

**WORKSHOP SESSION**

**CITY COUNCIL**

**JUNE 12, 2007**

**6:00 P.M.**

1. TOWING ORDINANCE AMENDMENT/ POLICE OFFICER TOM HUESTON
2. PROPOSAL – OCEAN AVENUE/PRATAP TALWAR
3. UEZ UPDATE/JACOB JONES
4. MANAHASSET CREEK RIGHT OF WAY
5. ORDINANCE- OPEN PUBLIC RECORDS REQUESTS/JAMES AARON
6. REVIEW OF REGULAR AGENDA

**ADMINISTRATIVE AGENDA**

**CITY COUNCIL**

**CITY OF LONG BRANCH**

**June 12, 2007**

**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**

MAY 22, 2007

**CONSIDERATION OF ORDINANCES:**

**PUBLIC HEARING AND FINAL CONSIDERATION** (INTRODUCED: MAY 22, 2007)

**#22-07** ORDINANCE AUTHORIZING THE EXECUTION OF CONFIRMATORY DEEDS WITH RESPECT TO CERTAIN REAL PROPERTY LOCATED IN THE MANAHASSETT CREEK PARK PROJECT PREVIOUSLY ACQUIRED BY THE CITY AND FOR WHICH THE CITY IS NOW PURSUING REIMBURSEMENT OF THE ACQUISITION COSTS PURSUANT WITH THE NEW JERSEY GREEN ACRES PROGRAM

**#23-07** ORDINANCE AMENDING AND SUPPLEMENTING AN ORDINANCE OF THE CITY OF LONG BRANCH IN THE COUNTY OF MONMOUTH AND STATE OF NEW JERSEY CHAPTER 116 BEACHES FEES 2007

**#24-07** ORDINANCE AMENDING ORDINANCE SECTION 345-3  
DEFINITIONS OF THE ZONING ORDINANCES OF THE CITY OF LONG  
BRANCH

**ORDINANCES FOR INTRODUCTION:**

NONE

**PUBLIC PARTICIPATION (ALL COMMENTS)**

**RESOLUTIONS**

**R149-07** – RESOLUTION AUTHORIZING THE EXECUTION OF AN  
AGREEMENT BETWEEN THE STATE OF NEW JERSEY DEPARTMENT OF  
TRANSPORTATION AND THE CITY OF LONG BRANCH

**R150-07** RESOLUTION AUTHORIZING THE MAYOR TO SIGN THE 2007  
CONSOLIDATED ACTION PLAN

**R151-07** RESOLUTION APPROVING 2007/2008 LIQUOR LICENSE  
RENEWAL OF PV LICENSE CORP. 1325-33-078-012

**R152-07** RESOLUTION APPROVING 2007/2008 LIQUOR LICENSE  
RENEWAL OF PAXBAR, INC. 1325-33-015-007

**R153-07** RESOLUTION AUTHORIZING THE CITY OF LONG BRANCH TO  
PROVIDE MANPOWER AND EQUIPMENT TO RAKE THE BEACH AT  
MONMOUTH BEACH BATH & TENNIS CLUB

**R154-07** RESOLUTION TO REFUND OVERPAYMENT OF 2007 TAXES  
(BLOCK 304.02 LOT 12)

**R155-07** RESOLUTION TO REFUND OVERPAYMENT OF 2007 TAXES  
(BLOCK 222 LOT 12, BLOCK 222 LOT 15.02, BLOCK 309 LOT 7, BLOCK  
485 LOT 1.167)

**R156-07** RESOLUTION RELEASING APPLICATION ESCROW DEPOSIT  
(GALSWORTH)

**R157-07** RESOLUTION AUTHORIZING THE DIRECTOR OF FINANCE TO  
CANCEL CITY CHECKS, OUTSTANDING FOR A PERIOD IN EXCESS OF  
SIX MONTHS, TO SURPLUS OR SUCH OTHER ACCOUNT AS DEEMED  
APPROPRIATE

**R158-07** RESOLUTION – SPECIAL ITEM OF REVENUE STATE OF NEW  
JERSEY URBAN ENTERPRISE ZONE AUTHORITY DEPARTMENT OF  
COMMERCE AN ECONOMIC DEVELOPMENT CONTRACT 07-154  
MARKETING AND BUSINESS DEVELOPMENT PHASE IX \$220,000.00

**R159-07** RESOLUTION –SPECIAL ITEM OF REVENUE STATE OF NEW JERSEY DEPARTMENT OF LAW AND PUBLIC SAFETY SAFE AND SECURE COMMUNITIES PROGRAM - \$60,000.00

**R160-07** RESOLUTION – SPECIAL ITEM OF REVENUE STATE OF NEW JERSEY SOLID WASTE ADMINISTRATION CLEAN COMMUNITIES GRANT \$36,891.06

**R161-07** RESOLUTION – SPECIAL ITEM OF REVENUE U.S. DEPARTMENT OF JUSTICE BUREAU OF JUSTICE ASSISTANCE BULLETPROOF VEST PARTNERSHIP GRANT

**R162-07** RESOLUTION AUTHORIZING CONTRACTS FOR MUSICAL PERFORMANCES, SOUND & LIGHTING FOR SUMMER ENTERTAINMENT 2007

**R163-07** RESOLUTION APPROVING VARIOUS LIQUOR LICENSES FOR THE 2007/2008 LICENSING TERM

**R164-07** RESOLUTION RELEASING GUARANTEES (VILLAS AT HARBOR ISLAND CONDOMINIUMS)

**R165-07** RESOLUTION AUTHORIZING CANCELLATION OF MORTGAGE OF JENCY HARRELL, 242 JANE STREET, LONG BRANCH, NEW JERSEY

**R166-07** RESOLUTION AUTHORIZING CANCELLATION OF MORTGAGE OF DAVID AND TRACY WEAVER UPON PAYMENT OF \$3,500.00

**R167-07** RESOLUTION APPROVAL PAYMENT OF BILLS

**R168-07** RESOLUTION AUTHORIZING THE SUBMISSION OF A 2007 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE LOCAL PROGRAM GRANT APPLICATION

**APPLICATIONS:**

1. APPROVAL OF RAFFLE LICENSE FOR SEPHARDIC TORAH CENTER

**REDEVELOPMENT AGENCY:**

UPDATE / MR. AARON (TENTATIVE)

**MISCELLANEOUS BUSINESS FOR THE GOOD OF THE ORDER**

**ADJOURNMENT:**

Ordinance No.

22-07

**ORDINANCE AUTHORIZING THE EXECUTION OF CONFIRMATORY DEEDS  
WITH RESPECT TO CERTAIN REAL PROPERTY LOCATED IN THE  
MANHASSETT CREEK PARK PROJECT AREA PREVIOUSLY ACQUIRED BY THE  
CITY AND FOR WHICH THE CITY IS NOW PURSUING REIMBURSEMENT OF  
THE ACQUISITION COSTS PURSUANT WITH THE NEW JERSEY GREEN ACRES  
PROGRAM**

**WHEREAS**, there is within the City of Long Branch (the "City") certain real properties as identified on Exhibit A attached hereto and made a part hereof (the "Properties"), by way of a Deed to the City of Long Branch from the Long Branch Community Club, dated November 9, 2001 and recorded in the Office of the Monmouth County Clerk on January 9, 2002 in Deed Book 8074 at Page 559, for a total consideration in the amount of \$445,000.00 (as to Block 482, Lots 1&2); and by way of Eminent Domain and a Declaration of Taking dated November 13, 2003 and recorded in the Office of the Clerk of Monmouth County on May 13, 2003 in Official Record Book OR-8362 at Page 917, for a total consideration of \$2,435,000.00 (as to Block 458, Lots 2, 3, 4 & 5; Block 460, Lots 1, 2, 3, 4, 5 & 6; and Block 482, Lot 1) and as shown on the official Tax Map of the City, located in the Manhasset Creek Park project area; and

**WHEREAS**, because the Properties were purchased by the City for a public purpose, the City has elected to pursue reimbursement of the costs of acquiring said Properties from the New Jersey Department of Environmental Protection, Green Acres Program ("Green Acres") in return for those restrictions which shall be placed upon the Properties by virtue of the Green Acres designation; and

**WHEREAS**, in connection with said application, the City must meet certain requirements in connection with Green Acres as set forth in N.J.S.A. 13:8C-1, et seq., and N.J.A.C. 7:36, which includes the inclusion of certain language in the Deed of Conveyance and/or the Declaration of Taking, for the Properties that were acquired; and

**WHEREAS**, at the time of the City's acquisition of the Properties, reimbursement through the State Green Acres program was not yet contemplated and the Green Acres language requirements were unknown at the time of the acquisitions and were therefore omitted from both the acquisition Deed (as to Block 481, Lots 1&2), and the Declaration of Taking (as to Block 458, Lots 2, 3, 4, & 5; Block 460, Lots 1, 2, 3, 4, 5 & 6; and Block 482, Lot 1); and

**WHEREAS**, the City has determined that there is a need to prepare and properly execute a Confirmatory Deed for each of the two aforesaid acquisitions and to incorporate into each Confirmatory Deed the now required requisite Green Acres language in order to satisfy the Green Acres Program and enable the City to obtain reimbursement from Green Acres for the total consideration paid by the City in connection with the acquisitions of the Properties:

**NOW, THEREFORE BE IT ORDAINED** by the Mayor and Council of the City of Long Branch, the County of Monmouth, State of New Jersey that the proper City officials and agents of the City are hereby authorized and directed to take all reasonable, necessary and lawful steps to execute and deliver Confirmatory Deeds conveying the Properties from the City to the City, and cause same to be recorded by the Clerk of Monmouth County, for the purposes set forth above and in the forms as attached hereto and made a part hereof as "Exhibit B" and "Exhibit C".

**BE IT FURTHER ORDAINED**, 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.

**BE IT FURTHER ORDAINED**, that all other Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistencies.

**BE IT FURTHER ORDAINED**, that this Ordinance shall take effect immediately upon final passage and publication in accordance with the law.

INTRODUCED: 5-22-01

ADOPTED:

ATTEST:

CITY OF LONG BRANCH

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IRENE JOLINE, CITY CLERK

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ADAM SCHNEIDER, MAYOR

F:\USERS\Long Branch\Ordinances\Confirmatory Deeds for Manhasset Park.Green Acres Application 4-07.doc

Ordinance No.

23-07

**AN ORDINANCE AMENDING AND SUPPLEMENTING AN ORDINANCE OF THE CITY OF LONG BRANCH IN THE COUNTY OF MONMOUTH AND STATE OF NEW JERSEY CHAPTER 116 BEACHES FEES 2007**

**BE IT RESOLVED** by the City Council of the City of Long Branch in the County of Monmouth and State of New Jersey as follows:

SECTION 1 – That section 116-2 admission rate of the ordinance entitled the Revised General Ordinances of the City of Long Branch, in the County of Monmouth and State of New Jersey, is amended by substituting the following provisions in their place:

A) Seasonal Beach Passes of the City of Long Branch shall be sold for the summer bathing season (extending from May 26, 2007 through August 3, 2007) commencing on May 1, 2007 at the below rate classification.

- 1. Children under 18 : *Free Admission*
- Person 18 years of age thru 61 : *Thirty-five \$35.00*
- Person 62 years of age & over : *Free Admission (ID Required)*

B) Daily Beach Fees of the City of Long Branch shall be sold at daily rates as follows:

- 1. Children under 18 : *Free Admission*
- Person 18 years of age thru 61 : *Five \$5.00*
- Person 62 years of age & over : *Free Admission (ID Required)*

C) Persons physically or mentally disabled, free admission for the purposes of this section, "Physically or mentally disabled means a person who produces evidence that they are receiving Social Security benefits for a physical or mental disability." U.S. Armed Service Veterans of War, who reside in the City of Long Branch, receive free admission. Veterans should contact the Long Branch Veterans Administration officer to receive their beach pass.

D) Sale of the Seasonal Beach Passes for the City of Long Branch shall be made at the Long Branch Recreation Office, 3 Bay Avenue, Long Branch, New Jersey, Monday through Friday from 10:00 A.M. to 4:00 P.M. and on weekends starting Memorial Day. Badges will be available for sale at our Beach Office located at North Bath Avenue on the Boardwalk, commencing on June 16<sup>th</sup>, 2007. Seasonal Beach Badges will be available on a daily basis at North Bath Avenue Beach Office only from 10:00 a.m. to 3:00 p.m.

**SECTION II – Severability.**

If any section, paragraph, subdivision, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision as adjudged and the remainder of this ordinance shall be deemed valid and effective.

**BE IT FURTHER ORDAINED,** 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.

**BE IT FURTHER ORDAINED,** that all other Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistencies.

**BE IT FURTHER ORDAINED,** that this Ordinance shall take effect immediately upon final passage and publication in accordance with the law.

INTRODUCED: *5-22-07*

ADOPTED:

ATTEST:

CITY OF LONG BRANCH

\_\_\_\_\_  
IRENE JOLINE, CITY CLERK

\_\_\_\_\_  
ADAM SCHNEIDER, MAYOR

24-07

**AMENDMENT TO ORDINANCE 26-04**

**WHEREAS**, the City of Long Branch has previously adopted Ordinance 26-04; and

**WHEREAS**, Ordinance 26-04 had as an intended purpose to stabilize the neighborhood quality of life of residential areas of the City of Long Branch; and

**WHEREAS**, Ordinance 26-04 was challenged in court proceedings in the United States District Court; and

**WHEREAS**, the challenge in the Federal Court to the Ordinance was rejected by the United States District Court and no appeal was filed; and

**WHEREAS**, a second challenge to the Ordinance was filed in the Superior Court of Monmouth County; and

**WHEREAS**, the Council of the City of Long Branch desired to have Ordinance 26-04 clarified and requested the Planning Board to review Ordinance 26-04 to advise as to the potential amendment of Ordinance 26-04 and to investigate proposed changes in and to the Ordinance as to the applicability of Ordinance 26-04 to all single family homes in the City of Long Branch and potentially add an independent level of review with an appeal from the Fire Code Official to be heard de novo by the City Business Administrator or his designee and to require the Fire Official as well as the Business Administrator to put their findings in writing within five (5) days of each of the respective appeals; and

**WHEREAS**, further, to ask the Planning Board to consider the balance of Ordinance 26-04 for its comment and review and to review the treatment of tenants to clarify that permanent tenants have the same rights as property owners under Ordinance 26-04 and to review the definition of "permanent tenant" and to further ask the Planning Board to consider whether said permanent tenant should be considered same after a continued tenancy of two (2) years or more; and

**WHEREAS**, the Council of the City of Long Branch has always felt that Ordinance 26-04 and as well as the proposed amendments was responding to the request of numerous citizens and neighborhood groups that wanted to have stability within its neighborhoods; and

**WHEREAS**, Ordinance 26-04 as initially drafted complied with that sentiment and public purpose in that Ordinance 26-04 among other goals sought to achieve a permanency of residents from which permanency would come a neighborhood feeling; the desire to care for the upkeep and maintenance of the property where one lived and to muster the congeniality of stable residential neighborhood areas; and

**WHEREAS**, it appeared to the Council of the City of Long Branch that investors would buy property in a residential zone and treat it as a commercial instrumentality by

simply renting it out on a continuous basis to a revolving flood of tenants without any permanency, without any caring for the neighborhood, without regard for the upkeep and maintenances of the homes and without regard to the family nature of the tenancies which would result; and

**WHEREAS**, the Planning Board of the City of Long Branch has recommended to the Council of the City of Long Branch changes in Ordinance 26-04; and

**WHEREAS**, the proposed changes include the definition of a permanent resident

Add to Definitions:

Permanent Resident – the owner/occupant of a one family dwelling or a tenant or group of tenants, the majority of whom have resided in the one family dwelling for a continuous period of two years, or who have a written lease for the premises of at least two years' duration, or have resided in the premises for at least one year and have a lease for at least one additional year at the time an application is made.

and

### **LIMITATIONS ON CERTIFICATES OF OCCUPANCY**

- (a) All one family dwellings, as defined herein in the City of Long Branch, shall be limited to one Certificate of Occupancy per year for the entire premises with no subletting, except upon bona fide sale to a Third Party. A new Certificate of Occupancy is required whenever a majority of the tenants residing in a one family dwelling have changed.
- (b) Exceptions –
1. a permanent resident seeking to travel and rent his or her property on a seasonal basis;
  2. a bona fide family unit, a member of which owned the property and uses said property for seasonal occupancy may apply for an exception to the one Certificate of Occupancy per year maximum to rent the premises for the remainder of the year to a family as defined at 345-3 of the Ordinances of the City of Long Branch;
  3. if the owner of a one family dwelling dies, his executor/executrix can rent out the premises temporarily to a family unit as described in the Ordinance until it can be sold or otherwise disposed of; and
  4. any one family dwelling which is situated within a mixed use neighborhood containing a variety of uses, such as commercial, industrial, apartment and multiple dwelling, which mixed use predominates over the number of one family dwellings in the neighborhood.
  5. any other circumstances in which the Fire Official makes a determination on the particular factual scenario presented that issuance of an additional Certificate of Occupancy would not unduly frustrate the purposes of this Ordinance and would cause undue hardship to the applicant if not

granted. The Fire Code Official shall render his decision in writing within five (5) business days of the application for an exception under this section.

Any decision under this provision by the Fire Code Official may be appealed to the City Business Administrator, or his designee, for a de novo review of the decision of the Fire Official. The Business Administrator shall conduct the de novo review and shall render a written decision within five (5) business days of the receipt of the appeal; and

**WHEREAS**, the Council of the City of Long Branch has reviewed the proposed changes of the Planning Board and feels that they are in the best interest of the health, safety and welfare of the residents of the City of Long Branch; and

**WHEREAS**, Ordinance 26-04 will be a fair ordinance to all residents and property owners of the City of Long Branch in residential zones; and

**WHEREAS**, the Council of the City of Long Branch believes that one problem that will be stopped, potentially alleviated, would be the problem of property owners who do not ever occupy single-family residences in residential zone or rent to permanent tenants and consistently rent them out as simply business entities or quasi boarding houses and short term rentals.

**NOW THEREFORE BE IT ORDAINED**, by the Council of the City of Long Branch that Ordinance 26-04 be amended as follows:

**ADD TO DEFINITION:**

Permanent Resident – the owner/occupant of a one family dwelling or a tenant or group of tenants, the majority of whom have resided in the one family dwelling for a continuous period of two years, or who have a written lease for the premises of at least two years' duration, or have resided in the premises for at least one year and have a lease for at least one additional year at the time an application is made.

**LIMITATIONS ON CERTIFICATES OF OCCUPANCY:**

- (a) All one family dwellings, as defined herein in the City of Long Branch, shall be limited to one Certificate of Occupancy per year for the entire premises with no subletting, except upon bona fide sale to a Third Party. A new Certificate of Occupancy is required whenever a majority of the tenants residing in a one family dwelling have changed.
- (b) Exceptions –
  - 1. a permanent resident seeking to travel and rent his or her property on a seasonal basis;

2. a bona fide family unit, a member of which owned the property and uses said property for seasonal occupancy may apply for an exception to the one Certificate of Occupancy per year maximum to rent the premises for the remainder of the year to a family as defined at 345-3 of the Ordinances of the City of Long Branch;
3. if the owner of a one family dwelling dies, his executor/executrix can rent out the premises temporarily to a family unit as described in the Ordinance until it can be sold or otherwise disposed of; and
4. any one family dwelling which is situated within a mixed use neighborhood containing a variety of uses, such as commercial, industrial, apartment and multiple dwelling, which mixed use predominates over the number of one family dwellings in the neighborhood.
5. any other circumstances in which the Fire Official makes a determination on the particular factual scenario presented that issuance of an additional Certificate of Occupancy would not unduly frustrate the purposes of this Ordinance and would cause undue hardship to the applicant if not granted. The Fire Code Official shall render his decision in writing within five (5) business days of the application for an exception under this section.

Any decision under this provision by the Fire Code Official may be appealed to the City Business Administrator, or his designee, for a de novo review of the decision of the Fire Official. The Business Administrator shall conduct the de novo review and shall render a written decision within five (5) business days of the receipt of the appeal; and

**BE IT FURTHER ORDAINED** that all other section of Ordinance 26-04 shall remain in full force and effect as written.

**AND BE IT FURTHER ORDAINED** that in the event that any section of Ordinance 26-04 shall be deemed unenforceable or unconstitutional, then that section shall be stricken and the balance of Ordinance 26-04 shall remain.

R# 149-07

**RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT  
BETWEEN THE STATE OF NEW JERSEY DEPARTMENT OF  
TRANSPORTATION AND THE CITY OF LONG BRANCH**

**WHEREAS**, the State of New Jersey intends to use police officers as traffic directors at the Route 36 Drainage Improvement Project within the City of Long Branch; and

**WHEREAS**, the project proposed by the State of New Jersey Department of Transportation may require the use of municipal police for work zone safety operations supplementing the traffic control plan established under the contract for construction of the project; and

**WHEREAS**, the State of New Jersey Department of Transportation has requested that the City of Long Branch enter into an Agreement and Statement of Costs for Traffic Directors. The costs incurred by the City of Long Branch in connection with the project shall be paid directly to the City of Long Branch by the State of New Jersey Department of Transportation pursuant to an agreement attached hereto.

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Long Branch, in the County of Monmouth and the State of New Jersey, that the appropriate municipal official, Adam Schneider, Mayor is hereby authorized to execute an agreement between the State of New Jersey Department of Transportation and the City of Long Branch to provide for the direct payment to the City of Long Branch of costs incurred on the Route 36 Long Branch Drainage Improvements construction project for municipal police services in the form attached hereto.

**MOVED:**

**SECONDED:**

**AYES:**

**NAYS:**

**ABSENT:**

**ABSTAIN:**



# State of New Jersey

1035 Parkway Avenue  
DEPARTMENT OF TRANSPORTATION  
P.O. BOX 600  
TRENTON, NJ 08625-0600

JON S. CORZINE  
*Governor*

KRIS KOLLURI, ESQ.  
*Commissioner*

May 15, 2007

**Irene A. Joline, RMC**  
City Clerk  
City of Long Branch  
Municipal Building  
344 Broadway  
Long Branch, New Jersey 07740

RE: Route 36 Long Branch Drainage Improvements  
Police Agreement

Dear Madam Joline:

It is the intent of the New Jersey Department of Transportation to use police officers as traffic directors on the above subject project, which is in your Municipality.

It is our policy to offer this work to police in the effected Municipality when local streets are involved. We will reimburse the City of Long Branch for all hours during which their police officers work in the capacity of Police Traffic Directors. Reimbursement will be at the certified hourly rate plus overhead factor. All police officers working in the capacity of Police Traffic Directors shall be on-duty personnel i.e. all police officers working as Police Traffic Directors shall be covered by the Municipalities' liability insurance regardless if they are on regular duty hours (Straight-time) or overtime duty hours. Police officers provided by the Municipality shall be totally dedicated to the construction project and certified as having successfully completed a New Jersey State Police/NJDOT approved course in Work Zone Safety for Police. There will be no exception to or waiver of this requirement. We will also reimburse the Municipality for the use of a marked police vehicle at the certified hourly rate as when the vehicle is used as a purchase service for non-functions in the Municipality. However the rate for a marked police vehicle (not including the officer-driver) may not exceed five dollars (\$5.00) per hour. Reimbursement will be made directly to the Municipality and not to the individual. The Municipality will be required to complete the necessary forms for reimbursement as a vendor purchase service.

**Please complete the attached statement of cost and return it to the person at the address indicated thereon.** The person authorized by law to act on behalf of the Municipality must sign the statement of cost. A copy of the Municipal ordinance attesting to this must also be attached.

Page 2 of 2  
Route 36 Long Branch Drainage Improvements  
Police Agreement  
UPC: 950684

Also included is a draft copy of the agreement between the NJDOT and City of Long Branch. Please have the duly authorized person **sign the agreement (all 3 originals)** and print their name in the space provided below the signature line. A witness signature and date is also required.

It is the NJDOT policy to require a municipal ordinance in support of the subject agreement. Please include a copy of the municipal ordinance. **Please prepare the resolution as per attached sample and send with signed agreements.**

Should you have any questions regarding this matter, please contact Project Coordinator Hemant Shelat at (609) 530-2484 or email at: [Hemant.Shelat@dot.state.nj.us](mailto:Hemant.Shelat@dot.state.nj.us).

If you have your email address please provide us for convenient future correspondence.

Thank you for your consideration in this matter.

Sincerely,



Ahmad Qureshi  
Project Manager, Group -C  
Division of Project Management

Attachment

- 1: Statement of cost
- 2: Agreement between the NJDOT and City of Long Branch, 3 originals
- 3: Sample resolution.

Please Return this Statement of Costs To:

Ahmad a. Qureshi, Project Manager  
New Jersey Department of Transportation  
Division of Project Management, E & O bldg, 3 rd Fl.  
P. O. Box 600  
1035 Parkway Avenue  
Trenton, New Jersey 08625

STATEMENT OF COST  
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The City of Long Branch can supply up to 98 police officers for a total of 1250 work hours as traffic directors or the subject project, and 47 marked police vehicles for a total of 1250 work hours for the subject project.

or

The City of Long Branch can supply no police officers for traffic directors or marked police vehicles for the subject project.

Note: If the City of Long Branch can supply no police officers or vehicles for traffic directors/marked police vehicles, there is no need to complete Items 1 through 5 below.

Items for the City of Long Branch Certification:

1. Hourly rate paid by the Municipality for Patrolman with a minimum of 3 years in title: 37.40 (Straight-time)
2. Hourly rate paid by the Municipality for Sergeant with a minimum of 1 year in title: 47.57 (Straight-time)
3. Overhead factor applied to hourly rates by Municipality for its police staff: 0
4. Hourly usage rate for a marked police vehicle (normal rate applied when vehicles is used at private functions, etc.) **Not to exceed five (\$5.00) dollars per hour:** 0
5. Police officers working as traffic directors are covered by the Municipalities' liability insurance, workers' compensation and all other applicable insurance.  Yes  No

I certify that I am the person authorized by law to act on behalf of the City of Long Branch. A copy of the Municipal Ordinance attesting to this fact is attached.

\_\_\_\_\_  
Signature:

\_\_\_\_\_  
Name: (Printed)

\_\_\_\_\_  
Title:

Please attach copy of Municipal ordinance authorizing the above signatory to act on behalf of the City of Long Branch.

AGREEMENT  
(CONSTRUCTION)

Route 36 Long Branch Drainage Improvements  
City of Long Branch  
Monmouth County  
PUA-01-Rt. 36 Long Branch-950684

THIS AGREEMENT, entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2007, between the New Jersey Department of Transportation, acting by and through its COMMISSIONER OF TRANSPORTATION, hereinafter called the "State", the party of the first part, and the City of Long Branch, hereinafter called the "Municipality", the party of the second part.

WHEREAS, the State intends to construct Route 36 Long Branch Drainage Improvements hereinafter called the "Project"; and

WHEREAS, the Project may require the use of Municipal Police for work zone safety operations, supplementing the Traffic Control Plan (TCP) established under the Contract for construction of the Project.

WHEREAS, the State, at Project expense, has prepared detailed plans for its Contractor, and Special Provisions to its Standard Specifications for Road and Bridge Construction, all of which are available to the Municipality for review.

WHEREAS, it is the intention of this agreement that costs for the Municipal Police, incurred in connection with the Project shall be paid directly to the Municipality by the State,

Now therefore, in consideration of the above, the parties hereto, intending to be legally bound, agree as follows:

- (1) Police officers shall be made available to the NJDOT by the Municipality on an if, where and as needed basis. It is specifically understood that there is no guarantee of minimal usage of Municipal Police, and that usage is dependent upon the contract's Traffic Control Plan (TCP), and actual construction operations.
- (2) Police officers assigned to the Project shall be on-duty at all times.
- (3) Police officers assigned to the Project shall be covered by all Municipal insurances, including, but not limited to, liability, and Workers' Compensation.
- (4) No Police officer shall be provided to the project by the Municipality unless such officer is certified as having successfully completed a New Jersey State Police /NJDOT approved course in Work Zone Safety for Police.
- (5) Police officers assigned to the Project will be dedicated to that Project and will only be available for other police activities in cases of extreme emergencies.
- (6) Municipalities shall be paid for police officers, marked police vehicles, and equipment on an hourly basis, in accordance with the statement of costs, which is attached to and forms a part of this agreement.
- (7) Neither the State, nor the Contractor shall be responsible for any negligent or willful act of omission or commission of the Municipality, or of any police officer assigned to the Project, and the Municipality shall be responsible for the acts of its employees, subject to the terms and provisions of the New Jersey Tort Claims Act, NJSA 59:13-1, et seq.
- (8) Police officers provided by the Municipalities shall at all times be agents and employees of the Municipality.
- (9) For non-statutory, non-regulatory, TCP enforcement situations, police officers assigned to the Project shall be under the sole control of the NJDOT Resident Engineer. No actions shall be taken with respect to non-statutory, non-regulatory, TCP enforcement violations without the consent of the NJDOT Resident Engineer, or his designee, which may include the New Jersey State Police (NJSP).
- (10) The NJSP will act in coordination with the Resident Engineer in coordinating all police (Municipal and State) activities on the Project. These activities include, but are not limited to, enforcement of statutes and regulation as well as placement and use of police officers to enforce the TCP.
- (11) The determination as to the need for Municipal Police on the Project shall be made solely by the NJDOT Resident Engineer, who shall have the authority to direct if when, where, and how many Municipal Police are to be used.
- (12) Municipal Police shall at all times be in an approved and appropriate uniform, which clearly identifies them as police officers. Municipal Police Officers shall wear a traffic safety vest over their uniforms at all times of orange, yellow, yellow-green, or a fluorescent version of these colors. Vests shall have 360 degree, high-visibility retro-reflective striping that meets ANSI/ISEA standards for Class 3 garments.
- (13) Request for Municipal Police Officers shall be made at least seventy-two (72) hours in advance of the report date and time.
- (14) Municipalities shall be paid for a minimum of four (4) hours show up time for police reporting to a Project on any given day.
- (15) No payment will be made for cancellations made more than twelve (12) hours prior to the report date and time.

It is understood and agreed that the Municipality will not proceed to provide a police officer to the Project unless so directed by the NJDOT Resident Engineer to do so.

It is understood that the Municipality may bill the NJDOT monthly for any and all eligible costs of the Project. Itemized progress billings may be submitted for the equipment or work performed during the previous month, to coincide with established pay periods for labor. Upon receipt of such billings and after confirmation, NJDOT will pay the Municipality the amount of such progress billings.

Municipality will use a separate work order number for each NJDOT Project.

The NJDOT'S monetary obligation for the services rendered under this agreement are limited to that set forth within the statement of costs attached and made a part of this agreement; the number of hours of TCP enforcement to be provided, as set forth within the statement, is understood to be an estimate. The NJDOT reserves the right to increase or decrease the total number of hours during which police officer(s) and police car(s) are to be provided for TCP enforcement in the form of a written notice to be issued at the discretion of NJDOT. Total Payment will be based upon the actual NJDOT approved hours expended for TCP enforcement at the rates set forth within the attached statement of costs, subject to the terms of this agreement. It is understood and agreed that the municipality will not receive payment for traffic direction unless the State Resident Engineer first approved the time expended, number of officers supplied, the equipment provided and the location of traffic direction.

In the event the municipality claims to have incurred unanticipated costs, it must demonstrate and document to the State the extent and basis of such costs and that such costs were not the fault of the municipality or its employees and were solely the result of work previously directed or authorized by the State Resident Engineer.

This agreement shall be terminated at the latter of a) conclusion of the Project, or b) 30 days after receipt of written notice from one party to the other. All allowable costs incurred by the Municipality prior to the termination will be reimbursed by the State.

The provisions of the New Jersey Statutes with respect to equal opportunity for construction contracts, and for procurement and services contracts are part of this agreement, as if attached hereto. IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be duly executed the date and year first written above.

**City of Long Branch**

ATTEST/WITNESSED:

\_\_\_\_\_  
Clerk/Witness

By: \_\_\_\_\_  
Mayor  
City Of Long Branch

Date: \_\_\_\_\_

**STATE OF NEW JERSEY  
DEPARTMENT OF TRANSPORTATION**

ATTEST:

\_\_\_\_\_  
Secretary  
NJ Department of Transportation

By: \_\_\_\_\_  
Richard T. Hammer  
Assistant Commissioner  
Capital Program Management

Date: \_\_\_\_\_

Approved as to form:

By: \_\_\_\_\_  
NJ Deputy Attorney General

Date: \_\_\_\_\_

R# 150-07

**RESOLUTION AUTHORIZING THE MAYOR TO SIGN THE 2007  
CONSOLIDATED ACTION PLAN**

**WHEREAS**, Long Branch is a CDBG entitlement member jurisdiction in the Monmouth County HOME Consortium; and

**WHEREAS**, the Monmouth County Consortium is composed of Monmouth County (the lead jurisdiction), Asbury Park and Long Branch Cities; Howell and Middletown Townships; and

**WHEREAS**, based upon the regulations at 24 CFR 91.400, each non-lead HOME consortium member CDBG entitlement community submitted its Action Plan, including Standard Form 424, and certifications to the lead jurisdiction to be incorporated into the Consortium's Plan submission; and

**WHEREAS**, the Consortium's Strategic Plan provided information relating to housing and homeless needs, strategies, etc. on a consortium-wide basis. The lead jurisdiction submitted a plan that complies with the requirements for the HOME Consortium.

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council of the City of Long Branch hereby authorizes the Mayor of the City of Long Branch to sign the 2007 Consolidated Action Plan.

**MOVED:**

**SECONDED:**

**AYES:**

**NAYS:**

**ABSENT:**

**ABSTAIN:**



**U.S. Department of Housing and Urban Development**  
Newark Field Office - Region II  
One Newark Center, 13<sup>th</sup> Floor  
Newark, NJ 07102-5260  
Telephone: (973) 622-7900

MAY 16 2007

MAY 23 2007

Honorable Adam Schneider, Mayor  
City of Long Branch  
344 Broadway  
Long Branch, NJ 07740

Dear Mayor Schneider:

**Subject: 2007 Consolidated/ Action Plan Submittal Approval**  
**Monmouth County HOME Consortium Non-Lead Member**  
**Long Branch, New Jersey**

I am pleased to advise you of the approval of the Monmouth County HOME Consortium's Consolidated/ Action Plan submission for Fiscal Year 2007. (The Consolidated Plan approval was sent directly to Monmouth County as the lead jurisdiction.) This continues the process by which segments of the community have come together to develop comprehensive approaches to address the Consortium's community development needs and priorities and should lead to the successful implementation of the Plan's strategies to address affordable housing, homelessness and economic opportunities for all citizens, particularly for very low income and low income persons.

Long Branch is a CDBG entitlement member jurisdiction in the Monmouth County HOME Consortium. The Monmouth County HOME Consortium is composed of Monmouth County (the lead jurisdiction), Asbury Park and Long Branch Cities; Howell and Middletown Townships. Based upon the regulations at 24 CFR 91.400, each non-lead HOME consortium member CDBG entitlement community submitted its Action Plan, including Standard Form 424, and certifications to the lead jurisdiction to be incorporated into the Consortium's Plan submission. The Consortium's Strategic Plan provided information relating to housing and homeless needs, strategies, etc. on a consortium-wide basis. The lead jurisdiction submitted a plan that complies with the requirements for the HOME Consortium.

The grant assistance for Long Branch that is approved in the Plan is as follows:

Community Development Block Grant (CDBG)	
Grant No. B-07-MC-34-0109	\$525,031
Total	\$525,031

The Consortium's program year began on January 1, 2007. All members of the Consortium have the same consolidated program year. We have enclosed matters of advice and instructions and a funding approval/agreement for your CDBG Program. Please execute the agreements and return two (2) copies with original signatures to our office. We note that the HOME Consortium's Consolidated Plan approval and HOME Program approval were sent directly to the County as the lead jurisdiction.

You are reminded and we have reminded the County that the Consortium's 2007 Consolidated Annual Performance and Evaluation Report (CAPER) is due in this office within ninety (90) days after the end of the Consortium's 2007 program year (i.e., by March 31, 2008). Should the grantee be unable to comply with this submission date, a waiver request must be submitted to the field office in sufficient time for it to be reviewed and approved before the original due date. Waivers cannot be issued "after the fact."

As a FY 2007 HOME Consortium lead jurisdiction, the County submitted the Consortium's Consolidated Plan (which included the Consortium's HOME Program funding); therefore, the County is to submit the Consortium's CAPER which will include performance data for the Consortium (i.e., lead and member jurisdictions). As a FY 2007 HOME Consortium member jurisdiction, you should provide the applicable performance data to the County for inclusion in the Consortium's CAPER. The reporting period covers the Consortium's 2007 program year: January 1, 2007 through December 31, 2007.

The 2007 CAPER should report on all activities undertaken during the program year. If your community utilizes the Section 108 Loan Guarantee Program, the Economic Development Initiative (EDI), and/or the Brownfields Economic Development Initiative (BEDI), it is required to report in the CAPER on accomplishments for the applicable program, regardless of the fiscal year of the grant. Until IDIS has been modified to accept this information, please use the worksheet and relevant instructions transmitted to you via letter dated December 9, 2002. Measurable accomplishments must be included for each activity carried out during the program year. Provide information applicable to your jurisdiction; the lead jurisdiction in the Consortium will provide the information pertaining to the Consortium's Consolidated Plan and HOME Program.

Beginning with CAPERs submitted on or after October 1, 2006, each CAPER should include the status of the grantee's efforts toward implementing outcome performance measurement system requirements described in the "Notice of Outcome Performance Measurement System for Community Planning and Development Formula Grant Programs" published in the March 7, 2006 Federal Register. All CAPER reports should provide a description of how the jurisdiction's program provided new or improved availability/accessibility, affordability, sustainability of decent housing, a suitable living environment, and economic opportunity. The CAPER must include a comparison of the proposed versus actual outcomes for each outcome measure submitted with the consolidated plan and explain, if applicable, why progress was not made toward meeting goals and objectives. Grantees are reminded that CDBG and HOME administrative funds may be used to pay costs associated with the development of a performance measurement system.

As you know, grantees were to incorporate performance measurements into consolidated plans or annual action plans prepared for Fiscal Year 2007 and subsequent years' CDBG and HOME funding, in accordance with the performance measurement notice published in the March 7, 2006 Federal Register. Also, it became mandatory for all formula grantees to enter the required performance measurement data (objectives, outcomes, and indicators) into IDIS for all existing activities with a status of budgeted or underway as of the beginning of FY2007, as well as for all new activities. This mandatory reporting requirement began October 1, 2006.

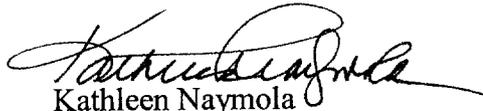
Please note that any amendments to the Consortium's Plan, including amendments to the CDBG and HOME Programs, are to comply with the Final Consolidated Plan Rule, published in the January 5, 1995 Federal Register, effective February 6, 1995 (and revised in the February 9, 2006 Federal Register, effective March 13, 2006). Refer to 24 CFR 91.505 and 91.105 for the requirements for amendments and citizen participation, which include compliance with the Consortium's Citizen Participation Plan.

You are also reminded that certain activities in the CDBG and HOME Programs are subject to the provisions under 24 CFR Part 58 (Environmental Review Procedures for Entities Assuming HUD Environmental Responsibilities). Funds for such activities may not be obligated or expended unless: the Request for Release of Funds (RROF) and Environmental Certification (form HUD-7015.15) has been completed and submitted to the field office; the Request (form HUD-7015.15) has been reviewed, found acceptable, and the release has been approved in writing by HUD. The official HUD approval form is HUD-7015.16 (Authority to Use Grant Funds). Note that there are exceptions to this process: projects that fall under 24 CFR 58.34 (a), 58.34 (a) (12), and 58.35 (b) do not have to abide by the RROF process and funds can be drawn down without review from HUD; however, each project's compliance with the applicable regulations must be documented in your files.

We congratulate you and your staff on your community's contributions to the Consortium's Consolidated/ Action Plan submittal and look forward to continuing to work with you to accomplish the goals you have set forth for your community.

If you have any questions or require further information or assistance, please feel free to contact me or have appropriate staff contact Ms. Cynthia Jefferson-Atkinson, Community Planning and Development Representative, at (973) 776-7286 or by e-mail at [Cynthia\\_Jefferson-Atkinson@hud.gov](mailto:Cynthia_Jefferson-Atkinson@hud.gov).

Sincerely,



Kathleen Naymola

Director

Community Planning and Development Division

Enclosure: B – CDBG

cc: Mr. Jacob Jones, Director  
Office of Community & Economic Development

*Visit Our Web Site at: [www.hud.gov](http://www.hud.gov)*

ENCLOSURE B-1

2007 Action Plan  
Community Development Block Grant (CDBG) Program  
Long Branch, New Jersey

Matters of advice and instructions follow:

Enclosed are three copies of the Funding Approval/Agreement (HUD-7082), which constitutes the contract between you and the U.S. Department of Housing and Urban Development. You should note particularly any special conditions included in item 8 of the Funding Approval/Agreement. Failure to execute and return the grant agreement within sixty (60) days of the transmittal date may be deemed to constitute rejection of the grant and cause for HUD to determine that the funds are available for reallocation to other grantees.

In order to establish your Line of Credit for the Fiscal Year 2007 grant, it will be necessary for you to execute and return two copies (with original signatures) of the Funding Approval/Agreement.

Following are some reminders to assist you in carrying out your program.

The Department continues to place considerable emphasis on grantees' compliance with the timeliness measure delineated at 24 CFR 570.902 (a) of the regulations. The CDBG timeliness standard states that sixty (60) days prior to the end of its program year, a grantee may have no more than 1.5 times the amount of its last annual grant in its CDBG Line of Credit together with the CDBG program income on hand. The November 20, 2001 letter from Assistant Secretary Roy A. Bernardi to grantees regarding this important issue, including related sanctions when a grantee fails to meet the timely expenditure requirements of the CDBG Program, can be found on HUD's web site at:

<http://www.hud.gov/offices/cpd/communitydevelopment/library/timeltr.cfm>.

As you know, as the grantee, you are responsible for ensuring that each CDBG funded activity complies with both the eligibility and the national objectives regulations, in addition to meeting the other applicable requirements. This is a reminder that the *Community Development Block Grant Program - Guide to National Objectives and Eligible Activities for Entitlement Communities* is a user-friendly tool that can be consulted when reviewing proposed activities. The Guide should be used in conjunction with the regulations. To assist you, this Guide is available on HUD's web site at:

<http://www.hud.gov/offices/cpd/communitydevelopment/library/deskguid.cfm>.

Also, the grantee is responsible for ensuring that CDBG funds are used in accordance with all program requirements. As you know, the use of designated public agencies, subrecipients, or contractors does not relieve the grantee of this responsibility. The grantee is also responsible for determining the adequacy of performance under subrecipient agreements and procurement contracts, and for taking appropriate action when performance problems arise. Where a unit of general local government is participating with, or as part of, an urban county, or as part of a metropolitan city, the recipient is responsible for applying to the unit of general local government virtually the same requirements as are applicable to subrecipients, as specified in the regulations.

CDBG entitlement communities prepared the first Analysis of Impediments to Fair Housing Choice (AI) in the late 1990's, as part of their efforts to affirmatively further fair housing. However, the impediments identified in the AIs were not always consistent with the actions to correct them noted in the Annual Action Plans. In addition, only a few CDBG recipients have taken the initiative to update their AIs. Each recipient of CDBG funds certifies annually that it will affirmatively further fair housing and administer its grant in compliance with Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, and the Fair Housing Act of 1988, as amended. The Consolidated Plan regulations at 24 CFR 91.225(a)(1) do not specifically state that an AI must be updated. However, the Newark Fair Housing and Equal Opportunity Center encourages you to update your jurisdiction's AI during your Consolidated Planning cycle, consistent with 24 CFR 570.904, which requires CDBG recipients to take [ongoing] steps or actions to promote fair housing choice. If you have an updated AI, please submit it to the Newark Fair Housing and Equal Opportunity Center.

ENCLOSURE B-2  
[CDBG Funding Approval/Agreement  
HUD 7082]

# Funding Approval/Agreement

Title I of the Housing and Community Development Act (Public Law 930383)

U.S. Department of Housing and Urban Development  
Office of Community Planning and Development  
Community Development Block Grant Program

HI-00515R of 20515R

1. Name of Grantee (as shown in item 5 of Standard Form 424) City of Long Branch	3. Grantee's 9-digit Tax ID Number 216000806	4. Date use of funds may begin (mm/dd/yyyy) 01/01/07
2. Grantee's Complete Address (as shown in item 5 of Standard Form 424) Honorable Adam Schneider, Mayor City of Long Branch 344 Broadway Long Branch, New Jersey 07740	5a. Project/Grant No. 1 B-07-MC-34-0109	6a. Amount Approved 525,031.00
	5b. Project/Grant No. 2	6b. Amount Approved
	5c. Project/Grant No. 3	6c. Amount Approved

**Grant Agreement:** This Grant Agreement between the Department of Housing and Urban Development (HUD) and the above named Grantee is made pursuant to the authority of Title I of the Housing and Community Development Act of 1974, as amended, (42 USC 5301 et seq.). The Grantee's submissions for Title I assistance, the HUD regulations at 24 CFR Part 570 (as now in effect and as may be amended from time to time), and this Funding Approval, including any special conditions, constitute part of the Agreement. Subject to the provisions of this Grant Agreement, HUD will make the funding assistance specified here available to the Grantee upon execution of the Agreement by the parties. The funding assistance specified in the Funding Approval may be used to pay costs incurred after the date specified in item 4 above provided the activities to which such costs are related are carried out in compliance with all applicable requirements. Pre-agreement costs may not be paid with funding assistance specified here unless they are authorized in HUD regulations or approved by waiver and listed in the special conditions to the Funding Approval. The Grantee agrees to assume all of the responsibilities for environmental review, decision making, and actions, as specified and required in regulations issued by the Secretary pursuant to Section 104(g) of Title I and published in 24 CFR Part 58. The Grantee further acknowledges its responsibility for adherence to the Agreement by sub-recipient entities to which it makes funding assistance hereunder available.

U.S. Department of Housing and Urban Development (By Name) Kathleen A. Naymola	Grantee Name Adam Schneider
Title Director, Community Planning and Development Division	Title Mayor
Signature 	Signature
Date (mm/dd/yyyy) MAY 16 2007	Date (mm/dd/yyyy)

7. Category of Title I Assistance for this Funding Action (check only one) <input checked="" type="checkbox"/> a. Entitlement, Sec 106(b) <input type="checkbox"/> b. State-Administered, Sec 106(d)(1) <input type="checkbox"/> c. HUD-Administered Small Cities, Sec 106(d)(2)(B) <input type="checkbox"/> d. Indian CDBG Programs, Sec 106(a)(1) <input type="checkbox"/> e. Surplus Urban Renewal Funds, Sec 112(b) <input type="checkbox"/> f. Special Purpose Grants, Sec 107 <input type="checkbox"/> g. Loan Guarantee, Sec 108	8. Special Conditions (check one) <input checked="" type="checkbox"/> None <input type="checkbox"/> Attached	9a. Date HUD Received Submission (mm/dd/yyyy)	10. check one <input checked="" type="checkbox"/> a. Orig. Funding Approval <input type="checkbox"/> b. Amendment Amendment Number	
		9b. Date Grantee Notified (mm/dd/yyyy) MAY 16 2007		
11. Amount of Community Development Block Grant		9c. Date of Start of Program Year (mm/dd/yyyy) 01/01/07		
		FY (2007)	FY ( )	FY ( )
a. Funds Reserved for this Grantee		525031		
b. Funds now being Approved		525031		
c. Reservation to be Cancelled (11a minus 11b)				

12a. Amount of Loan Guarantee Commitment now being Approved	12b. Name and complete Address of Public Agency
<b>Loan Guarantee Acceptance Provisions for Designated Agencies:</b> The public agency hereby accepts the Grant Agreement executed by the Department of Housing and Urban Development on the above date with respect to the above grant number(s) as Grantee designated to receive loan guarantee assistance, and agrees to comply with the terms and conditions of the Agreement, applicable regulations, and other requirements of HUD now or hereafter in effect, pertaining to the assistance provided it.	12c. Name of Authorized Official for Designated Public Agency
	Title
	Signature

**HUD Accounting use Only**

Batch	TAC	Program Y	A	Reg	Area	Document No.	Project Number	Category	Amount	Effective Date (mm/dd/yyyy)	F
	153										
	176										
		Y					Project Number		Amount		
		Y					Project Number		Amount		

Date Entered PAS (mm/dd/yyyy)	Date Entered LOCCS (mm/dd/yyyy)	Batch Number	Transaction Code	Entered By	Verified By
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R# 151-07

**RESOLUTION APPROVING 2007 / 2008  
LIQUOR LICENSE RENEWAL OF PV LICENSE CORP.  
1325-33-078-012**

**WHEREAS**, PV License Corp had filed a verified petition to the Director of the Division of ABC asking for a special ruling to be issued to allow the City to renew their license for the 2006/07 and 2007/08 license term; and

**WHEREAS**, the petitioner is part of a redevelopment group that has been engaged by the City to redevelop its oceanfront property; and

**WHEREAS**, on July 28<sup>th</sup>, 2005 the Division of ABC sent a ruling determining that good cause exists for the City to consider the renewal application for both the 2006/07 and 2007/08 license term; and

**WHEREAS**, the City Council approved the renewal for 2006/07 based on the ruling received on July 28<sup>th</sup>, 2005.

**BE IT FURTHER RESOLVED** by the City Council of the City of Long Branch that they hereby approve the license held by PV License Corp. state license #1325-33-078-012 for the 2007/08 license term.

**MOVED:**

**SECONDED:**

**AYES:**

**NAYES:**

**ABSENT:**

**ABSTAIN:**

**DATED:**

STATE OF NEW JERSEY  
DEPARTMENT OF LAW AND PUBLIC SAFETY  
DIVISION OF ALCOHOLIC BEVERAGE CONTROL

LIC. NO. 1325-33-078-012

AGENCY NO. 05-06-4437

TRANS. NO. 06018255 & 07003538

IN THE MATTER OF THE )  
APPLICATION FOR RENEWAL OF AN )  
INACTIVE LICENSE PURSUANT TO )  
N.J.S.A. 33:1-12.39 FOR THE 2006-2007 )  
AND 2007-2008 LICENSE TERMS )  
PV LICENSE CORP. )  
\_\_\_\_\_ )

FOURTH ORDER  
CONTINUING ORDER  
GRANTING MOTION  
TO RE-OPEN CONSENT ORDER

Vincent Paragano, Esq., Attorney for Petitioner

BY THE DIRECTOR:

On April 5, 2000, the licensee of Plenary Retail Consumption License No. 1325-33-078-012 and the Division entered into a Consent Order which is attached hereto and made a part hereof. The Consent Order provided that the Governing Body of the City of Long Branch could, in its discretion, renew the license for the 1997-1998, 1998-1999, 1999-2000 and 2000-2001 license terms. It further provided that in the event the Governing Body of the City of Long Branch chose to renew the license, the Consent Order required, and the licensee agreed to, the placement of the following special conditions upon its renewal:

- a) No further license renewals will be granted unless the license is being actively used at an approved location on or before June 30, 2001;
- b) The licensee will submit no further renewal applications nor seek additional relief pursuant to N.J.S.A. 33:1-12.39 if, in fact, the license is not being actively used by June 30, 2001;

On September March 28, 2002, I entered an Order Granting Motion to Re-Open Consent Order which is attached hereto and made a part hereof. At that time, I ordered the following:

- a) The deadline requiring activation by June 30, 2001, contained in the Consent Order dated April 5, 2000, which authorized the Governing Body of the City of Long Branch to consider the license renewal application filed for the 1997-1998, 1998-1999, 1999-2000 and 2000-2001 license terms and to thereupon impose Special Conditions on the license renewal, was lifted.

- b) The Governing Body of the City of Long Branch was authorized to consider the application for the 2001-2002 and 2002-2003 license terms subject to a Special Condition requiring activation by June 30, 2003, in accordance with my order.
- c) The terms contained in the Consent Order dated April 5, 2000, were extended until June 30, 2003, so that Plenary Retail Consumption License No. 1325-33-078-011 could be actively used.
- d) No further license renewals would be granted unless the licensees submitted to the Division, on a bi-annual basis, detailed reports setting forth the progress towards activation every December and June until completion of construction and activation of the subject license.
- e) This license is to be activated and sited as part of the Long Branch Redevelopment Plan.
- f) Despite the granting of an extension to June 30, 2003, I specifically retained and did not waive the rights of the Division pursuant to the Consent Order.

On January 23, 2004, I entered an Order Continuing Order Granting Motion to Re-Open Consent Order which is attached hereto and made a part hereof. At that time, I ordered the following:

- a) The deadline requiring activation by June 30, 2001, contained in the Consent Order dated April 5, 2000, which authorized the Governing Body of the City of Long Branch to consider the license renewal application filed for the 1997-1998, 1998-1999, 1999-2000 and 2000-2001 license terms and to thereupon impose Special Conditions on the license renewal, was lifted.
- b) The Governing Body of the City of Long Branch was authorized to consider the application for the 2003-2004 license term subject to a Special Condition requiring activation by June 30, 2004, in accordance with my order.
- c) The terms contained in the Consent Order dated April 5, 2000, were extended until June 30, 2004, so that Plenary Retail Consumption License No. 1325-33-078-011 could be actively used.
- d) Despite the granting of an extension to June 30, 2004, I specifically retained and did not waive the rights of the Division pursuant to the Consent Order.

On July 12, 2004, I entered a Second Order Continuing Order Granting Motion to Re-Open Consent Order which is attached hereto and made a part hereof. At that time, I ordered the following:

- a) The deadline requiring activation by June 30, 2001, contained in the Consent Order dated April 5, 2000, which authorized the Governing Body of the City of Long Branch to consider the license renewal application filed for the 1997-1998, 1998-1999, 1999-2000 and 2000-2001 license terms and to thereupon impose Special Conditions on the license renewal, was lifted.
- b) The Governing Body of the City of Long Branch was authorized to consider the application for the 2003-2004 license term subject to a Special Condition requiring activation by June 30, 2004, in accordance with my order.
- c) The terms contained in the Consent Order dated April 5, 2000, were extended until June 30, 2004, so that Plenary Retail Consumption License No. 1325-33-078-012 could be actively used.
- d) Despite the granting of an extension to June 30, 2004, I specifically retained and did not waive the rights of the Division pursuant to the Consent Order.

On July 28, 2005, I entered a Third Order Continuing Order Granting Motion to Re-Open Consent Order which is attached hereto and made a part hereof. At that time, I ordered the following:

- a) The deadline requiring activation by June 30, 2001, contained in the Consent Order dated April 5, 2000, which authorized the Governing Body of the City of Long Branch to consider the license renewal application filed for the 1997-1998, 1998-1999, 1999-2000 and 2000-2001 license terms and to thereupon impose Special Conditions on the license renewal, was lifted.
- b) The Governing Body of the City of Long Branch was authorized to consider the application for the 2005-2006 license term subject to a Special Condition requiring activation by June 30, 2006, in accordance with my order.
- c) The terms contained in the Consent Order dated April 5, 2000, were extended until June 30, 2006, so that Plenary Retail Consumption License No. 1325-33-078-012 could be actively used.
- d) Despite the granting of an extension to June 30, 2006, I specifically retained and did not waive the rights of the Division pursuant to the Consent Order.

On July 10, 2006, the licensee filed a petition for renewal of Plenary Retail Consumption License No. 1325-33-078-012 for the 2006-2007 and 2007-2008 license terms. These are the sixteenth and seventeenth license terms for which the licensee seeks relief pursuant to N.J.S.A. 33:1-12.39. The license ceased active operations on June 6, 1987.

In support of their current application, the licensee has provided the following information:

- a) The petitioner is a member of a redeveloper group seeking to redevelop a substantial portion of the oceanfront in the City of Long Branch. The petitioner's parent company has extended millions of dollars in an effort to redevelop the area.
- b) Redevelopment has reached the final stages in much of the project with many buildings completed. Portions of the site have been occupied by commercial tenants, while unoccupied portions remain actively marketed.
- c) The petitioner intends to utilize the license within the retail development of several full service restaurants on the oceanfront. The petitioner avers such redevelopment will not only provide economic benefit directly to the municipality but will also indirectly promote the economy by encouraging further development among other potential redevelopers.
- d) The intended site for this specific license is substantially completed and is ready for occupancy, and petitioner is confident a purchaser will eventually acquire the license. The petitioner has sought several third party restauranteurs or national restaurant chains to occupy portions of the retail space for several full service restaurants.
- e) The petitioner is in the final stages of negotiation for lease of the restaurant/commercial space. Prognosis for activation of the license is between 6-12 months.

I find that denying the petitioner's request for relief would result in manifest injustice, since petitioner avers the primary obstacle in preventing purchase of the license by a third party was lack of building space. The intended building structure to site the license has been completed and petitioner avers now such available space will make finding a purchaser far easier. In addition, this redevelopment project the petitioner is engaged in appears wholly beneficial for the City of Long Branch, and has thus come at a substantial cost to the petitioner up until this point.

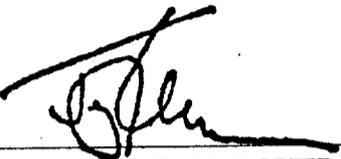
Accordingly, it is on this 27 day of July, 2006

ORDERED that the deadline requiring activation of Plenary Retail Consumption License No. 1325-33-078-012 by June 30, 2006, contained in the Third Order Continuing Motion to Re-Open Consent Order dated July 28, 2005, which authorized the Governing Body of the City of Long Branch to consider the license renewal application filed for the 2005-2006 license term and to thereupon impose Special Conditions on the license renewal, is lifted; and it is further

ORDERED that the Governing Body of the City of Long Branch is authorized to consider the application by Plenary Retail Consumption License No. 1325-33-078-012 for renewal for the 2006-2007 and 2007-2008 license terms subject to a Special Condition requiring activation by June 30, 2008, in accordance with this order; and it is further

ORDERED that the terms contained in the Consent Order dated April 5, 2000, are EXTENDED until June 30, 2008; and it is further

ORDERED that despite the granting of an extension to June 30, 2008, I specifically retain and do not waive the rights of the Division pursuant to the Third Order Granting Motion to Re-Open Consent Order, attached hereto and made a part herewith.



---

JERRY FISCHER  
DIRECTOR

Attachments: Consent Order, dated April 5, 2000  
Order Granting Motion to Re-Open Consent Order, dated March 28, 2002  
Second Order Granting Motion to Re-Open Consent Order, dated January 23, 2004  
Third Order Granting Motion to Re-Open Consent Order, dated July 28, 2005

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PV LICENSE CORP. (OLD SCOTTY'S LB ARCADE)

APPLIED COMPANIES

OWNERS:

GREG RUSSO  
2 CONSTITUTION COURT #302  
HOBOKEN, NJ 07030

STATE LICENSE #:  
TRANSFERRED ON:  
STATUS:  
PHONE #:

1325-33-078-012  
MARCH 23, 2004  
INACTIVE

**RECEIVED SPEC RULING FOR 06/07 AND 07/08**

---

R# 152-07

**RESOLUTION APPROVING 2007 / 2008  
LIQUOR LICENSE RENEWAL OF PAXBAR, INC.  
1325-33-015-007**

**WHEREAS**, Paxbar, Inc. had filed a verified petition to the Director of the Division of ABC asking for a special ruling to be issued to allow the City to renew their license for the 2007/08 and 2008/09 license term; and

**WHEREAS**, the petitioner is part of a redevelopment project; and

**WHEREAS**, on May 3, 2007 the Division of ABC sent a ruling determining that good cause exists for the City to consider the renewal application for both the 2007/08 and 2008/09 license term; and

**BE IT FURTHER RESOLVED** by the City Council of the City of Long Branch that they hereby approve the license held by Paxbar, Inc. state license #1325-33-015-007 for the 2007/08 and 2008/09 license term.

**MOVED:**

**SECONDED:**

**AYES:**

**NAYES:**

**ABSENT:**

**ABSTAIN:**

**DATED:**



JON S. CORZINE  
GOVERNOR

STATE OF NEW JERSEY  
OFFICE OF THE ATTORNEY GENERAL  
DEPARTMENT OF LAW AND PUBLIC SAFETY  
DIVISION OF ALCOHOLIC BEVERAGE CONTROL  
P.O. Box 087  
TRENTON, NJ 08625-0087  
PHONE: (609) 984-2830 FAX: (609) 633-6078  
HTTP://WWW.NJ.GOV/LPS/ABC

STUART RABNER  
ATTORNEY GENERAL

JERRY FISCHER  
DIRECTOR

May 3, 2007

RE: SPECIAL RULING TO PERMIT RENEWAL OF INACTIVE  
LICENSE PURSUANT TO N.J.S.A. 33:1-12.39  
FOR THE 2007-2008 and 2008-2009 LICENSE TERM(S);  
LIC. NO. 1325-33-015-007  
LIC. NAME: Paxbar Inc.  
Docket No. 06-07-4873

Dear Petitioner:

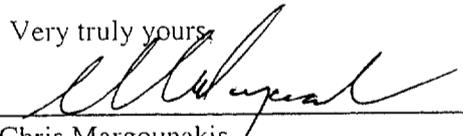
Enclosed please find a Special Ruling to permit consideration of a renewal application for the above-referenced inactive license pursuant to N.J.S.A. 33:1-12.39. As noted in the enclosed document, this Ruling merely determined that good cause exists for the issuing authority to consider your application. It is now within the purview of the local issuing authority to either grant or deny your renewal application in the reasonable exercise of its discretion.

Be advised that if your license is merely inactive and is sited at a premises, in order to activate this license during any of the license terms referenced above, you are required to file an amendment to your license application pursuant to N.J.A.C. 13:2-2.14. To properly file the amendment, pages 1, 2, and 11 of the 12 page license application must be filed with the local issuing authority not more than 10 days prior to, or 10 days after, opening the business. The local issuing authority will then present you with a current license certificate which must be prominently displayed where it can be readily seen by customers. N.J.A.C. 13:2-23.13(a)1.

However, if your license is a "pocket license," (a license not sited at a premises) and you wish to activate your license at a premises during any of the license terms referenced above, you must file a full 12-page application transferring the license from "pocket" status to the intended premises. Please contact your local issuing authority to comply with all requirements regarding the transfer.

I suggest that you contact the local issuing authority immediately to determine what steps are necessary to complete your license application renewal process.

Very truly yours,

  
Chris Margounakis  
Executive Assistant

c: ABC Licensing Bureau  
City of Long Branch Clerk w/ License Certificate



140 EAST FRONT STREET, P.O. BOX 087, TRENTON, NEW JERSEY 08625-0087  
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STATE OF NEW JERSEY  
DEPARTMENT OF LAW AND PUBLIC SAFETY  
DIVISION OF ALCOHOLIC BEVERAGE CONTROL

LIC. NO. 1325-33-015-007  
DOCKET NO. 06-07-4873

IN THE MATTER OF THE )  
APPLICATION TO PERMIT THE )  
RENEWAL OF AN INACTIVE LICENSE )  
PURSUANT TO N.J.S.A. 33:1-12.39 FOR )  
THE 2007-2008 and 2008-2009 LICENSE )  
TERM(S) )  
)  
)  
)  
Paxbar Inc. )

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SPECIAL RULING

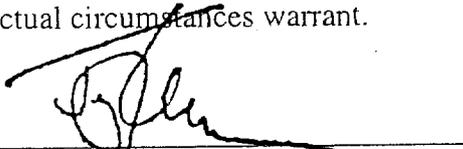
BY THE DIRECTOR:

The petitioner or licensee has filed a verified petition requesting authorization for the local issuing authority to consider a renewal application for License No. 1325-33-015-007 for the 2007-2008 and 2008-2009 license term(s) pursuant to the provisions of N.J.S.A. 33:1-12.39.

I have reviewed the petition filed in this matter and have considered all the facts and circumstances related to the inactive status of this license. I find that the petitioner or licensee has established good cause in accordance with the statutory requirements to warrant an application for renewal of the license for the 2007-2008 and 2008-2009 license term(s).

Accordingly, the municipal issuing authority is hereby authorized to consider the application for renewal of the subject license for the 2007-2008 and 2008-2009 license term(s) and to thereupon grant or deny said application in the reasonable exercise of its discretion. This authorization does not abrogate the licensee's obligation to timely submit the license renewal application and requisite fees prior to any consideration of renewal.

Please note that the approval granted herein is conditional, and is based upon the representations set forth in the petitioner's notarized letter(s). This approval is subject to review and/or modification should the factual circumstances warrant.



JERRY FISCHER  
DIRECTOR

DATED: May 3, 2007

ENCOUNTERS  
PAXBAR, INC.

15-17 THIRD AVENUE

OWNERS:

ANTONIO PEREIRA

JULIO PEREIRA

STATE LICENSE #:

1325-33-015-007

TRANSFERRED ON:

APPROVED TRANSFER ON JUNE 10<sup>TH</sup> 2003

STATUS:

INACTIVE

PHONE #:

732-2949 (PAX CONSTRUCTION)

---

**Received Special Ruling on May 7, 2007 for the 07/08 and 08/09 license term.**

R# 153-09

**RESOLUTION AUTHORIZING THE CITY OF LONG BRANCH TO PROVIDE  
MANPOWER AND EQUIPMENT TO RAKE THE BEACH AT MONMOUTH  
BEACH BATH & TENNIS CLUB**

**WHEREAS**, the beachfront and beach area of Monmouth Beach is adjacent to the beach of the City of Long Branch; and

**WHEREAS**, the City of Long Branch provides the manpower through its Department of Recreation and has equipment necessary to rake the beach at the Monmouth Beach Bath & Tennis Club; and

**WHEREAS**, the Monmouth Beach Bath & Tennis Club wishes to utilize itself of the services, manpower and equipment, which the City of Long Branch can provide, provided that same does not adversely affect the maintenance of the City of Long Branch's bathing beaches; and

**WHEREAS**, the Monmouth Beach Bath & Tennis Club agrees to pay to the City of Long Branch the sum of \$85.00 per hour for the services rendered by the City of Long Branch to the Monmouth Beach Bath & Tennis Club; and

**WHEREAS**, the fee is to cover labor and equipment and all such costs that may be incurred by the City of Long Branch in providing such services; and

**WHEREAS**, the effective date of the agreement is through the end of the beach season, which shall be no later than September of each year; and

**WHEREAS**, the City Council of the City of Long Branch is of the opinion that entering into such an agreement with the Monmouth Beach Bath & Tennis Club will not adverse the impact of the maintenance of the City of Long Branch's bathing beaches and that the contract to be entered must contain such a provision, and that the City Council of the City of Long Branch further believes that it is a good policy to have Interlocal Agreements with neighboring municipalities for share services.

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Long Branch that the Mayor of the City of Long Branch be and the same is hereby authorized to execute an interlocal agreement whereby the City of Long Branch shall provide the manpower and equipment to rake the beach at the Monmouth Beach Bath & Tennis Club, provided that such work does not adverse the impact upon the maintenance of the City of Long Branch's bathing beaches.

**MOVED:  
SECONDED:**

**AYES:  
NAYS:  
ABSENT:  
ABSTAIN:**

**INTERLOCAL AGREEMENT**

**THIS AGREEMENT** made this    day of    2007 by and between:

**THE MONMOUTH BEACH BATH & TENNIS CLUB**

And

**THE CITY OF LONG BRANCH**

WITNESSETH:

**WHEREAS**, Monmouth Beach is an adjacent municipality to the City of Long Branch; and

**WHEREAS**, the Monmouth Beach Bath & Tennis Club does not have manpower nor equipment necessary to rake the beach; and

**WHEREAS**, the City of Long Branch does have such manpower and equipment; and

**WHEREAS**, the City of Long Branch is willing to provide the manpower and equipment to rake the beach at the Monmouth Beach Bath & Tennis Club, providing that such work will not impact upon the maintenance of the City of Long Branch's bathing beaches.

**NOW, THEREFORE, BE IT AGREED** as follows:

1. The equipment of Long Branch shall provide the manpower and equipment necessary to rake the beach at the Monmouth Beach Bath & Tennis Club provided that such work does not adversely impact the maintenance of the City of Long Branch's bathing beaches.
2. The Monmouth Beach Bath & Tennis Club agrees to pay to the City of Long Branch \$85.00 per hour for the services listed above. This fee shall cover all labor and equipment and all other such cost that may be incurred by the City of Long Branch in providing manpower and equipment to rake the beach at the Monmouth Beach Bath & Tennis Club.

**BE IT FURTHER AGREED** that this agreement shall be effective from May 2007 until the end of the bathing season which shall be not later than September 2007.

**BE IT FURTHER AGREED** that this agreement shall be subject to renegotiation after the season of the year 2007.

**WITNESS / ATTEST**

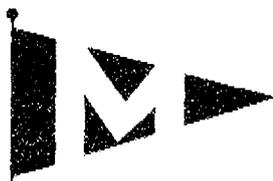
**CITY OF LONG BRANCH**

\_\_\_\_\_  
Irene A. Joline, RMC  
City Clerk

\_\_\_\_\_  
Mayor Adam Schneider

**Monmouth Beach Bath & Tennis Club**

\_\_\_\_\_  
Date



MONMOUTH BEACH BATH AND TENNIS CLUB  
65 OCEAN AVENUE  
MONMOUTH BEACH, NEW JERSEY 07750  
PHONE (732) 222-0100 • FAX (732) 870-0618

June 5, 2007

*Via Fax Only: 732-222-8835*

Attn: Debbie  
Borough Clerk's Office  
City of Long Branch  
Broadway  
Long Branch, NJ 07740

To Whom It May Concern:

Please be advised that the Monmouth Beach Bath and Tennis Club wishes to have its beach cleaned by the City of Long Branch for a fee of \$85.00 per hour.

Thank you very much for your cooperation in this matter. Should you have any questions, I can be reached at 732-222-0100.

Yours truly,

*James P. McConville III*

James McConville  
General Manager

JPM/ab

R# 154-01

**RESOLUTION TO REFUND  
OVERPAYMENT OF  
2007 TAXES**

**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 taxes 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 taxes in the amount of \$3,647.74 and,

<b>BLOCK</b>	<b>LOT</b>	<b>NAME</b>	<b>AMOUNT</b>
304.02	12	COUNTRYWIDE ACCOUNT OF: CURCIO, ROBERT & BARBARA MS: SVW-24 PO BOX 10211 VAN NUYS, CA 91499-6089	3,647.74

R# 155-01

**RESOLUTION TO REFUND  
OVERPAYMENT OF  
2007 TAXES**

**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 on the attached sheet due to an overpayment of 2007 taxes and,

**NOW THEREFORE BE IT RESOLVED**, that the Finance Office is hereby authorized to issue individual check(s) to the taxpayer(s) shown on the attached sheet(s) and charge 2007 taxes in the total amount of \$5,800.98.

BLOCK	LOT	NAME	AMOUNT
222	12	FOUNTAINS APPLIED LWAG, LLC 5 MARINE VIEW PLAZA #500 HOBOKEN, NJ 07030	3,570.21
222	15.02	FOUNTAINS APPLIED LWAG, LLC 5 MARINE VIEW PLAZA #500 HOBOKEN, NJ 07030	663.00
309	7	NEW JERSEY NATURAL GAS CO. 1415 WYCKOFF RD POB 1468 WALL, NJ 07719	787.55
485	1.167	SEAWINDS CONDO ASSN. C/O E&C MGT 59 CHURCH STREET MATAWAN, NJ 07747	780.22

R# 156-07

**RESOLUTION RELEASING APPLICATION ESCROW DEPOSIT**

PROJECT: Galsworth  
BLOCK: 163  
LOT: 9

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

WHEREAS the application has been completed, and,

WHEREAS the applicant has requested the release of unused escrow deposit funds, and,

WHEREAS the City Planning Personnel have reviewed said request and have recommended release of said guarantees.

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 escrow funds in the amount of \$1,400.08, plus accrued interest if applicable, to:

Gwendolyn Galsworth  
607 Northeast 32<sup>nd</sup> Ave.  
Portland, OR 97232

R# 157-07

**RESOLUTION  
AUTHORIZING THE DIRECTOR OF FINANCE TO CANCEL  
CITY CHECKS, OUTSTANDING FOR A PERIOD IN EXCESS OF SIX  
MONTHS, TO SURPLUS OR SUCH OTHER ACCOUNT AS DEEMED  
APPROPRIATE**

WHEREAS, the Director of Finance has informed the City Council of the need for formal approval of the process for the cancellation of outstanding checks; and,

WHEREAS, all the situations that may arise for which checks may be left outstanding, for periods in excess of six months, are too numerous to mention; and,

WHEREAS, the Director of Finance has the appropriate professional knowledge to determine where the proceeds from such cancelled checks should be placed.

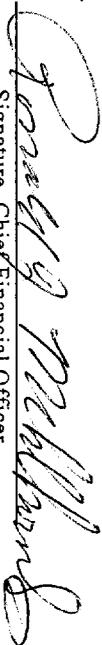
NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Long Branch, that the Director of Finance is hereby authorized to cancel checks, written against the City and outstanding for a period in excess of six (6) months, to Surplus or such other account as deemed appropriate.



STATE OF NEW JERSEY  
DEPARTMENT OF COMMUNITY AFFAIRS  
DIVISION OF LOCAL GOVERNMENT SERVICES

Pursuant to N.J.S.A. 40AA-87 I hereby certify that the following resolution has been duly adopted by the governing body of- City of Long Branch Clerk's Signature \_\_\_\_\_  
Name of Municipality

I hereby certify the City of Long Branch has realized or is in receipt of written notification of the state or federal monies cited in the following resolution, which meets all statutory requirements and will be included in the 2007 municipal budget.  
Year

  
Signature, Chief Financial Officer

Resolution Number: 158-01

Date of Adoption: June 12, 2007

Revenue Title: State of NJ, UEZA, Marketing & Business Develop. Amount: \$ 220,000.00

Appropriation Title: State of NJ, UEZA, Broadway Marketing & Business Develop. Amount: \$ 220,000.00

Local Match - Source: \_\_\_\_\_ Amount: \$ \_\_\_\_\_

Approval is hereby given to the cited resolution adopted by the governing body pursuant to N.J.S.A. 40A: 4-87

For Director, Division of Local Government Services

by: \_\_\_\_\_  
Duly Appointed Designee Date Certified \_\_\_\_\_

THIS CERTIFICATION FORM MAY BE REPRODUCED  
TO BE USED FOR STATE AND FEDERAL GRANTS ONLY

FOR DCA USE ONLY	
Municode:	_____
Doc. No.	_____

R# 159-07

**RESOLUTION – SPECIAL ITEM OF REVENUE  
STATE OF NEW JERSEY  
DEPARTMENT OF LAW AND PUBLIC SAFETY  
SAFE AND SECURE COMMUNITIES PROGRAM - \$60,000.00**

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and;

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount;

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Long Branch hereby requests the Director of the Division of Local Government Services to approve the insertion of a special item of revenue in the budget for the year 2007 in the amount of \$60,000.00 which item is now available from the State of New Jersey, Department of Law and Public Safety, Safe and Secure Communities Program.

BE IT FURTHER RESOLVED that a like sum of \$60,000.00 is hereby appropriated under the caption of:

State of New Jersey	
Department of Law and Public Safety	
Safe and Secure Communities Program	\$60,000.00

BE IT FURTHER RESOLVED that the City Clerk forward two (2) copies of the required Department of Community Affairs form requesting permission of the Director for the inclusion of the above referenced items.

STATE OF NEW JERSEY  
DEPARTMENT OF COMMUNITY AFFAIRS  
DIVISION OF LOCAL GOVERNMENT SERVICES

Pursuant to N.J.S.A. 40AA-87 I hereby certify that the following resolution has been duly adopted by the

governing body of \_\_\_\_\_  
City of Long Branch  
Name of Municipality \_\_\_\_\_  
Clerk's Signature

I hereby certify the \_\_\_\_\_  
City of Long Branch  
Name of Municipality \_\_\_\_\_  
has realized or is in receipt of written notification of the state or federal monies cited in the following resolution, which meets all statutory requirements and will be included in the 2007 \_\_\_\_\_ municipal budget.  
Year

  
Signature, Chief Financial Officer

Resolution Number: 59-01

Date of Adoption: June 12, 2007

Revenue Title: State of NJ, Division of Law and Public Safety, Safe & Secure Amount: \$ 60,000.00

Appropriation Title: State of NJ, Division of Law and Public Safety, Safe & Secure Amount: \$ 60,000.00

Local Match - Source: \_\_\_\_\_ Amount: \$ \_\_\_\_\_

Approval is hereby given to the cited resolution adopted by the governing body pursuant to N.J.S.A. 40A: 4-87

For Director, Division of Local Government Services

by: \_\_\_\_\_  
Duly Appointed Designee \_\_\_\_\_ Date Certified

FOR DCA USE ONLY
Municode: _____
Doc. No. _____

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R# 160-07

**RESOLUTION  
SPECIAL ITEM OF REVENUE  
STATE OF NEW JERSEY  
SOLID WASTE ADMINISTRATION  
CLEAN COMMUNITIES GRANT  
\$36,891.06**

WHEREAS. N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and;

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount;

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Long Branch hereby requests the Director of the Division of Local Government Services to approve the Insertion of a special item of revenue in the budget for the year 2007 in the amount of \$36,891.06, which item is now available from the State of New Jersey, Solid Waste Administration, Clean Communities Program, and,

BE IT FURTHER RESOLVED that a like sum of \$36,891.06 be, and the same is, hereby appropriated under the caption of:

State of New Jersey	
Clean Communities Grant	\$36,891.06

BE IT FURTHER RESOLVED that the City Clerk forward a copy of the required Department of Community Affairs form requesting permission for the inclusion of the above referenced items.

STATE OF NEW JERSEY  
DEPARTMENT OF COMMUNITY AFFAIRS  
DIVISION OF LOCAL GOVERNMENT SERVICES

Pursuant to N.J.S.A. 40AA-87 I hereby certify that the following resolution has been duly adopted by the governing body of- City of Long Branch \_\_\_\_\_ Clerk's Signatory \_\_\_\_\_  
Name of Municipality

I hereby certify the City of Long Branch \_\_\_\_\_ has realized or is in receipt of written notification of the state or federal monies cited in the following resolution, which meets all statutory requirements and will be included in the 2007 \_\_\_\_\_ municipal budget.  
Name of Municipality Year

  
Signature, Chief Financial Officer

Resolution Number: 160-01 \_\_\_\_\_

Date of Adoption: June 12, 2007 \_\_\_\_\_

Revenue Title: State of NJ, Clean Communities Grant \_\_\_\_\_ Amount: \$ 36,891.06 \_\_\_\_\_

Appropriation Title: State of NJ, Clean Communities Grant \_\_\_\_\_ Amount: \$ 36,891.06 \_\_\_\_\_

Local Match - Source: \_\_\_\_\_ Amount: \$ \_\_\_\_\_

Approval is hereby given to the cited resolution adopted by the governing body pursuant to N.J.S.A. 40A: 4-87

For Director, Division of Local Government Services

by: \_\_\_\_\_ Duly Appointed Designee \_\_\_\_\_ Date Certified \_\_\_\_\_

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R# 161-07

**RESOLUTION – SPECIAL ITEM OF REVENUE  
U.S. DEPARTMENT OF JUSTICE  
BUREAU OF JUSTICE ASSISTANCE  
BULLETPROOF VEST PARTNERSHIP GRANT**

WHEREAS, N.J.S.A. 40A: 4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and;

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount;

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Long Branch hereby requests the Director of the Division of Local Government Services to approve the insertion of a special item of revenue in the budget for the year 2007 in the amount of \$4,151.40, which item is now available from the US Department of Justice, Bureau of Justice Assistance, and,

BE IT FURTHER RESOLVED that a like sum of \$4,151.40 is hereby appropriated under the caption of:

US Department of Justice	
Bureau of Justice Assistance	
Bulletproof Vest Partnership Grant	\$4,151.40

BE IT FURTHER RESOLVED that the City Clerk forward two (2) copies of the required Department of Community Affairs form requesting permission of the Director for the inclusion of the above referenced items.

STATE OF NEW JERSEY  
DEPARTMENT OF COMMUNITY AFFAIRS  
DIVISION OF LOCAL GOVERNMENT SERVICES

Pursuant to N.J.S.A. 40AA-87 I hereby certify that the following resolution has been duly adopted by the governing body of- City of Long Branch \_\_\_\_\_ Clerk's Signature

I hereby certify the City of Long Branch \_\_\_\_\_ has realized or is in receipt of written notification of the state or federal monies cited in the following resolution, which meets all statutory requirements and will be included in the 2007 \_\_\_\_\_ municipal budget.

  
Signature, Chief Financial Officer

Resolution Number: 161-01

Date of Adoption: June 12, 2007

Revenue Title: US Dept. of Justice, Bulletproof Vest Partnership Amount: \$ 4,151.40

Appropriation Title: US Dept. of Justice, Bulletproof Vest Partnership Amount: \$ 4,151.40

Local Match - Source: \_\_\_\_\_ Amount: \$ \_\_\_\_\_

Approval is hereby given to the cited resolution adopted by the governing body pursuant to N.J.S.A. 40A: 4-87

For Director, Division of Local Government Services

by: \_\_\_\_\_ Duly Appointed Designee \_\_\_\_\_ Date Certified

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Municode: _____
Doc. No. _____

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**RESOLUTION AUTHORIZING CONTRACTS  
FOR MUSICAL PERFORMANCES, SOUND & LIGHTING FOR SUMMER  
ENTERTAINMENT 2007**

**WHEREAS**, the City of Long Branch wishes to procure the services of various bands to provide musical performances, for Thursday's By the Sea Concerts, Uptown Concert Series, West End Cruise Night, Blues by the Beach, Pier Village Concerts for dates throughout the summer of 2007; 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 Business Administrator 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 Music Men Productions, LTD, Tim McLoone, Happy Trails, Inc., Authority Entertainment, Inc., Chuck Lambert, Smooth Productions, Kelton Cooper, James Day, John Fernandez, John Christian Dugue, Raymond Rodriguez, Richard Fink and Jennifer Wright 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 #T-14-100-096 (\$14,230.00) and #7-01-126-711(\$15,000.00) for a total sum not to exceed \$29,230.00.

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

**SOUND & LIGHTING**

Music Men Productions, LTD for sounds and lighting for various musical performances per the attached proposals for an amount not to exceed \$14,230.00.

**PIER VILLAGE CONCERTS**

Tim McLoone for a musical performance by Tim McLoone and the Shirley's on June 21, 2007 for an amount not to exceed \$2,200.00.

Happy Trails, Inc. for a musical performance by Yasgur's Farm on July 5, 2007 for an amount not to exceed \$2,000.00.

**BLUES BY THE BEACH**

Authority Entertainment, Inc. for a musical performance by Philadelphia Funk Authority on June 24, 2007 for an amount not to exceed \$1,200.00.  
Chuck Lambert for a musical performance by the Chuck Lambert Band on July 1, 2007 for an amount not to exceed \$600.00.

Smooth Productions, Inc. for a musical performance by Valerie Adams and the Dimensions on July 8, 2007 for an amount not to exceed \$700.00.

Kelton Cooper for a musical performance by Fully Circle on July 15, 2007 for an amount not to exceed \$650.00.

James Day for a musical performance by James Day and the Fish Fry Swingers on July 22, 2007 for an amount not to exceed \$650.00.

John Fernandez for a musical performance by the Incinerators on July 29, 2007 for an amount not to exceed \$400.00.

John Christian Dugue for a musical performance by Soul Project on August 5, 2007 for an amount not to exceed \$700.00.

Raymond Rodriguez for a musical performance by Ray Rodriguez and Swing Sabroso on August 12, 2007 for an amount not to exceed \$900.00.

Richard Fink for a musical performance by Gas House Gorillas on August 19, 2007 for an amount not to exceed \$500.00.

Jennifer Wright, dba Terraplane Blues for a musical performance by Terraplane Blues on August 26, 2007 for an amount not to exceed \$600.00

#### **UPTOWN CONCERT SERIES**

Frank Banafato for a musical performance by Special Request on July 31, 2007 for an amount not to exceed \$600.00.

#### **WEST END CRUISE NIGHT**

R.B. Express Productions for a musical performance by RB Express on August 11, 2007 for an amount not to exceed \$600.00.

R.B. Express for a musical performance by the Angel Tones on August 11, 2007 for an amount not to exceed \$600.00.

#### **THURSDAYS BY THE SEA**

Boccigalupe Music for a musical performance by Boccigalupe and the Badboys on August 16, 2007 for an amount not to exceed \$900.00.

James Lafferty for a musical performance by the Jazz Lobsters on August 28, 2007 for an amount not to exceed \$1,200.00.

**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:

**MUSICAL ENTERTAINMENT AND SOUND AND LIGHT PRODUCTION  
FOR VARIOUS SUMMER ENTERTAINMENT EVENTS**

Said contract being made as follows:

MUSIC MEN PRODUCTIONS	\$ 14,230
R.B.EXPRESS PROD/R.B. EXPRESS	\$ 600
R.B.EXPRESS PROD/ANGELTONES	\$ 600
TIM MCLOONE & THE SHIRLEYS	\$ 2,200
HAPPY TRAILS, INC/YASGUR'S FARM	\$ 2,000
FRANK BANAFATO/SPECIAL REQUEST	\$ 600
JEFF LAFFERTY/JAZZ LOBSTERS	\$ 1,200
AUTHORITY ENTERTAINMENT, INC/ PHILADELPHIA FUNK AUTHORITY	\$ 1,200
CHARLES LAMBERT	\$ 600
SMOOTH PRODUCTIONS, INC/ VALERIE ADAMS & DENIMSIONS	\$ 700
KELTON COOPER/FULL CIRCLE	\$ 650
JAMES DAY & THE FISH FRY SWINGERS	\$ 650
JOHN FERNANDEZ/THE INCINERATORS	\$ 400
JOHN CRISTAIN DUGUE/SOUL PROJECT	\$ 700
BOCCIGALUPE MUSIC/BOCCIGALUPE & BAD BOYS	\$ 900
RAYMOND RODRIGUEZ/SWING SABROSO	\$ 900
RICHARD FINK/GAS HOUSE GORILLAS	\$ 500
JENNIFER WRIGHT/TERRAPLANE BLUES	\$ 600

Said funds being available in the form of:

<b>TRUST BUDGET</b>	
<b>RECREATION TRUST</b>	
APPRO. #T-14-100-096	\$14,230
<b>2007 BUDGET</b>	
<b>DIRECTOR OF BLDG. &amp; DEV.</b>	
<b>MISC. OTHER EXPENSE</b>	
APPRO. #7-01-126-711	\$15,000



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

  
Date

R# 1163-07

**RESOLUTION APPROVING VARIOUS LIQUOR LICENSES FOR THE  
2007/2008 LICENSING TERM**

**WHEREAS**, the Director of Public Safety, the Director of Health, the Director of Building & Development, the Fire Marshall and the Chief Code Enforcement Officer have recommended the approval of the following 2007/2008 liquor licenses:

PLEASURE BAY BUY RITE LIQUORS	1325-33-030-005
LA SIRENA RESTAURANT	1325-33-041-005
CASEY JONES	1325-33-033-003
VFW POST 2140	1325-31-071-001
MIX	1325-32-035-014
FALVO'S LIQUORS	1325-32-045-005
PATTEN POINT YACHT CLUB	1325-31-068-001
THE SITTING DUCK	1325-33-059-006
I.A.M.A.	1325-31-066-001
VINGO WINE & SPIRITS	1325-44-049-004
OCEAN BEACH CLUB	1325-31-067-001
CASK 591	1325-33-011-012
TAVALO	1325-33-034-005
KNIGHTS OF COLUMBUS	1325-31-070-001
WINDMILL RESTAURANT	1325-33-006-006
BELL LIQUORS	1325-44-004-006
ROSELLI'S	1325-33-003-003
SUBURBAN BAR & LIQUORS	1325-33-075-005
OCEAN PLACE CONFERENCE & RESORT	1325-36-083-004
TONY'S	1325-33-009-004
ROONEY'S OCEAN CRAB HOUSE	1325-33-037-008
NIP & TUCK BAR AND GRILL	1325-32-042-004
POR DO SOL	1325-32-021-013
RAINBOW LIQUORS	1325-44-007-002
PORTUGUESE CLUB OF LONG BRANCH	1325-31-079-001
LONG BRANCH ELKS LODGE	1325-31-065-001
MURPHY'S	1325-33-050-007
PRIME LIQUORS	1325-44-058-008
PIERCE LIQUORS	1325-44-048-004
BRITTON'S LIQUORS	1325-44-005-005
COURT LIQUORS	1325-44-074-005
CASA COMIDA	1325-33-063-007
MAX'S HOT DOGS	1325-33-002-004
RON'S WEST END PUB	1325-33-076-003
CELTIC COTTAGE	1325-33-039-005
TUZZIO'S ITALIAN CUISINE	1325-33-051-001
STINGERS	1325-33-061-005

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Long Branch that they hereby approve the above listed liquor license renewals for the 2007/2008 licensing term:

**MOVED:**  
**SECONDED:**

**AYES:**  
**NAYS:**  
**ABSENT:**  
**ABSTAIN:**

R# 164-07

**RESOLUTION RELEASING GUARANTEES**

PROJECT: Villas at Harbor Island Condominiums  
BLOCK: 87  
LOT: 5-6

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

WHEREAS the project has been completed and the applicant has requested return of said guarantees, and,

WHEREAS the City Engineers, Birdsall Engineering Inc., has recommended the release of said guarantees.

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 following balances:

Application Escrow	\$ 47,469.64
Engineering	\$ 34,549.00
Performance	\$ 67,372.82

BE IT FURTHER RESOLVED that said refund, in the total net amount of \$149,391.46, plus accrued interest if applicable, be sent to:

Harbor Island Realty Associates, L.P.  
18 Columbia Turnpike  
Florham Park, New Jersey 07932

Attention: Marty Safchik

BE IT FURTHER RESOLVED that the Performance Bond, #0247936, issued March 25, 1997, in the amount of \$1,409,400.00, issued by International Fidelity Insurance Company, is hereby released.

BE IT FURTHER RESOLVED that the City Clerk mail a Certified copy of this resolution to the above named individual / company, as proof of release of said bond.

R# 165-07**RESOLUTION AUTHORIZING CANCELLATION OF MORTGAGE OF  
JENCY HARRELL, 242 JANE STREET, LONG BRANCH, NEW JERSEY**

**WHEREAS**, the City of Long Branch loaned to Jency Harrell of 242 Jane Street, Long Branch, New Jersey, in the sum of \$17,240.00 on October 9, 1996 pursuant to a RCA Mount Laurel Home Repairs Low Income Homeowner Program; and

**WHEREAS**, pursuant to said program, the City of Long Branch received a mortgage on said property in the amount of \$17, 240.00, which was made on October 9, 1996 and said mortgage was recorded on October 28, 1996 in Mortgage Book 6079, Page 744; and

**WHEREAS**, pursuant to the terms of said RCA Mount Laurel Home Repairs Low Income Homeowner Program, in the event the property owner remains in the property for a period of six years, then in that event, the property owner does not have to repay the amount of money loaned; and

**WHEREAS**, said property owner has satisfied all of the terms of said loan as provided in a letter dated May 23, 2007 from Tonya Medina, Housing Technician of the Office of Community and Economic Development of the City of Long Branch and, therefore, is entitled to a Discharge of said Mortgage.

**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 Mortgage in the amount \$17,240.00 made on October 9, 1996 and recorded on October 28, 1996 in Mortgage Book 6079 Page 744, previously loaned to Jency Harrell, 242 Jane Street, Long Branch, New Jersey, in the form annexed hereto and made a part hereof; and

**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 ROLL CALL:

AYES:  
NAYES:  
ABSENT:  
ABSTAIN:

ANSELL ZARO  
GRIMM & AARON  
A PROFESSIONAL CORPORATION  
COUNSELLORS AT LAW  
1000 LAWRENCE AVENUE  
CN 7007  
OCEAN, NJ 07712  
(732) 922-1000

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R# 166-07

**RESOLUTION AUTHORIZING CANCELLATION OF MORTGAGE OF DAVID AND TRACY WEAVER UPON PAYMENT OF \$3,500.00**

**WHEREAS**, the City of Long Branch entered into a City of Long Branch Moderate Income Homeowner Mortgage with David Weaver and Tracy Weaver, 283-287 Branchport Avenue, Long Branch, New Jersey, in the sum of \$24,036.00 on April 28, 1998; and

**WHEREAS**, said mortgage was recorded on May 13, 1998 in Mortgage Book 6462, Page 59; and

**WHEREAS**, pursuant to correspondence received from Tonya Medina of the Office of Community & Economic Development that the homeowners have offered \$3,500.00 to the City of Long Branch to be paid immediately; and

**WHEREAS**, in the event that the City of Long Branch does not accept the \$3,500.00 and the property owner continues to own the property for the balance of a year, then in that event the City will receive no monies; and

**WHEREAS**, the Office of Community Development, by letter of May 1, 2007 recommends that the City accept the \$3,500.00.

**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 Mortgage in the amount of \$24,036.00 previously loaned to David Weaver and Tracy Weaver, 283-287 Branchport Avenue, Long Branch, New Jersey in the sum of \$24,036.00 and recorded May 13, 1998 in Mortgage Book 6462 Page 59 upon the receipt of \$3,500.00, which funds are to be paid to the City Attorney and returned to the Office of Community Development; and

**BE IT FURTHER RESOLVED** that this Resolution and the executed Cancellation of Mortgage shall be held in escrow pending the receipt of \$3,500.00 as set forth herein.

MOVED:  
SECONDED:

AND ADOPTED UPON THE FOLLOWING ROLL CALL:

AYES:  
NAYES:  
ABSENT:  
ABSTAIN:

F:\USERS\Long Branch\Resolutions\2007\Auth.Discharge of Mortgage.Weaver.iv.doc

ANSELL ZARO  
GRIMM & AARON  
A PROFESSIONAL CORPORATION  
COUNSELLORS AT LAW  
1700 LAWRENCE AVENUE  
OCEAN NJ 07712  
(732) 922-1000

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:

State of New Jersey  
County of Monmouth  
City of Long Branch

I, Irene A. Joline, City Clerk of the City of Long Branch do hereby certify the foregoing to be a true copy of a Resolution adopted by the City Council at a 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 \_\_\_\_\_, 2007

\_\_\_\_\_  
Irene A. Joline, City Clerk

**PUBLIC NOTICE**

Notice is hereby given that the following bills will be submitted for payment approval as of June 12, 2007. 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 - May & June 2007	20,941.67	*
4 Connections	Monthly Lease of Dark Fiber - June 2007 - IT / Administration	1,500.00	
A & L Auto Repair	Towing - 2/02/2007 - Vehicle was Evidence in Assault Case - Police Dept.	100.00	
A & M Industrial Supply	Misc. Tools & Equipment - Police Dept. / Administration	647.07	
A T & T	Utilities - Telephone - 5/9-5/21/2007 - Various Locations	159.05	*
A.C. Moore	Supplies for Various Programs - May & June 2007 - Senior Affairs	1,300.58	
A.M./P.M. Services	Registration - Elections Day Seminar - 5/18/2007 - Irene Joline - City Clerk	99.00	
A.R. Communications	Mobile Radio - Lt. Bucciero - Police Dept.	418.50	
All American Turf	Misc. Parts for Lawn Mowers - DPW	290.90	
All Hands Fire Equipment	Replace Damaged Saw Blades - Fire Dept.	167.73	
ANJR	Registration - Recycling Seminar - 5/9/2007 - Migliaccio & Delauro - DPW	220.00	
Armstrong Tree Service	Wood for Vehicle #128 - DPW	160.00	
Atlantic Flooring	Carpeting for UEZ Office	1,385.38	
Auto Parts	Misc. Automotive Parts - April 2007 - DPW	107.95	
AW Direct	Cable for Lo-Boy Trailer	134.74	
B & H Photo	Various Camera Supplies for Det. Gottfredsen's Photo Equipment - Police Dept.	227.30	
Basile, Baumann, Prost & Assoc.	Professional Services Rendered - Broadway Gateway - March / May 2007	5,530.00	Pymt #2
Basile, Baumann, Prost & Assoc.	Professional Services Rendered - General Matters - March / May 2007	3,130.00	Pymt #3
Battery Values.Com	Batteries for Detective Bureau Cameras - Police Dept.	154.50	
Battery Zone	Batteries to Replenish Central Supply	134.83	
Bayway Lumber Center	Lumber for Volleyball Courts - Recreation Dept.	425.80	
Be Our Guest Entertainment	Entertainment for Event - 5/22/2007 - Senior Affairs	250.00	
Beach Camera	Misc. Equipment for Forensics Unit/Police Dept. & IT Dept.	966.95	
Bette White Fernandez	Tap Dance Instruction - 5/18/2007 - Senior Affairs	30.00	
Beverly Baxter	Ceramic Instruction - 4/3-4/12/2007 - Senior Affairs	575.00	
Beyer Bros. Corp.	Alignment - Police Vehicle #17 - DPW	236.90	
Bigelow Motors	Misc. Parts - FP #25-35 - DPW	26.14	
Birdsall Engineering	2007 Planning Board General Services - January / April 2007	407.00	Pymt #1-3
Birdsall Engineering	2007 General Engineering - January / April 2007	14,267.50	Pymt #1-4

\* DENOTES PREPAY

\*\* SUBJECT TO COMPLETION OF PAYMENT PACKAGE

Birdsall Engineering	Beach Management Plan - April 2007	2,403.75	Pymt #2
Birdsall Engineering	Attendance at Monthly Meetings - April 2007	250.00	Pymt #3
Boro Printing	Posters - Various Events - Administration	265.50	
Bry's Marine	Trailer for Recreation Dept.	686.95	
Bullet Lock & Safe	Misc. Tools & Equipment - April 2007 - Traffic Dept.	66.25	
Carl F. Jennings	2007 Beach Badge Fund	2,500.00	*
Carol Thompson-Mellaci	Reimbursement of Expenses for Rutgers Seminar - 5/23-5/24/2007 - Purchasing Dept.	69.74	
CCC Heavy Duty Truck Parts	Misc. Parts - Vehicle #8 & #117 - DPW	344.01	
Central Concrete	Concrete for Generator at Fire Headquarters - DPW	642.25	
Chef Sharon Wagner/Thyme Savor Catering	Catering for Mother's Day Brunch - 5/11/2007 - Senior Affairs	575.00	
Cherry Valley Tractor Sales	Misc. Parts - Beach Tractors #7 & #10 - DPW	157.75	
Christmas Spectacular	Misc. Supplies for Holiday Banners - UEZ	515.50	
City of Long Branch Clearing Account	Reimburse Clearing Account	2,500.00	*
City of Long Branch Clearing Account	Reimburse Clearing Account	758,779.64	*
City of Long Branch Clearing Account	Reimburse Clearing Account	28,372.80	*
City of Long Branch Clearing Account	Reimburse Clearing Account	199,107.21	*
City of Long Branch Clearing Account	Reimburse Clearing Account	37,152.96	*
City of Long Branch Clearing Account	Reimburse Clearing Account	832,640.90	*
City of Long Branch Payroll Agency	Payroll Dated 5/18/2007	380,017.70	*
City of Long Branch Payroll Agency	Payroll Dated 5/18/2007	30,131.75	*
City of Long Branch Payroll Agency	Payroll Dated 6/01/2007	728,647.89	*
City of Long Branch Payroll Agency	Payroll Dated 6/01/2007	31,058.61	*
Coast Hardware	Misc. Tools/Supplies - Various Depts.	801,582.29	*
Comcast Online	Internet Services - 5/15-6/14/2007 - City Network	1,397.95	
Construction & Industrial Equipment Corp.	Misc. Parts for Paver - DPW	169.95	
Conte's Car Wash	Car Wash Contract - May 2007	343.50	
CWA Local 1034, Branch 4	Dental / Vision Benefits - June 2007	1,156.50	*
Davis Equipment Sales	Misc. Parts for Surf Rake - DPW	5,600.00	
Dawn Maghan	Yoga Instruction - 4/12-5/24/2007 - Senior Affairs	8,366.74	
Deluxe Business Checks	1099 Tax Forms - Comptroller / Finance Dept.	153.00	*
Depot America	Misc. Computer Equipment - Comptroller's Office	85.95	
E Plus Technology	2007 Symantec License Renewal - IT / Administration	229.00	
Edgewise Media	VHS Tapes for Detective / Juvenile Divisions Inventory	834.19	
Ergomart	(2) T.V. Wall Mounts for Booking Room - Police Dept.	312.00	
Evident Crime Scene Products	Evidence Bags for Patrol Vehicles - Police Dept.	176.75	
F & C Automotive Supply	Misc. Automotive Parts - LBR #8 & Police Vehicle #129 - DPW	166.00	
		245.48	

\* DENOTES PREPAY

\*\* SUBJECT TO COMPLETION OF PAYMENT PACKAGE



Marsars Water Rescue Systems	Equipment for Waverunner/Lifeguards - Recreation Dept.	1,010.00	
Martin J. Arbus, Esq.	Legal Services Rendered - Planning Board Attorney - January & March 2007	150.00	Pymt #1-2
Martin J. Arbus, Esq.	Legal Services Rendered - Planning Board Attorney - October 2006	125.00	Pymt #6
Mazza & Sons	Recycling of Tires - April 2007 - DPW	187.15	
Mazza & Sons	Disposal of Bulky Waste - February / April 2007	35,538.78	Pymt #2-4
McDonalds Restaurant	Prisoner Meals - March/April 2007	30.37	
Michael Verdadeiro	Reimbursement of Expenses for Conference - 4/2-4/6/2007 - Police Dept.	203.97	
Mid-Atlantic Truck Center	Battery Box Cover - Vehicle #128 - DPW	141.79	
Mon./Ocean County Tax Coll./Treas. Assoc.	2007 Membership - E. Mazzacco & C. Tomas - Tax Collector's Office	150.00	
Monmouth Cnty. Chiefs/Police Assn.	Registration - Grant Writing Seminar - 5/23/2007 - Lt. Johnson - Police Dept.	100.00	
Monmouth Cnty. Clerk's Office/Market Yard	Vacation for Various Roadways - City Clerk	104.00	
Monmouth Cnty. Juvenile Officers Assoc.	2007 Membership Dues - Various Detectives - Police Dept.	50.00	
Monmouth Cnty. Treasurer - Finance Dept.	Tipping Fees & Various Taxes - 4/16-4/30/2007 - DPW	46,955.27	
Monmouth Mun. Judges Assoc.	2007 Annual Dues - Municipal Court	150.00	
Monmouth Shore Wrestling	Entry Fee for 2007 Wrestling Championships - 5/13/2007 - Recreation Dept.	500.00	
Motor Vehicle Services	Motor Vehicle Title - DPW	20.00	*
N Leroy Parker	Seminar - 5/21-5/25/2007 - P.O. Cattelona - Police Dept.	300.00	*
New Jersey American Water	Utilities - Water - 4/6-5/7/2007 - Various Locations	1,285.45	*
New Jersey American Water	Utilities - Water - 4/10-5/8/2007 - Various Locations	1,024.40	*
New Jersey Natural Gas	Utilities - Gas - 3/18-5/18/2007 - Various Locations	2,679.87	*
NJ Div. of Alcoholic Beverage Control	2007-2008 Liquor License Renewal Applications - City Clerk's Office	186.00	
NJ Emergency Preparedness Assoc.	Registration - Conference - 5/10/2007 - OEM	450.00	
NJ State League of Municipalities	Help Wanted Ad on Website & Magazine Subscription - Various Depts.	498.00	
NJAPZA	2007 Membership Dues - M. Bernich - Planning Dept.	40.00	
NJHOA	Registration - Health Program - 2/22/2007 - D. Roach - Health Dept.	65.00	
NJRPA	Registration - Officers Ceremony - 5/16/2007 - C. Jennings - Recreation Dept.	35.00	
Notaries Equipment	Self Inking Notary Stamp - Kathy Schmelz - City Clerk	20.50	
Office Depot	Various Office Supplies - Various Depts.	2,870.40	
Old Dominion Brush	Misc. Parts for Street Sweepers #90 & #91 - DPW	1,011.75	
Otilia Silva	Portuguese Interpreting Services - April 2007 - Municipal Court	360.00	
Pak-Rat Equipment	(2) Fire Hoses - Fire Dept.	632.00	
Party Fair	Supplies for Various Events - May & June 2007 - Senior Affairs	799.23	
PC Mall Gov	Computer Supplies for Forensics Unit - Police Dept.	95.97	
Perth Amboy Tire	Retread Tires - DPW	3,228.00	
Phyllis Salvato	Pain Management Instruction - 5/7/2007 - Senior Affairs	455.00	
PMK Group	Professional Services Rendered - American Movers - March / April 2007	5,040.18	Pymt #11-12
PMK Group	Engineering Services Rendered - Reporting Brownfields Pilot Activity - Sept. / Dec. 2006	1,738.75	Pymt #1-2

\* DENOTES PREPAY

\*\* SUBJECT TO COMPLETION OF PAYMENT PACKAGE

Public Strategies / Impact	Professional Services Rendered - Lobbying Consultant - June 2007	2,500.00	Final Pymt
Rahway Electric Supply	Light Bulbs for City Hall Building - DPW	310.77	
Ray's Sport Shop	Uniform - P. O. Balmer - Police Dept.	968.80	
Rebounds	Registration - 2007 Summer Basketball League - Recreation Dept.	600.00	
Red The Uniform Tailor	Uniform - Det. Hazel - Police Dept.	274.45	
Russomano Enterprises	Rent for DPW - May & June 2007	1,000.00	*
Rutgers University	Registration - (3) Courses - S. Sirianni & M. Bernich & S. Rivera - Various Depts.	1,638.00	
Saker Shoprites	Food for Various Events - May & June 2007 - Senior Affairs	725.42	
Sanitation Equipment Corp.	Cables for Sanitation #20 & Stock	406.14	
Satellite Self Storage	Storage Fees - Delores Smith - June 2007 - School Project - Community Dev.	478.50	
Schoor Depalma	Professional Services Rendered - Conflict Engineer - April 2007	440.00	Pymt #2
Schwartz	Misc. Parts for Public Works Box Truck - DPW	400.83	
Scientific Devices	Printer Cartridges - Police Dept. / Administration	2,116.24	
Scoles Floorshine Industries	Janitorial Supplies for Beachfront & City Hall Building	1,534.75	
Seaboard Welding Supply	Welding Supplies & Industrial Gases - April 2007 - Municipal Garage	87.50	
Select Trans Equipment	Service Call - 3/13/2007 - Waste Oil Heater - DPW	210.00	
Shoreline Grading	Brush Grinding - May 2007	26,362.50	Pymt #1
Signs By Tomorrow	Banners for Summer Events - Administration	400.00	
Siperstein's	Paint for Various Locations - Recreation Dept. / DPW	478.18	
Skip's Sports	Sweatshirts/T-Shirts for Beach Staff - Recreation Dept.	1,879.20	
Smith Motor	Misc. Automotive Parts - Vehicle #199 & #210 - DPW	988.33	
Stavola Asphalt	Road Materials to Repair Pot Holes - DPW	201.29	
Stelair Design Corp.	Various Clothing Items for Beach Staff - Recreation Dept.	1,679.50	
Sunrise Suites Hotel	Temporary Housing - Delores Smith - 4/13-4/19/2007 - School Project - Community Dev.	297.50	*
Sunrise Suites Hotel	Temporary Housing - Delores Smith - 5/4-5/17/2007 - School Project - Community Dev.	595.00	*
Tanner North Jersey	Various Office Equipment - Police Dept.	1,833.77	
The Hungry Puppy	Food & Supplies for K-9's - Police Dept.	467.77	
The Link News	Legal Advertising - April 2007 - City Clerk	250.00	
The Peddler	Parts for Bike #11 & #13 - Recreation Dept.	111.00	
Thomson West	2007-2008 NJ State Statue Updates & 2007 Pocket Parts - Various Depts.	464.00	
Total Lubrication Services & Supply	Motor/Hydraulic Oil - DPW	2,348.96	
Treasurer, State of NJ-Dept. Comm. Affairs	State Training Fees - First Quarter	5,986.00	*
Treasurer, State of NJ-Dept. Environ Prot.	Review of Coastal General Permit Application for Beach & Dune Maintenance	600.00	*
Treasurer, State of NJ-Dept. Children & Family	Marriage License Report	900.00	*
True Fitness Center	Use of Facility for Strength Training Program - May 2007 - Senior Affairs	130.00	
United Parcel Service	Ground Transportation - Police Dept. / Administration	118.42	
Up-Tite Fasteners	Misc. Hardware to Replace Lumber on Boardwalk - DPW	686.06	

\* DENOTES PREPAY

\*\* SUBJECT TO COMPLETION OF PAYMENT PACKAGE

USTA	Organization Membership Renewal - 2/28/07-2/28/08 - Tennis Program - Recreation Dept.	25.00
V.E. Ralph & Son	First Aid Supplies for Beaches - Recreation Dept.	314.84
Verizon	Utilities - Telephone - 5/1-5/5/2007 - Various Locations	10,530.66
Verizon	Utilities - Telephone - 5/11/2007 - Various Locations	25.90
Vision Service Plan	Vision - June 2007	1,329.02
Warnock Dodge	Various Equipment for Detective Bureau & Crime Scene Truck - Police Dept.	564.81
Warshauer Electric Supply	Electrical Materials for Generator at Fire Headquarters - DPW	364.45
William Bahamonde	Reimbursement for Certification Testing at Brookdale Comm. College - IT/Administration	125.00
Windsor Soil	Infield Mix for Various Ball Fields - DPW	2,065.50
Zaf's Service Center	Gasoline for Police Motorcycles - April 2007 - DPW	82.05

**TOTAL CURRENT** 4,512,355.23

Easile, Baumann, Prost & Assoc.	Professional Services Rendered - Hotel Campus/Abbottsford - April / May 2007	14,022.50	Pymt #3
City of Long Branch Clearing Account	Reimburse Clearing Account	297.50	*
City of Long Branch Clearing Account	Reimburse Clearing Account	57,465.46	*
City of Long Branch Clearing Account	Reimburse Clearing Account	595.00	*
Eventide	Recording Equipment for Police Dispatch Phone System - Police Dept.	13,369.00	
Garden State Highway Products	Highway Equipment for Ocean Blvd. - Fire Prevention	2,700.00	
Rahway Electric Supply	Electrical Materials for Council Room at City Hall Building - DPW	387.91	
Satellite Self Storage	Storage Fees - Delores Smith - June 2007 - School Project - Community Dev.	478.50	
Sunrise Suites Hotel	Temporary Housing - Delores Smith - 4/13-4/19/2007 - School Project - Community Dev.	297.50	*
Sunrise Suites Hotel	Temporary Housing - Delores Smith - 5/4-5/17/2007 - School Project - Community Dev.	595.00	*

**TOTAL CAPITAL** 90,208.37

City of Long Branch Clearing Account	Reimburse Clearing Account	5,607.69	*
City of Long Branch Clearing Account	Reimburse Clearing Account	2,576.00	*
City of Long Branch Clearing Account	Reimburse Clearing Account	5,863.14	*
City of Long Branch Clearing Account	Reimburse Clearing Account	1,896.33	*
City of Long Branch Payroll Agency	Payroll Dated 5/18/2007	399.47	*
City of Long Branch Payroll Agency	Payroll Dated 5/18/2007	5,208.22	*
City of Long Branch Payroll Agency	Payroll Dated 6/01/2007	417.64	*

\* DENOTES PREPAY \*\* SUBJECT TO COMPLETION OF PAYMENT PACKAGE

City of Long Branch Payroll Agency	Payroll Dated 6/01/2007	*	5,445.50
Fort Dearborn Life Insurance	Life Insurance - June 2007	*	2.94
Geese Chasers	Geese Maintenance & Control - May 2007	*	645.66 Pymt #2
Health Net of New Jersey	Health Benefits - June 2007	*	1,157.99
Horizon Blue Cross Blue Shield	Health Benefits - June 2007	*	526.00
Horizon Blue Cross Blue Shield	Dental Benefits - June 2007	*	177.94
Lou's Uniforms	Uniforms - J. Kennedy - M. Kern - G. Little - Health Dept.		659.86
Monmouth County SPCA	Animal Shelter Services - April 2007		1,825.00 Pymt #4
Rittenhouse-Kerr Ford	Misc. Automotive Parts - LBH #6 - Animal Control		11.04
Vision Service Plan	Vision - June 2007	*	31.46

**TOTAL DOG**

**32,451.88**

Barbara Heggie	Choral Instruction - 5/7-5/21/2007 - Senior Affairs / Community Dev.		75.00
City of Long Branch Clearing Account	Reimburse Clearing Account	*	4,910.45
City of Long Branch Clearing Account	Reimburse Clearing Account	*	3,922.20
City of Long Branch Clearing Account	Reimburse Clearing Account	*	709.05
City of Long Branch Clearing Account	Reimburse Clearing Account	*	4,910.44
City of Long Branch Clearing Account	Reimburse Clearing Account	*	2,703.10
City of Long Branch Payroll Agency	Payroll Dated 5/18/2007	*	350.80
City of Long Branch Payroll Agency	Payroll Dated 5/18/2007	*	4,559.65
City of Long Branch Payroll Agency	Payroll Dated 6/01/2007	*	350.79
City of Long Branch Payroll Agency	Payroll Dated 6/01/2007	*	4,559.65
Clayton Block	Mason Materials - Replace Retaining Wall on Ocean & Atlantic Ave. - Community Dev.		1,364.69
Conte's Car Wash	Car Wash Contract - May 2007		77.10
Fort Dearborn Life Insurance	Life Insurance - June 2007	*	9.80
Gasko's Family Farm	Flower/Vegetables for Garden Site & City Parks - Community Dev.	*	709.05
Health Net of New Jersey	Health Benefits - June 2007	*	1,157.99
Horizon Blue Cross Blue Shield	Health Benefits - June 2007	*	1,362.03
Horizon Blue Cross Blue Shield	Dental Benefits - June 2007	*	147.76
Schoor Depalma	Engineering Services Rendered - Environmental Work - LBMGP - April 2007		1,013.00 Pymt #4
Vision Service Plan	Vision - June 2007	*	25.52

**TOTAL HUD**

**32,918.07**

\* DENOTES PREPAY

\*\* SUBJECT TO COMPLETION OF PAYMENT PACKAGE

Ayana Gibson	Outside Police Overtime	33.48
Basile, Baumann & Prost	Professional Services Rendered - Broadway Arts Center - April / May 2007	10,507.50 Pymt #3
Beach Camera	Camera Equipment for Forensics Unit - Police Dept.	1,998.00
Birdsall Engineering	Engineering Services Rendered - Sept. 2006 / April 2007 - Planning / Zoning Board	24,316.33
Casa Comida Restaurant	Outside Police Overtime	289.20
City of Long Branch Clearing Account	Reimburse Clearing Account	* 41,894.22
City of Long Branch Clearing Account	Reimburse Clearing Account	* 7,270.00
City of Long Branch Clearing Account	Reimburse Clearing Account	* 26,146.95
City of Long Branch Clearing Account	Reimburse Clearing Account	* 300.00
City of Long Branch Clearing Account	Reimburse Clearing Account	* 1,213.86
City of Long Branch Clearing Account	Reimburse Clearing Account	* 16,896.76
City of Long Branch Clearing Account	Reimburse Clearing Account	* 1,725.09
City of Long Branch Payroll Agency	Payroll Dated 5/18/2007	* 1,171.73
City of Long Branch Payroll Agency	Payroll Dated 5/18/2007	* 40,722.49
City of Long Branch Payroll Agency	Unemployment - May 2007	* 727.12
City of Long Branch Payroll Agency	Payroll Dated 6/01/2007	* 395.75
City of Long Branch Payroll Agency	Payroll Dated 6/01/2007	* 16,501.01
Danielle Golba & Assoc.	Professional Services Rendered - February & March 2007 - Zoning Board	500.00
E M Waterbury & Assoc.	Engineering Services Rendered - 3/3 & 5/23/2007 - Zoning Board	1,954.25
Fort Dearborn Life Insurance	Life Insurance - June 2007	* 0.98
Health Net of New Jersey	Health Benefits - June 2007	* 1,637.47
Hecht Trailers	Trailer for UEZ	8,590.00
Hewlett Packard - Govt./Education Sales	Computer Equipment/Supplies - Police Dispatch	1,845.00
Horizon Blue Cross Blue Shield	Dental Benefits - June 2007	* 73.88
Investors Savings Bank	Refund Escrow	1,395.51
Lillian Zhang	Tax Sale Premium	* 300.00
Michael Irene, Jr.	Legal Services Rendered - March / May 2007 - Zoning Board	1,662.50
Michael R. Leckstein, Esq.	Condemnation Commissioner - Deluca - Beachfront North II	* 2,100.00
Phillips, Preiss, Shapiro Assoc.	Professional Services Rendered - 3/25 & 4/30/2007 - Zoning Board	3,747.50
Schoor Depalma	Various Inspection Fees	35,665.62
Stanley Engel	Condemnation Commissioner - Deluca - Beachfront North II	* 2,330.00
State of NJ - Div. Of Employer Accounts	Unemployment - First Quarter	* 13,896.88
Van Duynne Bros.	Lifeguard Rescue Boat - Recreation Dept.	7,950.00
Vision Service Plan	Vision - June 2007	* 12.76
Walter Zwiirlz	RCA Housing Rehab Program - 104 & 213 Rockwell Ave. / 153 Liberty St. - Community Dev.	750.00

\* DENOTES PREPAY

\*\* SUBJECT TO COMPLETION OF PAYMENT PACKAGE

William M. Feinberg, Esq.

Condemnation Commissioner - Deluca - Beachfront North II

\* 2,840.00

TOTAL TRUST OTHER

279,361.84

\* DENOTES PREPAY

\*\* SUBJECT TO COMPLETION OF PAYMENT PACKAGE

R# 168-07

AUTHORIZE THE SUBMISSION OF A 2007 EDWARD BYRNE  
MEMORIAL JUSTICE ASSISTANCE LOCAL PROGRAM GRANT  
APPLICATION

WHEREAS, the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance has posted the availability of grant funds for the Edward Byrne Memorial Justice Assistance Local Grant Program FY 2007, which provides a no match funding source to local units of government for law enforcement and justice initiative purposes. The aggregate of the available funds for the eligible Monmouth County Communities is \$91,698.00 and Neptune Township along with Asbury Park and Long Branch are eligible to share in this funding.

WHEREAS, the Police Department desires to apply for this program for the purpose of purchasing interoperable communication equipment and technology along with the eligible related training and supplies to advance the public safety and the efficiency of the Police Department,

THEREFORE, BE IT RESOLVED, by the City Council of the City of Long Branch that, the Mayor, Director of Public Safety, and Chief Financial Officer be and is hereby authorized to submit a 2007 Edward Byrne Memorial Justice Assistance Local Assistance Grant Program application to participate in the sharing of the aggregate of the Monmouth County funding and the Director of Public Safety be and is hereby authorized to enter into an agreement in the form of a Memorandum of Understanding with Asbury Park and Neptune Township who will administer this grant,

BE IT FUTHER RESOLVED, that a copy of this resolution be forwarded to the Business Administrator, Chief Financial Officer, Assistant C.F.O., and Director of Public Safety.

**COPY**



CITY OF LONG BRANCH  
OFFICE OF THE DIRECTOR OF PUBLIC SAFETY

344 BROADWAY  
LONG BRANCH, NEW JERSEY 07740  
(732) 222-1000  
FAX (732) 728-0738



TO: Mayor Adam Schneider  
All City Council Members

FROM: William A. Richards  
Director of Public Safety

DATE: June 7, 2007

RE: Edward Byrne Memorial Justice Assistance Grant Program  
(FY 2007 Local Solicitation)

Please be advised that the Long Branch Police Department is eligible to receive funds by way of the above referenced grant. Neptune Township, Asbury Park and Long Branch will enter into this grant, all receiving equal shares of \$30,566.00, totaling \$91, 698.00. Neptune Township will administer the grant on behalf of all three municipalities. Long Branch has received this grant in 2005 and 2006, and it was administered in the same fashion. It is my recommendation that we continue with our participation in this grant. Please note that this is a "no match" grant, therefore, no monetary contribution from the City of Long Branch is required. Our share of these funds are currently earmarked for much needed for acquisition of communications equipment.

  
William A. Richards  
Director of Public Safety

WAR/sam

Attachment

**COPY**

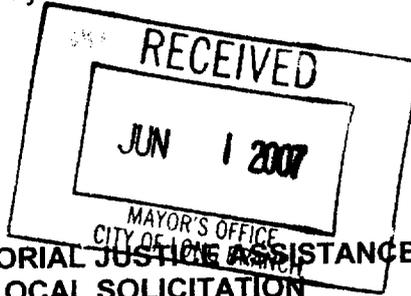
James W. Manning Jr., Mayor  
Randy Bishop, Deputy Mayor  
Dr. Michael Brantley  
Thomas J. Catley  
Mary Beth Jahn



Philip D. Huhn, M.P.A., CPM  
Business Administrator  
Richard J. Cuttrel, R.M.C.  
Municipal Clerk  
Michael J. Bascom, C.M.F.O., C.T.C.  
Chief Financial Officer  
Economic Development Director

31 May 2007

Howard Woolley  
Business Administrator  
City of Long Branch  
344 Broadway  
Long Branch, New Jersey 07740



Re: **EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM  
FY 2007 LOCAL SOLICITATION**

Dear Mr. Howard ~~Woolley~~,

Neptune Township along with Asbury Park and Long Branch are eligible to apply for a 2007 Edward Byrne Memorial Justice Assistance Grant award. As program designated disparate local jurisdictions we are mandated to apply jointly to share in the funding. The deadline for filing is **July 2, 2007**

Although informal discussions on the grant have taken place, I am writing today to propose that Neptune Township will accept the responsibility to apply for and take the lead to administer the program funding.

At this point, we propose that each town send representatives to meet in **workshop** at the **Neptune Township Police Department on Wednesday 6-6-2007 at 10:00am** to prepare the necessary paperwork for filing the application. Attendance by personnel with decision-making authority is of the utmost importance due to the fast approaching deadline. It is expected that the attendees will come away from the meeting with the prepared documents for signature and filing with the grant application.

The Neptune Township Police Department will act as facilitator to complete the program application. Your anticipated cooperation in this effort is appreciated.

Sgt. William Monroe has been designated by Police Chief Howard O'Neil to act as liaison for this process. He can be reached at (732) 988-8000 x 434. You or your representative may call or email him at [wmonroe@neptunetownship.org](mailto:wmonroe@neptunetownship.org).

Sincerely,

Philip Huhn, Business Administrator  
Township of Neptune

CC: *William A. Richard*  
*P.S. Director*

STATE OF NEW JERSEY  
COUNTY OF MONMOUTH

KNOW ALL BY THESE PRESENT

**INTER-LOCAL AGREEMENT  
BETWEEN THE TOWNSHIP OF NEPTUNE, THE CITY OF  
ASBURY PARK AND THE CITY OF LONG BRANCH**

**2007 BYRNE JUSTICE ASSISTANCE GRANT (JAG) LOCAL  
PROGRAM AWARD**

This Agreement is made and entered into this \_\_\_\_ day of **June**, 2007 by and between

THE TOWNSHIP OF NEPTUNE, acting by and through its governing body, the Township Committee, with its principal office located at 25 Neptune Boulevard Neptune, NJ 07753 hereinafter referred to as "Neptune;"

And

THE CITY OF ASBURY PARK, acting by and through its governing body, the City Council, with its principal office located at 1 Municipal Plaza Asbury Park, NJ 07712 hereinafter referred to as "Asbury Park;"

And

THE CITY OF LONG BRANCH, acting by and through its governing body, the City Council, with its principal office located at 344 Broadway Long Branch, NJ 07740 hereinafter referred to as "Long Branch;"

All of Monmouth County, State of New Jersey:

WITNESSTH

**WHEREAS**, Neptune, Asbury Park and Long Branch are eligible for a **2007 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE LOCAL PROGRAM GRANT** and agree to enter into an inter-local service agreement pursuant to N.J.S.A. 40:8A-1 et seq. for the purpose for each to share as equal monetary partners in the grant in the total amount of \$91,698.00 Each of the partners share will be \$30,566.00. Neptune will accept the responsibility to apply for and to administer the grant funds.

**WHEREAS**, Neptune, Asbury Park, Freehold and Long Branch, finds that the performance of this Agreement is in the best interest of all parties, that the undertaking will benefit the public.

**WHEREAS**, Neptune, Asbury Park and Long Branch agree to abide by the general conditions as well as any special conditions set forth in the 2007 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE LOCAL PROGRAM GRANT application.

**WHEREAS**, Neptune, Asbury Park and Long Branch agree to rules set forth in the US Department of Justice, Office of Justice Programs, Financial Guide for Grants Management as well as abide by the purchasing laws for the State of New Jersey.

**NOW THEREFORE**, Neptune, Asbury Park and Long Branch agree as follows:

**Section 1.**

Neptune, Asbury Park and Long Branch agree to share equally in the total of \$91,698.00 of JAG funds. Each equal share amounts to \$30,566.00. Neptune will accept the responsibility to apply for and to administer the grant program funds at no cost to the partners. Periodic interest collected on the grant program funds will be added periodically to the Neptune share as principal.

**Section 2.**

Each party to this agreement will be responsible for its own actions in providing services under this agreement and shall not be liable for any civil liability that may arise from the furnishing of the services by the other party.

**Section 3.**

Neptune, Asbury Park and Long Branch, do not intend for any additional party to obtain a right by virtue of this Agreement.

**Section 4.**

By entering into this Agreement, the parties do not intend to create any obligations express or implied other than those set out herein: further, this Agreement shall not create any rights in any party not a signatory hereto.

THE STATE OF NEW JERSEY  
COUNTY OF MONMOUTH

KNOW ALL BY THESE PRESENT

ADDENDUM – MONMOUTH COUNTY DECLINATION  
INTER-LOCAL AGREEMENT  
BETWEEN THE TOWNSHIP OF NEPTUNE, THE CITY OF  
ASBURY PARK, AND THE CITY OF LONG BRANCH  
2007 BYRNE JUSTICE ASSISTANCE GRANT (JAG) LOCAL  
PROGRAM AWARD

This Addendum is made and entered into this \_\_\_\_ day of **June**, 2007, by

The COUNTY OF MONMOUTH, acting by and through its Administrator whose principal offices are located at the Hall of Records, Freehold, NJ 07728 has no standing or responsibility in the application for or administration of the 2007 Byrne Justice Assistance Grant (JAG) Local program.

This filing is also an acknowledgement that the County Administrator has no opposition to the attached inter-local agreement between Neptune, Asbury Park, and Long Branch filed jointly by them to apply for the program.

ATTEST:

COUNTY OF MONMOUTH      DATE:

\_\_\_\_\_

\_\_\_\_\_

LOUIS PAPAROZZI

**IN WITNESS WHEREOF** the parties hereto have caused these presents to be signed by their respective, duly authorized representative and attest to by their respective Clerks as of the day, month and year first above written.

ATTEST:

NEPTUNE TOWNSHIP

DATE:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

ATTEST:

ASBURY PARK

DATE:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

ATTEST:

LONG BRANCH

DATE:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_