

WORKSHOP SESSION

CITY COUNCIL

JANUARY 22, 2008

6:00 P.M.

1. REVIEW OF REGULAR AGENDA

ADMINISTRATIVE AGENDA

CITY COUNCIL

CITY OF LONG BRANCH

JANUARY 22, 2008

ROLL CALL:

DAVID G. BROWN, COUNCILMAN
ANTHONY GIORDANO, COUNCILMAN
BRIAN UNGER, COUNCILMAN
DR. MARY JANE CELLI, COUNCIL VICE-PRESIDENT
MICHAEL DESTEFANO, COUNCIL PRESIDENT

PLEDGE OF ALLEGIANCE

CERTIFICATION BY CLERK:

I HEREBY CERTIFY THAT THIS MEETING HAS BEEN PUBLISHED IN THE NEWSPAPER IN ACCORDANCE WITH THE OPEN PUBLIC MEETINGS ACT AND POSTED AS REQUIRED BY LAW.

*Irene A. Joline, RMC
City Clerk*

READING AND APPROVAL OF PREVIOUS MINUTES

JANUARY 8, 2008

CONSIDERATION OF ORDINANCES:

PUBLIC HEARING AND FINAL CONSIDERATION:

(INTRODUCED: 1-8-08)

#1-08 CALENDAR YEAR 2008 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)

#2-08 AN ORDINANCE DELETING SECTION 11(G) "REQUIRED IMPROVEMENTS" WITHIN CHAPTER 300 "SUBDIVISION OF LAND", ARTICLE V "MISCELLANEOUS PROVISIONS" OF THE CODE OF THE CITY OF LONG BRANCH, AND ADOPTING A NEW ARTICLE XI, WITHIN SECTION 300-23 ENTITLED "STORMWATER MANAGEMENT"

#3-08 BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF PROPERTY IN AND BY THE CITY OF LONG BRANCH, IN THE COUNTY OF MONMOUTH, NEW JERSEY, APPROPRIATING \$2,205,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,100,000 BONDS OR NOTES OF THE CITY TO FINANCE PART OF THE COST THEREOF.

ORDINANCES FOR INTRODUCTION:
(PUBLIC HEARING SCHEDULED FOR FEBRUARY 13, 2008)

#4-08 ORDINANCE AUTHORIZING THE CITY OF LONG BRANCH TO GRANT AN EASEMENT TO JERSEY CENTRAL POWER AND LIGHT COMPANY ("JCP&L"), FOR INSTALLATION AND LOCATION OF EQUIPMENT AS MAY BE NECESSARY ALONG THE CORNER OF OCEAN BOULEVARD AND CHELSEA AVENUE AS SHOWN ON THE MAP ENTITLED FINAL MAP PIER VILLAGE, BLOCKS 290, 292, BLOCK 224, LOTS 8-16, BLOCK 225, LOTS 2-14 AND BLOCK 298, LOTS 2.01, 3.01 AND 4.01, SITUATED IN THE CITY OF LONG BRANCH, MONMOUTH COUNTY, PREPARED BY LYNCH, GIULIANO, & ASSOCIATES, INC. FILED 11/7/07, FILE NO. L8MD5545

PUBLIC PARTICIPATION (ALL COMMENTS)

RESOLUTIONS

R27-08 RESOLUTION AUTHORIZING CANCELLATION OF RCA LIEN OF CHARLES M BROWN, SR. AND NOREEN O. BROWN

R28-08 RESOLUTION AUTHORIZING AUCTION OF ABANDONED VEHICLES

R29-08 RESOLUTION TO REFUND OVERPAYMENT OF TAXES DUE TO A MONMOUTH COUNTY TAX BOARD JUDGMENT (BLOCK 87 LOT 4.1009, BLOCK 43 LOT 6)

R30-08 RESOLUTION TO REFUND OVERPAYMENT OF 2007 INTEREST (BLOCK 73 LOT 6)

R31-08 RESOLUTION TO CANCEL OPEN TAXES DUE TO THE PROPERTY BEING OWNED BY THE CITY OF LONG BRANCH THROUGH A DECLARATION OF TAKING (BLOCK 283 LOT 11)

R32-08 RESOLUTION TO REFUND OVERPAYMENT OF 2008 TAXES DUE TO TAX EXEMPT STATUS NJSA 54: 4-3.06 (BLOCK 2 LOT 8.03)

R33-08 RESOLUTION TO REFUND 2007 TAXES DUE TO A PAYMENT MADE IN ERROR BY THE FORMER OWNER (BLOCK 229 LOT 37.206)

R34-08 RESOLUTION APPROVING \$15.00 REFUND FOR DOG LICENSE TO KELLI N CREDLE

R35-08 RESOLUTION AUTHORIZING CONTRACTS FOR MUSICAL PERFORMANCES FOR SUMMER ENTERTAINMENT 2008

R36-08 RESOLUTION TO AMENDING RESOLUTION R317-07 REQUESTING AUTHORIZATION TO SUBMIT AN APPLICATION TO THE NEW JERSEY URBAN ENTERPRISE ZONE FOR \$100,000 TO SUPPORT THE CITY OF LONG BRANCH OCEANFRONT AND BROADWAY REDEVELOPMENT PROJECT

R37-08 RESOLUTION AMENDING RESOLUTION R318-07 REQUESTING AUTHORIZATION TO SUBMIT AN APPLICATION TO THE NEW JERSEY URBAN ENTERPRISE ZONE FOR \$130,000 IN MATCHING FUNDS TO SUPPLEMENT SALARIES AND EQUIPMENT FOR FOUR UEZ POLICE OFFICERS

R38-08 RESOLUTION AUTHORIZING CONTRACTS WITH CERTAIN APPROVED STATE CONTRACT VENDORS

R39-08 RESOLUTION APPROVAL PAYMENT OF BILLS

R40-08 RESOLUTION APPROVING AMENDMENT TO THE AGREEMENT BETWEEN THE CITY OF LONG BRANCH AND MM-BEACHFRONT NORTH I, LLC, AND AUTHORIZATION TO THE MAYOR TO EXECUTE SAME **(AGREEMENT TO BE HANDED OUT TUESDAY EVENING)**

R41-08 RESOLUTION REDUCING REQUIRED PERFORMANCE GUARANTEES (BLOCK 229 LOT 57) OCEANVIEW VILLAS (KELLY)

R42-08 RESOLUTION RELEASING ESCROW DEPOSIT (BLOCK 183 LOT 22) FALIVENE

R43-08 RESOLUTION 2007 BUDGET APPROPRIATION RESERVE TRANSFERS

APPLICATIONS:

1. APPROVAL OF BINGO LICENSE FOR THE ITALIAN AMERICAN MEMORIAL ASSOCIATION, INC.
2. APPROVAL OF (3) RAFFLE LICENSES FOR PTO RUMSON, INC.
3. APPROVAL OF RAFFLE LICENSE FOR ST JAMES GRAMMAR SCHOOL

MISCELLANEOUS BUSINESS FOR THE GOOD OF THE ORDER

ADJOURNMENT:

1-08

**CALENDAR YEAR 2008
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION
LIMITS AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)**

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the City Council of the City of Long Branch in the County of Monmouth finds it advisable and necessary to increase its CY 2008 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the City Council hereby determines that a 3.5% increase in the budget for said year, amounting to \$331,504.60 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS the City Council of the City of Long Branch hereby determines that any amount authorized hereinabove, which is not appropriated as part of the final budget, shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the City Council of the City of Long Branch, in the County of Monmouth, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2008 budget year, the final appropriations of the City of Long Branch shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$1,160,266.09, and that the CY 2008 municipal budget for the City of Long Branch be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

**AN ORDINANCE DELETING SECTION 11(G) "REQUIRED IMPROVEMENTS"
WITHIN CHAPTER 300 "SUBDIVISION OF LAND", ARTICLE V "MISCELLANEOUS
PROVISIONS" OF THE CODE OF THE CITY OF LONG BRANCH, AND ADOPTING
A NEW ARTICLE XI, WITHIN SECTION 300-23 ENTITLED "STORMWATER
MANAGEMENT"**

§300-23: Scope and Purpose

A. Policy Statement

It is hereby determined that the waterways within the City of Long Branch are at times subjected to flooding, that such flooding is a danger to the lives and property of the public; that such flooding is also a danger to the natural resources of the City of Long Branch, the County and the State; that development tends to accentuate flooding by increasing storm water runoff, due to alteration of the hydrologic response of the watershed in changing from the undeveloped to the developed condition; that such increased flooding produced by the development of real property contributes increased quantities of waterborne pollutants, and tends to increase channel erosion; that such increased flooding, increased erosion, and increased pollution constitutes deterioration of the water resources of the City of Long Branch, the County and the State; and that such increased flooding, increased erosion and increased pollution can be controlled to some extent by the regulation of storm water runoff from such development.

It is therefore determined that it is in the public interest to regulate the development of real property and to establish standards to regulate the additional discharge of storm water runoff from such developments as provided in this Chapter. Flood control, groundwater recharge, and pollutant reduction through nonstructural or low impact techniques shall be explored before relying on structural Best Management Practices (BMP's). Structural BMPs should be integrated with nonstructural stormwater management strategies and proper maintenance plans. Nonstructural strategies include both environmentally sensitive site design and source controls that prevent pollutants from being placed on the site or from being exposed to stormwater. Source control plans should be developed based upon physical site conditions and the origin, nature, and the anticipated quantity or amount of potential pollutants. Multiple stormwater management BMPs may be necessary to achieve the established performance standards for water quality, quantity, and groundwater recharge.

B. Purpose

It is the purpose of this ordinance to establish minimum stormwater management requirements and controls for "major development," as defined in section §300-23.1.

C. Applicability

1. This ordinance shall be applicable to all site plans and subdivisions for the following major developments that require preliminary or final site plan or subdivision review:
 - a. Non-residential major developments; and
 - b. Aspects of residential major developments that are not preempted by the Residential Site Improvement Standards at N.J.A.C. 5:21.
2. This ordinance shall also be applicable to all major developments undertaken by the City of Long Branch.

D. Compatibility with Other Permit and Ordinance Requirements

Development approvals issued for subdivisions and site plans pursuant to this ordinance are to be considered an integral part of development approvals under the subdivision and site plan review process and do not relieve the applicant of the responsibility to secure required permits or approvals for activities regulated by any other applicable code, rule, act, or ordinance. In their interpretation and application, the provisions of this ordinance shall be held to be the minimum requirements for the promotion of the public health, safety, and general welfare. This ordinance is not intended to interfere with, abrogate, or annul any other ordinances, rule or regulation, statute, or other provision of law except that, where any provision of this ordinance imposes restrictions different from those imposed by any other ordinance, rule or regulation, or other provision of law, the more restrictive provisions or higher standards shall control.

§300-23.1: Definitions

Unless specifically defined below, words or phrases used in this ordinance shall be interpreted so as to give them the meaning they have in common usage and to give this ordinance its most reasonable application. The definitions below are the same as or based on the corresponding definitions in the Stormwater Management Rules at N.J.A.C. 7:81.2.

"CAFRA Planning Map" means the geographic depiction of the boundaries for Coastal Planning Areas, CAFRA Centers, CAFRA Cores and CAFRA Nodes pursuant to N.J.A.C. 7:7E-5B.3.

"CAFRA Centers, Cores or Nodes" means those areas within boundaries accepted by the Department pursuant to N.J.A.C. 7:8E-5B.

"Compaction" means the increase in soil bulk density.

"Core" means a pedestrian-oriented area of commercial and civic uses serving the surrounding municipality, generally including housing and access to public transportation.

"County review agency" means an agency designated by the Monmouth County Board of Chosen Freeholders to review municipal stormwater management plans and implementing ordinance(s). The county review agency may either be:

A county planning agency;

or a county water resource association created under N.J.S.A 58:16A-55.5, if the ordinance or resolution delegates authority to approve, conditionally approve, or disapprove municipal stormwater management plans and implementing ordinances.

"Department" means the New Jersey Department of Environmental Protection.

"Designated Center" means a State Development and Redevelopment Plan Center as designated by the State Planning Commission such as urban, regional, town, village, or hamlet.

"Design engineer" means a person professionally qualified and duly licensed in New Jersey to perform engineering services that may include, but not necessarily be limited to, development of project requirements, creation and development of project design and preparation of drawings and specifications.

"Development" means the division of a parcel of land into two or more parcels, the construction, reconstruction, conversion, structural alteration, relocation or enlargement of any building or structure, any mining excavation or landfill, and any use or change in the use of any building or other structure, or land or extension of use of land, by any person, for which permission is required under the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq. In the case of development of agricultural lands, development means: any activity that requires a State permit; any activity reviewed by the County Agricultural Board (CAB) and the State Agricultural Development Committee (SADC), and municipal review of any activity not exempted by the Right to Farm Act, N.J.S.A 4:1C-1 et seq.

"Drainage area" means a geographic area within which stormwater, sediments, or dissolved materials drain to a particular receiving waterbody or to a particular point along a receiving waterbody.

"Environmentally critical areas" means an area or feature which is of significant environmental value, including but not limited to: stream corridors; natural heritage priority sites; habitat of endangered or threatened species; large areas of contiguous open space or upland forest; steep slopes; and well head protection and groundwater recharge areas. Habitats of endangered or threatened species are identified using the Department's Landscape Project as approved by the Department's Endangered and Nongame Species Program.

"Empowerment Neighborhood" means a neighborhood designated by the Urban Coordinating Council "in consultation and conjunction with" the New Jersey Redevelopment Authority pursuant to N.J.S.A 55:19-69.

"Erosion" means the detachment and movement of soil or rock fragments by water, wind, ice or gravity.

"Impervious surface" means a surface that has been covered with a layer of material so that it is highly resistant to infiltration by water.

"Infiltration" is the process by which water seeps into the soil from precipitation.

"Major development" means any "development" that provides for ultimately disturbing one or more acres of land. Disturbance for the purpose of this rule is the placement of impervious surface or exposure and/or movement of soil or bedrock or clearing, cutting, or removing of vegetation.

"Municipality" means the City of Long Branch.

"Node" means an area designated by the State Planning Commission concentrating facilities and activities, which are not organized in a compact form.

"Nutrient" means a chemical element or compound, such as nitrogen or phosphorus, which is essential to and promotes the development of organisms.

"Person" means any individual, corporation, company, partnership, firm, association, the City of Long Branch, or political subdivision of this State subject to municipal jurisdiction pursuant to the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq.

"Pollutant" means any dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, refuse, oil, grease, sewage sludge, munitions, chemical wastes, biological materials, medical wastes, radioactive substance (except those regulated under the Atomic Energy Act of 1954, as amended (42 U.S.C. 2011 et seq.)), thermal waste, wrecked or discarded equipment, rock, sand, cellar dirt, industrial, municipal, agricultural, and construction waste or runoff, or other residue discharged directly or indirectly to the land, ground waters or surface waters of the State, or to a domestic treatment works. "Pollutant" includes both hazardous and nonhazardous pollutants.

"Recharge" means the amount of water from precipitation that infiltrates into the ground and is not evapotranspired

"Sediment" means solid material, mineral or organic, that is in suspension, is being transported, or has been moved from its site of origin by air, water or gravity as a product of erosion.

"Site" means the lot or lots upon which a major development is to occur or has occurred. "Soil" means all unconsolidated mineral and organic material of any origin.

"State Development and Redevelopment Plan Metropolitan Planning Area (PA1)" means an area delineated on the State Plan Policy Map and adopted by the State Planning Commission that is intended to be the focus for much of the state's future redevelopment and revitalization efforts.

"State Plan Policy Map" is defined as the geographic application of the State Development and Redevelopment Plan's goals and statewide policies, and the official map of these goals and policies.

"Stormwater" means water resulting from precipitation (including rain and snow) that runs off the land's surface, is transmitted to the subsurface, or is captured by separate storm sewers or other sewage or drainage facilities, or conveyed by snow removal equipment.

"Stormwater runoff" means water flow on the surface of the ground or in storm sewers, resulting from precipitation.

"Stormwater management basin" means an excavation or embankment and related areas designed to retain stormwater runoff. A stormwater management basin may either be normally dry (that is, a detention basin or infiltration basin), retain water in a permanent pool (a retention basin), or be planted mainly with wetland vegetation (most constructed stormwater wetlands).

"Stormwater management measure" means any structural or nonstructural strategy, practice, technology, process, program, or other method intended to control or reduce stormwater runoff

and associated pollutants, or to induce or control the infiltration or groundwater recharge of stormwater or to eliminate illicit or illegal non-stormwater discharges into stormwater conveyances.

"Tidal Flood Hazard Area" means a flood hazard area, which may be influenced by stormwater runoff from inland areas, but which is primarily caused by the Atlantic Ocean.

"Time of Concentration" is defined as the time it takes for runoff to travel from the hydraulically most distant point of the watershed to the point of interest within a watershed;

"Total suspended solids" The sum of dissolved and undissolved solids and particulate matter of a buoyancy and/or specific gravity that prohibits their settling in runoff;

"Urban Coordinating Council Empowerment Neighborhood" means a neighborhood given priority access to State resources through the New Jersey Redevelopment Authority.

"Urban Enterprise Zones" means a zone designated by the New Jersey Enterprise Zone Authority pursuant to the New Jersey Urban Enterprise Zones Act, N.J.S.A. 52:27H-60 et. seq.

"Urban Redevelopment Area" is defined as previously developed portions of areas:

(1) Delineated on the State Plan Policy Map (SPPM) as the Metropolitan Planning Area (PAL), Designated Centers, Cores or Nodes;

(2) Designated as CAFRA Centers, Cores or Nodes;

(3) Designated as Urban Enterprise Zones; and

(4) Designated as Urban Coordinating Council Empowerment Neighborhoods.

"Waters of the State" means the ocean and its estuaries, all springs, streams, wetlands, and bodies of surface or ground water, whether natural or artificial, within the boundaries of the State of New Jersey or subject to its jurisdiction.

"Wetlands" or "wetland" means an area that is inundated or saturated by surface water or ground water at a frequency and duration sufficient to support, and that under normal circumstances does support, a prevalence of vegetation typically adapted for life in saturated soil conditions, commonly known as hydrophytic vegetation.

§300-23.2: General Standards

A. Design and Performance Standards for Stormwater Management Measures

1. Stormwater management measures for major development shall be developed to meet the erosion control, groundwater recharge, stormwater runoff quantity, and stormwater runoff quality standards in §300-23.3. To the maximum extent practicable, these standards shall be met by incorporating nonstructural stormwater management strategies into the design. If these strategies alone are not sufficient to meet these standards, structural stormwater management measures necessary to meet these standards shall be incorporated into the design.
2. The standards in this ordinance apply only to new major development and are intended to minimize the impact of stormwater runoff on water quality and water quantity in receiving water bodies and maintain groundwater recharge. The standards do not apply to new major development to the extent that alternative design and

performance standards are applicable under a regional stormwater management plan or Water Quality Management Plan adopted in accordance with Department rules.

3. For site improvements regulated under the Residential Site Improvement Standards (RSIS) at N.J.A.C. 5:21, the RSIS shall apply in addition to this Section except to the extent the RSIS are superseded by this Section or alternative standards applicable under a regional stormwater management plan or Water Quality Management Plan adopted in accordance with the rules of the New Jersey Department of Environmental Protection.

§300-23.3: Stormwater Management Requirements for Major Development

- A. The development shall incorporate a maintenance plan for the stormwater management measures incorporated into the design of a major development in accordance with §300-23.
- B. Stormwater management measures shall avoid adverse impacts of concentrated flow on habitat for threatened and endangered species as documented in the Department' Landscape Project or Natural Heritage Database established under N.J.S.A. 13:1B15.147 through 15.150.
- C. The following linear development projects are exempt from the groundwater recharge, stormwater runoff quantity, and stormwater runoff quality requirements of §300-23.3 (F) and (G).
 1. The construction of an underground utility line provided that the disturbed areas are revegetated upon completion;
 2. The construction of an aboveground utility line provided that the existing conditions are maintained to the maximum extent practicable; and
 3. The construction of a public pedestrian access, such as a sidewalk or trail with a maximum width of 14 feet, provided that the access is made of permeable material.
- D. A waiver from strict compliance from the groundwater recharge, stormwater runoff quantity, and stormwater runoff quality requirements of §300-23.3 (F) and (G) may be obtained for the enlargement of an existing public roadway or railroad; or the construction or enlargement of a public pedestrian access, provided that the following conditions are met:
 1. The applicant demonstrates that there is a public need for the project that cannot be accomplished by any other means;
 2. The applicant demonstrates through an alternatives analysis, that through the use of nonstructural and structural stormwater management strategies and measures, the option selected complies with the requirements of §300-23.3 (F) and (G) to the maximum extent practicable;
 3. The applicant demonstrates that, in order to meet the requirements of §300-23.3 (F) and (G) existing structures currently in use, such as

homes and buildings, would need to be condemned; and

4. The applicant demonstrates that it does not own or have other rights to areas, including the potential to obtain through condemnation lands not falling under §300-23.3 (D3) above within the upstream drainage area of the receiving stream, that would provide additional opportunities to mitigate the requirements of §300-23.3 (F) and (G), that were not achievable on-site.

E. Nonstructural Stormwater Management Strategies

1. To the maximum extent practicable, the standards in §300-23.3 (F) and (G), shall be met by incorporating nonstructural stormwater management strategies set forth at §300-23.3 (E) into the design. The applicant shall identify the nonstructural measures incorporated into the design of the project. If the applicant contends that it is not feasible for engineering, environmental, or safety reasons to incorporate any nonstructural stormwater management measures identified in §300-23.3 (E) (2) below into the design of a particular project, the applicant shall identify the strategy considered and provide a basis for the contention.
2. Nonstructural stormwater management strategies incorporated into site design shall:
 - a. Protect areas that provide water quality benefits or areas particularly susceptible to erosion and sediment loss;
 - b. Minimize impervious surfaces and break up or disconnect the flow of runoff over impervious surfaces;
 - c. Maximize the protection of natural drainage features and vegetation;
 - d. Minimize the decrease in the "time of concentration" from pre-construction to post construction. "Time of concentration" is defined as the time it takes for runoff to travel from the hydraulically most distant point of the watershed to the point of interest within a watershed;
 - e. Minimize land disturbance including clearing and grading;
 - f. Minimize soil compaction;
 - g. Provide low-maintenance landscaping that encourages retention and planting of native vegetation and minimizes the use of lawns, fertilizers and pesticides;
 - h. Provide vegetated open-channel conveyance systems discharging into and through stable vegetated areas;
 - i. Provide other source controls to prevent or minimize the use or exposure of pollutants at the site, in order to prevent or minimize the release of those pollutants into

stormwater runoff. Such source controls include, but are not limited to:

- (1) Site design features that help to prevent accumulation of trash and debris in drainage systems, including features that satisfy §300-23.3 (E) (3) below;
- (2) Site design features that help to prevent discharge of trash and debris from drainage systems;
- (3) Site design features that help to prevent and/or contain spills or other harmful accumulations of pollutants at industrial or commercial developments; and
- (4) When establishing vegetation after land disturbance, applying fertilizer in accordance with the requirements established under the Soil Erosion and Sediment Control Act, N.J.S.A. 4:24-39 et seq., and implementing rules.

3. Site design features identified under §300-23.3 (E)(2)(i)(2) above shall comply with the following standard to control passage of solid and floatable materials through storm drain inlets. For purposes of this paragraph, "solid and floatable materials" means sediment, debris, trash, and other floating, suspended, or settleable solids. For exemptions to this standard see §300-23.3(E)(3)(c) below:

a. Design engineers shall use either of the following grates whenever they use a grate in pavement or another ground surface to collect stormwater from that surface into a storm drain or surface water body under that grate:

- (1) The New Jersey Department of Transportation (NJDOT) bicycle safe grate, which is described in Chapter 2.4 of the NJDOT Bicycle Compatible Roadways and Bikeways Planning and Design Guidelines (April 1996); or
- (2) A different grate, if each individual clear space in that grate has an area of no more than seven (7.0) square inches, or is no greater than 0.5 inches across the smallest dimension.

Examples of grates subject to this standard include grates in grate inlets, the grate portion (non-curb-opening portion) of combination inlets, grates on storm sewer manholes, ditch grates, trench grates, and grates of spacer bars in slotted drains. Examples of ground surfaces include surfaces of roads (including bridges), driveways, parking areas, bikeways, plazas, sidewalks, lawns, fields, open channels, and stormwater basin floors.

b. Whenever design engineers use a curb-opening inlet, the clear space in that curb opening (or each individual clear space, if the

curb opening has two or more clear spaces) shall have an area of no more than seven (7.0) square inches, or be no greater than two (2.0) inches across the smallest dimension.

- c. This standard shall not apply under the following conditions or situations:
- (1) Where the review agency determines that this standard would cause inadequate hydraulic performance that could not practicably be overcome by using additional or larger storm drain inlets that meet these standards;
 - (2) Where flows from the water quality design storm as specified in §300-23.3 (G)(1) are conveyed through any device (e.g., end of pipe netting facility, manufactured treatment device, or a catch basin hood) that is designed, at a minimum, to prevent delivery of all solid and floatable materials that could not pass through one of the following:
 - (a) A rectangular space four and five-eighths inches long and one and one-half inches wide (this option does not apply for outfall netting facilities); or
 - (b) A bar screen having a bar spacing of 0.5 inches.
 - (3) Where flows are conveyed through a trash rack that has parallel bars with one-inch (1") spacing between the bars, to the elevation of the water quality design storm as specified in §300-23.3 (G)(1); or
 - (4) Where the New Jersey Department of Environmental Protection determines, pursuant to the New Jersey Register of Historic Places Rules at N.J.A.C. 7:4-7.2(c), that action to meet this standard is an undertaking that constitutes an encroachment or will damage or destroy the New Jersey Register listed historic property.
4. Any land area used as a nonstructural stormwater management measure to meet the performance standards in §300-23.3 (F) and (G) shall be dedicated to a government agency, subjected to a conservation restriction filed with the Monmouth County Clerk's office, or subject to an approved equivalent restriction that ensures that measure or an equivalent stormwater management measure approved by the reviewing agency is maintained in perpetuity.
5. Guidance for nonstructural stormwater management strategies is available in the New Jersey Stormwater Best Management Practices Manual. The BMP Manual may be obtained from the address identified in §300-23.3, or found on the Department's website at www.njstormwater.org.

F. Erosion Control, Groundwater Recharge and Runoff Quantity Standards

1. This subsection contains minimum design and performance standards to control erosion, encourage and control infiltration and groundwater recharge, and control stormwater runoff quantity impacts of major development.
 - a. The minimum design and performance standards for erosion control are those established under the Soil Erosion and Sediment Control Act, N.J.S.A. 4:24-39 et seq. and implementing rules.
 - b. The minimum design and performance standards for groundwater recharge are as follows:
 - (1) The design engineer shall, using the assumptions and factors for stormwater runoff and groundwater recharge calculations at §300-23.3, either:
 - (a) Demonstrate through hydrologic and hydraulic analysis that the site and its stormwater management measures maintain 100 percent of the average annual pre-construction groundwater recharge volume for the site; or
 - (b) Demonstrate through hydrologic and hydraulic analysis that the increase of stormwater runoff volume from pre-construction to post-construction for the 2-year storm is infiltrated.
 - (2) This groundwater recharge requirement does not apply to projects within an "urban redevelopment area," or to projects subject to (3) below.
 - (3) The following types of stormwater shall not be recharged:
 - (a) Stormwater from areas of high pollutant loading. High pollutant loading areas are areas in industrial and commercial developments where solvents and/or petroleum products are loaded/unloaded, stored, or applied, areas where pesticides are loaded/unloaded or stored; areas where hazardous materials are expected to be present in greater than "reportable quantities" as defined by the United States Environmental Protection Agency (EPA) at 40 CFR 302.4; areas where recharge would be inconsistent with Department approved remedial action work plan or landfill closure plan and areas with high risks for spills of toxic materials, such as gas stations and vehicle maintenance facilities; and
 - (b) Industrial stormwater exposed to "source material." "Source material" means any material(s) or machinery, located at an industrial

facility that is directly or indirectly related to process, manufacturing or other industrial activities, which could be a source of pollutants in any industrial stormwater discharge to groundwater. Source materials include, but are not limited to, raw materials; intermediate products; final products; waste materials; by-products; industrial machinery and fuels, and lubricants, solvents, and detergents that are related to process, manufacturing, or other industrial activities that are exposed to stormwater.

- (4) The design engineer shall assess the hydraulic impact on the groundwater table and design the site so as to avoid adverse hydraulic impacts. Potential adverse hydraulic impacts include, but are not limited to, exacerbating a naturally or seasonally high water table so as to cause surficial ponding, flooding of basements, or interference with the proper operation of subsurface sewage disposal systems and other subsurface structures in the vicinity or downgradient of the groundwater recharge area.
- c. In order to control stormwater runoff quantity impacts, the design engineer shall, using the assumptions and factors for stormwater runoff calculations at §300-23.3, complete one of the following:
- (1) **No Increase in Volume Runoff**-Demonstrate through hydrologic and hydraulic analysis that for stormwater leaving the site, post-construction runoff hydrographs for the two, 10, and 100-year storm events do not exceed, at any point in time, the pre-construction runoff hydrographs for the same storm events;
 - (2) **No Increase in Runoff Rate**-Demonstrate through hydrologic and hydraulic analysis that there is no increase, as compared to the pre-construction condition, in the peak runoff rates of stormwater leaving the site for the two, 10, and 100-year storm events and that the increased volume or change in timing of stormwater runoff will not increase flood damage at or downstream of the site. This analysis shall include the analysis of impacts of existing land uses and projected land uses assuming full development under existing zoning and land use ordinances in the drainage area;
 - (3) **Reduction in Runoff Rate**-Design stormwater management measures so that the post-construction

peak runoff rates for the 2, 10 and 100 year storm events are 50, 75 and 80 percent, respectively, of the pre-construction peak runoff rates. The percentages apply only to the post-construction stormwater runoff that is attributable to the portion of the site on which the proposed development or project is to be constructed. The percentages shall not be applied to post-construction stormwater runoff into tidal flood hazard areas if the increased volume of stormwater runoff will not increase flood damages below the point of discharge; or

- (4) In tidal flood hazard areas, stormwater runoff quantity analysis in accordance with (1), (2) and (3) above shall only be applied if the increased volume of stormwater runoff could increase flood damages below the point of discharge.
2. Any application for a new agricultural development that meets the definition of major development at §300.23.1 shall be submitted to the Freehold Soil Conservation District for review and approval in accordance with the requirements of this section and any applicable Freehold Conservation District guidelines for stormwater runoff quantity and erosion control. For the purposes of this section, "agricultural development" means land uses normally associated with the production of food, fiber, or livestock for sale. Such uses do not include the development of land for the processing or sale of food and the manufacturing of agriculturally related products.

G. Stormwater Runoff Quality Standards

1. Stormwater management measures shall be designed to reduce the post-construction load of total suspended solids (TSS) in stormwater runoff by 80 percent of the anticipated load from the developed site, expressed as an annual average. Stormwater management measures shall only be required for water quality control if an additional 1/4-acre of impervious surface is being proposed on a development site. The requirement to reduce TSS does not apply to any stormwater runoff in a discharge regulated under a numeric effluent limitation for TSS imposed under the New Jersey Pollution Discharge Elimination System (NJPDES) rules, N.J.A.C. 7:14A, or in a discharge specifically exempt under a NJPDES permit from this requirement. The water quality design storm is 1.25 inches of rainfall in two hours. Water quality calculations shall take into account the distribution of rain from the water quality design storm, as reflected in Table 1. The calculation of the volume of runoff may take into account the implementation of non-structural and structural stormwater management measures.

0	0.0000	65	0.8917
5	0.0083	70	0.9917
10	0.0166	75	1.0500
15	0.0250	80	1.0840
20	0.0500	85	1.1170
25	0.0750	90	1.1500
30	0.1000	95	1.1750
35	0.1330	100	1.2000
40	0.1660	105	1.2250
45	0.2000	110	1.2334
50	0.2583	115	1.2417
55	0.3583	120	1.2500
60	0.6250		

2. For purposes of TSS reduction calculations, Table 2 below presents the presumed removal rates for certain BMPs designed in accordance with the New Jersey Stormwater Best Management Practices Manual. The BMP Manual may be obtained from the address identified in §300-23.6, or found on the Department's website at www.njstormwater.org. The BMP Manual and other sources of technical guidance are listed in §300-23.6. TSS reduction shall be calculated based on the removal rates for the BMPs in Table 2 below. Alternative removal rates and methods of calculating removal rates may be used if the design engineer provides documentation demonstrating the capability of these alternative rates and methods to the review agency. A copy of any approved alternative rate or method of calculating the removal rate shall be provided to the Department at the following address: Division of Watershed Management, New Jersey Department of Environmental Protection, PO Box 418 Trenton, New Jersey, 08625-0418.
3. If more than one BMP in series is necessary to achieve the required 80 percent TSS reduction for a site, the applicant shall utilize the following formula to calculate TSS reduction:

$$R = A + B - (AXB)/100$$

Where

R = total TSS percent load removal from application of both BMPs, and

A = the TSS percent removal rate applicable to the first BMP

B = the TSS percent removal rate applicable to the second BMP

BMP Type	TSS Removal Rate (%)
Bioretention Systems	90
Constructed Stormwater Wetland	90
Extended Detention Basin	40-60
Infiltration Structure	80
Manufactured Treatment Device	50-90
Sand Filter	80
Vegetative Filter Strip	60-80
Wet Pond	50-90

4. If there is more than one onsite drainage area, the 80 percent TSS removal rate shall apply to each drainage area, unless the runoff from the sub areas converge on site in which case the removal rate can be demonstrated through a calculation using a weighted average.
5. Stormwater management measures shall also be designed to reduce, to the maximum extent feasible, the post-construction nutrient load of the anticipated load from the developed site in stormwater runoff generated from the water quality design storm. In achieving reduction of nutrients to the maximum extent feasible, the design of the site shall include nonstructural strategies and structural measures that optimize nutrient removal while still achieving the performance standards in §300-23.3 (F) and (G).
6. In accordance with the definition of FW1 at N.J.A.C. 7:9B-1.4, stormwater management measures shall be designed to prevent any increase in stormwater runoff to waters classified as FW1.
7. Additional information and examples are contained in the New Jersey Stormwater Best Management Practices Manual, which may be obtained from the address identified in §300-23.6.
8. Special water resource protection areas shall be established along all waters designated Category One at N.J.A.C. 7:9B, and perennial or intermittent streams that drain into or upstream of the Category One waters as shown on the USGS Quadrangle Maps or in the County Soil Surveys, within the associated HUC14 drainage area. These areas have been established for the protection of water quality, aesthetic value, exceptional ecological significance, exceptional recreational

significance, exceptional water supply significance, and exceptional fisheries significance of those established Category One waters. These areas shall be designated and protected as follows:

- a. The applicant shall preserve and maintain a special water resource protection area in accordance with one of the following:
 - (1) A 300-foot special water resource protection area shall be provided on each side of the waterway, measured perpendicular to the waterway from the top of the bank outwards or from the centerline of the waterway where the bank is not defined, consisting of existing vegetation or vegetation allowed to follow natural succession is provided.
 - (2) Encroachment within the designated special water resource protection area under Subsection (1) above shall only be allowed where previous development or disturbance has occurred (for example, active agricultural use, parking area or maintained lawn area). The encroachment shall only be allowed where applicant demonstrates that the functional value and overall condition of the special water resource protection area will be maintained to the maximum extent practicable. In no case shall the remaining special water resource protection area be reduced to less than 150 feet as measured perpendicular to the top of bank of the waterway or centerline of the waterway where the bank is undefined. All encroachments proposed under this subparagraph shall be subject to review and approval by the Department.
- b. All stormwater shall be discharged outside of but may flow through the special water resource protection area and shall comply with the Standard for Off-Site Stability in the "Standards For Soil Erosion and Sediment Control in New Jersey," established under the Soil Erosion and Sediment Control Act , N.J.S.A. 4:24-39 et seq.
- c. If stormwater discharged outside of and flowing through the special water resource protection area cannot comply with the Standard For Off-Site Stability in the "Standards for Soil Erosion and Sediment Control in New Jersey," established under the Soil Erosion and Sediment Control Act , N.J.S.A. 4:24-39 et seq., then the stabilization measures in accordance with the requirements of the above standards may be placed within the special water resource protection area, provided that:
 - (1) Stabilization measures shall not be placed within 150 feet of the Category One waterway;
 - (2) Stormwater associated with discharges allowed by this section shall achieve a 95 percent TSS post-construction

removal rate;

- (3) Temperature shall be addressed to ensure no impact on the receiving waterway;
 - (4) The encroachment shall only be allowed where the applicant demonstrates that the functional value and overall condition of the special water resource protection area will be maintained to the maximum extent practicable;
 - (5) A conceptual project design meeting shall be held with the appropriate Department staff and Soil Conservation District staff to identify necessary stabilization measures; and
 - (6) All encroachments proposed under this section shall be subject to review and approval by the Department.
- d. A stream corridor protection plan may be developed by a regional stormwater management planning committee as an element of a regional stormwater management plan, or by a municipality through an adopted municipal stormwater management plan. If a stream corridor protection plan for a waterway subject to §300-23.3G(8) has been approved by the Department of Environmental Protection, then the provisions of the plan shall be the applicable special water resource protection area requirements for that waterway. A stream corridor protection plan for a waterway subject to G.8 shall maintain or enhance the current functional value and overall condition of the special water resource protection area as defined in §300-23.3 G.8.a.(1) above. In no case shall a stream corridor protection plan allow the reduction of the Special Water Resource Protection Area to less than 150 feet as measured perpendicular to the waterway subject to this subsection.
- e. Paragraph.8 above does not apply to the construction of one individual single family dwelling that is not part of a larger development on a lot receiving preliminary or final subdivision approval on or before February 2, 2004, provided that the construction begins on or before February 2, 2009.

§300-23.4: Calculation of Stormwater Runoff and Groundwater Recharge

- A. Stormwater runoff shall be calculated in accordance with the following:
1. The design engineer shall calculate runoff using one of the following methods:
 - a. The USDA Natural Resources Conservation Service (NRCS) methodology, including the NRCS Runoff Equation and Dimensionless Unit Hydrograph, as described in the NRCS National Engineering Handbook Section 4 — Hydrology and Technical Release 55 — Urban Hydrology for Small Watersheds;

or

- b. The Rational Method for peak flow and the Modified Rational Method for hydrograph computations.

2. For the purpose of calculating runoff coefficients and groundwater recharge, there is a presumption that the pre-construction condition of a site or portion thereof is a wooded land use with good hydrologic condition. The term "runoff coefficient" applies to both the NRCS methodology at §300-23.4 (A)(1)(a) and the Rational and Modified Rational Methods at Section §300-23.4(A)(1)(b). A runoff coefficient or a groundwater recharge land cover for an existing condition may be used on all or a portion of the site if the design engineer verifies that the hydrologic condition has existed on the site or portion of the site for at least five years without interruption prior to the time of application. If more than one land cover has existed on the site during the five years immediately prior to the time of application, the land cover with the lowest runoff potential shall be used for the computations. In addition, there is the presumption that the site is in good hydrologic condition (if the land use type is pasture, lawn, or park), with good cover (if the land use type is woods), or with good hydrologic condition and conservation treatment (if the land use type is cultivation).
3. In computing pre-construction stormwater runoff, the design engineer shall account for all significant land features and structures, such as ponds, wetlands, depressions, hedgerows, or culverts that may reduce pre-construction stormwater runoff rates and volumes.
4. In computing stormwater runoff from all design storms, the design engineer shall consider the relative stormwater runoff rates and/or volumes of pervious and impervious surfaces separately to accurately compute the rates and volume of stormwater runoff from the site. To calculate runoff from unconnected impervious cover, urban impervious area modifications as described in the NRCS Technical Release 55 — Urban Hydrology for Small Watersheds and other methods may be employed.
5. If the invert of the outlet structure of a stormwater management measure is below the flood hazard design flood elevation as defined at N.J.A.C. 7:13, the design engineer shall take into account the effects of tailwater in the design of structural stormwater management measures.

B. Groundwater recharge may be calculated in accordance with the following:

1. The New Jersey Geological Survey Report GSR-32 A Method for Evaluating Ground-Water Recharge Areas in New Jersey, incorporated herein by reference as amended and supplemented. Information regarding the methodology is available from the New Jersey Stormwater Best Management Practices Manual; at <http://www.state.nj.us/dep/njgs/>; or at

- C. Design of stormwater conduit systems shall utilize the Sandy Hook, 25-year rainfall.

§300-23.5: Standards for Structural Stormwater Management Measures

- A. Standards for structural stormwater management measures are as follows:
 - 1. Structural stormwater management measures shall be designed to take into account the existing site conditions, including, for example, environmentally critical areas, wetlands; flood-prone areas; slopes; depth to seasonal high water table; soil type, permeability and texture; drainage area and drainage patterns; and the presence of solution-prone carbonate rocks (limestone).
 - 2. Structural stormwater management measures shall be designed to minimize maintenance, facilitate maintenance and repairs, and ensure proper functioning. Trash racks shall be installed at the intake to the outlet structure as appropriate, and shall have parallel bars with one-inch (1") spacing between the bars to the elevation of the water quality design storm. For elevations higher than the water quality design storm, the parallel bars at the outlet structure shall be spaced no greater than one-third (1/3) the width of the diameter of the orifice or one-third (1/3) the width of the weir, with a minimum spacing between bars of one-inch and a maximum spacing between bars of six inches. In addition, the design of trash racks must comply with the requirements of §300-23.7 (B).
 - 3. Structural stormwater management measures shall be designed, constructed, and installed to be strong, durable, and corrosion resistant. Measures that are consistent with the relevant portions of the Residential Site Improvement Standards at N.J.A.C. 5:21-7.3, 7.4, and 7.5 shall be deemed to meet this requirement.
 - 4. At the intake to the outlet from the stormwater management basin, the orifice size shall be a minimum of two and one-half inches in diameter.
 - 5. Stormwater management basins shall be designed to meet the minimum safety standards for stormwater management basins at §300-23.7.
- B. Stormwater management measure guidelines are available in the New Jersey Stormwater Best Management Practices Manual. Other stormwater management measures may be utilized provided the design engineer demonstrates that the proposed measure and its design will accomplish the required water quantity, groundwater recharge and water quality design and performance standards established by §300-23.3 of this ordinance.
- C. Manufactured treatment devices may be used to meet the requirements of §300-

23.3 of this ordinance, provided the pollutant removal rates are verified by the New Jersey Corporation for advanced Technology and certified by the Department.

§300-23.6: Sources for Technical Guidance

- A. Technical guidance for stormwater management measures can be found in the documents listed at 1 and 2 below, which are available from Maps and Publications, New Jersey Department of Environmental Protection, 428 East State Street, P.O. Box 420, Trenton, New Jersey, 08625; telephone (609) 777-1038.
 - 1. Guidelines for stormwater management measures are contained in the New Jersey Stormwater Best Management Practices Manual, as amended. Information is provided on stormwater management measures such as: bioretention systems, constructed stormwater wetlands, dry wells, extended detention basins, infiltration structures, manufactured treatment devices, pervious paving, sand filters, vegetative filter strips, and wet ponds.
 - 2. The New Jersey Department of Environmental Protection Stormwater Management Facilities Maintenance Manual, as amended.
- B. Additional technical guidance for stormwater management measures can be obtained from the following:
 - 1. The "Standards for Soil Erosion and Sediment Control in New Jersey" promulgated by the State Soil Conservation Committee and incorporated into N.J.A.C. 2:90. Copies of these standards may be obtained by contacting the State Soil Conservation Committee or any of the Soil Conservation Districts listed in N.J.A.C. 2:90-1.3(a)4. The location, address, and telephone number of each Soil Conservation District may be obtained from the State Soil Conservation Committee, P.O. Box 330, Trenton, New Jersey 08625; (609) 292-5540;

§300-23.7: Safety Standards for Stormwater Management Basins

- A. This section sets forth requirements to protect public safety through the proper design and operation of stormwater management basins. This section applies to any new stormwater management basin.
- B. Requirements for Trash Racks, Overflow Grates and Escape Provisions
 - 1. A trash rack is a device designed to catch trash and debris and prevent the clogging of outlet structures. Trash racks shall be installed at the intake to the outlet from the stormwater management basin to ensure proper functioning of the basin outlets in accordance with the following:
 - a. The trash rack shall have parallel bars, with no greater than six inch spacing between the bars.
 - b. The trash rack shall be designed so as not to adversely affect the

hydraulic performance of the outlet pipe or structure.

- c. The average velocity of flow through a clean trash rack is not to exceed 2.5 feet per second under the full range of stage and discharge. Velocity is to be computed on the basis of the net area of opening through the rack.
 - d. The trash rack shall be constructed and installed to be rigid, durable, and corrosion resistant, and shall be designed to withstand a perpendicular live loading of 300 lbs/ft sq.
2. An overflow grate is designed to prevent obstruction of the overflow structure. If an outlet structure has an overflow grate, such grate shall meet the following requirements:
- a. The overflow grate shall be secured to the outlet structure but removable for emergencies and maintenance.
 - b. The overflow grate spacing shall be no less than two inches across the smallest dimension.
 - c. The overflow grate shall be constructed and installed to be rigid, durable, and corrosion resistant, and shall be designed to withstand a perpendicular live loading of 300 lbs./ft sq.
3. For purposes of this paragraph, escape provisions means the permanent installation of ladders, steps, rungs, or other features that provide easily accessible means of egress from stormwater management basins. Stormwater management basins shall include escape provisions as follows:
- a. If a stormwater management basin has an outlet structure, escape provisions shall be incorporated in or on the structure. With the prior approval of the reviewing agency identified in §300-23.6(C) a free-standing outlet structure may be exempted from this requirement.
 - b. Safety ledges shall be constructed on the slopes of all new stormwater management basins having a permanent pool of water deeper than two and one-half feet. Such safety ledges shall be comprised of two steps. Each step shall be four to six feet in width. One step shall be located approximately two and one-half feet below the permanent water surface, and the second step shall be located one to one and one-half feet above the permanent water surface. See §300-23.6 (D) for an illustration of safety ledges in a stormwater management basin.
 - c. In new stormwater management basins, the maximum interior slope for an earthen dam, embankment, or berm shall not be steeper than 3 horizontal to 1 vertical.

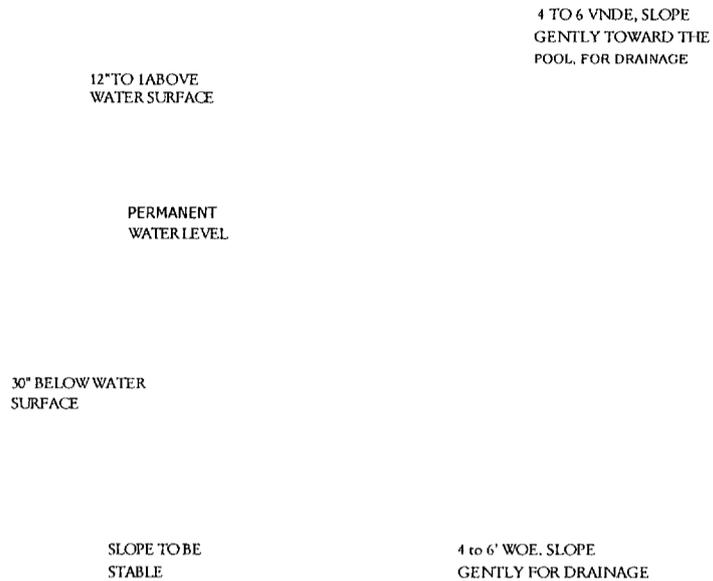
C. Variance or Exemption from Safety Standards

1. A variance or exemption from the safety standards for stormwater

management basins may be granted only upon a written finding by the appropriate reviewing agency (municipality, county or Department) that the variance or exemption will not constitute a threat to public safety.

D. Illustration of Safety Ledges in a New Stormwater Management Basin

Depicted is an elevational view.



NOTE: NOT DRAWN TO SCALE
NOTE: FOR BASINS WITH PERMANENT
POOL OF WATER ONLY

§300-23.8: Requirements for a Site Development Stormwater Plan

A. Submission of Site Development Stormwater Plan

1. Whenever an applicant seeks municipal approval of a development subject to this ordinance, the applicant shall submit all of the required components of the Checklist for the Site Development Stormwater Plan at §300-23.7 (C) as part of the submission of the applicant's application for subdivision or site plan approval.
2. The applicant shall demonstrate that the project meets the standards set forth in this ordinance.
3. The applicant shall submit fourteen (14) copies of the materials listed in the checklist for site development stormwater plans in accordance with §300-23.7 (C) of this ordinance.

B. Site Development Stormwater Plan Approval

The applicant's Site Development project shall be reviewed as a part of the subdivision or site plan review process by the municipal board or official from which municipal approval is sought. That municipal board or official shall consult the engineer retained by the Planning and/or Zoning Board (as appropriate) to determine if all of the checklist requirements have been satisfied and to determine if the project meets the standards set forth in this ordinance.

C. Checklist Requirements

The following information shall be required:

1. Topographic Base Map

The reviewing engineer may require upstream tributary drainage system information as necessary. It is recommended that the topographic base map of the site be submitted which extends a minimum of 200 feet beyond the limits of the proposed development, at a scale of 1"=200' or greater, showing 2-foot contour intervals. The map as appropriate may indicate the following: existing surface water drainage, shorelines, steep slopes, soils, erodible soils, perennial or intermittent streams, waterways that drain into or upstream of the Category One waters, wetlands and flood plains along with their appropriate buffer strips, marshlands and other wetlands, pervious or vegetative surfaces, existing man-made structures, roads, bearing and distances of property lines, and significant natural and manmade features not otherwise shown.

2. Environmental Site Analysis

A written and graphic description of the natural and man-made features of the site and its environs. This description should include a discussion of soil conditions, slopes, wetlands, waterways and vegetation on the site. Particular attention should be given to unique, unusual, or environmentally sensitive features and to those that provide particular opportunities or constraints for development.

3. Project Description and Site Plan(s)

A map (or maps) at the scale of the topographical base map indicating the location of areas of impervious surface including, but not limited to existing and proposed buildings, roads, parking areas, utilities, structural facilities for stormwater management and sediment control, and other permanent structures. The map(s) shall also clearly show areas where alterations occur in the natural terrain and cover, including lawns and other landscaping, and seasonal high ground water elevations. A written description of the site plan and justification of proposed changes in natural conditions shall also be provided.

4. Land Use Planning and Source Control Plan

This plan shall provide a demonstration of how the goals and standards of §300-23.2 through sections §300-23.5 are being met. The focus of this

plan shall be to describe how the site is being developed to meet the objective of controlling groundwater recharge, stormwater quality and stormwater quantity problems at the source by land management and source controls whenever possible.

5. Stormwater Management Facilities Map

The following information, illustrated on a map of the same scale as the topographic base map, shall be included:

- a. Total area to be paved or built upon, proposed surface contours, land area to be occupied by the stormwater management facilities and the type of vegetation thereon, and details of the proposed plan to control and dispose of stormwater.
- b. Details of all stormwater management facility designs, during and after construction, including discharge provisions, discharge capacity for each outlet at different levels of detention and emergency spillway provisions with maximum discharge capacity of each spillway.

6. Calculations

- a. Comprehensive hydrologic and hydraulic design calculations for the pre-development and post-development conditions for the design storms specified in §300-23.3.
- b. When the proposed stormwater management control measure (e.g., infiltration basins) depends on the hydrologic properties of soils, then a soils report shall be submitted. The soils report shall be based on onsite boring logs or soil pit profiles. The number and location of required soil borings or soil pits shall be determined based on what is needed to determine the suitability and distribution of soils present at the location of the control measure.

7. Maintenance and Repair Plan

The design and planning of the stormwater management facility shall meet the maintenance requirements of §300-23.9.

8. Waiver from Submission Requirements

The municipal official or board reviewing an application under this ordinance may, in consultation with the municipal engineer, waive submission of any of the requirements in §300-23.8 (C)(1) through (C)(6) of this ordinance when it can be demonstrated that the information requested is impossible to obtain or it would create a hardship on the applicant to obtain and its absence will not materially affect the review process.

9. Site Plan Checklist

Major development applications shall require the Applicant shall complete and submit a copy of the Site Conditions Checklist, which can

be found immediately following this Section.

In addition to the prescribed information in §300-23.8: Requirements for a Site Development Stormwater Plan, Part C- Checklist Requirements, the following elements should be considered and presented as appropriate and in combinations sufficient to adequately indicate the existing site conditions and that of the surrounding environs:			
Yes	No	Not A. licable	
			Perennial or intermittent streams as shown on the USGS 7.5 Minute Quadrangle Maps and as indicated in the Soil Survey of Monmouth County, New Jersey
			Special water resource protection areas along all waters designated Category One at N.J.A.C.7:9B and perennial/intermittent streams that drain into/upstream of the Category One waters as shown on the USGS Quad Maps Soil Survey
			Wetlands, NJDEP Linear Non-Tidal Wetlands, Marshlands and NJDEP Letter of Interpretation findings FEMA Q3 Flood Data 100 Year-Floodplains and Floodwa s
			Appropriate buffers to streams, rivers, wetlands, marshlands, ponds, lakes and other water bodies as specified in pertinent "ordinances, rules, regulations, statutes or other provisions of law imposed by local, County, State or Federal agencies"
			Existing and proposed bearing and distances of property lines
			Existing and proposed conservation, maintenance, construction, reconstruction, sight, utility, drainage and right-of way easements and dedications
			Pervious and vegetated surfaces, i.e. woodlands, grasslands and other significant natural features
			Native and invasive stands of vegetation
			Ve etated habitat for Threatened and Endan ered S.ecies
Long City-Site..			
In addition to the prescribed information in §300-23.8: Requirements for a Site Development Stormwater Plan, Part C- Checklist Requirements, the following elements should be considered and presented as appropriate and in combinations sufficient to adequately indicate the existing site conditions and that of the surrounding environs:			

			Steep slopes (10% or greater)
			Colloidal soils
			Highly erodible soils, with an erodibility factor (K) of .40 or greater
			Seasonal high water table
			Soils subject to dynamic compaction and compacted soil
			Soils
			Shrink swell potential
			Deeply fractured bedrock
			Hardpans and plough pans
			Existing buildings and significant permanent manmade features
			Roads by classification, parking areas and other impervious surfaces
			Bridges and culverts
			Utilities, sub-surface and above ground mining / quarry operations and blasting areas
			Acid or other hazardous runoff
			Areas of fill and buried debris
			Wellheads and associated ground water withdrawals
			Pipes, discharges and BMP's of existing stormwater utilities
			Groundwater mounding
			Septic stems and wells of adjacent lots
			Leaking sanitary lines
			Previous land use (agricultural, industrial, commercial)

§300-23.9: Maintenance and Repair

A. Applicability

1. Projects subject to review as in §300-23 (C) shall comply with the requirements of §300-23 (B) and (C).

B. General Maintenance

1. The design engineer shall prepare a maintenance plan for the stormwater management measures incorporated into the design of a major development.
2. The maintenance plan shall contain specific preventative maintenance tasks and schedules; cost estimates, including estimated cost of sediment, debris, or trash removal; and the name, address, and telephone number of the person or persons responsible for preventative and corrective maintenance (including replacement). Maintenance guidelines for stormwater management measures are available in the New Jersey Stormwater Best Management Practices Manual. If the maintenance plan identifies a person other than the developer (for example, a public

agency or homeowners' association) as having the responsibility for maintenance, the plan shall include documentation of such person's agreement to assume this responsibility, or of the developer's obligation to dedicate a stormwater management facility to such person under an applicable ordinance or regulation.

3. Responsibility for maintenance shall not be assigned or transferred to the municipality in a residential development or project. Responsibility for facilities located in commercial or development sites shall be the owner of the site. A named individual shall be responsible for the safety and maintenance of said facility. The posting of a two-year maintenance guarantee in accordance with N.J.S.A. 40:55D-53 shall be required for all facilities not dedicated to the municipality or other public agency.
4. If the person responsible for maintenance identified under §300-23.9 (B)(2) above is not a public agency, the maintenance plan and any future revisions based on §300-23.9 (B)(7) below shall be recorded upon the deed of record for each property on which the maintenance described in the maintenance plan must be undertaken.
5. Preventative and corrective maintenance shall be performed to maintain the function of the stormwater management measure, including repairs or replacement to the structure; removal of sediment, debris, or trash; restoration of eroded areas; snow and ice removal; fence repair or replacement; restoration of vegetation; and repair or replacement of nonvegetated linings.
6. The person responsible for maintenance identified under §300-23.9 (B)(2) above shall maintain a detailed log of all preventative and corrective maintenance for the structural stormwater management measures incorporated into the design of the development, including a record of all inspections and copies of all maintenance-related work orders.
7. The person responsible for maintenance identified under §300-23.9 (B)(2) above shall evaluate the effectiveness of the maintenance plan at least once per year and adjust the plan and the deed as needed, and submit such changes for approval by the City Engineer.
8. The person responsible for maintenance identified under §300-23.9 (B)(2) above shall retain and make available, upon request by any public entity with administrative, health, environmental, or safety authority over the site, the maintenance plan and the documentation required by §300-23.9 (B)(6) and §300-23.9 (B)(7) within 10 days of such a request.
9. The requirements of §300-23.9 (B)(3) and (B)(4) do not apply to stormwater management facilities that are dedicated to and accepted by the municipality or another governmental agency.
10. In the event that the stormwater management facility becomes a danger to

public safety or public health, or if it is in need of maintenance or repair, the municipality shall so notify the responsible person in writing. Upon receipt of that notice, the responsible person shall have fourteen (14) days to effect maintenance and repair of the facility in a manner that is approved by the municipal engineer or his designee. The municipality, in its discretion, may extend the time allowed for effecting maintenance and repair for good cause. If the responsible person fails or refuses to perform such maintenance and repair, the municipality or County may immediately proceed to do so and shall bill the cost thereof to the responsible person.

- C. Nothing in this section shall preclude the municipality in which the major development is located from requiring the posting of a performance or maintenance guarantee in accordance with N.J.S.A. 40:55D-53.

§300-23.10: Penalties

Any person who erects, constructs, alters, repairs, converts, maintains, or uses any building, structure, or land in violation of this article shall be subject to the following penalties:

Failure to comply with any provisions of this Section shall be considered a violation of the Coded Ordinances of Long Branch City and shall be punishable by a fine of one thousand dollars (\$1,000.00) or ninety (90) days in jail, or both. Each day of such violations continuance shall be considered as a separate offense and shall be separately punishable. These penalties shall not be in the exclusive remedy available, and nothing in this ordinance shall prevent an applicant from obtaining injunctive relief

§300-23.11: Effective Date

- A. This ordinance shall take effect immediately upon the approval by the county review agency, or sixty (60) days from the receipt of the ordinance by the county review agency if the county review agency should fail to act.

§300-23.12: Severability

- A. If the provisions of any section, subsection, paragraph, subdivision, or clause of this ordinance shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision, or clause of this ordinance.

300-23.13: Fees

- A. All subdivision and site plan review fees associated with this ordinance shall be provided by the applicant as adopted by the City of Long Branch within section §69-29(Fees) of this Code.

#3-08

BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF PROPERTY IN AND BY THE CITY OF LONG BRANCH, IN THE COUNTY OF MONMOUTH, NEW JERSEY, APPROPRIATING \$2,205,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,100,000 BONDS OR NOTES OF THE CITY TO FINANCE PART OF THE COST THEREOF.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LONG BRANCH, IN THE COUNTY OF MONMOUTH, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The improvement described in Section 3 of this bond ordinance is hereby authorized to be undertaken by the City of Long Branch, New Jersey as a general improvement. For the improvement or purpose described in Section 3, there is hereby appropriated the sum of \$2,205,000, including the sum of \$105,000 as the down payment required by the Local Bond Law. The down payment is now available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$2,100,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is to acquire property located in the City described as Block 285, Lots 3, 4, 5 and 6 as shown on the tax map of the City and known as the J&M Keelan Transportation property.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8.1. The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The capital budget of the City of Long Branch is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3 of this bond ordinance is not a current expense. It is an improvement or purpose that the City may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this ordinance, is 40 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate 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. Such statement shows that the gross debt of the City as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$2,100,000 and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$105,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

Section 7. The full faith and credit of the City are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the City, and the City shall be obligated to levy ad valorem taxes upon all the taxable real property within the City for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 8. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Long Branch, New Jersey
ORDINANCE NO. 4-08

AN ORDINANCE AUTHORIZING THE CITY OF LONG BRANCH TO GRANT AN EASEMENT TO JERSEY CENTRAL POWER AND LIGHT COMPANY ("JCP&L"), FOR INSTALLATION AND LOCATION OF EQUIPMENT AS MAY BE NECESSARY ALONG THE CORNER OF OCEAN BOULEVARD AND CHELSEA AVENUE AS SHOWN ON THE MAP ENTITLED FINAL MAP PIER VILLAGE, BLOCKS 290, 292, BLOCK 224, LOTS 8-16, BLOCK 225, LOTS 2-14 AND BLOCK 298, LOTS 2.01, 3.01 AND 4.01, SITUATE IN THE CITY OF LONG BRANCH, MONMOUTH COUNTY, PREPARED BY LYNCH, GIULIANO & ASSOCIATES, INC. FILED 11/7/07, FILE NO. L8MD5545.

WHEREAS, it is necessary for Jersey Central Power and Light Company ("JCP&L") to install a Padmount Transformer at the corner of Ocean Boulevard and Chelsea Avenue within the City's right-of-way area; and

WHEREAS, in order to permit the transformer to be installed at the desired location, it will be necessary for the City of Long Branch to grant an Easement to JCP&L relating to the area in question; and

WHEREAS, the terms and conditions governing the use of this area by JCP&L are set forth in an Easement Agreement, a copy of which is attached hereto and made a part hereof; and

WHEREAS, a municipality may convey any interest in real property as may be necessary, in furtherance of the best interests of the City, through the adoption of an Ordinance under the New Jersey Local Lands and Buildings Law, N.J.S.A. 40A:12-1, et seq.; and

WHEREAS, the City believes that providing JCP&L with the rights that are included in the attached Easement Agreement is in the best interests of the health, safety and welfare of the public.

NOW, THEREFORE, BE AND IT IS HEREBY ORDAINED, by the Mayor and City Council of the City of Long Branch, in the County of Monmouth and State of New Jersey, as follows:

1. That the Mayor is authorized to execute and the Municipal Clerk to attest the attached Easement Agreement, or one which is substantially similar thereto and which meets

with the satisfaction of the City Attorney, which authorizes the conveyance of an Easement from the City to JCP&L for the area covered by the Agreement.

3. That this Ordinance shall take effect immediately upon final passage and publication in accordance with the law.

4. That the provisions of this Ordinance shall be severable. In the event that any portion of this Ordinance is found to be invalid for any reason by any Court of competent jurisdiction, such judgment shall be limited in its effect only to the portion of the Ordinance actually adjudged invalid and shall not be deemed to affect the operation of any other portion thereof, which shall remain in full force and effect.

5. That all other Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistencies.

I, Irene Joline, City Clerk of the City of Long Branch, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of ORDINANCE which was finally adopted by the City Council at a meeting held on the ____ day of _____, 2008.

CERTIFIED BY ME THIS ____ DAY OF _____, 2008.

IRENE JOLINE, City Clerk

Easement

The undersigned, CITY OF LONG BRANCH whose address is 344 Broadway Long Branch, NJ 07740 (the "Grantor"), is the owner of certain lands located in the City of Long Branch, County of Monmouth State of NJ, known and designated as Block, 225.03 Lot 2.04, and recorded in The Office of The Clerk of Monmouth County, on 10/24/2007, in Deed Book N/A, page N/A, referred to as the property.

Grantor, hereby grants and conveys to Grantee Jersey Central Power & Light Company, a FirstEnergy Company and Verizon of New Jersey Inc., both New Jersey Corporations, (the "Grantee") for valuable consideration, the receipt of which is hereby acknowledged, and intending to be legally bound, has requested a permanent easement and uninterrupted right, from time to time, to construct, reconstruct, operate, inspect, renew, replace, improve, maintain, redesign, alter, relocate, extend and remove overhead, underground and ground level facilities described below (the "Facilities") as may be deemed necessary or convenient by Grantee for electric, CATV and communication purposes for the use and benefit of the Land and/or adjacent lands on, over, under and across along and beyond the property, the course of said facilities to run as follows:

Located Along the corner of OCEAN BLVD and CHELSEA AVE thence entering lands of grantor traveling a distance of ' ± 75 to new Padmount Transformer 219100-A53493, then traveling a distance of ' ± 400' to new Padmount Transformer 219105-a53455. As shown on map entitled Final Map PIER VILLAGE, BLOCKS 290, 292, BLOCK224,LOTS 8-16, BLOCK 225 IOTS 2-14, AND BLOCK 298, LOTS 2.01, 3.01, & 4.01, situated in the City of Long Branch, Monmouth County, prepared by Lynch, Giuliano & Associates, Inc., filed 11/07/07, file no. L8MD545.

The Facilities may include, without limitation, poles (with or without crossarms), guy wires, guy stubs, anchors, street lights and standards, transformers, transformer pads, switching compartments, conduits, conductors, ducts, wires, cables, fibers, pedestals, terminal boxes, manholes, hand-holes and other related equipment and apparatus from time to time deemed necessary or convenient by Grantee to accomplish the above purpose.

Grantor further grants and conveys to Grantee the right, from time to time, to trim, cut and/or remove such trees, tree branches, shrubs, roots, vegetation, structures and/or other objects or obstructions which in the sole judgment of the Grantee interfere with the installation of, or in the safe, proper or convenient use, maintenance, operation of, or access to, the Facilities including, without limitation, the removal of such trees, and/or tree branches which overhang or endanger any of the Facilities. Further, Grantee shall have the right to make such excavations to accomplish the above purposes and to enter upon the land without notice for all the purposes hereof.

Grantor covenants not to construct, place, maintain or use structures of any kind, or plant shrubs or trees within eight feet of either side of the center line of the underground Facilities, if any, as installed, raise or lower the ground elevation of the land above or beneath the Facilities; grow beneath overhead Facilities any vegetation or trees, except farm crops or other compatible species identified by Grantee; or obstruct access to, remove structural support from, divert or impound water to or on, or otherwise interfere with, the Facilities.

It is understood and agreed by all parties that the equipment installed by Customer remains the property of Customer. All maintenance associated with such equipment is the responsibility of Customer.

The rights and obligations hereunder shall be binding upon and inure to the benefit of the Grantor and Grantee and their heirs, executors, administrators, successors and assigns, Licensees and Lessees, as the case may be.

Witness/Attest

Clerk - Irene Joline

Mayor - Adam Schneider

STATE OF NEW JERSEY, COUNTY OF _____

I certify that on _____, _____, personally appeared before me and acknowledged to my satisfaction that he:

- (a) He is the MAYOR OF Long Branch, the municipality named in the attached instrument;
- (b) He executed the instrument;
- (c) He was authorized to execute the instrument on behalf of the Municipality; and
- (d) He executed the instrument as the act of the corporation.

Notary Public of New Jersey

My commission expires _____, _____

County: Monmouth

Dated: _____, _____, W/R# 12159901

**RECORD AND RETURN TO:
JERSEY CENTRAL POWER AND LIGHT COMPANY
Regional Engineering
One River Centre
331 Newman Springs Road
Building 3
Red Bank, N.J. 07701**

R# 27-08

**RESOLUTION AUTHORIZING CANCELLATION OF RCA LIEN OF
CHARLES M. BROWN, SR. AND NOREEN O. BROWN**

WHEREAS, the City of Long Branch entered into a RCA Lien with Charles M. Brown, Sr., and Noreen O. Brown, 198 Liberty Street, Long Branch, New Jersey, in the sum of \$21,725.00 on October 21, 1998 ; and

WHEREAS, said mortgage was recorded on December 7, 1998, 2007 in Mortgage Book MB-6637 and Page 106; and

WHEREAS, pursuant to correspondence received from Tonya Medina of the Office of Community & Economic Development on December 21, 2007 that the homeowners have met the terms and conditions of the RCA Lien listed above and therefore are entitled to a Discharge of the Lien.

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 hereby is authorized to execute a Discharge of Lien in the amount of \$21,725.00 previously loaned to Charles M. Brown , Sr., and Noreen O. Brown, 198 Liberty Street, Long Branch, New Jersey in the sum of \$21,725.00 and recorded on December 7, 1998.

BE IT FURTHER RESOLVED that the Clerk of the City of Long Branch be and the same hereby is authorized to forward said cancelled mortgage to the Monmouth County Clerk's office for cancellation.

MOVED:
SECONDED:

AND ADOPTED UPON THE FOLLOWING ROLE CALL:

AYES:
NAYES:
ABSENT:
ABSTAIN:

Discharge of Mortgage

A certain Mortgage dated **December 14, 1998 Mortgage Modification**, was made by
Charles M. Brown, Sr. and Noreen O. Brown **198 Liberty Street, Long Branch, New Jersey 07740**

to
City of Long Branch

This Mortgage was made to secure payment of \$ **22,385.00** and interest. It was recorded or registered in the office of the county recording officer of **Monmouth** County, State of New Jersey, on **May 27, 1999**, in Mortgage Book **6804** on Page **684**.

1. This Mortgage has been PAID IN FULL or otherwise SATISFIED and DISCHARGED. It may now be discharged of record. This means that this Mortgage is now canceled and void.
2. I sign and CERTIFY to this Discharge of Mortgage on

Witnessed or Attested by: _____ (Seal)
Howard Woolley, Administrator

Irene Joline, City Clerk _____ (Seal)
Adam Schneider, Mayor

STATE OF NEW JERSEY, COUNTY OF **MONMOUTH** SS:
I CERTIFY that on

Adam Schneider
personally came before me and stated to my satisfaction that this person (or if more than one, each person):
(a) was the maker of the attached instrument;
(b) executed this instrument as his or her own act.

Print name and title below signature

STATE OF NEW JERSEY, COUNTY OF **MONMOUTH** SS:
I CERTIFY that on

Howard Woolley
personally came before me and stated to my satisfaction that this person (or if more than one, each person):
(a) was the maker of the attached instrument;
(b) was authorized to and did execute this instrument as **Administrator**

of **City of Long Branch** the entity named in this instrument; and,
(c) executed this instrument as the act of the entity named in this instrument.

RECORD AND RETURN TO:
James G. Aaron, Esq.
Ansell, Zaro, Grimm & Aaron
1500 Lawrence Avenue CN 7807
Ocean, New Jersey 07712

Print name and title below signature

Discharge of Mortgage

A certain Mortgage dated **October 21, 1998**
Charles M. Brown, Sr. and Noreen O. Brown

, was made by
198 Liberty Street, Long Branch, New Jersey 07740

to
City of Long Branch

This Mortgage was made to secure payment of \$ **21,725.00** and interest. It was recorded or registered in the office of the county recording officer of **Monmouth** County, State of New Jersey, on **December 7, 1998**, in Mortgage Book **6637** on Page **106**.

1. This Mortgage has been PAID IN FULL or otherwise SATISFIED and DISCHARGED. It may now be discharged of record. This means that this Mortgage is now canceled and void.
2. I sign and CERTIFY to this Discharge of Mortgage on

Witnessed or Attested by:

Howard Woolley, Administrator (Seal)

Irene Joline, City Clerk

Adam Schneider, Mayor (Seal)

STATE OF NEW JERSEY, COUNTY OF MONMOUTH

SS:

I CERTIFY that on

Adam Schneider

personally came before me and stated to my satisfaction that this person (or if more than one, each person):

- (a) was the maker of the attached instrument;
- (b) executed this instrument as his or her own act.

Print name and title below signature

STATE OF NEW JERSEY, COUNTY OF MONMOUTH

SS:

I CERTIFY that on

Howard Woolley

personally came before me and stated to my satisfaction that this person (or if more than one, each person):

- (a) was the maker of the attached instrument;
- (b) was authorized to and did execute this instrument as **Administrator**

of **City of Long Branch**

the entity named in this instrument; and,

- (c) executed this instrument as the act of the entity named in this instrument.

RECORD AND RETURN TO:

James G. Aaron, Esq.

Ansell, Zaro, Grimm & Aaron

1500 Lawrence Avenue CN 7807

Ocean, New Jersey 07712

Print name and title below signature

(For Recorder's Use Only)

R# 28-08

RESOLUTION AUTHORIZING 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 the 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 published in the state and circulating in the municipality 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.

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 1, 2008** at Long Branch City Hall, 344 Broadway, 2nd Floor, Long Branch, NJ.

BE IT FURTHER RESOLVED, that the prospective bidders be advised that the vehicles to be auctioned can be viewed at the prospective locations listed on the attached sheet between the hours of 9 a.m. and 4 p.m., Monday through Friday prior to auction date.

MOVED:
SECONDED:

AYES:
NAYS:
ABSENT:
ABSTAIN:



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

To: Kathy Schmelz

From: Ptl. Thomas Hueston #294

Ref: Abandon Vehicle Auction

Date: January 4, 2008

Kathy

Below is a list of abandon vehicles, which are ready to be auctioned.

Damiano's - 225 West St.

- 1) 2002 Ford focus Vin# 3FAFP31322R169106
- 2) 1994 Toyota Cor. Vin# 2T1AE09B7RC086680
- 3) 1995 Ford E250 Van Vin # 1FTHE24Y8SHC17185

Respectfully Submitted

P. T. Hueston #294
Ptl. T. Hueston #294
Traffic Safety Unit

R# 29-08

**RESOLUTION TO REFUND OVERPAYMENT
OF TAXES DUE TO A
MONMOUTH COUNTY TAX BOARD
JUDGMENT**

WHEREAS, the City of Long Branch has received from the Monmouth County Tax Board judgments reducing the assessments on certain properties for the years indicated and,

WHEREAS, the taxes on these certain properties for the years indicated are overpaid and,

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

NOW THEREFORE BE IT RESOLVED, that the Finance Department is hereby authorized to issue individual check(s) to the taxpayer(s) shown below and charge 2007 taxes in the total amount of \$678.44.

BLOCK	LOT	OWNER	YEAR	AMOUNT
87	4.1009	Shein, Rona 717 Ocean Avenue Unit 1009 Long Branch, NJ 07740	2007	219.45
43	6	Klappholz, Susan 9 Kimberly Dr. Wayside, NJ 07712	2007	458.99

R# 30-08

**RESOLUTION TO REFUND
OVERPAYMENT OF
2007 INTEREST**

BE IT RESOLVED, by the City Council of the City of Long Branch, that upon the recommendation of the Tax Collector, a refund be made to the taxpayer(s) shown below due to an overpayment of 2007 interest and,

NOW THEREFORE BE IT RESOLVED, that the Finance Office is hereby authorized to issue a check to the taxpayer(s) shown below and charge 2007 interest in the amount of \$14.02 and,

BLOCK	LOT	NAME	AMOUNT
73	6	MOCO Investments, LLC	14.02
320 Oakley Ave.		PO Box 2066	
		Ocean, NJ 07712	

R# 31-08

**RESOLUTION TO CANCEL
OPEN TAXES DUE TO THE
PROPERTY BEING OWNED
BY THE CITY OF LONG BRANCH
THROUGH A DECLARATION OF TAKING**

BE IT RESOLVED, by the City Council of Long Branch that upon the recommendation of the Tax Collector, the 2007 taxes shown below are to be cancelled due to the property being owned by the City of Long Branch and,

NOW THEREFORE BE IT RESOLVED, that the Tax Collector is hereby authorized to cancel the taxes shown below for the tax year 2007 in the total of \$1,145.63.

BLOCK	LOT	OWNER	AMOUNT
283 152-154 Broadway	11	City of Long Branch	1,145.63

R# 32-08

RESOLUTION TO REFUND
OVERPAYMENT OF 2008 TAXES
DUE TO TAX EXEMPT STATUS
NJSA 54:4-3.06

BE IT RESOLVED, by the City Council of the City of Long Branch that upon the recommendation of the Tax Assessor, the taxes paid on the property shown below, due to tax exempt status under NJSA 54:4-3.06, et seq., for the tax year 2008 be refunded and,

NOW THEREFORE BE IT RESOLVED, that the Finance Office is hereby authorized to issue individual check(s) to the taxpayers(s) shown below and charge 2008 taxes in the total amount of \$15.73.

BLOCK	LOT	OWNER	AMOUNT
2 1284 Ocean Avenue	8.03	OHEL YAACOB CONGREGATION 4 Ocean Avenue Deal, NJ 07723	15.73

R# 33-08

**RESOLUTION TO REFUND
2007 TAXES DUE TO A
PAYMENT MADE IN ERROR
BY THE FORMER OWNER**

BE IT RESOLVED, by the City Council of the City of Long Branch, that upon the recommendation of the Tax Collector, a refund be made to the former owner of 206 Villa Drive shown below due to a payment error on the fourth quarter of 2007 taxes and,

NOW THEREFORE BE IT RESOLVED, that the Finance Office is hereby authorized to issue an individual check to the former taxpayer shown below in the total amount of \$1,481.70 and charge 2007 taxes.

BLOCK	LOT	FORMER OWNER	AMOUNT
229 206 Villa DR.	37.206	Oceanview-KB, LLC 14 Bridgewaters Dr. Suite D Oceanport, NJ 07757	1,481.70

R# 34-08

**RESOLUTION APPROVING \$15.00 REFUND FOR DOG LICENSE TO
KELLI N CREDLE**

BE IT RESOLVED, by the City Council of the City of Long Branch that they hereby approve the refund for a dog license to Kelli N. Credle, 537 Long Branch Avenue, in the amount of \$15.00.

BE IT FURTHER RESOLVED, that the Finance Department is hereby directed to make said refund.

MOVED:
SECONDED:

AYES:
NAYS:
ABSENT:
ABSTAIN:

**RESOLUTION AUTHORIZING CONTRACTS
FOR MUSICAL PERFORMANCES FOR SUMMER ENTERTAINMENT 2008**

WHEREAS, the City of Long Branch wishes to procure the services of various bands to provide musical performances, for West End Car Show I, Thursday's By the Sea Concerts, Pier Village Concerts and Uptown Tuesday Night Concerts for dates throughout the summer of 2008; and

WHEREAS, in accordance with NJSA 40A:11-5(1)(a)(i), the City may award a contract for professional services, including services of a creative and artistic nature, without publicly advertising for bids; and

WHEREAS, the City's Office of Community Development staff has negotiated with various bands to provide entertainment, for the Summer Concert events and it is the recommendation of the Community Development Staff that it is in the City's best interest to enter into contracts as detailed below; and

WHEREAS, all contractors awarded professional service contracts are required to comply with City Ordinance # 18-05, and execution of the contract documents, annexed hereto, will serve as acknowledgement by Thomas Cianflone (High Street Band), Brother's Management Assoc., Inc. (Fabulous Grease Band & Rag Dolls), Tim McLoone (Tim McLoone & the Shirley's) & Patrick Joyce (The Cherubs) 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, the Chief Financial Officer of the City of Long Branch has certified, in accordance with the Certification of Funds form attached hereto, that funds are available for this contract in the following appropriation # 8-01-012-801 for a sum not to exceed \$11,300.00.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Long Branch that they hereby authorize the following contracts:

WEST END CAR SHOW I

Patrick Joyce for a musical performance by "The Cherubs" on July 12, 2008 for an amount not to exceed \$1,800.00

THURSDAY'S BY THE SEA CONCERT

Tim McLoone for a musical performance by Tim McLoone & the Shirley's on June 12, 2008 for an amount not to exceed \$2,200.00

Brother's Management Assoc., Inc. for a musical performance by the Fabulous Greaseband on July 31, 2008 for an amount not to exceed \$3,500.00

PIER VILLAGE CONCERT

Thomas Cianflone for a musical performance by the High Steet Band on June 19, 2008 for an amount not to exceed \$800.00

UPTOWN TUESDAY NIGHT CONCERT

Brother's Management Assoc., Inc. for a musical performance by the Rag Dolls on July 1, 2008 for an amount not to exceed \$3,000.00

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

BE IT FURTHER RESOLVED that the Finance Director is hereby authorized to take the necessary action to provide payment to the artists/agents on the night of the performance in accordance with the terms of the contracts.

MOVED:

SECONDED:

AYES:

NAYS:

ABSENT:

ABSTAIN:

**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:

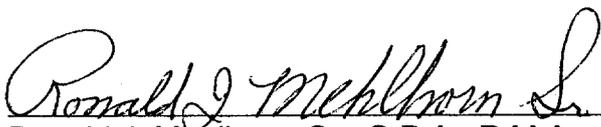
**CONTRACTS FOR MUSICAL ENTERTAINMENT
FOR VARIOUS SUMMER ENTERTAINMENT EVENTS**

Said contract being made as follows:

BROTHERS MANAGEMENT ASSOC., INC./ FABULOUS GREASEBAND	\$3,500
BROTHERS MANAGEMENT ASSOC., INC./ RAG DOLL	\$3,000
TIM McLOONE/TIM McLOONE & THE SHIRLEYS	\$2,200
PAT JOYCE/THE CHERUBS	\$1,800

Said funds being available in the form of:

2008 BUDGET ADMINISTRATOR'S OFFICE SPECIAL EVENTS APPRO. #8-01-012-801	\$11,300
---	-----------------


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

1/18/18
Date

R# 316-08

**RESOLUTION TO AMEND RESOLUTION R317-07 REQUESTING
AUTHORIZATION TO SUBMIT AN APPLICATION TO THE NEW JERSEY
URBAN ENTERPRISE ZONE FOR \$100,000 TO SUPPORT THE CITY OF
LONG BRANCH OCEANFRONT AND BROADWAY REDEVELOPMENT
PROJECT**

WHEREAS, as a result of the City of Long Branch's designation as the Urban Enterprise Zone, qualified businesses are eligible to collect sales tax at the reduced rate of 3.5% as opposed to the full rate of 7%; and

WHEREAS, the monies collected at this reduced sales tax rate are deposited in the Urban Enterprise Zone Assistance Fund by the New Jersey Division of Taxation and are available for use by the City of Long Branch for programs and projects designed to promote economic development and job creation; and

WHEREAS, Urban Enterprise Zone Development Corporation of the City of Long Branch has requested authorization to submit an application to the New Jersey Urban Enterprise Zone for \$190,000 to supplement and match Oceanfront and Broadway Redevelopment fees; and

WHEREAS, the Oceanfront and Broadway Redevelopment Project and Broadway Redevelopment Project are within the Long Branch Urban Enterprise Zone, and estimated to be in excess of \$190,000,000; and

WHEREAS, the total estimated cost of this proposal is \$100,000 which is for the purpose of matching fees associated with redevelopment negotiations, consultation services and developer selection; and

WHEREAS, the proposal is an eligible use of Urban Enterprise Zone Assistance Funds under the provisions of the Urban Enterprise Zone Act, P.L. 1993, Chapter 367.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Long Branch that it hereby recommends to the New Jersey Urban Enterprise Zone that it give authority pursuant to the proposal annexed for \$100,000 in matching funds to continue the redevelopment work already in progress by the City of Long Branch for the period of March 1, 2008 through February 28, 2009.

BE IT FURTHER RESOLVED that a copy of this resolution act as the recommendation of the City Council of the City of Long Branch to the New Jersey Urban Enterprise Zone Authority.

MOVED:

SECONDED:

AYES:

NAYS:

ABSENT:

ABSTAIN:

New Jersey Commerce Commission
 Urban Enterprise Zone Authority
 Urban Enterprise Zone Assistance Fund Project Proposal Application

VI. Proposed Budget

Budget Category	State UEZ Funds	Municipal Funds	Total Budget: State UEZ and Municipal Funds	Other Funds* Describe Below	Federal Funds	Total Budget: All Funds
Municipal Services						
Salaries/Fringe	\$0	\$0	\$0	\$0	\$0	\$0
Equipment	\$0	\$0	\$0	\$0	\$0	\$0
Project						
Construction	\$0	\$0	\$0	\$0	\$0	\$0
Acquisition	\$0	\$0	\$0	\$0	\$0	\$0
Equipment	\$0	\$0	\$0	\$0	\$0	\$0
Professional Services	\$100,000	\$0	\$100,000	\$50,000	\$40,000	\$190,000
Administration	\$0	\$0	\$0	\$0	\$0	\$0
Loans	\$0	\$0	\$0	\$0	\$0	\$0
Grants	\$0	\$0	\$0	\$0	\$0	\$0
Marketing	\$0	\$0	\$0	\$0	\$0	\$0
Total	\$100,000	\$0	\$100,000	\$50,000	\$40,000	\$190,000
% of Total Project	52.6%	0.0%	52.6%	26.3%	21.1%	100.0%

*If applicable, identify source of Other Funds: Itemize funding source, dollar amount. The Developers will provide \$50,000 and \$40,000 w come from the Federally funded CDBG Program.

R# 31-08

**RESOLUTION AMENDING RESOLUTION 318-07 REQUESTING
AUTHORIZATION TO SUBMIT AN APPLICATION TO THE NEW JERSEY
URBAN ENTERPRISE ZONE FOR \$130,000 IN MATCHING FUNDS TO
SUPPLEMENT SALARIES AND EQUIPMENT FOR FOUR UEZ POLICE
OFFICERS**

WHEREAS, as a result of the City of Long Branch's designation as the Urban Enterprise Zone, qualified businesses are eligible to collect sales tax at the reduced rate of 3.5% as opposed to the full rate of 7%; and

WHEREAS, the monies collected at this reduced sales tax rate are deposited in the Urban Enterprise Zone Assistance Fund by the New Jersey Division of Taxation and are available for use by the City of Long Branch for programs and projects designed to promote economic development and job creation; and

WHEREAS, The Urban Enterprise Zone Development Corporation of the City of Long Branch, has requested authorization to submit an application to the New Jersey Urban Enterprise Zone for \$130,000 in matching funds as per the annexed budget to supplement salaries and equipment; and

WHEREAS, these police officers are assigned to duties within the Long Branch Urban Enterprise Zone; and

WHEREAS, the total estimated cost of this proposal is \$498,638.00 pursuant to the budget annexed thereby exceeding the matching 20% match of municipal funding; and

WHEREAS, the proposal is an eligible use of Urban Enterprise Zone Assistance Funds under the provisions of the Urban Enterprise Zone Act P.L. 1993, Chapter 367.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Long Branch that they hereby recommend to the New Jersey Urban Enterprise zone that it give authority pursuant to the proposal annexed for \$130,000 in matching funds to continue the salary, fringe benefits and equipment for four previously funded UEZ police officers for a period of March 1, 2008 to February 28, 2009.

BE IT FURTHER RESOLVED that a copy of this resolution act as the recommendation of the City of Long Branch to the New Jersey Urban Enterprise Zone.

MOVED:

SECONDED:

AYES:

NAYS:

ABSENT:

ABSTAIN:

New Jersey Commerce Commission
 Urban Enterprise Zone Authority
 Urban Enterprise Zone Assistance Fund Project Proposal Application

VI. Proposed Budget

Budget Category	State UEZ Funds	Municipal Funds	Total Budget: State UEZ and Municipal Funds	Other Funds* Describe Below	Federal Funds	Total Budget: All Funds
Municipal Services						
Salaries/Fringe	\$110,000	\$365,038	\$475,038	\$0	\$0	\$475,038
Equipment	\$18,000	\$3,600	\$21,600	\$0	\$0	\$21,600
Project						
Construction	\$0	\$0	\$0	\$0	\$0	\$0
Acquisition	\$0	\$0	\$0	\$0	\$0	\$0
Equipment	\$0	\$0	\$0	\$0	\$0	\$0
Professional Services	\$0	\$0	\$0	\$0	\$0	\$0
Administration	\$2,000	\$0	\$2,000	\$0	\$0	\$2,000
Loans	\$0	\$0	\$0	\$0	\$0	\$0
Grants	\$0	\$0	\$0	\$0	\$0	\$0
Marketing	\$0	\$0	\$0	\$0	\$0	\$0
Total	\$130,000	\$368,638	\$498,638	\$0	\$0	\$498,638
% of Total Project	26.1%	73.9%	100.0%	0.0%	0.0%	100.0%

*If applicable, identify source of Other Funds: Itemize funding source, dollar amount.

R# 38-08

**RESOLUTION AUTHORIZING CONTRACTS WITH CERTAIN
APPROVED STATE CONTRACT VENDORS**

WHEREAS, the City of Long Branch, in accordance with N.J.S.A. 40A:11-12a and N.J.A.C. 5:34-7.29, may, by resolution, and without public advertising for bids, purchase any goods or services under the State of New Jersey Cooperative Purchasing Program for any State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of Treasury; and

WHEREAS, the City of Long Branch has the need to purchase goods or services utilizing State contracts on a timely basis; and

WHEREAS, the City intends to enter into contracts with the attached referenced State Contract Vendors through this resolution and properly executed contracts/and or purchase orders, which shall be subject to all the conditions applicable to the current State contracts.

WHEREAS, in accordance with New Jersey Local Pay to Play Law, New Jersey Cooperative Purchasing System contracts meet the "Fair and Open" process requirements.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Long Branch hereby authorizes the Purchasing Agent to purchase certain goods or services from those approved New Jersey State Contract vendors on the attached list, pursuant to all conditions of the individual State contracts; and

BE IT FURTHER RESOLVED by the Long Branch City Council that, pursuant to N.J.A.C.5:345.5(b), no contract amount shall be chargeable, and no purchase shall be made, without prior certification of availability of funds by the Chief Financial Officer and issuance of the required Purchase Order.

BE IT FURTHER RESOLVED, that the duration of the contracts between the City of Long Branch and the referenced State Contract vendors shall be from date of adoption of this resolution through December 31, 2008, or the date of expiration of the State Contract, whichever is sooner.

**ATTACHMENT A-1
REFERENCED STATE CONTRACT VENDORS**

<u>COMMODITY/SERVICE</u>	<u>VENDOR</u>	<u>CONTRACT #</u>	<u>I#</u>	<u>EXP. DATE</u>
Copier Maintenance & Supplies	Century Office Products	53593	T1538	03/31/08
Computers, Mini, Micro & Associated Prod.	Edmunds & Associates	81201	T0483	06/30/08
Computers, Mini, Micro & Associated Prod.	RDE Systems Support Group	81211	T0483	06/30/08
Computers, Mini, Micro & Associated Prod.	N. J. Business Systems	81214	T0483	06/30/08
WSCA Computer Contract	Dell Marketing LP	70256	M0483	08/31/09
WSCA Computer Contract	Gateway Companies, Inc.	70261	M0483	08/31/09
WSCA Computer Contract	Hewlett Packard Co.	70262	M0483	08/31/09
WSCA Computer Contract	IBM Corporation	70265	M0483	08/31/09
WSCA Computer Contract	SUN Microsystems	70258	M0483	08/31/09

R# 39-08

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:

SECONDED:

AYES:

NAYES:

ABSENT:

ABSTAIN:

I hereby certify the foregoing to be a true copy of a resolution adopted by the City Council at their Regular meeting held on

_____.

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 ____ day of _____, 2008

Irene A. Joline, RMC
City Clerk

PUBLIC NOTICE

Notice is hereby given that the following bills will be submitted for payment approval as of January 22, 2008. 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.

279 Broadway Assoc.	Rent for Municipal Court & Drug Office - January 2008	10,000.00	*
4 Connections	Monthly Lease of Dark Fiber - January 2008	1,500.00	*
A T & T	Utilities - Telephone - 12/9-12/21/2007 - Various Locations	108.89	*
A T & T	Utilities - Telephone - 12/28 & 12/31/2007 - Various Locations	1,242.08	*
A. R. Communications	Replace Antenna - PW #313 - DPW	84.00	
Absolute Fire Protection	Misc. Equipment - Fire Dept.	658.20	
Allied Oil	Diesel Fuel & Underground Storage Tank Tax - 12/20/2007 - DPW	12,298.02	*
Ansell, Zaro, Grimm & Aaron	Legal Services Rendered - General/Litigation/Redevelopment/Tax Appeals - Dec. 2007	20,027.79	*
Atlantic Engine Co.	Polling Place Rental Fee - November 2007 Election - City Clerk	400.00	
Atlantic Plumbing Supply	Vanity Kit for Mayor's Bathroom - DPW	90.07	
B. Keith Controls	Electrical Materials for Jerry Morgan Park & City Hall Building - DPW	204.45	
Best Impressions	Various Promotional Items for UEZ	737.56	
Bette White Fernandez	Tap Dance Instruction - 12/21/2007 - Senior Affairs	36.00	
Boro Printing	Book Marks for Drug Program - Human Services	74.00	
Boundary Fence Co.	Repair Side of Dumpster - Accident on 3/2/2007 - DPW	425.00	
Brices Auto Supply	Misc. Automotive Parts - September & October 2007 - DPW	1,886.95	
Bruce Booker D.B.A. T.Y.G. Productions	Videography - 8/30/2007 - Community Dev.	250.00	
Builders' General Supply	Lumber for Memorial Benches - DPW	492.10	
Campbell Supply	Misc. Parts - Truck #25-6-75 - Fire Dept.	91.09	
CCH Inc.	Professional Publications - Finance Director	164.67	*
Circuit City	Digital Camera - Mayor's Office	279.98	*
City of Long Branch Clearing Account	Reimburse Clearing Account	303.01	*
City of Long Branch Clearing Account	Reimburse Clearing Account	5,257.05	*
City of Long Branch Clearing Account	Reimburse Clearing Account	360,358.17	*
City of Long Branch Clearing Account	Reimburse Clearing Account	211,929.44	*
City of Long Branch Clearing Account	Reimburse Clearing Account	113,439.35	*
City of Long Branch Clearing Account	Reimburse Clearing Account	3,018.20	*
City of Long Branch Clearing Account	Reimburse Clearing Account	819,063.68	*
City of Long Branch Payroll Agency	Payroll Dated 1/11/2008	39,137.43	*

City of Long Branch Payroll Agency	Payroll Dated 1/11/2008	*	779,926.25
Clarion Hotel & Conference Center	Reservation - Veterans Officers Training - 11/26-11/30/07 - M. Winnick - Veterans/Admin.		316.00
CMF	Copier Paper - Replenish Central Supply - Purchasing Dept.		532.00
Concept Printing & Promotions	Envelopes - Tax Collector's Office		349.05
Conte's Car Wash	Car Wash Contract - December 2007		1,187.34
Continental Fire & Safety	Misc. Fire Safety Equipment - Fire Dept.		6,468.00
Cristina N. Lipski	Spanish Interpreting - December 2007 - Municipal Court		240.00
CWA 1034, Branch 4	Dental / Vision - January 2008	*	5,700.00
Data-Guard	Record Shredding - December 2007 - Various Depts.		112.50
Dell Computer Corp.	T.V. for City Hall Camera Monitoring - IT-Administration		721.50
Division of Criminal Justice Academy	Assault Rifle Training - 10/27-11/2/2007 - P.O. Fanning & Sgt. Spencer - Police Dept.	*	600.00
Dunkin Donuts / Baskin Robbins	Coffee for OEM Training - 12/20/2007		27.98
Eatontown TV & Appliance	Air Conditioning Unit for Carl Turner's Office - DPW		195.00
Elberon Engine Co.	Polling Place Rental Fee - November 2007 Election - City Clerk		400.00
Elite Forms	Printed Forms - Fire Dept.	*	435.00
Fa Nagle The Bagel	Bagels for OEM Training - 12/20/2007		20.58
Fine Fare	Food for Holiday Party - 12/14/2007 & City Hall Holiday Concert - Senior Affairs / Admin.		143.51
FlagHouse	Misc. Equipment for Indoor Soccer Program - Recreation Dept.		833.85
Fleetsource	Rebuild Starter on PW#943 & Rebuild Alternator on Fire #25-99 - DPW / Fire Dept.		332.60
Foggia Florist	Door Prizes for Holiday Party - 12/14/2007 - Senior Affairs		300.00
Ford Motor Credit	Lease / Purchase Vehicles - Police Dept.	*	2,412.39
Fort Dearborn Life Insurance	Life Insurance - January 2008	*	1,298.07
Gagliano Appraisal	2007 Tax Appeal Appraisals - 12/19-12/26/2007		4,800.00
Garden State Highway Products	Posts for New Signage - Traffic Dept.	*	475.00
Gelco Woodcraft	TV Stand for Senior Center		315.00
General Code Publishers	Supplement #31 General Code Book - City Clerk		4,293.31
General Sales Admin t/a Major Police Supply	(2) Lightbars - PW #128 - DPW		118.82
Gerald Carroll	Mileage Reimbursement - 10/1/2007-12/31/2007 - IT-Administration		89.24
Golden Crust Bakery	Cookies for City Hall Holiday Concert - Administration		30.00
Grainger	Misc. Equipment & Supplies - DPW		608.80
Greenbaum, Rowe, Smith & Davis	Legal Services Rendered - Redevelopment Attorney - September 2007	*	3,018.20
Health Net of New Jersey	Health Benefits - January 2008	*	92,345.14
Horizon Blue Cross Blue Shield	Dental Benefits - January 2008	*	17,359.18
Horizon Blue Cross Blue Shield	Health Benefits - January 2008	*	262,878.91
Hydrair	Repair Hose - Sanitation #30 - DPW		104.25
Jersey Central Power & Light	Installation of (4) Outlets on Poles for Holiday (UEZ) Decorations Project		1,700.00
Jersey Central Power & Light	Utilities - Electric - 11/17-12/29/2007 - Various Locations	*	42,942.27

* DENOTES PREPAY

** SUBJECT TO COMPLETION OF PAYMENT PACKAGE

Jersey Central Power & Light	Utilities - Electric - 10/27-1/2/2008 - Various Locations	*	23,995.60
Joann Fabrics & Crafts	Supplies for Various Events - December 2007 - Senior Affairs	*	396.33
Kepwel Water	Monthly Cooler Rental - December 2007 - Administration		14.00
Kinko's	Printing of Evacuation Maps for OEM		543.15
Lawyers Diary & Manual	(4) 2008 NJ Lawyers Diary & Manual - Municipal Court		334.00
Lee Battery Service	Batteries - PW #105 & Police Dept.		945.28
Lesco	Grass Seed / Chemicals for Various Parks - DPW		392.62
Long Branch Animal Hospital	Annual Vaccinations for P.O. Wettermark's K-9 - Police Dept.	*	249.00
Long Branch Chamber of Commerce	Rent for Community Dev. & UEZ - January 2008		1,625.00
Lou's Uniforms	Initial Issue of Dispatcher Uniform - Aaron Owens - Police Dept.		212.95
Mack Camera & Video Service	(2) Cameras for Fire Prevention Office - Building Dept.		2,844.00
Maria Garcia-Malave	Spanish Interpreting - December 2007 - Municipal Court		480.00
MGL Printing Solutions	Tax Sale Certificates - Tax Collector's Office		389.00
Miami Systems Corp.	Traffic Summons & Complaint Forms - Municipal Court	*	2,780.44
Michael A. Irene Jr.	Legal Services Rendered - Zoning Board Attorney - December 2007		125.00 Pymt #2
Mid-Atlantic Truck Center	Misc. Parts - PW #122 & #166 - DPW		278.36
Monmouth Building Center	Vanity for Mayor's Bathroom - City Hall Building		35.00
Monmouth County Treasurer - Finance Dept.	Tipping Fees & Various Taxes - 11/16-12/14/2007 - DPW		79,043.54
Monmouth Cycles	Repair / Service Jet Ski - Fire Dept.		520.68
Neptune Hose Co.	Polling Place Rental Fee - November 2007 Election - City Clerk		400.00
New Jersey American Water	Utilities - Water - 11/5-12/10/2007 - Various Locations	*	42.50
New Jersey American Water	Utilities - Water - 11/28-12/27/2007 - Various Locations	*	14,070.96
New Jersey Natural Gas	Utilities - Gas - 11/12-12/26/2007 - Various Locations	*	12,679.19
NJ Business Systems	Software Maintenance for Time & Attendance System - First & Second Quarter		11,025.00 Pymt #1-2
NJ Environmental Health Assoc.	2008 Membership Renewal - Jennifer Smith - Health Dept.		50.00
Otilia Silva	Portuguese Interpreting Services - December 2007 - Municipal Court		480.00
Paper Mart	Computer Paper - Tax Collector's Office		170.22
Pat Krosnicki	Mileage Reimbursement - December 2007 - Senior Center		141.04
Perry's Trophy	Plaque for Ceremonial Bell - Fire Dept.		97.50
Petroleum Traders Corp.	Unleaded Gasoline & Underground Storage Tank Tax - 1/2/2008	*	21,960.60
Petty Cash Fund c/o Ronald Mehlhorn	Close Out Petty Cash - Year End 2007	*	303.01
Petty Cash Fund c/o Ronald Mehlhorn	Petty Cash - Start-up 2008	*	500.00
Pitney Bowes	Meter Rental for Postage Machine - 4/1-12/31/2007 - Tax Collector's Office	*	540.00
Project Alert	DVD's & Posters for Coastal Monmouth Alliance		122.00
Ray's Sport Shop	Initial Issue of Uniform - S. Drumm - Police Dept.		875.48
Rittenhouse-Kerr Ford	Misc. Automotive Parts - Various Vehicles - DPW		187.78
Russomano Enterprise	Rent for DPW - January 2008	*	500.00

* DENOTES PREPAY

** SUBJECT TO COMPLETION OF PAYMENT PACKAGE

Scientific Devices Dist.	Ink Cartridges - Various Depts.	323.18
Sea Breeze Ford	Replace Radiator - PD #25-10 - DPW	213.72
Seaboard Welding Supply	Misc. Parts - PW #103 - DPW	79.50
Seaview Resort & Spa	Reservation - Seminar - 11/28-11/30/07 - Det. A. Ahart & Det. K. Leavy - Police Dept.	203.00
Seely Equipment & Supply	Misc. Parts for Snow Plows - DPW	2,180.65
Signs By Tomorrow	Donation Check for Presentation - Police Dept.	55.00
Sunrise Suites Hotel	Temporary Housing - Delores Smith - 12/14-12/20/07 - School Project - Community Dev.	297.50
Sunrise Suites Hotel	Temporary Housing - Delores Smith - 12/7/07-1/3/08 - School Project - Community Dev.	892.50
Sunrise Systems	Maintenance for Time & Attendance System - 9/1/2006-12/31/2006 - Comptroller	7,350.00
TASC Fire Apparatus	Junction Box for Truck #25-5-75 - Fire Dept.	573.30
Tax Coll. / Treas. Assoc. of NJ	Valued Opinions of Keith A. Bonchi for 2002 - Tax Collector	25.00
The CPA Journal	Subscription Renewal - Finance Director	30.00
The Hungry Puppy	K-9 Dog Food - October & December 2007 - Police Dept.	437.88
The Link News	November & December 2007 Calendar - City Clerk	500.00
The Standard Group	Materials for Exhaust System at DPW	52.40
Tiger Direct	CD-R's for Police Dept.	39.60
Top Hat Uniform Rental	2007 Initial Sanitation Uniform Allowance - J. Hall, K. Seward & T. Woolbright - DPW	964.20
Treasurer, State of NJ - Dept. of Comm. Affairs	State Training Fees - Fourth Quarter 2007	16,247.00
Treasurer, State Of NJ - Div. Of Fire Safety	Fire Official Certification Renewal - Kevin Hayes - Fire Prevention	45.00
Treasurer. State of NJ - Dept. Human Services	Marriage License Report - First Quarter 2006	1,050.00
Treasurer. State of NJ - Dept. of Children/Famil	Marriage/Civil Union License Report - Fourth Quarter 2007	1,025.00
U.S. Green Building Council	New Membership - Michele Bernich - 1/2/2008-1/2/2009 - Planning	500.00
VFW-District 6	Full Page Ad for Annual Dinner Dance - Denise Ortiz - 4/27/2007 - Mayor's Office	50.00
Vision Service Plan	Vision - January 2008	1,359.60
W.B. Mason	Various Office Supplies - Various Depts.	265.47
Warshauer Electric Supply	Electrical Materials for City Hall Building & DPW	962.41
William Bahamonde	Mileage Reimbursement - 10/1/2007-12/31/2007 - IT-Administration	93.61
Zep Manufacturing	Janitorial Supplies - DPW	156.65

3,052,508.32

TOTAL CURRENT

Ansell, Zaro, Grimm & Aaron	Legal Services Rendered - School Project - December 2007	44.00
City of Long Branch Clearing Account	Reimburse Clearing Account	297.50
City of Long Branch Clearing Account	Reimburse Clearing Account	936.50
Sunrise Suites Hotel	Temporary Housing - Delores Smith - 12/14-12/20/07 - School Project - Community Dev.	297.50

* DENOTES PREPAY

** SUBJECT TO COMPLETION OF PAYMENT PACKAGE

Sunrise Suites Hotel

Temporary Housing - Delores Smith - 12/7/07-1/3/08 - School Project - Community Dev. *

892.50

TOTAL CAPITAL

2,468.00

City of Long Branch Clearing Account
 City of Long Branch Payroll Agency
 City of Long Branch Payroll Agency
 F & C Automotive Supply
 Fort Dearborn Life Insurance
 Geese Chasers
 Health Net of New Jersey
 Horizon Blue Cross Blue Shield
 Horizon Blue Cross Blue Shield
 Long Branch Animal Hospital
 Vision Service Plan

Reimburse Clearing Account
 Reimburse Clearing Account
 Reimburse Clearing Account
 Reimburse Clearing Account
 Payroll Dated 1/11/2008
 Payroll Dated 1/11/2008
 Front Brake Pads - LBH #07 - Animal Control
 Life Insurance - January 2008
 Geese Maintenance & Control - December 2007
 Health Benefits - January 2008
 Dental Benefits - January 2008
 Health Benefits - January 2008
 Veterinary Services Rendered - November & December 2007
 Vision - January 2008

* 2,119.32
 * 1,255.27
 * 76.00
 * 4,870.87
 * 348.72
 * 4,522.15
 * 89.60
 * 2.94
 * 645.66 Pymt #9
 * 1,255.27
 * 188.06
 * 1,896.86
 * 1,543.00 Pymt #11-12
 * 31.46

TOTAL DOG

A T & T
 A T & T
 City of Long Branch Clearing Account
 City of Long Branch Clearing Account
 City of Long Branch Clearing Account
 City of Long Branch Payroll Agency
 City of Long Branch Payroll Agency
 Conte's Car Wash
 Fine Fare
 Fort Dearborn Life Insurance
 Grainger
 Health Net of New Jersey

Utilities - Telephone - 12/9-12/21/2007 - Various Locations
 Utilities - Telephone - 12/28 & 12/31/2007 - Various Locations
 Reimburse Clearing Account
 Reimburse Clearing Account
 Reimburse Clearing Account
 Payroll Dated 1/11/2008
 Payroll Dated 1/11/2008
 Car Wash Contract - December 2007
 Refreshments for Annual UEZ Business Owners Meeting - 12/18/2007 - Community Dev.
 Life Insurance - January 2008
 Various Materials - Installation of Holiday Decorations - Community Dev. / UEZ
 Health Benefits - January 2008

* 58.46
 * 13.24
 * 1,822.68
 * 1,268.51
 * 5,210.70
 * 372.40
 * 4,838.30
 * 77.10
 * 250.00
 * 9.80
 * 700.18
 * 1,255.27

* DENOTES PREPAY

** SUBJECT TO COMPLETION OF PAYMENT PACKAGE

Horizon Blue Cross Blue Shield
 Horizon Blue Cross Blue Shield
 Vision Service Plan

Dental Benefits - January 2008
 Health Benefits - January 2008
 Vision - January 2008

156.16
 1,572.74
 25.52

17,631.06

TOTAL HUD

Ambar I. Abelar, Esq.	Assigned Council - St. vs. J. Derosa - 11/21/2007 - Municipal Court	200.00	
Angela Sanchez	Relocation / Moving - 209 Garfield Ave. - Broadway Arts Center - Community Dev.	4,440.00	*
Ansell, Zaro, Grimm & Aaron	Legal Services Rendered - Hotel Campus - December 2007	1,342.00	*
Ansell, Zaro, Grimm & Aaron	Legal Services Rendered - Pier Village II - December 2007	308.00	*
Ansell, Zaro, Grimm & Aaron	Legal Services Rendered - Pier Village I - December 2007	275.00	*
Ansell, Zaro, Grimm & Aaron	Legal Services Rendered - Beachfront North II - December 2007	1,128.09	*
Ansell, Zaro, Grimm & Aaron	Legal Services Rendered - Beachfront North I - December 2007	275.00	*
Ansell, Zaro, Grimm & Aaron	Legal Services Rendered - Broadway Arts - December 2007	1,442.90	*
Basile, Baumann, Prost & Assoc.	Professional Services Rendered - Pier Village II - November & December 2007	2,175.00	*
Basile, Baumann, Prost & Assoc.	Professional Services Rendered - Beachfront South - November & December 2007	1,242.50	*
Basile, Baumann, Prost & Assoc.	Professional Services Rendered - Hotel Campus - November & December 2007	4,600.00	*
Basile, Baumann, Prost & Assoc.	Professional Services Rendered - Pier Village III - November & December 2007	6,150.00	*
Basile, Baumann, Prost & Assoc.	Professional Services Rendered - Broadway Arts - November & December 2007	497.50	*
Bruce Booker D.B.A. T.Y.G. Productions	Videography - 8/30/2007 - Recreation Dept.	150.00	*
City of Long Branch Clearing Account	Reimburse Clearing Account	4,531.82	*
City of Long Branch Clearing Account	Reimburse Clearing Account	47,189.84	*
City of Long Branch Clearing Account	Reimburse Clearing Account	4,541.40	*
City of Long Branch Clearing Account	Reimburse Clearing Account	121,158.03	*
City of Long Branch Payroll Agency	Payroll Dated 1/11/2008	235.79	*
City of Long Branch Payroll Agency	Payroll Dated 1/11/2008	120,922.24	*
City of Long Branch Payroll Agency	Unemployment - December 2007	517.68	*
City of Long Branch Trust Other	Transfer of Funds	487.85	*
E M Waterbury & Assoc.	Engineering Services Rendered - 2/10/2007 - Zoning Board	90.00	*
Fort Dearborn Life Insurance	Life Insurance - January 2008	0.98	*
Greenbaum, Rowe, Smith & Davis	Legal Services Rendered - Hotel Campus - September / November 2007	3,541.40	*
Health Net of New Jersey	Health Benefits - January 2008	1,803.43	*
Horizon Blue Cross Blue Shield	Dental Benefits - January 2008	78.08	*
Plymouth Pk Tax Serv.	Tax Sale Premium	1,000.00	*
Scott Festejo	Relocation / Moving - 9 Howland Ave. - Broadway Arts Center - Community Dev.	4,500.00	*

* DENOTES PREPAY

** SUBJECT TO COMPLETION OF PAYMENT PACKAGE

Stanley Engel
Stanley Engel
Vision Service Plan

Condemnation Commissioner - Ocean Ave.
Condemnation Commissioner - Broadway Arts Center
Vision - January 2008

* 2,930.00
* 2,220.00
* 12.76

TOTAL TRUST OTHER

339,987.29

Resolution No.

Resolution Approving Amendment to the Agreement between the City of Long Branch and MM-Beachfront North I, LLC, and Authorization to the Mayor to execute same

WHEREAS, the City of Long Branch hereinafter referred to as “City” on May 14, 1996, adopted the Oceanfront-Broadway Redevelopment Plan (“Redevelopment Plan”) for the redevelopment of, among other areas, the Beachfront North Redevelopment Area, and;

WHEREAS, the City and Beachfront North, L.L.C. entered into “An Agreement Between the City of Long Branch and Beachfront North, L.L.C. for the Redevelopment Area Designated as Beachfront North”, dated February 22, 2000 (hereinafter “Original Agreement”); and

WHEREAS, the City and Beachfront North, L.L.C. entered into an “Amended and Restated Agreement Between the City of Long Branch and Beachfront North, L.L.C. for the Redevelopment Area Designated as Beachfront North”, dated February 2001 (hereinafter “First Amendment”); and

WHEREAS, the City and Beachfront North, L.L.C. entered into a “Second Amended and Restated Agreement Between the City and Beachfront North, L.L.C. for the Redevelopment Area Designated as Beachfront North” on or about July 16, 2002 (hereinafter “Second Amendment”); and

WHEREAS, the Second Amendment named MM- Beachfront North I, L.L.C., the designated successor Redeveloper for Phases I and II of the Beachfront North Redevelopment Area (the Second Amendment actually misidentified the successor Redeveloper as “MM- Beachfront I, LLC”; however the City’s June 25, 2002, Resolution authorizing that Second Amendment properly identified the Redeveloper as MM-Beachfront North I, L.L.C.); and

WHEREAS, MM-Beachfront North I, L.L.C. completed the construction of Phase I of the Beachfront North Redevelopment Area and the final closing of the homes located in Phase I occurred on or about October of 2005; and

WHEREAS, MM- Beachfront North I, L.L.C. and the City entered into an “Amendment to Redeveloper’s Agreement for Beachfront North Phase II” on September 13, 2005 (hereinafter “Third Amendment”) which named MM- Beachfront North II, L.L.C., as the successor Redeveloper for purposes of developing Phase II of the Beachfront North Redevelopment Area (the Third Amendment erroneously referred to as “MM-Beachfront North, L.L.C.” as the

existing Redeveloper and should have properly identified the Redeveloper as MM-Beachfront North I, L.L.C.); and

WHEREAS, subsequent to the completion of Phase I, the City sought certain changes to some of the publicly dedicated components constructed in Phase I by MM- Beachfront North I, L.L.C.; and

WHEREAS, in lieu of implementing the changes to Phase I of MM- Beachfront North I, L.L.C., the Parties have agreed that MM- Beachfront North I, L.L.C. would construct and/or implement certain other public improvements for the benefit of the City; and

WHEREAS, the City and the Redeveloper have agreed that the Redeveloper is to implement the public improvements in accordance with the agreement annexed as Schedule A to this Resolution; and

WHEREAS, the public improvements generally include all labor and materials for the removal of approximately thirty-four (34) existing light poles, hardware, wiring, light fixtures and other related materials, and the replacement thereof with approximately twenty (20) new light poles to be supplied by third parties or the City as below, wiring, hardware, conduits and forty (40) King Luminaire light fixtures, such that two (2) King Luminaire light fixtures are to be placed on each of the newly installed light poles. The exact specifications of such fixtures (including without limitation model type) shall be set forth in the Engineering Documents defined below. Also to be included in the public improvements are the removal and replacement of the existing light poles, light fixtures, wiring and conduits and related hardware. The public improvements shall be performed along Ocean Avenue Promenade extending from Madison Avenue (on the south side) to Sea View Avenue (on the north side) over a total distance of approximately two thousand one hundred (2,100) linear feet, and such activities shall be performed by MM-Beachfront North I, LLC in accordance with Schedule A. The City shall assist in the installation of the public improvements as set forth in Schedule A.

The City represents that a third party (i.e. Stresscrete) will supply the appropriate number of replacement light poles as part of Stresscrete's warranty obligations at no charge to either the City or MM-Beachfront North I, L.L.C. It is anticipated that pursuant to Schedule A improvements shall be made on or before May 15, 2008.

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

to execute the Amendment to the Agreement between the City of Long Branch and MM-
Beachfront North I, L.L.C.

INTRODUCED:

ADOPTED:

ATTEST:

CITY OF LONG BRANCH

IRENE JOLINE, CITY CLERK

ADAM SCHNEIDER, MAYOR

R# 41-08

**RESOLUTION REDUCING REQUIRED PERFORMANCE
GUARANTEES**

Project: Oceanview Villas (Kelly)
Block: 229
Lot: 57

WHEREAS the City Engineers, Birdsall Engineering Inc., recommend the Performance guarantee on the above referenced project be reduced, and,

WHEREAS said reduction creates an excess deposit for said guarantee on said project, and,

WHEREAS the applicant has requested the refund of the excess cash caused by the reduction.

NOW THEREFORE BE IT RESOLVED by the Council of the City of Long Branch that the performance guarantee on the above referenced project is hereby authorized follows:

	Original	Reduced By	New Amount
Surety:***	\$ 717,767.00	\$ 502,436.42	\$ 215,330.58
Cash	79,700.00	55,774.42	23,925.58

(***Surety = First Indemnity of America Insurance Co., Bond No:FP0010610, \$253,060.00, and Bond No:FP0010611, \$464,707.00, both dated January 20, 2006.)

BE IT FURTHER RESOLVED, that the Director of Finance is hereby authorized to refund the amount of \$55,774.42 to:

Oceanview KB, LLC
280 Norwood Ave.
Long Branch, NJ 07740

BE IT FURTHER RESOLVED that the City Clerk is hereby authorized to forward a certified copy of this resolution to the above named party to be used as proof of said reduction by the City Council so that the above referenced surety may be amended by the applicant if so desired.

R# 42-08

RESOLUTION RELEASING ESCROW DEPOSIT

PROJECT: Falivene,
BLOCK: 183
LOT: 22

WHEREAS escrow funds have been posted for the above referenced project, and,

WHEREAS the application is complete.

WHEREAS the applicant has request the return of any escrow deposits; and

WHEREAS the Planning Division has reviewed said request and has recommended release of said guarantee

NOW THEREFORE BE IT RESOLVED by the Council of the City of Long Branch, County of Monmouth, that the Finance Director is hereby authorized to refund the application escrow funds in the amount of \$581.29, plus accrued interest if applicable, to

F. X. Falivene
232 Norwood Avenue
West Long Branch, NJ 07764

R# 43-08

RESOLUTION
2007 BUDGET APPROPRIATION RESERVE TRANSFERS

WHEREAS N.J.S.A. 40A:4-59 states that, if during the first 3 months of any fiscal year, the amount of any appropriation reserve for the immediately preceding fiscal year is insufficient to pay the claims authorized or incurred during said preceding year which were chargeable to said appropriation, and there shall be an excess in any appropriation reserve over and above the amount deemed necessary to fulfill its purpose, the governing body may, by resolution adopted by not less than 2/3 vote of the full membership thereof, transfer the amount of such excess to an appropriation reserve or an appropriation in the prior budget deemed to be insufficient to fulfill its purpose or for which no reserve was provided.

WHEREAS the Director of Finance has deemed that the appropriation set forth below meet the requirements aforementioned, and recommends that said transfers be made,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Long Branch (not less than 2/3 concurring affirmatively) that the budget transfers appearing on the attached sheet, made a permanent part of this resolution, be, and the same are, hereby approved.

Budget Appropriations Reserves 2007

TRANSFER
01/22/2008

Transfers "To"

Office of Planning Miscellaneous-Other Expenses	18,000.00
Social Security System (O.A.S.I.)	1,000.00
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Total Transfers "To"	<u>19,000.00</u>

Transfers "From"

Office of the City Attorney Salaries and Wages (City Attorney)	8,000.00
Division of Street Construction & Maintenance Salaries and Wages	11,000.00
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Total Transfers "From"	<u>19,000.00</u>