under 30lbs)	80.00
Cremation fees (over 30lbs)	85.00
Decapitation	95.00
Syringe disposal from rabies clinic	50.00

Other charges will be the customary fees routinely charged to my clients.

Sincerely,



Raymond N. Smith D.V.M.

R# 23-14

**RESOLUTION REAPPOINTING MICHAEL BOOTH AS A
MEMBER OF THE LONG BRANCH SEWERAGE AUTHORITY**

BE IT RESOLVED by the City Council of the City of Long Branch that they hereby reappoint Michael Booth as a member of the Long Branch Sewerage Authority for a five year term to commence on February 1, 2014 and to expire on February 1, 2019.

MOVED: *Bastelli*
SECOND: *Sirianni*

AYES: *5*
NAYES: *0*
ABSENT: *0*
ABSTAIN: *0*

STATE OF NEW JERSEY
COUNTY OF MONMOUTH
CITY OF LONG BRANCH
I, KATHY L. SCHEMLZ, MUNICIPAL CLERK OF THE CITY OF
LONG BRANCH, DO HEREBY CERTIFY THE FOREGOING
TO BE A TRUE, COMPLETE AND CORRECT COPY OF
RESOLUTION ADOPTED BY THE CITY COUNCIL AT A
REGULAR MEETING HELD ON 1-28-14
IN WITNESS WHEREOF, I HAVE HEREUNTO SET
MY HAND AND AFFIXED THE OFFICIAL SEAL OF THE
CITY OF LONG BRANCH, MONMOUTH COUNTY, NEW
JERSEY THIS 27 DAY OF JANUARY, 2014
Kathy L. Schmelz
MUNICIPAL CLERK, R.M.C.

R# 24-14

**RESOLUTION DESIGNATING PUBLIC
AGENCY COMPLIANCE OFFICER FOR
THE YEAR 2014**

WHEREAS, pursuant to the requirements of PL 1975 Chapter 17 (NJAC 17:27), all public agencies shall designate an employee or official, to serve as its Public Agency Compliance Officer, (P.A.C.O.) and notify the State of New Jersey, Department of Treasury of said action; and

WHEREAS, the function of the Public Agency Compliance Officer is to maintain liaison with and assist the State Treasurer in the implementation of PL 1975, Chapter 127; and

WHEREAS, it would be in the City's best interest to designate the Purchasing Agent to act as the Public Agency Compliance Officer.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Long Branch that David Spaulding, Purchasing Agent is hereby designated as the City of Long Branch Public Agency Compliance Officer for a term to commence on January 1, 2014 and expire on December 31, 2014.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Affirmative Action Office of the State of New Jersey, Department of Treasury.

MOVED: *Bastelli*
SECONDED: *Sirianni*

AYES: 5
NAYES: 0
ABSENT: 0
ABSTAIN: 0

STATE OF NEW JERSEY
COUNTY OF MONMOUTH
CITY OF LONG BRANCH
I, KATHY L. SCHEMELZ, MUNICIPAL CLERK OF THE CITY OF
LONG BRANCH, DO HEREBY CERTIFY THE FOREGOING
TO BE A TRUE, COMPLETE AND CORRECT COPY OF
RESOLUTION ADOPTED BY THE CITY COUNCIL AT A
REGULAR MEETING HELD ON 1-28-14
IN WITNESS WHEREOF, I HAVE HEREUNTO SET
MY HAND AND AFFIXED THE OFFICIAL SEAL OF THE
CITY OF LONG BRANCH, MONMOUTH COUNTY, NEW
JERSEY THIS 29th DAY OF FEBRUARY 2014
Kathy L. Schemelz
Municipal Clerk, I.N.S.

R# 25-14

**Resolution of Support from the City of Long Branch
Governing Body Authorizing the National Fish & Wildlife Foundation Grant
for the Whale Pond Brook Watershed**

WHEREAS, a sustainable community seeks to optimize quality of life for its residents by ensuring that its environmental, economic and social objectives are balanced and mutually supportive; and

WHEREAS, the Whale Pond Brook Watershed Association (WPBWA) is in the process of applying to the National Fish and Wildlife Foundation for a grant under the Hurricane Sandy Coastal Resiliency Competitive Grant Program; and

WHEREAS, the Lake Takanassee and Whale Pond Brook Watershed coastal ecosystem and community resiliency application consists of a number of projects within the Lake Takanassee system focused on creating, enhancing, and restoring the riparian and aquatic habitats of the lake system and surrounding communities, as well as a watershed analysis and comprehensive resiliency action plan development to inform future projects throughout the four municipalities that make up the Whale Pond Brook Watershed; and

WHEREAS, the City of Long Branch is working with outside agencies to improve and mitigate environmental impacts of Whale Pond Brook to better protect our community as well as wildlife and habitats from the impacts of future storms and naturally occurring events; and

WHEREAS, competitive grants are now available from the Hurricane Sandy Coastal Resiliency Competitive Grant Program which was funded by the Hurricane Sandy disaster relief appropriation, and is administered by National Fish and Wildlife Foundation; and

WHEREAS, the City of Long Branch is desirous in partnering with the municipalities of Ocean Township, West Long Branch, Eatontown and Tinton Falls, on a \$250,000 planning grant to study potential projects to mitigate the impacts of flooding from Whale Pond Brook and the restoration of Lake Takanassee; and

WHEREAS, the City of Long Branch is desirous in obtaining an additional \$4,750,000 (\$4.75 million) grant for projects within the Lake Takanassee system in Long Branch such as a living shoreline, culvert replacements, bathymetric enhancements and pedestrian access and greenways;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Long Branch in the County of Monmouth, State of New Jersey does hereby offer their support for the WPWA application for both a \$250,000 planning grant to study potential projects to mitigate the impacts of flooding from Whale Pond Brook as well as a \$4.75 million project grant for the restoration of the Lake Takanassee system from the Hurricane Sandy Coastal Resiliency Competitive Grant Program;

NOW THEREFORE BE IT RESOLVED that the Mayor and Council of the City of Long Branch, Monmouth County, New Jersey, do hereby approve and authorize the application of said grant application.

MOVED: Bastelli
SECOND: Siranni

AYES: 5
NAYES: 0
ABSENT: 0
ABSTAIN: 0

STATE OF NEW JERSEY
COUNTY OF MONMOUTH
CITY OF LONG BRANCH
I, KIMMY L. SCHEMELZ, MUNICIPAL CLERK OF THE CITY OF
LONG BRANCH, DO HEREBY CERTIFY THE FOREGOING
TO BE A TRUE, COMPLETE AND CORRECT COPY OF
RESOLUTION ADOPTED BY THE CITY COUNCIL AT A
REGULAR MEETING HELD ON 1-28-17
IN WITNESS WHEREOF, I HAVE HEREUNTO SET
MY HAND AND AFFIXED THE OFFICIAL SEAL OF THE
CITY OF LONG BRANCH, MONMOUTH COUNTY, NEW
JERSEY THIS 29th DAY OF JANUARY 2017
Kimmy L. Schemelz
MUNICIPAL CLERK, I.N.C.

R# 26-14

RESOLUTION RESCINDING REMAINING CONTRACT
FOR ON-SITE GRINDING, TRANSPORT AND DISPOSAL OF BRUSH /DEBRIS
REMOVAL DEPARTMENT OF PUBLIC WORKS

WHEREAS, at the November 7th, 2012 Council meeting by adoption of Resolution R#264-12 the City of Long Branch awarded a contract to Atlantic Tree Materials and Grinding Company; and

WHEREAS, due to Hurricane Sandy, Atlantic Tree Materials and Grinding Company's contract was amended on November 27, 2012 by Resolution R#281-12 to dispose of additional brush/debris from Hurricane Sandy; and

WHEREAS, Atlantic Tree has indicated to the Director of Public Works that the remaining brush debris cannot be dispose of without creating a financial hardship to Atlantic Tree due to the excessive Tri-State inventory of debris created by Hurricane Sandy; and

WHEREAS, it is the recommendation of the Director of Public Works Director and Purchasing Agent that it is in the City's best interest to rescind the remaining contract and Re-Bid the remaining debris as soon as possible.

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Long Branch hereby rescinds the remaining contract to Atlantic Tree Materials and Grinding Company Inc., for the reason set forth in the resolution.

OFFERED: Bastelli
SECOND: Sirianni
AYES: 5
NAYES: 0
ABSENT: 0
ABSTAIN: 0

STATE OF NEW JERSEY
COUNTY OF MONMOUTH
CITY OF LONG BRANCH
I, KATHY L. SCHMIDT, MUNICIPAL CLERK OF THE CITY OF
LONG BRANCH, DO HEREBY CERTIFY THE FOREGOING
TO BE A TRUE, COMPLETE AND CORRECT COPY OF
RESOLUTION ADOPTED BY THE CITY COUNCIL AT A
REGULAR MEETING HELD ON 1-28-14
IN WITNESS WHEREOF, I HAVE HEREBY SET
MY HAND AND AFFIXED THE OFFICIAL SEAL OF THE
CITY OF LONG BRANCH, MONMOUTH COUNTY, NEW
JERSEY THIS 27th DAY OF JANUARY 2014
Kathy Schmidt
MUNICIPAL CLERK, R.M.

R# 27-14

**RESOLUTION TO REFUND OVERPAYMENT
OF TAXES DUE TO A
TAX COURT OF NEW JERSEY
JUDGMENT**

WHEREAS, the City of Long Branch has received from the Tax Court of New Jersey judgment(s) reducing the assessment on certain property for the year(s) indicated and,

WHEREAS, the taxes on the certain property for the tax year(s) are overpaid and,

BE IT RESOLVED, that the City of Long Branch refund to the taxpayer(s) shown below the amount of the tax overpaid and,

NOW THEREFORE BE IT RESOLVED, that the Finance Department is hereby authorized to issue an individual check to the taxpayer(s) shown below in the total amount of \$7,093.53.

BLOCK	LOT	HOMEOWNER	YEAR	AMOUNT
124	10.01	Carlet, Garrison, Klein & Zaretsky, LLP	2012	\$2,472.26
		Attny for Kearny Federal Savings Bank	2013	\$4,621.27
		1135 Clifton Avenue, Suite 104		
		Clifton, NJ 07013		

OFFERED: Bastelli
SECOND: Sirrianni
AYES: 5
NAYES: 0
ABSENT: 0
ABSTAIN: 0

STATE OF NEW JERSEY
COUNTY OF MONMOUTH
CITY OF LONG BRANCH
I, KATHY L. SCHMIDT, MUNICIPAL CLERK OF THE CITY OF
LONG BRANCH, DO HEREBY CERTIFY THE FOREGOING
TO BE A TRUE, COMPLETE AND CORRECT COPY OF
RESOLUTION ADOPTED BY THE CITY COUNCIL AT A
REGULAR MEETING HELD ON 1-28-14
IN WITNESS WHEREOF, I HAVE HEREUNTO SET
MY HAND AND AFFIXED THE OFFICIAL SEAL OF THE
CITY OF LONG BRANCH, MONMOUTH COUNTY, NEW
JERSEY THIS 29th DAY OF JANUARY 2014
Kathy L. Schmidt
Municipal Clerk, City of Long Branch, NJ

R28-14

Resolution Authorizing the City Attorney for the City of Long Branch to Notify Broadway Arts Center of its De-designation as a Developer Pursuant to Article 5.10.2(f) of the Developers Agreement Executed on June 28, 2005 and to Authorize the City Attorney to Notify the Mortgage Holder, Diversified Realty Advisors as Mortgagee of its Right to Cure Default and Assume Developers Obligations Pursuant to Article 5.10.4.2 of the Developers Agreement Entered June 28, 2005

WHEREAS, the City of Long Branch passed Resolution 300-13 authorizing the forwarding of a default letter pursuant to the Developer's Agreement dated June 28, 2005; and

WHEREAS, said default letter was forwarded on December 11, 2013 by the Mayor of the City of Long Branch to the Developer with Notice to the Mortgagee, Diversified Realty Advisors, and;

WHEREAS, thirty (30) days have passed since the date of Default Notice which thirty (30) days is the period that the Developer, Broadway Arts Center, had to cure the declared monetary default, and

WHEREAS, the thirty (30) days has passed without the cure of the monetary default, and;

WHEREAS, the City of Long Branch has the right under section 5.10.2 to dedesignate the Redeveloper for all phases of the development since the Developer has failed to begin, let alone substantially complete Phase I of the Developer's approved plan for development, and;

WHEREAS, the Mortgagee has been put on notice of the Developer's default, and;

WHEREAS, the Mortgagee has rights to cure and assume Developer's obligations under section 5.10.4.2 of said Developer's Agreement, and;

WHEREAS, the Council of the City of Long Branch, is desirous of de-designating Broadway Art Center of all its rights under the Developer's Agreement for failure to cure its monetary defaults, and;

WHEREAS, the City reserves its rights to further declare the Developer's Agreement in default in the future for failure to cure non-monetary defaults, and;

WHEREAS, the Council of the City of Long Branch wishes to notify the Mortgagee, pursuant to section 5.10.4.2, that the Developer has defaulted under the

monetary defaults as set forth in the Default Letter and to allow the Mortgagee time to cure said defaults pursuant to the terms of the Developer's Agreement, and;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the City of Long Branch, County of Monmouth, State of New Jersey, that the City Attorney, being the same, hereby is authorized to forward the letter annexed to the Developer, Broadway Arts Center, notifying them of their dedesignation as the Redeveloper for the Broadway Arts Center section of the Redevelopment Zone in the city of Long Branch; and

BE IT FURTHER RESOLVED, that the City Attorney forward the letter annexed hereto and made a part hereof to Diversified Realty Advisors as Mortgagee, to notify them of their right to cure the monetary defaults of the Developer and to, in the future, notify the mortgagee of non-monetary defaults referred to in the Default Letter of December 13, 2013.

BE IT FURTHER RESOLVED, that the for the City of Long Branch reserves its rights to declare further non-monetary defaults by both the Developer and the Mortgagee

MOVED: *Bastelli*

SECONDED: *Sirianni*

AYES: *5*

NAYES: *0*

ABSENT: *0*

ABSTAIN: *0*

STATE OF NEW JERSEY
COUNTY OF MONMOUTH
CITY OF LONG BRANCH
I, KATHY L. SCHEMELZ, MUNICIPAL CLERK OF THE CITY OF
LONG BRANCH, DO HEREBY CERTIFY THE FOREGOING
TO BE A TRUE, COMPLETE AND CORRECT COPY OF
RESOLUTION ADOPTED BY THE CITY COUNCIL AT A
REGULAR MEETING HELD ON 1-28-14
IN WITNESS WHEREOF, I HAVE HEREUNTO SET
MY HAND AND AFFIXED THE OFFICIAL SEAL OF THE
CITY OF LONG BRANCH, MONMOUTH COUNTY, NEW
JERSEY THIS 24th DAY OF JANUARY 2014
Kathy L. Schemelz
MUNICIPAL CLERK, R.M.C.

January 27, 2014

Via Certified RRR& Regular Mail

Mr. Todd Katz
Sipersteins Paint
700 Joline Avenue (Hwy 36)
Long Branch, New Jersey 07740

Via Certified RRR& Regular Mail

Mr. Tony Pereira
PAXCONSTRUCTION
67 Highway 26
West Long Branch, New Jersey 07764

**RE: CITY OF LONG BRANCH: BROADWAY ARTS CENTER
Our File No. 4000-1040**

Dear Messrs. Katz and Pereira:

Please be advised that the City of Long Branch hereby notifies you as the representatives of Broadway Arts Center, that Broadway Arts Center has failed to cure the monetary defaults referenced in the Notice of Default dated December 11, 2013.

Please be advised that as a result of the failure to cure the monetary defaults, to wit;

1. The failure to pay the City of Long Branch in excess of \$1,500,000 to complete Eminent Domain acquisitions requested to be started by Broadway Arts Center.
2. The failure to pay escrow fees and attorney fees to the City of Long Branch associated with Eminent Domain proceedings in the amount of approximately \$125,000.
3. The failure to pay property taxes in a timely manner and allow property taxes to remain in default and tax sales to occur on at least one property, 148 Broadway.

Since there has been a failure of Broadway Arts Center to being or complete Phase I of the Redevelopment Project, as approved by the Planning Board of the City of Long Branch, the City of Long Branch hereby declares under paragraph 5.10.2(f), that Broadway Arts Center is dedesignated for all phases of the Redevelopment Project previously approved by the Planning

Board of the City of Long Branch. This dedesignation is only subject to Mortgagees right to cure default and assume Developer's obligations under section 5.10.4.2. Please note that the Mortgagee has been notified of this letter and you are receiving a copy simultaneously of the Notice to the Mortgagee under section 5.10.4.2.

Very truly yours,

JAMES G. AARON
A Member of the Firm

JGA/jr

cc: Sanders M. Chattman, Esq. (smc@olss.com)
Jerold L. Zaro, Esq. (jzaro@sillscummis.com)
Nicholas W. Minoia, DRA (nminoia@DiversifiedRA.com)
Jonathan D. Stein (jstein@DiversifiedRA.com)
O'Connor & Company
Howard Wooley, Business Administrator
Robert Beckelman, Esq. (rbeckelman@greenbaumlaw.com)
Pratap Talwar (prtalwar@tdginc.net)
Carl Turner, Assistant Planning Director (cturner@longbranch.org)
John Butow, Tax Assessor (jbutow@longbranch.org)
Mayor Adam Schneider

R# 29-14

RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A PROFESSIONAL SERVICES PROPOSAL WITH REALTY APPRAISAL COMPANY IN AN AMOUNT NOT TO EXCEED \$629,000.00.

WHEREAS, Realty Appraisal Company (hereinafter, Realty Appraisal) provide professional appraisal services to the City of Long Branch; and

WHEREAS, Realty Appraisal has provided a Professional Services Proposal to the City of Long Branch for the revaluation for all real properties as of October 1, 2014 to be effective for the 2015 Tax Year in the City of Long Branch; and

WHEREAS, the proposal sets forth a fee not to exceed \$629,000.00; and

WHEREAS, the proposal conforms to previous bids specifications required by the City of Long Branch; and

WHEREAS, the proposal has been reviewed and approved by the City Attorney, Business Administrator, Purchasing Agent and Chief Financial Officer of the City of Long Branch; and

WHEREAS, the execution of this proposal is in the best interest of the citizens of the City of Long Branch; and

WHEREAS, the funds are available in Account No. 3-01-125-601 in an amount not to exceed \$629,000.00 as certified to by the Chief Financial Officer of the City of Long Branch.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Long Branch that the Mayor of the City of Long Branch be and the same is hereby authorized to enter into a Professional Services Proposal and general conditions with Realty Appraisal Company.

MOVED: *Bastelli*
SECONDED: *Siranni*

AND ADOPTED UPON THE FOLLOWING ROLE CALL:

AYES: *5*
NAYES: *0*
ABSENT: *0*

STATE OF NEW JERSEY
COUNTY OF MONMOUTH
CITY OF LONG BRANCH
I, KATHY L. SCHEMLZ, MUNICIPAL CLERK OF THE CITY OF
LONG BRANCH, DO HEREBY CERTIFY THE FOREGOING
TO BE A TRUE, COMPLETE AND CORRECT COPY OF
RESOLUTION ADOPTED BY THE CITY COUNCIL AT A
REGULAR MEETING HELD ON *1-28-14*

IN WITNESS WHEREOF, I HAVE HEREBY SET
MY HAND AND AFFIXED THE OFFICIAL SEAL OF THE
CITY OF LONG BRANCH, MONMOUTH COUNTY, NEW
JERSEY, THIS *27* DAY OF *JANUARY*, 20 *14*
Kathy L. Schmelz
MUNICIPAL CLERK, R.M.C.

**CITY OF LONG BRANCH
OFFICE OF THE FINANCE DIRECTOR
344 BROADWAY
LONG BRANCH, NJ 07740**

CERTIFICATION OF CHIEF FINANCIAL OFFICER

As the Chief Financial Officer of the City of Long Branch, I certify that funds are available for award of the following contracts/agreements:

CONTRACT FOR PROFESSIONAL APPRAISAL SERVICES

Said contract being made as follows:

REALTY APPRAISAL COMPANY \$629,000.00

Said funds being available in the form of:

APPRO #3-01-125-601 - \$629,000.00


Ronald J. Mehlhorn, Sr., C.P.A., R.M.A.
Finance Director, Chief Financial Officer


Date

R# 30-14

RESOLUTION
APPROVAL PAYMENT OF BILLS

WHEREAS, the City Council of the City of Long Branch have examined the bills and the vouchers therefore that are contained on the attached list.

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Long Branch that the payment of bills set forth on the attached list are hereby approved.

MOVED: *Bastelli*

SECONDED: *Sirianni*

AYES: *5*

NAYES: *0*

ABSENT: *0*

ABSTAIN: *0*

STATE OF NEW JERSEY
COUNTY OF MONMOUTH
CITY OF LONG BRANCH
I, KATHY L. SCHELE, MUNICIPAL CLERK OF THE CITY OF
LONG BRANCH, DO HEREBY CERTIFY THE FOREGOING
TO BE A TRUE, COMPLETE AND CORRECT COPY OF
RESOLUTION ADOPTED BY THE CITY COUNCIL AT A
REGULAR MEETING HELD ON 1-28-14
IN WITNESS WHEREOF, I HAVE HERETO SET
MY HAND AND AFFIXED THE OFFICIAL SEAL OF THE
CITY OF LONG BRANCH, MONMOUTH COUNTY, NEW
JERSEY THIS 28TH DAY OF JANUARY 2014

Kathy L. Schele
Municipal Clerk

PUBLIC NOTICE

Notice is hereby given that the following bills will be submitted for payment approval as of January 28, 2014. The original bills are on file in the Office of the Director of Finance of the City of Long Branch between the hours of 8:30 and 4:30 P.M. Monday through Friday.

3M Traffic Safety Systems	Reflective Film- Fire Dept.		2,398.50
A T & T	Phone Bill- 12/16, 12/21, 12/22, 12/28	*	268.80
A T & T	Phone Bill - 1/1/14	*	14.98
A T & T	Phone Bill - 12/31/13	*	2,491.56
A.R. Communications	Radio Repairs- Public Works & Fire Department		1,257.20
Allied Building Products	Misc. Materials for Life Guard Sheds - Public Works		335.70
Amanj C/O Lee Ann Russ CTA	Assessors Luncheon Meeting- Tax Assessor -.11/20/13		120.00
American Hydraulics	Rebuild Hydraulic Pistons- PW# 102 & 104 - Public Works		860.00
Ansell, Grimm & Aaron	Retainer- Legal Services	*	2,500.00
Ansell, Grimm & Aaron	Legal Services Rendered - General, Litigation, Redevelopment & Tax Appeals - Dec 2013	*	34,553.25
Atlantic Plumbing Supply Corp.	Various Plumbing Materials for Great Lawn - Public Works		988.11
Bergey's Truck Inc	Truck Repairs - PW# 177 - Public Works		4,229.47
Bristol-Donald Co. Inc	Coils for Plows - Public Works		507.27
Builders' General Supply Co.	Materials for Senior Center		88.26
Cablevision Lightpath	Monthly Lease of Dark Fiber- January 2014 - IT-Admin	*	1,500.00
CF Associates	CY 2014 Budget Update Edition - Finance Director		125.00
City Of Long Branch Clearing Account	Transfer Funds	*	543,399.39
City Of Long Branch Clearing Account	Transfer Funds	*	879,133.64
City Of Long Branch Clearing Account	Transfer Funds	*	891,153.58
City Of Long Branch Clearing Account	Transfer Funds	*	70,449.44
City of Long Branch Payroll Agency Account	Transfer Funds	*	36,108.68
City of Long Branch Payroll Agency Account	Transfer Funds	*	37,535.78
City of Long Branch Payroll Agency Account	Transfer Funds	*	853,724.18
City of Long Branch Payroll Agency Account	Transfer Funds	*	843,024.96
Coast Hardware Co. Inc	Misc. Hardware - Public Works		42.77
County of Monmouth Division of Highways	Salt - Public Works		322.50
D M S & D Associates	Consumable Supplies-DPW		687.00
David Roach	Reimbursement for Officer License Renewal- Health Dept		50.00
Dell Marketing L.P.	TAS Tech Support - Comptroller		20,000.00
Edwards Tire Co. Inc	Various Tire Parts- PW# 104 - Public Works		4,586.98
Efinger Sporting Goods Co.	Replacement Goal Post- Recreation Dept.		107.00
Finer Details	Car Detail- Fire Dept.		283.50
Ford Motor Credit	Vehicle Lease	*	23,083.76

* DENOTES PREPAY

** SUBJECT TO COMPLETION OF PAYMENT PACKAGE

Freehold Township Health Dept.	Lead Inspector Services - Fourth Quarter 2013	2,161.76	Pymt# 2
Gagliano Appraisal, LLC.	Professional Services Rendered - Tax Appeals - November 2013	1,312.50	Pymt# 6
Gen-el Safety & Industrial	Calibration Fit Tester- Police Dept.	725.00	
Great American Financial Service	Copier Lease Agreement - January 2014	*	1,043.57
Greenbaum, Rowe, Smith & Davis	Legal Services Rendered - Hotel Campus - December 2013	1,530.00	Pymt# 4
Greenbaum, Rowe, Smith & Davis	Legal Services Rendered - Redevelopment - December 2013	4,657.50	Final Pymt
J C P & L	Electric Bill 10/2/2013-1/4/2014	*	50,836.31
Jamm Printing	Business Cards - Public Works	90.00	
Jersey Central Power & Light	Electric Bill- 7/2/2013-1/2/2014	*	3,314.20
Joann Fabrics & Crafts	Supplies- Senior Affairs	*	436.15
Kepwell Water	Cooler Rental and Waters- Finance		36.85
Lanigan Associates Inc.	Crossing Guard Vests/ Stop Signs - Police Dept		429.50
Lawson Products, Inc	Misc. Supplies for Spreaders - Public Works		2,207.22
Lexis Nexis Risk Data Management	Account License Demcember-Police Dept.	*	50.00
Long Branch Sewer Auth.	1st Quarter Sewer	*	2,215.72
Louis Delauro	Reimbursement for Cell Phone Case		21.39
Maser Consulting, PA	Professional Services Rendered - Zoning Ordinances - December 2013		193.75
Mazza & Sons Inc.	Bulky Waste Disposal- December		5,716.36
Michael A. Irene, Jr., Esq.	Legal Services Rendered - Zoning Board Retainer - November 2013		500.00
Monmouth County Treasurer - Finance Dept.	Tipping Fees - January 2013 - DPW		84,877.19
Monoprice Inc	Various Cables- IT- Admin		54.68
Monroe Systems for Business	Ribbon Cartridges for Monroe Calculator - Tax Collector		90.19
Motorcycle Mall, Inc	Service- 2012 Honda Foreman ES500 - Public Works		260.39
Municipal Record Service	Bail Receipts & Waivers- Municipal Court		319.00
New Jersey Motor Vehicle Commission	Titles for City Vehicles - Public Works	*	120.00
NJ American Water	Water Bill- 10/8/2013-12/24/2013	*	17,271.45
NJSCPA Ed Foundation, INC.	Registration - Annual Tax Seminar - Finance Director - 1/4/2014		100.00
NRS	Misc. Equipment- Water Rescue - OEM		2,111.53
Office Concepts Group	Printer Cartridge- Personnel Dept/Tax Collector's Office		375.39
Paper Mart Inc.	Copier Paper to Replenish Central Supply		2,300.00
Pendergast Safety Equip. Co	Rubber Gloves		87.00
Perry's Trophy Co	End of the Year Awards- Fire Dept		425.00
Pfeister Consulting Services LLC	Firewall Configuration- Police Dept.		1,377.50
Provantage Corporation	Flash Drive- Fire Prevention		53.54
Quality Rebuilders	Rebuild Alternator for PW		350.00
Robin Young	Reimbursement for Monmouth County Meeting- Municipal Court		20.00
Rotary Club of Long Branch	2013-2014 Rotary Dues-Administration		150.00
Saker Shoprites Inc	Food for Holiday Bazaar- Senior Affairs - 12/6/13		147.60
Scoles Floorshine Industries	Pro Link Ice Melter - Public Works		1,312.00
Seaboard Welding Supply Inc	Cylinders/ Propane - December 2013 - Municipal Garage		105.50
Shared Solutions	Service Call- Police Dept.		363.00
Sig Sauer Inc	Ammunition - Police Department		800.00
Skip's Sports	Fleece Jacket- OEM		648.00

* DENOTES PREPAY

** SUBJECT TO COMPLETION OF PAYMENT PACKAGE

Tanknology	Re-test Gasoline Tanks at DPW	625.20	
Terri Turner	Toll Reimbursement- Municipal Court	7.50	
Thompson Design Group	Professional Services Rendered - Broadway Gateway - Billable Hours - Nov thru Dec 2013	17,429.50	Pymt# 2
Thompson Design Group	Professional Services Rendered - Preliminary Study - Billable Hours - Oct thru Dec 2013	23,241.50	Pymt# 4
Thompson Design Group	Professional Services Rendered - Beachfront South- Billable Hours - Oct thry Nov 2013	8,800.00	Pymt# 2
Thompson Design Group	Professional Services Rendered - General - Billable Hours - Oct thru Dec 2013	8,832.00	Pymt# 6
Treasurer, State of NJ	Marriage License Fees - 4th Quarter 2013	*	1,125.00
Troil Enterprises LLC	Hydraulic Oil - Public Works		1,006.57
United Parcel Service	Ground Shipping - Police Department		15.83
Verizon	Phone Bill- 12/11/2013	*	320.89
Verizon	Phone Bill - 01/01 & 01/05/14	*	10,781.63
Verizon Communications	Phone Bill-12/25/2013	*	49.99
Verizon Wireless	Phone Bill-12/16/2013	*	1,217.68
Verizon Wireless	Phone Bill-12/10/2013	*	3,469.39
Visiting Nursing Services of Central Jersey	Public Health Nursing Services 4th Quarter		3,192.00
W.B. Mason CO, INC	Office Suppies for Various Depts.		5,533.87
Zep Manufacturing CO	Soap- DPW		192.61

TOTAL CURRENT

4,532,969.16

All Hands Fire Equipment
Greenbaum, Rowe, Smith & Davis

Various Fire Equipment - Fire Department
Legal Services Rendered - Pier Design - December 2013

3,671.99
4,500.00 Pymt# 6

TOTAL CAPITAL

8,171.99

City of Long Branch Clearing Account
City of Long Branch Payroll Account
Long Branch Animal Hospital
Monmouth County SPCA
NJ Dept of Health & Senior Services
Verizon Wireless

Transfer Funds
Veterinary Services - December 2013
Animal Shelter Services - December 2013
December
Phone Bill- 12/16/2013

* 5,997.52
* 5,951.40
* 6,617.15
* 14.40
* 5,526.86
* 6,145.06
* 472.09
* 424.54
153.00 Pymt# 12
3,500.00 Pymt# 10
* 14.40
* 115.69

TOTAL DOG

34,932.11

* DENOTES PREPAY

** SUBJECT TO COMPLETION OF PAYMENT PACKAGE

Academy Express LLC	Annual Bus Trip for Long Branch Seniors - Commmunity Development+B27		950.00
City of Long Branch Clearing Account	Transfer Funds	*	4,665.01
City of Long Branch Clearing Account	Transfer Funds	*	6,245.73
City of Long Branch Clearing Account	Transfer Funds	*	6,343.18
City of Long Branch Clearing Account	Transfer Funds	*	115.01
City of Long Branch Payroll Agency Account	Transfer Funds	*	5,791.62
City of Long Branch Payroll Agency Account	Transfer Funds	*	5,881.83
City of Long Branch Payroll Agency Account	Transfer Funds	*	461.35
Great America Financial Service	Lease Agreement	*	454.11
J C P & L	Electric Bill- 10/2/2013-1/4/2014	*	112.62
Rileighs Outdoor Décor	LED Snowflakes for City Hall Building	*	115.01
			6,150.00

TOTAL HUD

37,285.47

A T & T	Phone Bill- 12/16, 12/21, 12/22, 12/28	*	106.38
Asell, Grimm & Aaron	Beach Front North Phase II- Legal Services- December	*	407.00
City of Long Branch Clearing Account	Transfer Funds	*	123,117.60
City of Long Branch Clearing Account	Transfer Funds	*	48,026.45
City of Long Branch Clearing Account	Escrow- Transfer Funds	*	215.30
City of Long Branch Clearing Account	Transfer Funds	*	34,531.82
City of Long Branch Payroll Agency Account	Transfer Funds	*	8,608.76
City of Long Branch Payroll Agency Account	Escrow- Transfer Funds	*	47,749.41
City of Long Branch Payroll Agency Account	Transfer Funds	*	200.00
City of Long Branch Payroll Agency Account	Transfer Funds	*	34,178.48
City of Long Branch Payroll Agency Account	Transfer Funds	*	246.96
City of Long Branch Payroll Agency Account	Escrow- Transfer Funds	*	277.04
Ford Motor Credit	Vehicle Lease	*	15.30
Inna or Jack Gelin	Tax Sale Premium	*	529.38
Singh Real Estate	Tax Sale Premium	*	8,400.00
Singh Real Estate	Tax Sale Premium	*	120,000.00
Thompson Design Group	Tax Sale Premium	*	300.00
Verizon	Professional Services Rendered - Beachfront North II - Billable Hours - Oct thru Nov 2013		7,480.00 Pymt# 2
W.B. Mason CO, INC	Telephone Bill 1/1-1/5	*	457.24
	Office Supplies- Fire Prevention		223.66

TOTAL TRUST OTHER

435,070.78

* DENOTES PREPAY

** SUBJECT TO COMPLETION OF PAYMENT PACKAGE

R31-14

RESOLUTION AUTHORIZING THE MAYOR OF CITY OF LONG BRANCH TO EXECUTE AN INDEMNIFICATION AND HOLD HARMLESS AGREEMENT FOR THE FOREST PRESERVATION GRANT PROGRAM FOR ROSS ISLAND STONE HUT RESTORATION PROJECT WITHIN THE LONG BRANCH.

WHEREAS, the City of Long Branch (the "City"), through the Whalepond Brook Watershed Association Ross Island Stone Hut Restoration Project is made up of a dedicated group of volunteers who have demonstrated that they can bring this project to a successful completion; and

WHEREAS, the City recognizes that Ross Island Stone Hut Restoration Project is in the best interest of the City of Long Branch and its citizens; and

WHEREAS, this project is eligible for Monmouth County Historical Preservation Grant and application; and

WHEREAS, as part of the application process, the City must agree to enter into an Indemnification and Hold Harmless Agreement to the County of Monmouth for any work to be completed on the Ross Island Stone Hut Restoration Project; and

WHEREAS, a copy of the Indemnification and Hold Harmless Agreement is annexed hereto and made a part hereof; and

WHEREAS, the execution of the Indemnification and Hold Harmless Agreement by the Mayor is a prerequisite to the complete application for a grant which shall become a contract; and

WHEREAS, all aspects of the application are annexed hereto including a checklist for the applicant which includes an Indemnification and Hold Harmless Agreement.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Long Branch that the Mayor of the City of Long Branch be and the same is authorized to

execute the Indemnification and Hold Harmless Agreement annexed hereto which is subject to the terms and conditions of said Agreement.

MOVED: *Bastelli*
SECONDED: *Siricanni*

AND ADOPTED UPON THE FOLLOWING ROLL CALL:

AYES: 5
NAYES: 0
ABSENT: 0

STATE OF NEW JERSEY
COUNTY OF MONMOUTH
CITY OF LONG BRANCH
I, KATHY L. SCHEMLZ, MUNICIPAL CLERK OF THE CITY OF
LONG BRANCH, DO HEREBY CERTIFY THE FOREGOING
TO BE A TRUE, COMPLETE AND CORRECT COPY OF
RESOLUTION ADOPTED BY THE CITY COUNCIL AT A
REGULAR MEETING HELD ON 1-28-14
IN WITNESS WHEREOF, I HAVE HEREUNTO SET
MY HAND AND AFFIXED THE OFFICIAL SEAL OF THE
CITY OF LONG BRANCH, MONMOUTH COUNTY, NEW
JERSEY THIS 28th DAY OF JANUARY 2014
Kathy L. Schmelz
MUNICIPAL CLERK, R.M.C.

CITY OF LONG BRANCH
HOLD HARMLESS AND INDEMNIFICATION AGREEMENT

This Agreement, made this _____ day of _____, 20_____, by and between the City of Long Branch, (hereinafter the "City"), having an office address of 344 Broadway, Long Branch, New Jersey 07740

AND

Monmouth County Historical Preservation Grant Program and the County of Monmouth, (hereinafter "Applicant" and/or "Permit Holder"), having an office address of Hall of Records Annex, 2nd Floor, One East Main Street, Freehold, NJ 07728; and

WHEREAS, the City wishes to apply for a grant under the offices Monmouth County Historical Preservation Grant Program; and

WHEREAS, the Monmouth County Historical Commission has provided an application and signature page, a copy of which is annexed, which shall become a contract; and

WHEREAS, the project for which the City of Long Branch seeks a grant is the Whalepond Brook Watershed Association Ross Island Stone Hut Restoration; and

WHEREAS, the City agrees to indemnify and hold harmless, the County of Monmouth, its officers, agents and employees and any appointed body or commission and its members from any and all claims brought at law or of any nature of any kind, including costs and expenses for or on account thereof including all attorneys fees for injury to persons or damage to property sustained by any person or persons resulting in whole or in part from performance or omission of any employee, agent or

representative, contractor or subcontractor of the City working on the Ross Island Stone Hut Restoration Project.

WHEREAS, the above Indemnification and Hold Harmless shall begin upon grant by the Monmouth County Historical Commission of any funds towards the Ross Island Stone Hut Restoration Project.

This Indemnification and Hold Harmless Agreement shall remain in full force and effect throughout any present and/or future grant made by the Monmouth County Historical Commission to the City for the Ross Island Stone Hut Restoration Project.

Be it Further Agreed that the City annexes hereto a Certificate of Insurance that it presently holds and shall agree that upon any grant for the within project by Monmouth County Board of Freeholders Historical Commission Restoration Grant Program and name the County of Monmouth as an insured pursuant to your Indemnification and Hold Harmless Agreement.

CITY OF LONG BRANCH

Adam Schneider, Mayor



CERTIFICATE OF LIABILITY INSURANCE

CITYOFL-01

LITTLET

DATE (MM/DD/YYYY)
1/16/2014

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an **ADDITIONAL INSURED**, the policy(ies) must be endorsed. If **SUBROGATION IS WAIVED**, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER IOA Northeast, NY, Inc. 1451 Route 34, Suite 101 Farmingdale, NJ 07727	CONTACT NAME: PHONE (A/C, No., Ext): (732) 751-2900 FAX (A/C, No.): (732) 751-2929 E-MAIL ADDRESS: _____														
INSURED City Of Long Branch 344 Broadway Long Branch, NJ 07740	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="text-align: center;">INSURER(S) AFFORDING COVERAGE</th> <th style="text-align: center;">NAIC #</th> </tr> <tr> <td>INSURER A: Statewide Insurance Fund</td> <td></td> </tr> <tr> <td>INSURER B: Star Insurance Company</td> <td style="text-align: center;">18023</td> </tr> <tr> <td>INSURER C:</td> <td></td> </tr> <tr> <td>INSURER D:</td> <td></td> </tr> <tr> <td>INSURER E:</td> <td></td> </tr> <tr> <td>INSURER F:</td> <td></td> </tr> </table>	INSURER(S) AFFORDING COVERAGE	NAIC #	INSURER A: Statewide Insurance Fund		INSURER B: Star Insurance Company	18023	INSURER C:		INSURER D:		INSURER E:		INSURER F:	
INSURER(S) AFFORDING COVERAGE	NAIC #														
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INSURER C:															
INSURER D:															
INSURER E:															
INSURER F:															

COVERAGES CERTIFICATE NUMBER: REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY			SIF201407740	1/1/2014	1/1/2015	EACH OCCURRENCE \$ 1,000,000
	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY						DAMAGE TO RENTED PREMISES (Ea occurrence) \$
	<input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR						MED EXP (Any one person) \$
	GEN'L AGGREGATE LIMIT APPLIES PER:						
	<input type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC						GENERAL AGGREGATE \$ 10,000,000
A	AUTOMOBILE LIABILITY			SIF201407740	1/1/2014	1/1/2015	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000
	<input checked="" type="checkbox"/> ANY AUTO						BODILY INJURY (Per person) \$
	<input checked="" type="checkbox"/> ALL OWNED AUTOS	<input type="checkbox"/> SCHEDULED AUTOS					BODILY INJURY (Per accident) \$
	<input checked="" type="checkbox"/> HIRED AUTOS	<input checked="" type="checkbox"/> NON-OWNED AUTOS					PROPERTY DAMAGE (PER ACCIDENT) \$
B	<input checked="" type="checkbox"/> UMBRELLA LIAB			CP0513740	1/1/2014	1/1/2015	EACH OCCURRENCE \$ 10,000,000
	<input type="checkbox"/> EXCESS LIAB	<input checked="" type="checkbox"/> OCCUR					AGGREGATE \$
	<input type="checkbox"/> CLAIMS-MADE						\$
	DED <input checked="" type="checkbox"/> RETENTION \$ 10,000						\$
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY			WC1207740CLB	1/1/2014	1/1/2015	<input checked="" type="checkbox"/> WC STATUTORY LIMITS <input type="checkbox"/> OTHER
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory In NH)		Y / N				E.L. EACH ACCIDENT \$ 2,000,000
	If yes, describe under DESCRIPTION OF OPERATIONS below		N / A				E.L. DISEASE - EA EMPLOYEE \$ 2,000,000
							E.L. DISEASE - POLICY LIMIT \$ 2,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)
 Monmouth County Historical Commission is additional Insured as respects to the City of Long Branch applicator for the Whale Pond Brook Watershed Association

CERTIFICATE HOLDER Monmouth County Historical Commission Hall of Records Annex, 2nd Fl 1 East Main St Freehold, NJ 07728	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE
---	--

August, 2013

HISTORIC PRESERVATION GRANT PROGRAM

Thank you for your interest in the Monmouth County Historical Commission's Historical Preservation Grant program. The Commission is the official County body created by the Board of Chosen Freeholders for the promotion of preservation and the conservation of Monmouth County history. Our principal program is the Preservation Grants, an undertaking that recognizes the acute need for funds to preserve Monmouth County's rich and diverse built environment. This program intends to provide enabling funds and to serve as a model for other giving and to encourage municipal and organizational commitment.

The Commission plans to grant money allocated by the Board of Chosen Freeholders on a competitive basis to our base of eligible applicants, municipalities and non-profit organizations, which need financial help in preservation or restoration of historic structures. Funds are allocated in the form of a dollar for dollar matching basis. There is a \$500 minimum and a \$7,500 maximum grant per applicant in any year, although we may regard the traditional prior \$5,000 maximum as an informal maximum in order to broaden our assistance. The program is competitive and not every eligible applicant may receive an award.

The application repeats a cover page change from last year, a condensed chart for a budget. This is part of a renewed effort to know our applicants better and to help our evaluation of their capabilities of completing the work in a timely and effective manner. The applicant must read the application carefully. The application and the submission process will be reviewed at a brief Grants Workshop, to be held at 6:15 PM - 7:15 PM, Monday, September 23, 2013 at the Planning Board Conference Room, 2nd Floor, Hall of Records Annex, 1 East Main Street, Freehold. Please call or e-mail (as below) to let us know you are coming. Start your preparations early as many have found that obtaining two reliable bids can be the most difficult and time consuming step.

The deadline for applying is a November 1, 2013 postmark or delivery. The format is completion of the attached application and submission with other required documents. If you feel further guidance may be helpful, please contact the Commission at the Hall of Records Annex, Freehold, NJ 07728 or 732-431-7460, Ext. 7413. Our Executive Director, Randall Gabrielan's usual office days are Monday and Wednesdays, or contact him by e-mail at randall.gabrielan@co.monmouth.nj.us (office days) or monmouthhistory@comcast.net (every day), referencing the grant program in the subject line. Please note that the application, designed for simplicity and intended to be user-friendly, must be followed carefully.

Barbara Harrigan
Chairperson, Grants Committee

ABOUT THE PROCESS

The applications are reviewed and the Commission's judgments are based on a number of factors including, but not limited to: historic significance; urgency of need, both of the applicant and the surrounding area; adherence of the project to historic authenticity; public accessibility; geographic distribution throughout the County; quality of application and financial ability of the applicant to realistically complete the project. Prior grantees may be judged by their past performance in complying with and documenting their earlier grant(s). Not every eligible project is guaranteed to receive a grant as requests regularly exceed available funds and the program is competitive. Completed applications are due November 1, 2012. Successful applicants are notified shortly after the January Commission meeting, while the awards are designated at a Commission meeting scheduled in late February.

COMPLIANCE

The applicant agrees that it has complied and will comply with the applicable Federal and State laws relating to nonprofit corporations and has filed appropriate Federal Income Tax reports and made timely payments of Withholding and FICA as required by law.

The applicant will comply with all the requirements of the Federal Civil Rights Act of 1964 and all other applicable Federal, State and Local laws. Services will be rendered without regard to race, religion, color, natural origin, handicap or sex.

No rights or obligations under this contract may be assigned by any party without the written consent of the Commission.

The Commission and/or Board of Chosen Freeholders reserve the right to a refund, on demand, of all funds that were expended in a manner not consistent with the terms of this contract, not expended in a timely manner, or as a consequence of administrative or financial non-compliance of the grant program.

The Commission's failure to enforce any requirement or obligation of the grantee, either in a current or prior grant, shall not constitute a waiver of such requirement or obligation.

COMMISSION'S PREROGATIVE

The judgments and decisions of the Commission with respect to any interpretation of the program's Rules and Requirements, possible ambiguity in the program's Rules and Requirements, or questions of eligibility of any applicant, or the suitability of any proposed project, or the relative merits of any applications, or decision to waive or refuse to waive any Rule or Requirement, shall be conclusive. In addition, the Commission cannot and does not guarantee that all applicants will be awarded a grant, and there is also no guarantee that awarded grants will be for the amount requested. The Commission's determination to award grants shall be final and subject to any conditions established by the Commission.

**MONMOUTH COUNTY HISTORICAL COMMISSION
APPLICATION COVER AND SIGNATURE PAGE**
(Type or print clearly)

Name of Applicant: _____

Address: _____

Telephone: _____ Federal ID#: _____

E-mail: _____ Fax: _____

Project Director & Position: _____

Person Completing Application: _____

Organization's Annual Budget: _____

Estimated Time Frame: Starting Date _____ Ending Date _____

Title and Brief Description of Project (GIVE THE PROJECT A TITLE AND SPECIFY IT HERE):

N.B. Submit Project Narrative (see second item on "How to Apply" page) on a separate sheet of paper. This narrative should depict the significance of the project and serve to convince the Commission to make a grant.

Summary of Proposed Budget

ITEM	MCHC GRANT	OTHER GRANT (If Applicable)	CASH MATCH	
			On Hand	To Be Raised
Construction Materials				
Covered Labor Costs				

Source of Matching Funding: _____

Amount Requested: _____
(cannot exceed the lesser of 50% of the eligible budgeted (lowest bid) costs or \$7,500)

The applicant's submission consists of this Cover and Signature Page, the Project Narrative, the Detailed Budget and two Bids, two Recommendations, three Photographs, a Certificate of Insurance and Hold Harmless Agreement. The undersigned:

- a) Acknowledges having read all the specified material
- b) Understands and agrees that the acceptance of a grant shall constitute a contract with the County of Monmouth
- c) Agrees to comply with all program provisions as specified, either in the application or those terms or conditions made part of a grant if an award is made, and to complete the project.
- d) Agrees to affix to the submission letters of recommendation as specified in HOW TO APPLY, Item 9.
- e) Agrees to submit Interim and Final Reports to the MCHC, as required herein
- f) Provide in your publicity about your project appropriate mention of any Commission grant.

Printed Name and Signature of Authorized Representative: _____ Date: _____

MONMOUTH COUNTY
HISTORICAL COMMISSION

RECOMMENDATION FORM

APPLICANT AND TITLE OF PROJECT: Whale Pond brook Watershed Association Ross Island Stone Hut Restoration

ORGANIZATION'S ADDRESS: 9 Marshall Court Long Branch New Jersey 07740

CONTACT PERSON: Faith Teitelbaum **TELEPHONE:** 732-513-5445

PERSON COMPLETING RECOMMENDATION: _____

YOUR ADDRESS: _____

E-MAIL ADDRESS: _____

HOW DID YOU BECOME FAMILIAR WITH THE WORK OF THIS ORGANIZATION? _____
Faith Teitelbaum, WPBWA Director approached me several years ago to receive more information concerning a Whale Pond Brook watershed biological assessment published by my Urban Coast Institute. We have been working together since then to restore the water quality and eroded banks of the watershed.

PLEASE EXPLAIN WHY YOU RECOMMEND THIS PROJECT FOR GRANT FUNDING. _____
The Ross Island Stone Hut is an integral part of the watershed history, being erected during the early 1900s. This structure should be preserved. It will be on the watershed greenway and will be available to all for viewing.

OTHER COMMENTS, IF ANY: The Whale Pond Brook Watershed Association is a dedicated group of volunteers who have demonstrated that they can bring a project to successful completion.

N.B. This form or separate letter must be sent to the applicant promptly to enable the applicant to include it as part of its submission.

Original ink signature

Date

MONMOUTH COUNTY
HISTORICAL COMMISSION

CHECKLIST FOR APPLICANT

(Do not return)

Please review your application, ensuring that the following materials are included. Proper completion of the application will aid the Commission in its review of your project and maintain its eligibility. Do not return this checklist. The Commission maintains a separate list for reviewing your submission.

- NUMBER OF COPIES (Original plus nine copies) _____
- APPLICATION PAGE, INCLUDING TIMEFRAME _____
- PROJECT NARRATIVE, INCLUDING AUDIENCE _____
- DETAILED PROJECT BUDGET _____
- TWO (2) SEPARATE BIDS _____
- THREE (3) PHOTOGRAPHS _____
- CERTIFICATE OF INSURANCE _____
- HOLD HARMLESS AGREEMENT _____

N.B. Have you secured the agreement of two persons to recommend your project and have they agreed to do so in a timely manner?

REPORTS

(applies to successful applicants only)

Pursuant to agreement (d), grantees are required to submit Interim and Final Reports. These are simple, one-page forms, each to be accompanied by three photographs. The Interim Report, due the earlier of August 1 or completion of 50% of the work, tells us how you are progressing. The Final Report, due on completion, but no later than December 20th, documents completion and payment to the contractor. Copies of these reports are given to grantees at the Grant Awards meeting.

**MONMOUTH COUNTY
HISTORICAL COMMISSION
INTERIM REPORT**

**To be submitted when half of the work is completed or by August 1, whichever first occurs
IF THERE IS ANY DOUBT ABOUT YOUR ABILITY TO COMPLETE THE PROJECT, THE COMMISSION MUST
BE ADVISED AT ONCE.**

Project Number: _____

Grantee and

Project Name: _____

Address: _____

Contact Person: _____ Telephone: _____

E-mail: _____

HAS PROJECT WORK STARTED? _____

IF YES:

DATE WORK COMMENCED _____

PERCENTAGE OF WORK COMPLETED _____

ANTICIPATED DATE OF COMPLETION _____

PLEASE SUBMIT THREE (3) PHOTOS OF WORK COMPLETED TO DATE. RECALL YOUR
"BEFORE" PICTURES AND TRY TO SEND SIMILAR VIEWS THAT WILL ILLUSTRATE
PROGRESS OF WORK.

IF NO:

ANTICIPATED DATE WORK IS TO COMMENCE _____

PLEASE UTILIZE THE SPACE BELOW TO EXPLAIN WHY PROJECT HAS NOT
BEGUN. _____

Authorized Signature

Date

N.B. The report AND any enclosures must be submitted as hard copies.
PLEASE RETURN TO: Monmouth County Historical Commission
Hall of Records Annex, 2nd Floor
1 E. Main Street
Freehold, NJ 07728

MONMOUTH COUNTY
HISTORICAL COMMISSION

FINAL REPORT

Project Number: _____

Grantee and

Project Name: _____

Address: _____

Contact Person: _____

Telephone: _____

E-mail: _____

WHEN WAS THE PROJECT COMPLETED? _____

HOW DOES THE COMPLETED WORK CONFORM WITH THE PROJECT NARRATIVE AND ANY POSSIBLE COMMISSION STIPULATION? WHAT DEVIANCES EXIST? PLEASE EXPLAIN.

PLEASE SUBMIT:

- THREE (3) PHOTOS OF COMPLETED WORK. Recall your "before" pictures and try to send similar views that will readily illustrate the work done.
- RECEIPTS AS PROOF OF PAYMENT. Prior payment for the work is a grant requirement as the grant is reimbursement for payment to the contractor and not to be used to pay the contractor.
- ANY OTHER DOCUMENTATION AS PROOF THAT PROJECT WORK HAS BEEN COMPLETED.

Authorized Signature

Date

N.B. The report AND any enclosures must be submitted as hard copies.
PLEASE RETURN TO: Monmouth County Historical Commission
Hall of Records Annex, 2nd Floor
1 E. Main Street
Freehold, NJ 07728

HOW TO APPLY

Each applicant must submit an original and ten (9) copies:

1. Completed Application signed in ink by an authorized representative of the non-profit organization or by the authorized agent for the municipality.
2. Project Narrative – This is a description of the applicant's mission or purpose; its meaning to history; the project's significance and purpose; the audience the applicant serves and any other important facts or reasons that the Commission should consider in evaluating the application. As an option, applicants may also include brochures, newsletters, or other supporting documentation to assist the MCHC.
3. At least three color photographs depicting different views of the project. The photographs should relate to the narrative and enable the Commission to perceive the proposed project and evaluate the work after its completion. At least four copies of the three photographs must be in color to permit proper evaluation of your project. **In order to assist the Commission's evaluation of your Final Report, keep copies of submitted photographs and send images with interim and final reports from the same perspectives. If we are unable to evaluate your Final Report from the submitted material, an on-site inspection may be necessary which could delay payment.**
4. A detailed budget for the project and source of funding available for the applicant's dollar for dollar contribution.
5. If the application is for a structure for which grants have been previously given, especially for work of a similar character, the distinction of the new application must be explicit.
6. Two quotations for the proposed work, sufficiently detailed to describe the scope of work and materials to be used. Replacement with like kind may be a requirement.
7. A timeframe for the work, which should be scheduled for completion by December 31, 2014. No funds will be paid after that date without the expressed written consent of the Commission prior to December 31, 2014. Requests for extensions shall be submitted no later than November 1, 2014 and approvals for extensions will be considered by MCHC on a project by project basis.
8. A Certificate of Insurance and Hold Harmless Agreement as specified herein.
9. Two letters of recommendation, using either the sample form enclosed with the application or a separately written letter, by persons capable to evaluate your project and your ability to complete it. **NOW THE LETTERS OF RECOMMENDATION MUST BE PART OF YOUR SUBMISSION. Such recommenders must not be members, office holders or employees of your organization, or their families, or be directly connected with the project, or be an elected official or employee of the County of Monmouth.** Enter the title of the project on your recommendation forms or advise those submitting the recommendations to reference that title in their letters.
10. PLEASE DO NOT PLACE THE MATERIAL IN BINDERS OR OTHER ENCLOSURES THAT ARE DIFFICULT TO USE AND STORE. SAVE THEIR EXPENSE, TOO.

RULES AND REQUIREMENTS

The application must be complete and the project must meet all of the requirements as outlined herein. An incomplete or untimely submission will result in rejection of the application.

I APPLICANTS ELIGIBLE FOR FUNDING

Non-profit organizations and municipalities in Monmouth County without regard to the entity's size or budget which do not have outstanding at year-end an incomplete Commission grant older than one year. In other words, when applying in 2013 for a 2014 grant, an applicant will not be eligible for a 2014 grant if a Commission grant for years 2012 or earlier is outstanding on December 31, 2013.

II TYPES OF PROJECTS ELIGIBLE FOR FUNDING

Preservation, restoration or rehabilitation of historic structures, usually fifty years or older, in Monmouth County which are accessible to the public are eligible. The program covers essentially structural work for projects commonly known as "bricks and mortar" undertakings.

III PROJECTS NOT ELIGIBLE FOR FUNDING

- Paving, infrastructure repairs or enhancements, including but not limited to HVAC (heating, ventilation, or air conditioning) plumbing, electrical work, access modifications or security changes
- Feasibility studies or applications that are for reimbursement of substantially architectural, or engineering fees or other consulting fees are also not eligible
- Projects where work that has already begun, are not eligible although consideration may be given to the latter parts of projects where the Commission recognizes their multiple phase nature, while large undertakings may be divided into separate projects in different years
- Submissions from federal or state agencies, although "friends groups" or similar organizations of such agencies that have conservation responsibilities, may be considered
- Operational expenses, including salaries of employees of applicants, general operating expenses and other costs attendant to an applicant's historic work, including exhibits, collection purchases, research and publications
- Furniture, fixtures, appliances, carpeting, audio-visual, computer or other equipment

IV ALLOWABLE EXPENSES

Cost of materials for construction and wages of skilled workers are allowable expenses. Fees of architects or engineers are not eligible.

V AMOUNTS AVAILABLE, MATCHING REQUIREMENT AND PAYMENT OF FUNDS

- a) Grants are made for a minimum of \$500 and a maximum of \$7,500 per applicant. Each dollar granted must be matched by one dollar cash by the applicant. In-kind matching is prohibited.
N.B. The Commission's traditional maximum grant has been \$5,000, a limit which it may choose to adhere to depending on the number and quality of submitted applications and available grant funds.
- b) The payment of any grant is contingent on the Freeholders appropriating grant funds in the 2014 budget.

VI DEADLINE FOR SUBMISSION

Entries must be postmarked or delivered to the Monmouth County Historical Commission, Hall of Records Annex, Freehold, by November 1, 2013, a deadline that is absolute and total. Successful applicants will be

notified shortly after the Commission meeting planned for January 27, 2014. The designation of the grant will be made at an awards ceremony in late February 2014.

VII INSURANCE AND HOLD HARMLESS

The applicant must execute a hold harmless agreement (using the language set forth below) and submit a Certificate of Insurance for General Liability in an amount not less than \$500,000 Combined Personal Injury and Property Damage and add the County of Monmouth as an additional insured. Said certificate, *which shall not be a copy of your policy's declarations*, shall include Contractual Liability to insure this required hold harmless agreement.

The applicant shall execute on its own letterhead, signed by a representative authorized to make contracts on behalf of the applicant, a hold harmless agreement using the following sample text:

The (insert here either the name of your organization, or municipality if the applicant is a municipality) will defend, hold and save the County of Monmouth, its officers, agents and employees, and any appointed body or commission and its members harmless from any and all suits, claims and demands of any nature or kind, including costs and expenses for or on account thereof, for injury to persons or damage to property sustained by any person or persons resulting in whole or in part from the performance or omission of any employee, agent or representative or contractor or sub-contractor of the (municipality/organization).

VIII FINANCIAL SECURITY

The Commission may require proof of availability of matching funds and/or the successful applicant to open a separate bank account specifically designated for the project and to deposit their entire grant and matching funds in said account.

Municipal grantees are required to submit a resolution by its governing body authorizing the dedication of matching funds, which may be done after a grant is designated.

The Commission reserves the right to audit the grantees accounts relating to grant funds and payments to contractors. The Commission reserves the right to demand and receive the return of any funds not spent in accordance with the program's Rules and Regulations or other stipulations and, by submission of the application, the applicant agrees to this provision.

IX. REPORTS

Each grantee is required to submit Interim and Final Reports, one page documents to be accompanied by three photographs each that depict project progress, preferably taken from the same perspective as the pre-work images. The Interim Report is due the earlier of August 1 or when 50% of the work is completed. The Final Report, due at completion but no later than December 20, is to be evidence of completion and shall be accompanied by a cancelled check and receipt from the contractor acknowledging payment in full. Copies of the report forms are given to grantees following the Grant Awards meeting. The grantee is not permitted to reduce the scope of the granted project without the concurrence of the Commission.