

WORKSHOP SESSION

CITY COUNCIL

SEPTEMBER 11, 2007

6:00 P.M.

1. STORMWATER ORDINANCE/FRED MIGLIACCIO/RICK BROWN
2. CAPITAL BUDGET/RON MEHLHORN
3. MANAHASSETT PARK FINAL DESIGN/JAKE JONES
4. REVIEW OF REGULAR AGENDA

ADMINISTRATIVE AGENDA

CITY COUNCIL

CITY OF LONG BRANCH

SEPTEMBER 11, 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*

PRESENTATION:

8:00 PM – DRUG & ALCOHOL

READING AND APPROVAL OF PREVIOUS MINUTES

AUGUST 28, 2007

CONSIDERATION OF ORDINANCES:

PUBLIC HEARING AND FINAL CONSIDERATION:

(INTRODUCED: 8-28-07)

#34-07 ORDINANCE TO CREATE THE POSITION OF MUNICIPAL HOUSING LIAISON OFFICER FOR THE PURPOSE OF ADMINISTERING THE AFFORDABLE HOUSING PROGRAM OF THE CITY OF LONG BRANCH PURSUANT TO THE FAIR HOUSING ACT

#35-07 ORDINANCE AMENDING CHAPTER 316 "TOWING", SECTION 5 "FEES AND CHARGES" AND SECTION 11 "RESTRICTIONS" OF THE CODE OF THE CITY OF LONG BRANCH

ORDINANCES FOR INTRODUCTION:

(PUBLIC HEARING SCHEDULED FOR SEPTEMBER 25, 2007)

#36-07 ORDINANCE DELETING SECTION 18(G) "REQUIRED IMPROVEMENTS" WITHIN CHAPTER 300 "SUBDIVISION OF LAND", ARTICLE V "MISCELLANEOUS PROVISIONS" OF THE CODE OF THE CITY OF LONG BRANCH, AND ADOPTING A NEW ARTICLE XI, WITHIN SECTION 300-23 ENTITLED "STORMWATER MANAGEMENT"

PUBLIC PARTICIPATION (ALL COMMENTS)

RESOLUTIONS

R243-07 RESOLUTION AUTHORIZING CANCELLATION OF RCA LIEN OF DONNA AND ERNESTINE JUETT, 134 ELMWOOD AVENUE

R244-07 RESOLUTION AUTHORIZING THE ISSUANCE OF \$170,000.00 SPECIAL EMERGENCY NOTES OF THE CITY OF LONG BRANCH, IN THE COUNTY OF MONMOUTH, NEW JERSEY

R245-07 RESOLUTION TO CANCEL OPEN TAXES DUE TO THE PROPERTY BEING OWNED BY THE CITY OF LONG BRANCH (BLOCK 222 LOT 2, MELROSE TERRACE & BLOCK 222, LOT 3, 4 MELROSE TERRACE)

R246-07 RESOLUTION TO REFUND OVERPAYMENT OF 2007 TAXES (BLOCK 89, LOT 6.15, 31 CEDAR AVENUE), (BLOCK 263, LOT 11, 374 W. COLUMBUS PLACE), (BLOCK 321 LOT 9, 224 ROCKWELL AVENUE)

R247-07 RESOLUTION TO REFUND OVERPAYMENT OF 2007 TAXES (BLOCK 85, LOT 13.204, 735 GREENS AVENUE), BLOCK 301.01, LOT 1.112, 33 COOPER AVENUE, BLOCK 322, LOT 3.43, 205-4 SIXTH AVENUE)

R248-07 RESOLUTION – SPECIAL ITEM OF REVENUE U.S. DEPARTMENT OF JUSTICE BUREAU OF JUSTICE ASSISTANCE BULLETPROOF VEST PARTNERSHIP GRANT

R249-07 RESOLUTION AMENDING RESOLUTION # 234-07 CORRECTING THE PROPERTY LOCATION TO 897 NORWOOD AVENUE

R250-07 RESOLUTION APPROVAL PAYMENT OF BILLS

APPLICATIONS:

1. APPROVAL OF RAFFLE LICENSE FOR HOLY TRINITY CHURCH
2. APPROVAL OF RAFFLE LICENSE FOR CYSTIC FIBROSIS FOUNDATION
3. APPROVAL OF RAFFLE LICENSE FOR TEMPLE BETH MIRIAM

Ordinance No. 34-07

ORDINANCE TO CREATE THE POSITION OF MUNICIPAL HOUSING LIAISON OFFICER FOR THE PURPOSE OF ADMINISTERING THE AFFORDABLE HOUSING PROGRAM OF THE CITY OF LONG BRANCH PURSUANT TO THE FAIR HOUSING ACT.

BE IT ORDAINED by the Mayor and Council of the City of Long Branch in the County of Monmouth and State of New Jersey that the following amendments be made to Chapter 6 of the Code of the City of Long Branch:

Section 1. Purpose.

The purpose of this article is to create the administrative mechanism needed for the execution of the City of Long Branch's responsibility to assist in the provision of affordable housing pursuant to the Fair Housing Act of 1985.

Section 2. Definitions.

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

MUNICIPAL HOUSING LIAISON – The employee charged by the governing body with the responsibility for oversight and administration of the affordable housing program for the City of Long Branch

ADMINISTRATIVE AGENT – The entity responsible for administering the affordability controls of some or all units in the affordable housing program for the City of Long Branch to ensure that the restricted units under administration are affirmatively marketed and sold or rented, as applicable, only to low- and moderate-income households.

Section 3. Establishment of Municipal Housing Liaison position and compensation; powers and duties.

- A. Establishment of position of Municipal Housing and Liaison Officer. There is hereby established the position of Municipal Housing Liaison Officer for the City of Long Branch.
- B. Subject to the approval of the Council on Affordable Housing (COAH), the Municipal Housing Liaison Officer shall be appointed by the Governing Body and may be a full or part time municipal employee.
- C. The Municipal Housing Liaison Officer shall be responsible for oversight and administration of the affordable housing program for the City of Long Branch, including the following responsibilities which may not be contracted out, exclusive of item 6 which may be contracted out:

- (1) Serving as the City of Long Branch's primary point of contact for all

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inquiries from the State, affordable housing providers, Administrative Agents, and interested households;

- (2) Monitoring the status of all restricted units in the City of Long Branch's Fair Share Plan;
 - (3) Compiling, verifying, and submitting annual reports as required by COAH;
 - (4) Coordinating meetings with affordable housing providers and Administrative Agents, as applicable;
 - (5) Attending continuing education opportunities on affordability controls, compliance monitoring, and affirmative marketing as offered or approved by COAH;
 - (6) If applicable, serving as the Administrative Agent for some or all of the restricted units in the City of Long Branch as described in F. below.
- D. Subject to approval by COAH, the City of Long Branch may contract with or authorize a consultant, authority, government or any agency charged by the Governing Body, which entity shall have the responsibility of administering the affordable housing program of the City of Long Branch, except for those responsibilities which may not be contracted out pursuant to subsection C. above. If the City of Long Branch contracts with another entity to administer all or any part of the affordable housing program, including the affordability controls and Affirmative Marketing Plan, the Municipal Housing Liaison Officer shall supervise the contracting Administrative Agent.
- E. Compensation. Compensation shall be fixed by the Governing Body at the time of the appointment of the Municipal Housing Liaison Officer.
- F. Administrative powers and duties assigned to the Municipal Housing Liaison Officer.
- (1) Affirmative Marketing
 - (a) Conducting an outreach process to insure affirmative marketing of affordable housing units in accordance with the Affirmative Marketing Plan of the City of Long Branch and the provisions of N.J.A.C. 5:80-26.15; and
 - (b) Providing counseling or contracting to provide counseling services to low and moderate income applicants on subjects such as budgeting, credit issues, mortgage qualification, rental lease requirements, and landlord/tenant law.
 - (2) Household Certification
 - (a) Soliciting, scheduling, conducting and following up on interviews with interested households;
 - (b) Conducting interviews and obtaining sufficient documentation of gross income and assets upon which to base a determination of income eligibility for a low- or moderate-income unit;

- (c) Providing written notification to each applicant as to the determination of eligibility or non-eligibility;
 - (d) Requiring that all certified applicants for restricted units execute a certificate substantially in the form, as applicable, of either the ownership or rental certificates set forth in Appendices J and K of N.J.A.C. 5:80-26.1, et seq.;
 - (e) Creating and maintaining a referral list of eligible applicant households living in the housing region and eligible applicant households with members working in the housing region where the units are located; and
 - (f) Employing the random selection process as provided in the Affirmative Marketing Plan of the City of Long Branch when referring households for certification to affordable units.
- (3) Affordability Controls
- (a) Furnishing to attorneys or closing agents forms of deed restrictions and mortgages for recording at the time of conveyance of title of each restricted unit;
 - (b) Creating and maintaining a file on each restricted unit for its control period, including the recorded deed with restrictions, recorded mortgage and note, as appropriate;
 - (c) Ensuring that the removal of the deed restrictions and cancellation of the mortgage note are effectuated and properly filed with the appropriate county's register of deeds or county clerk's office after the termination of the affordability controls for each restricted unit;
 - (d) Communicating with lenders regarding foreclosures; and
 - (e) Ensuring the issuance of Continuing Certificates of Occupancy or certifications pursuant to N.J.A.C. 5:80-26.10.
- (4) Resale and rental
- (a) Instituting and maintaining an effective means of communicating information between owners and the Administrative Agent regarding the availability of restricted units for resale or rental upon availability of the information to the Municipal Housing Liaison Officer; and
 - (b) Instituting and maintaining an effective means of communicating information to low- and moderate-income households regarding the availability of restricted units for resale or re-rental upon availability of the information to the Municipal Housing Liaison Officer.
- (5) Processing request from unit owners
- (a) Reviewing and approving, in conjunction with the City Attorney, requests from owners of restricted units who wish to take out home equity loans or refinance during the term of their

ownership;

- (b) Reviewing and approving, in conjunction with the City Attorney, requests to increase sales prices from owners of restricted units who wish to make capital improvements to the units that would affect the selling price, such authorizations to be limited to those improvements resulting in additional bedrooms or bathrooms and the cost of central air conditioning systems; and
 - (c) Processing requests and making determinations, in conjunction with the City Attorney, on requests by owners of restricted units for hardship waivers.
- (6) Enforcement
- (a) The posting annually in all rental properties when the information becomes available to the Municipal Housing Liaison, including two-family homes, of a notice as to the maximum permitted rent together with the telephone number of the Administrative Agent where complaints of excess rent can be made;
 - (b) Creating and publishing a written operating manual, as approved by COAH, setting forth procedures for administering such affordability controls; and
 - (c) Providing annual reports to COAH as required.
- (7) The Administrative Agent shall have authority to take all actions necessary and appropriate to carry out its responsibilities hereunder.

Section 4. Severability.

If any section, subsection, paragraph, sentence or other part of this Ordinance is adjudged unconstitutional or invalid, such judgment shall not affect or invalidate the remainder of this Ordinance, but shall be confined in its effect to the section, subsection, paragraph, sentence or other part of this Ordinance directly involved in the controversy in which said judgment shall have been rendered and all other provisions of this Ordinance shall remain in full force and effect.

Section 5. Inconsistent Ordinances Repealed.

All ordinances or parts of ordinances which are inconsistent with the provisions of this ordinance are hereby repealed, but only to the extent of such inconsistencies.

Section 6. Effective Date.

This Ordinance shall take effect immediately upon final adoption and publication in the manner prescribed by law.

BE IT FURTHER ORDAINED that this Ordinance shall take effect immediately after the final passage and publication as required by law.

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INTRODUCED: 8-28-01

ADOPTED:

ATTEST:

CITY OF LONG BRANCH

IRENE JOLINE, CITY CLERK

ADAM SCHNEIDER, MAYOR

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Ordinance No. 35-07

ORDINANCE AMENDING CHAPTER 316 "TOWING", SECTION 5 "FEES AND CHARGES" AND SECTION 11 "RESTRICTIONS" OF THE CODE OF THE CITY OF LONG BRANCH

WHEREAS, Section 316-5 of the Code of the City of Long Branch provides a fee schedule for towing and storage services resulting from an accident, theft recovery and police investigation; and

WHEREAS, pursuant to the existing fee schedule, vehicles that are stored in storage facilities are charged at a rate based on the total number of spaces at the storage facility; and

WHEREAS, the City of Long Branch wishes to amend the existing ordinance so that storage fees are the same irrespective of the capacity of the storage facility; and

WHEREAS, the City of Long Branch also wishes to amend §316-5 as it relates to the fees and service charges for towing of vehicles, including vehicles owned by the City, but excluding fire trucks and garbage trucks; and

WHEREAS, the City wishes to change the towing service charges and storage fees based on the weight rating of the vehicle as identified on the manufacturer's GVWR placard as well as the length of the vehicle; and

NOW, THEREFORE BE IT ORDAINED by the Mayor and Council of the City of Long Branch that §316-5A.(5) is hereby amended and shall read as follows:

(5) Where vehicles over 8,000 pounds weight rating as identified on the manufacturer's GVWR placard for load on vehicle or trailer or any vehicle over 20 feet in length including the load on the trailer are stored prior to reclamation by the owner, the fees shall be as follows:

(a) Indoors. A fee of \$42.00 per day shall be charged. The request for a vehicle to be stored inside shall be made by the owner of the vehicle, or by the City of Long Branch Police Department's Traffic Safety Unit. Any vehicle, which is stored inside, shall remain inside, until the vehicle is retrieved or a request by the owner or the agency is given to place the vehicle in another location.

(b) Outdoors. A fee of \$27.00 per day shall be charged.

BE IT FURTHER ORDAINED by the Mayor and Council of the City of Long Branch that

Branch that §316-5A.(6) is hereby amended and shall read as follows:

- (6) The towing and service charges for City-of-Long Branch-owned vehicles, excluding fire trucks and garbage trucks, shall be as follows:
 - (a) Vehicles up to 8,000 pounds weight rating as identified on the manufacturer's GVWR placard or any vehicle over 20 feet in length including the load on the trailer:
 - (b) Vehicles over 8,000 pounds weight rating as identified on the manufacturer's GVWR placard or any vehicle over 20 feet in length including the load on the trailer:

BE IT FURTHER ORDAINED that §316-5B.(5) be and is hereby amended to read as follows:

- (5) Inside building. Storage facility rates shall be:
 - (c) \$38.00. For any vehicle or trailer greater than 20 feet in length or with a weight rating greater than 8,000 pounds as identified on the manufacturer's GVWR placard, there shall be an additional \$2.00 charge per day. The request for a vehicle to be stored inside shall be made by the owner of the vehicle, or by the City of Long Branch Police Department's Traffic Safety Unit. Any vehicle, which is stored inside, shall remain inside, until the vehicle is retrieved or a request by the owner or this agency is given to place the vehicle in another location.

BE IT FURTHER ORDAINED that §316-5B.(6) be and is hereby amended to read as follows:

- (6) Outside secured storage facility capacity. Rates shall be \$24.00. For any vehicle or trailer greater than 20 feet in length or with a weight rating greater than 8,000 pounds as identified on the manufacturer's GVWR placard, there shall be an additional \$2.00 charge per day.

BE IT FURTHER ORDAINED that §316-5B.(7) be and is hereby amended to read as follows:

- (7) Outside unsecured storage facility capacity. Rates shall be:
 - \$10. For any vehicle or trailer greater than 20 feet in length or with a weight rating greater than 8,000 pounds as identified on the manufacturer's GVWR placard, there shall be an additional \$2.00 charge per day.

BE IT FURTHER ORDAINED that §316-5B.(3) relating to the day rate for towing services be and is hereby amended and shall read as follows:

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(3) Days: Day rates shall be as follows:

- (a) First mile or less: \$75.00 (wheel lift/strap)
\$100.00 (flat bed)
- (b) Each additional mile: \$2.50.

For any vehicle or trailer greater than 20 feet in length or with a weight rating greater than 8,000 pounds as identified on the manufacturer's GVWR placard, there shall be an additional \$10 charge base hook up.

BE IT FURTHER ORDAINED that §316-5B.(4) relating to the rate for towing services for nights, weekends and New Jersey State holidays be and is hereby amended to read as follows:

- (4) Nights, weekends and New Jersey State holidays. Rates shall be as follows:
 - (a) First mile or less: \$75.00 (wheel lift/strap)
\$100.00 (flat bed)
 - (b) Each additional mile: \$2.50.

For any vehicle or trailer greater than 20 feet in length or with a weight rating greater than 8,000 pounds as identified on the manufacturer's GVWR placard, there shall be an additional \$10 charge per mile.

BE IT FURTHER ORDAINED that §316-11 "Restrictions" be and is hereby amended, consistent with the above, to read as follows:

§316-11. Restrictions.

Nothing in this chapter shall be construed so as to prevent any owner or operator of a motor vehicle from calling any wrecker or tower of his own choice, provided that the tower can respond within a reasonable amount of time and provided that he does not tie up a police officer. Additionally, nothing in this chapter shall be construed so as to obligate the City of Long Branch or any of its officers or employees to become obligated in any way whatsoever for any storage charges or towing fees as authorized by this chapter.

BE IT FURTHER ORDAINED that the address for John's Auto & Truck Repair had been changed and shall reflect an address of 505 Joline Avenue, Long Branch, New Jersey 07740.

BE IT FURTHER ORDAINED that this Ordinance shall take effect

immediately after the final passage and publication as required by law.

INTRODUCED: 8-28-07

ADOPTED:

ATTEST:

CITY OF LONG BRANCH

IRENE JOLINE, CITY CLERK

ADAM SCHNEIDER, MAYOR

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Ord. #36-07

AN ORDINANCE DELETING SECTION 18(G) "REQUIRED IMPROVEMENTS" WITHIN CHAPTER 300 "SUBDIVISION OF LAND", ARTICLE V "MISCELLANEOUS PROVISIONS" OF THE CODE OF THE CITY OF LONG BRANCH, AND ADOPTING A NEW ARTICLE XI, WITHIN SECTION 300-23 ENTITLED "STORMWATER MANAGEMENT"

§300-23 Scope and Purpose

A. Policy Statement

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

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

B. Purpose

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

C. Applicability

1. This ordinance shall be applicable to all site plans and subdivisions for the following major developments that require preliminary or final site plan or subdivision review:

- a. Non-residential major developments; and

- b. Aspects of residential major developments that are not pre-empted by the Residential Site Improvement Standards at N.J.A.C. 5:21.

2. This ordinance shall also be applicable to all major developments undertaken by the City of Long Branch.

D. Compatibility with Other Permit and Ordinance Requirements

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

§300-23.1 Definitions

Unless specifically defined below, words or phrases used in this ordinance shall be interpreted so as to give them the meaning they have in common usage and to give this ordinance its most reasonable application. The definitions below are the same as or based on the corresponding definitions in the Stormwater Management Rules at N.J.A.C. 7:8-1.2.

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

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

“Compaction” means the increase in soil bulk density.

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

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

A county planning agency;

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

“Department” means the New Jersey Department of Environmental Protection.

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

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

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

- “Drainage area” means a geographic area within which stormwater, sediments, or dissolved materials drain to a particular receiving waterbody or to a particular point along a receiving waterbody.
- “Environmentally critical areas” means an area or feature which is of significant environmental value, including but not limited to: stream corridors; natural heritage priority sites; habitat of endangered or threatened species; large areas of contiguous open space or upland forest; steep slopes; and well head protection and groundwater recharge areas. Habitats of endangered or threatened species are identified using the Department’s Landscape Project as approved by the Department’s Endangered and Nongame Species Program.
- “Empowerment Neighborhood” means a neighborhood designated by the Urban Coordinating Council “in consultation and conjunction with” the New Jersey Redevelopment Authority pursuant to N.J.S.A 55:19-69.
- “Erosion” means the detachment and movement of soil or rock fragments by water, wind, ice or gravity.
- “Impervious surface” means a surface that has been covered with a layer of material so that it is highly resistant to infiltration by water.
- “Infiltration” is the process by which water seeps into the soil from precipitation.
- “Major development” means any “development” that provides for ultimately disturbing one or more acres of land. Disturbance for the purpose of this rule is the placement of impervious surface or exposure and/or movement of soil or bedrock or clearing, cutting, or removing of vegetation.
- “Municipality” means the City of Long Branch.
- “Node” means an area designated by the State Planning Commission concentrating facilities and activities, which are not organized in a compact form.
- “Nutrient” means a chemical element or compound, such as nitrogen or phosphorus, which is essential to and promotes the development of organisms.
- “Person” means any individual, corporation, company, partnership, firm, association, the City of Long Branch, or political subdivision of this State subject to municipal jurisdiction pursuant to the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq.
- “Pollutant” means any dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, refuse, oil, grease, sewage sludge, munitions, chemical wastes, biological materials, medical wastes, radioactive substance (except those regulated under the Atomic Energy Act of 1954, as amended (42 U.S.C. 2011 et seq.), thermal waste, wrecked or discarded equipment, rock, sand, cellar dirt, industrial, municipal, agricultural, and construction waste or runoff, or other residue discharged directly or indirectly to the land, ground waters or surface waters of the State, or to a domestic treatment works. “Pollutant” includes both hazardous and nonhazardous pollutants.
- “Recharge” means the amount of water from precipitation that infiltrates into the ground and is not evapotranspired.

- “Sediment” means solid material, mineral or organic, that is in suspension, is being transported, or has been moved from its site of origin by air, water or gravity as a product of erosion.
- “Site” means the lot or lots upon which a major development is to occur or has occurred.
- “Soil” means all unconsolidated mineral and organic material of any origin.
- “State Development and Redevelopment Plan Metropolitan Planning Area (PA1)” means an area delineated on the State Plan Policy Map and adopted by the State Planning Commission that is intended to be the focus for much of the state’s future redevelopment and revitalization efforts.
- “State Plan Policy Map” is defined as the geographic application of the State Development and Redevelopment Plan’s goals and statewide policies, and the official map of these goals and policies.
- “Stormwater” means water resulting from precipitation (including rain and snow) that runs off the land’s surface, is transmitted to the subsurface, or is captured by separate storm sewers or other sewage or drainage facilities, or conveyed by snow removal equipment.
- “Stormwater runoff” means water flow on the surface of the ground or in storm sewers, resulting from precipitation.
- “Stormwater management basin” means an excavation or embankment and related areas designed to retain stormwater runoff. A stormwater management basin may either be normally dry (that is, a detention basin or infiltration basin), retain water in a permanent pool (a retention basin), or be planted mainly with wetland vegetation (most constructed stormwater wetlands).
- “Stormwater management measure” means any structural or nonstructural strategy, practice, technology, process, program, or other method intended to control or reduce stormwater runoff and associated pollutants, or to induce or control the infiltration or groundwater recharge of stormwater or to eliminate illicit or illegal non-stormwater discharges into stormwater conveyances.
- “Tidal Flood Hazard Area” means a flood hazard area, which may be influenced by stormwater runoff from inland areas, but which is primarily caused by the Atlantic Ocean.
- “Time of Concentration” is defined as the time it takes for runoff to travel from the hydraulically most distant point of the watershed to the point of interest within a watershed;
- “Total suspended solids” The sum of dissolved and undissolved solids and particulate matter of a buoyancy and/or specific gravity that prohibits their settling in runoff;
- “Urban Coordinating Council Empowerment Neighborhood” means a neighborhood given priority access to State resources through the New Jersey Redevelopment Authority.

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

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

- (1) Delineated on the State Plan Policy Map (SPPM) as the Metropolitan Planning Area (PA1), Designated Centers, Cores or Nodes;
- (2) Designated as CAFRA Centers, Cores or Nodes;
- (3) Designated as Urban Enterprise Zones; and
- (4) Designated as Urban Coordinating Council Empowerment Neighborhoods.

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

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

§300-23.2: General Standards

A. Design and Performance Standards for Stormwater Management Measures

1. Stormwater management measures for major development shall be developed to meet the erosion control, groundwater recharge, stormwater runoff quantity, and stormwater runoff quality standards in §300-23.3. To the maximum extent practicable, these standards shall be met by incorporating nonstructural stormwater management strategies into the design. If these strategies alone are not sufficient to meet these standards, structural stormwater management measures necessary to meet these standards shall be incorporated into the design.
2. The standards in this ordinance apply only to new major development and are intended to minimize the impact of stormwater runoff on water quality and water quantity in receiving water bodies and maintain groundwater recharge. The standards do not apply to new major development to the extent that alternative design and performance standards are applicable under a regional stormwater management plan or Water Quality Management Plan adopted in accordance with Department rules.
3. For site improvements regulated under the Residential Site Improvement Standards (RSIS) at N.J.A.C. 5:21, the RSIS shall apply in addition to this Section except to the extent the RSIS are superseded by this Section or alternative standards applicable under a regional stormwater management plan or Water Quality Management Plan adopted in accordance with the rules of the New Jersey Department of Environmental Protection.

§300-23.3: Stormwater Management Requirements for Major Development

- A. The development shall incorporate a maintenance plan for the stormwater management measures incorporated into the design of a major development in accordance with §300-23.
- B. Stormwater management measures shall avoid adverse impacts of concentrated flow on habitat for threatened and endangered species as documented in the Department's Landscape Project or Natural Heritage Database established under N.J.S.A. 13:1B-15.147 through 15.150.
- C. The following linear development projects are exempt from the groundwater recharge, stormwater runoff quantity, and stormwater runoff quality requirements of §300-23.3 (F) and (G).
 1. The construction of an underground utility line provided that the disturbed areas are revegetated upon completion;
 2. The construction of an aboveground utility line provided that the existing conditions are maintained to the maximum extent practicable; and

3. The construction of a public pedestrian access, such as a sidewalk or trail with a maximum width of 14 feet, provided that the access is made of permeable material.

D.A waiver from strict compliance from the groundwater recharge, stormwater runoff quantity, and stormwater runoff quality requirements of §300-23.3 (F) and (G) may be obtained for the enlargement of an existing public roadway or railroad; or the construction or enlargement of a public pedestrian access, provided that the following conditions are met:

1. The applicant demonstrates that there is a public need for the project that cannot be accomplished by any other means;
2. The applicant demonstrates through an alternatives analysis, that through the use of nonstructural and structural stormwater management strategies and measures, the option selected complies with the requirements of §300-23.3 (F) and (G) to the maximum extent practicable;
3. The applicant demonstrates that, in order to meet the requirements of §300-23.3 (F) and (G) existing structures currently in use, such as homes and buildings, would need to be condemned; and
4. The applicant demonstrates that it does not own or have other rights to areas, including the potential to obtain through condemnation lands not falling under §300-23.3 (D3) above within the upstream drainage area of the receiving stream, that would provide additional opportunities to mitigate the requirements of §300-23.3 (F) and (G), that were not achievable on-site.

E. Nonstructural Stormwater Management Strategies

1. To the maximum extent practicable, the standards in §300-23.3 (F) and (G), shall be met by incorporating nonstructural stormwater management strategies set forth at §300-23.3 (E) into the design. The applicant shall identify the nonstructural measures incorporated into the design of the project. If the applicant contends that it is not feasible for engineering, environmental, or safety reasons to incorporate any nonstructural stormwater management measures identified in §300-23.3 (E) (2) below into the design of a particular project, the applicant shall identify the strategy considered and provide a basis for the contention.
2. Nonstructural stormwater management strategies incorporated into site design shall:
 - a. Protect areas that provide water quality benefits or areas particularly susceptible to erosion and sediment loss;
 - b. Minimize impervious surfaces and break up or disconnect the flow of runoff over impervious surfaces;
 - c. Maximize the protection of natural drainage features and vegetation;
 - d. Minimize the decrease in the "time of concentration" from pre-construction to post construction. "Time of concentration" is defined as the time it takes for runoff to

travel from the hydraulically most distant point of the watershed to the point of interest within a watershed;

- e. Minimize land disturbance including clearing and grading;
 - f. Minimize soil compaction;
 - g. Provide low-maintenance landscaping that encourages retention and planting of native vegetation and minimizes the use of lawns, fertilizers and pesticides;
 - h. Provide vegetated open-channel conveyance systems discharging into and through stable vegetated areas;
 - i. Provide other source controls to prevent or minimize the use or exposure of pollutants at the site, in order to prevent or minimize the release of those pollutants into stormwater runoff. Such source controls include, but are not limited to:
 - (1) Site design features that help to prevent accumulation of trash and debris in drainage systems, including features that satisfy §300-23.3 (E) (3) below;
 - (2) Site design features that help to prevent discharge of trash and debris from drainage systems;
 - (3) Site design features that help to prevent and/or contain spills or other harmful accumulations of pollutants at industrial or commercial developments; and
 - (4) When establishing vegetation after land disturbance, applying fertilizer in accordance with the requirements established under the Soil Erosion and Sediment Control Act, N.J.S.A. 4:24-39 et seq., and implementing rules.
3. Site design features identified under §300-23.3 (E)(2)(i)(2) above shall comply with the following standard to control passage of solid and floatable materials through storm drain inlets. For purposes of this paragraph, “solid and floatable materials” means sediment, debris, trash, and other floating, suspended, or settleable solids. For exemptions to this standard see §300-23.3(E)(3)(c) below:
- a. Design engineers shall use either of the following grates whenever they use a grate in pavement or another ground surface to collect stormwater from that surface into a storm drain or surface water body under that grate:
 - (1) The New Jersey Department of Transportation (NJDOT) bicycle safe grate, which is described in Chapter 2.4 of the NJDOT Bicycle Compatible Roadways and Bikeways Planning and Design Guidelines (April 1996); or
 - (2) A different grate, if each individual clear space in that grate has an area of no more than seven (7.0) square inches, or is no greater than 0.5 inches across the smallest dimension.

Examples of grates subject to this standard include grates in grate inlets, the grate portion (non-curb-opening portion) of combination inlets, grates on storm sewer

manholes, ditch grates, trench grates, and grates of spacer bars in slotted drains. Examples of ground surfaces include surfaces of roads (including bridges), driveways, parking areas, bikeways, plazas, sidewalks, lawns, fields, open channels, and stormwater basin floors.

- b. Whenever design engineers use a curb-opening inlet, the clear space in that curb opening (or each individual clear space, if the curb opening has two or more clear spaces) shall have an area of no more than seven (7.0) square inches, or be no greater than two (2.0) inches across the smallest dimension.
 - c. This standard shall not apply under the following conditions or situations:
 - (1) Where the review agency determines that this standard would cause inadequate hydraulic performance that could not practicably be overcome by using additional or larger storm drain inlets that meet these standards;
 - (2) Where flows from the water quality design storm as specified in §300-23.3 (G)(1) are conveyed through any device (e.g., end of pipe netting facility, manufactured treatment device, or a catch basin hood) that is designed, at a minimum, to prevent delivery of all solid and floatable materials that could not pass through one of the following:
 - (a) A rectangular space four and five-eighths inches long and one and one-half inches wide (this option does not apply for outfall netting facilities);
or
 - (b) A bar screen having a bar spacing of 0.5 inches.
 - (3) Where flows are conveyed through a trash rack that has parallel bars with one-inch (1") spacing between the bars, to the elevation of the water quality design storm as specified in §300-23.3 (G)(1); or
 - (4) Where the New Jersey Department of Environmental Protection determines, pursuant to the New Jersey Register of Historic Places Rules at N.J.A.C. 7:4-7.2(c), that action to meet this standard is an undertaking that constitutes an encroachment or will damage or destroy the New Jersey Register listed historic property.
4. Any land area used as a nonstructural stormwater management measure to meet the performance standards in §300-23.3 (F) and (G) shall be dedicated to a government agency, subjected to a conservation restriction filed with the Monmouth County Clerk's office, or subject to an approved equivalent restriction that ensures that measure or an equivalent stormwater management measure approved by the reviewing agency is maintained in perpetuity.
 5. Guidance for nonstructural stormwater management strategies is available in the New Jersey Stormwater Best Management Practices Manual. The BMP Manual may be obtained from the address identified in §300-23.3, or found on the Department's website at www.njstormwater.org.

F. Erosion Control, Groundwater Recharge and Runoff Quantity Standards

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

manufacturing, or other industrial activities that are exposed to stormwater.

- (4) The design engineer shall assess the hydraulic impact on the groundwater table and design the site so as to avoid adverse hydraulic impacts. Potential adverse hydraulic impacts include, but are not limited to, exacerbating a naturally or seasonally high water table so as to cause surficial ponding, flooding of basements, or interference with the proper operation of subsurface sewage disposal systems and other subsurface structures in the vicinity or downgradient of the groundwater recharge area.
- c. In order to control stormwater runoff quantity impacts, the design engineer shall, using the assumptions and factors for stormwater runoff calculations at §300-23.3, complete one of the following:
- (1) **No Increase in Volume Runoff**-Demonstrate through hydrologic and hydraulic analysis that for stormwater leaving the site, post-construction runoff hydrographs for the two, 10, and 100-year storm events do not exceed, at any point in time, the pre-construction runoff hydrographs for the same storm events;
 - (2) **No Increase in Runoff Rate**-Demonstrate through hydrologic and hydraulic analysis that there is no increase, as compared to the pre-construction condition, in the peak runoff rates of stormwater leaving the site for the two, 10, and 100-year storm events and that the increased volume or change in timing of stormwater runoff will not increase flood damage at or downstream of the site. This analysis shall include the analysis of impacts of existing land uses and projected land uses assuming full development under existing zoning and land use ordinances in the drainage area;
 - (3) **Reduction in Runoff Rate**-Design stormwater management measures so that the post-construction peak runoff rates for the 2, 10 and 100 year storm events are 50, 75 and 80 percent, respectively, of the pre-construction peak runoff rates. The percentages apply only to the post-construction stormwater runoff that is attributable to the portion of the site on which the proposed development or project is to be constructed. The percentages shall not be applied to post-construction stormwater runoff into tidal flood hazard areas if the increased volume of stormwater runoff will not increase flood damages below the point of discharge; or
 - (4) In tidal flood hazard areas, stormwater runoff quantity analysis in accordance with (1), (2) and (3) above shall only be applied if the increased volume of stormwater runoff could increase flood damages below the point of discharge.
2. Any application for a new agricultural development that meets the definition of major development at §300.23.1 shall be submitted to the Freehold Soil Conservation District for review and approval in accordance with the requirements

of this section and any applicable Freehold Conservation District guidelines for stormwater runoff quantity and erosion control. For the purposes of this section, "agricultural development" means land uses normally associated with the production of food, fiber, or livestock for sale. Such uses do not include the development of land for the processing or sale of food and the manufacturing of agriculturally related products.

G. Stormwater Runoff Quality Standards

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

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

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

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

Where

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

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

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

Table 2: TSS Removal Rates for BMPs	
Best Management Practice	TSS Percent Removal Rate
Bioretention Systems	90
Constructed Stormwater Wetland	90
Extended Detention Basin	40-60
Infiltration Structure	80
Manufactured Treatment Device	50-90
Sand Filter	80
Vegetative Filter Strip	60-80
Wet Pond	50-90

4. If there is more than one onsite drainage area, the 80 percent TSS removal rate shall apply to each drainage area, unless the runoff from the sub areas converge on site in

which case the removal rate can be demonstrated through a calculation using a weighted average.

5. Stormwater management measures shall also be designed to reduce, to the maximum extent feasible, the post-construction nutrient load of the anticipated load from the developed site in stormwater runoff generated from the water quality design storm. In achieving reduction of nutrients to the maximum extent feasible, the design of the site shall include nonstructural strategies and structural measures that optimize nutrient removal while still achieving the performance standards in §300-23.3 (F) and (G).
6. In accordance with the definition of FW1 at N.J.A.C. 7:9B-1.4, stormwater management measures shall be designed to prevent any increase in stormwater runoff to waters classified as FW1.
7. Additional information and examples are contained in the New Jersey Stormwater Best Management Practices Manual, which may be obtained from the address identified in §300-23.6.
8. Special water resource protection areas shall be established along all waters designated Category One at N.J.A.C. 7:9B, and perennial or intermittent streams that drain into or upstream of the Category One waters as shown on the USGS Quadrangle Maps or in the County Soil Surveys, within the associated HUC14 drainage area. These areas have been established for the protection of water quality, aesthetic value, exceptional ecological significance, exceptional recreational significance, exceptional water supply significance, and exceptional fisheries significance of those established Category One waters. These areas shall be designated and protected as follows:
 - a. The applicant shall preserve and maintain a special water resource protection area in accordance with one of the following:
 - (1) A 300-foot special water resource protection area shall be provided on each side of the waterway, measured perpendicular to the waterway from the top of the bank outwards or from the centerline of the waterway where the bank is not defined, consisting of existing vegetation or vegetation allowed to follow natural succession is provided.
 - (2) Encroachment within the designated special water resource protection area under Subsection (1) above shall only be allowed where previous development or disturbance has occurred (for example, active agricultural use, parking area or maintained lawn area). The encroachment shall only be allowed where applicant demonstrates that the functional value and overall condition of the special water resource protection area will be maintained to the maximum extent practicable. In no case shall the remaining special water resource protection area be reduced to less than 150 feet as measured perpendicular to the top of bank of the waterway or centerline of the

waterway where the bank is undefined. All encroachments proposed under this subparagraph shall be subject to review and approval by the Department.

- b. All stormwater shall be discharged outside of but may flow through the special water resource protection area and shall comply with the Standard for Off-Site Stability in the "Standards For Soil Erosion and Sediment Control in New Jersey," established under the Soil Erosion and Sediment Control Act , N.J.S.A. 4:24-39 et seq.
- c. If stormwater discharged outside of and flowing through the special water resource protection area cannot comply with the Standard For Off-Site Stability in the "Standards for Soil Erosion and Sediment Control in New Jersey," established under the Soil Erosion and Sediment Control Act , N.J.S.A. 4:24-39 et seq., then the stabilization measures in accordance with the requirements of the above standards may be placed within the special water resource protection area, provided that:
 - (1) Stabilization measures shall not be placed within 150 feet of the Category One waterway;
 - (2) Stormwater associated with discharges allowed by this section shall achieve a 95 percent TSS post-construction removal rate;
 - (3) Temperature shall be addressed to ensure no impact on the receiving waterway;
 - (4) The encroachment shall only be allowed where the applicant demonstrates that the functional value and overall condition of the special water resource protection area will be maintained to the maximum extent practicable;
 - (5) A conceptual project design meeting shall be held with the appropriate Department staff and Soil Conservation District staff to identify necessary stabilization measures; and
 - (6) All encroachments proposed under this section shall be subject to review and approval by the Department.
- d. A stream corridor protection plan may be developed by a regional stormwater management planning committee as an element of a regional stormwater management plan, or by a municipality through an adopted municipal stormwater management plan. If a stream corridor protection plan for a waterway subject to §300-23.3G(8) has been approved by the Department of Environmental Protection, then the provisions of the plan shall be the applicable special water resource protection area requirements for that waterway. A stream corridor protection plan for a waterway subject to G.8 shall maintain or enhance the current functional value and overall condition of the special water resource protection area as defined in §300-23.3 G.8.a.(1) above. In no case shall a stream corridor protection plan allow the reduction of the Special Water Resource Protection Area to less than 150 feet as measured perpendicular to the waterway subject to this subsection.

- e. Paragraph.8 above does not apply to the construction of one individual single family dwelling that is not part of a larger development on a lot receiving preliminary or final subdivision approval on or before February 2, 2004, provided that the construction begins on or before February 2, 2009.

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

A. Stormwater runoff shall be calculated in accordance with the following:

1. The design engineer shall calculate runoff using one of the following methods:
 - a. The USDA Natural Resources Conservation Service (NRCS) methodology, including the NRCS Runoff Equation and Dimensionless Unit Hydrograph, as described in the NRCS National Engineering Handbook Section 4 – Hydrology and Technical Release 55 – Urban Hydrology for Small Watersheds; or
 - b. The Rational Method for peak flow and the Modified Rational Method for hydrograph computations.
2. For the purpose of calculating runoff coefficients and groundwater recharge, there is a presumption that the pre-construction condition of a site or portion thereof is a wooded land use with good hydrologic condition. The term “runoff coefficient” applies to both the NRCS methodology at §300-23.4 (A)(1)(a) and the Rational and Modified Rational Methods at Section §300-23.4(A)(1)(b). A runoff coefficient or a groundwater recharge land cover for an existing condition may be used on all or a portion of the site if the design engineer verifies that the hydrologic condition has existed on the site or portion of the site for at least five years without interruption prior to the time of application. If more than one land cover has existed on the site during the five years immediately prior to the time of application, the land cover with the lowest runoff potential shall be used for the computations. In addition, there is the presumption that the site is in good hydrologic condition (if the land use type is pasture, lawn, or park), with good cover (if the land use type is woods), or with good hydrologic condition and conservation treatment (if the land use type is cultivation).
3. In computing pre-construction stormwater runoff, the design engineer shall account for all significant land features and structures, such as ponds, wetlands, depressions, hedgerows, or culverts that may reduce pre-construction stormwater runoff rates and volumes.
4. In computing stormwater runoff from all design storms, the design engineer shall consider the relative stormwater runoff rates and/or volumes of pervious and impervious surfaces separately to accurately compute the rates and volume of stormwater runoff from the site. To calculate runoff from unconnected impervious cover, urban impervious area modifications as described in the NRCS Technical Release 55 – Urban Hydrology for Small Watersheds and other methods may be employed.

5. If the invert of the outlet structure of a stormwater management measure is below the flood hazard design flood elevation as defined at N.J.A.C. 7:13, the design engineer shall take into account the effects of tailwater in the design of structural stormwater management measures.

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

1. The New Jersey Geological Survey Report GSR-32 A Method for Evaluating Ground-Water Recharge Areas in New Jersey, incorporated herein by reference as amended and supplemented. Information regarding the methodology is available from the New Jersey Stormwater Best Management Practices Manual; at <http://www.state.nj.us/dep/njgs/>; or at New Jersey Geological Survey, 29 Arctic Parkway, P.O. Box 427 Trenton, New Jersey 08625-0427; (609) 984-6587.

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

§300-23.5: Standards for Structural Stormwater Management Measures

A. Standards for structural stormwater management measures are as follows:

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

- B. Stormwater management measure guidelines are available in the New Jersey Stormwater Best Management Practices Manual. Other stormwater management measures may be utilized provided the design engineer demonstrates that the proposed measure and its design will accomplish the required water quantity, groundwater recharge and water quality design and performance standards established by §300-23.3 of this ordinance.
- C. Manufactured treatment devices may be used to meet the requirements of §300-23.3 of this ordinance, provided the pollutant removal rates are verified by the New Jersey Corporation for advanced Technology and certified by the Department.

§300-23.6 Sources for Technical Guidance

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

§300-23.7: Safety Standards for Stormwater Management Basins

- A. This section sets forth requirements to protect public safety through the proper design and operation of stormwater management basins. This section applies to any new stormwater management basin.
- B. Requirements for Trash Racks, Overflow Grates and Escape Provisions

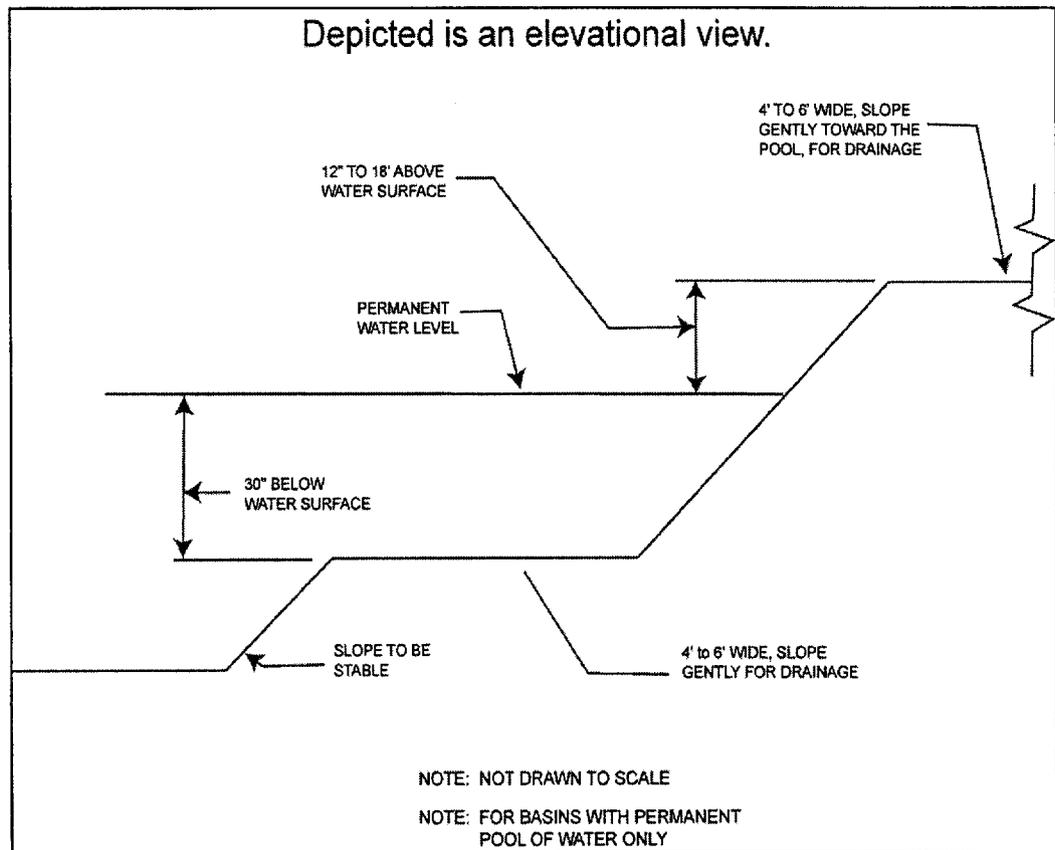
1. A trash rack is a device designed to catch trash and debris and prevent the clogging of outlet structures. Trash racks shall be installed at the intake to the outlet from the stormwater management basin to ensure proper functioning of the basin outlets in accordance with the following:
 - a. The trash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

- c. In new stormwater management basins, the maximum interior slope for an earthen dam, embankment, or berm shall not be steeper than 3 horizontal to 1 vertical.

C. Variance or Exemption from Safety Standards

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

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



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

A. Submission of Site Development Stormwater Plan

1. Whenever an applicant seeks municipal approval of a development subject to this ordinance, the applicant shall submit all of the required components of the Checklist for the Site Development Stormwater Plan at §300-23.7 (C) as part of the submission of the applicant's application for subdivision or site plan approval.

2. The applicant shall demonstrate that the project meets the standards set forth in this ordinance.
3. The applicant shall submit fourteen (14) copies of the materials listed in the checklist for site development stormwater plans in accordance with §300-23.7 (C) of this ordinance.

B. Site Development Stormwater Plan Approval

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

C. Checklist Requirements

The following information shall be required:

1. Topographic Base Map

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

2. Environmental Site Analysis

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

3. Project Description and Site Plan(s)

A map (or maps) at the scale of the topographical base map indicating the location of areas of impervious surface including, but not limited to existing and proposed buildings, roads, parking areas, utilities, structural facilities for stormwater management and sediment control, and other permanent structures. The map(s) shall also clearly show areas where alterations occur in the natural terrain and cover,

including lawns and other landscaping, and seasonal high ground water elevations. A written description of the site plan and justification of proposed changes in natural conditions shall also be provided.

4. Land Use Planning and Source Control Plan

This plan shall provide a demonstration of how the goals and standards of §300-23.2 through sections §300-23.5 are being met. The focus of this plan shall be to describe how the site is being developed to meet the objective of controlling groundwater recharge, stormwater quality and stormwater quantity problems at the source by land management and source controls whenever possible.

5. Stormwater Management Facilities Map

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

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

6. Calculations

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

7. Maintenance and Repair Plan

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

8. Waiver from Submission Requirements

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

9. Site Plan Checklist

Major development applications shall require the Applicant shall complete and submit a copy of the Site Conditions Checklist, which can be found immediately following this Section.

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

Long Branch City-Site Conditions Checklist			
In addition to the prescribed information in §300-23.8: Requirements for a Site Development Stormwater Plan, Part C- Checklist Requirements, the following elements should be considered and presented as appropriate and in combinations sufficient to adequately indicate the existing site conditions and that of the surrounding environs:			
			Geology and Soils
			Steep slopes (10% or greater)
			Colloidal soils
			Highly erodible soils, with an erodibility factor (K) of .40 or greater
			Seasonal high water table
			Soils subject to dynamic compaction and compacted soil
			Geology and Soils
			Shrink swell potential
			Deeply fractured bedrock
			Hardpans and plough pans
			Existing Man Made Structures and Activities
			Existing buildings and significant permanent manmade features
			Roads by classification, parking areas and other impervious surfaces
			Bridges and culverts
			Utilities, sub-surface and above ground mining / quarry operations and blasting areas
			Acid or other hazardous runoff
			Areas of fill and buried debris
			Wellheads and associated ground water withdrawals
			Pipes, discharges and BMP's of existing stormwater utilities
			Groundwater mounding
			Septic systems and wells of adjacent lots
			Leaking sanitary lines
			Previous land use (agricultural, industrial, commercial)

§300-23.9: Maintenance and Repair

A. Applicability

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

B. General Maintenance

1. The design engineer shall prepare a maintenance plan for the stormwater management measures incorporated into the design of a major development.

2. The maintenance plan shall contain specific preventative maintenance tasks and schedules; cost estimates, including estimated cost of sediment, debris, or trash removal; and the name, address, and telephone number of the person or persons responsible for preventative and corrective maintenance (including replacement). Maintenance guidelines for stormwater management measures are available in the New Jersey Stormwater Best Management Practices Manual. If the maintenance plan identifies a person other than the developer (for example, a public agency or homeowners' association) as having the responsibility for maintenance, the plan shall include documentation of such person's agreement to assume this responsibility, or of the developer's obligation to dedicate a stormwater management facility to such person under an applicable ordinance or regulation.
3. Responsibility for maintenance shall not be assigned or transferred to the municipality in a residential development or project. Responsibility for facilities located in commercial or development sites shall be the owner of the site. A named individual shall be responsible for the safety and maintenance of said facility. The posting of a two-year maintenance guarantee in accordance with N.J.S.A. 40:55D-53 shall be required for all facilities not dedicated to the municipality or other public agency.
4. If the person responsible for maintenance identified under §300-23.9 (B)(2) above is not a public agency, the maintenance plan and any future revisions based on §300-23.9 (B)(7) below shall be recorded upon the deed of record for each property on which the maintenance described in the maintenance plan must be undertaken.
5. Preventative and corrective maintenance shall be performed to maintain the function of the stormwater management measure, including repairs or replacement to the structure; removal of sediment, debris, or trash; restoration of eroded areas; snow and ice removal; fence repair or replacement; restoration of vegetation; and repair or replacement of nonvegetated linings.
6. The person responsible for maintenance identified under §300-23.9 (B)(2) above shall maintain a detailed log of all preventative and corrective maintenance for the structural stormwater management measures incorporated into the design of the development, including a record of all inspections and copies of all maintenance-related work orders.
7. The person responsible for maintenance identified under §300-23.9 (B)(2) above shall evaluate the effectiveness of the maintenance plan at least once per year and adjust the plan and the deed as needed, and submit such changes for approval by the City Engineer.
8. The person responsible for maintenance identified under §300-23.9 (B)(2) above shall retain and make available, upon request by any public entity with administrative, health, environmental, or safety authority over the site, the maintenance plan and the documentation required by §300-23.9 (B)(6) and §300-23.9 (B)(7) within 10 days of such a request.

9. The requirements of §300-23.9 (B)(3) and (B)(4) do not apply to stormwater management facilities that are dedicated to and accepted by the municipality or another governmental agency.

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

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

§300-23.10: Penalties

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

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

§300-23.11 Effective Date

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

§300-23.12 Severability

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

§ 300-23.13 Fees

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

R# 243-07

**RESOLUTION AUTHORIZING CANCELLATION OF RCA LIEN OF
DONNA AND ERNESTINE JUETT, 134 ELMWOOD AVENUE**

WHEREAS, the City of Long Branch entered into a RCA Lien with Donna and Ernestine Juett, 134 Elmwood Avenue, Long Branch, New Jersey, in the sum of \$14, 800.00 on August 30, 2006; and

WHEREAS, said mortgage was recorded on February 15, 2007 in Mortgage Book OR-8630 and Page 6317; and

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

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Long Branch that the Mayor of the City of Long Branch be and the same hereby is authorized to execute a Discharge of Lien in the amount of \$14,800.00 previously loaned to Donna and Ernestine Juett, 134 Elmwood Avenue, Long Branch, New Jersey in the sum of \$14, 800.00 and recorded on February 15, 2007.

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

MOVED:
SECONDED:

AND ADOPTED UPON THE FOLLOWING ROLE CALL:

AYES:
NAYES:
ABSENT:
ABSTAIN:

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EXTRACT from the minutes of a regular meeting of the City Council of the City of Long Branch, in the County of Monmouth, New Jersey, on _____, 2007 at _____ p.m.

PRESENT:

ABSENT:

_____ introduced and moved the adoption of the following resolution, and _____ seconded the motion:6766

RESOLUTION AUTHORIZING THE ISSUANCE OF \$170,000 SPECIAL EMERGENCY NOTES OF THE CITY OF LONG BRANCH, IN THE COUNTY OF MONMOUTH, NEW JERSEY.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LONG BRANCH, IN THE COUNTY OF MONMOUTH, NEW JERSEY AS FOLLOWS:

Section 1. Pursuant to the Local Budget Law of New Jersey, Special Emergency Notes in the aggregate principal amount of \$170,000 of the City are hereby authorized to be issued under ordinance number 30-07 of the City finally adopted August 28, 2007.

The special emergency notes authorized by this resolution and the ordinance heretofore referred to may be issued in amounts and denominations not

exceeding in the aggregate the amount of notes authorized herein, as determined by the Director of Finance of the City pursuant to this resolution.

Section 2. The following matters in connection with the notes are hereby determined:

- (a) All notes issued hereunder shall mature at such time as may be determined by the Director of Finance, provided that no note shall mature later than one year from its date;
- (b) All notes issued hereunder shall bear interest at such rate or rates as may be determined by the Director of Finance;
- (c) The notes shall be in the form determined by the Director of Finance and the Director of Finance's signature upon the notes shall be conclusive as to such determination;
- (d) Notes issued hereunder may be renewed from time to time for periods of not exceeding one year for the time period specified in, and in accordance with the provisions of N.J.S.A. 40A:4-55.

Section 3. The Director of Finance is hereby authorized and directed to determine all matters in connection with the notes not determined by this or a subsequent resolution and the Director of Finance's signature upon the notes shall be conclusive as to such determination.

Section 4. The Director of Finance is hereby authorized to sell the notes from time to time at public or private sale in such amounts as such officer may determine at not less than par and to deliver the same from time to time to the purchasers

thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof and payment therefore.

Section 5. Any instrument issued pursuant to this resolution shall be a general obligation of the City of Long Branch. The full faith and credit of the City are hereby pledged to the punctual payment of the principal of and the interest on the obligations and, unless otherwise paid or payment provided for, an amount sufficient for such payment shall be inserted in the budget and a tax sufficient to provide for the payment thereof shall be levied and collected.

Section 6. The Director of Finance is authorized and directed to report in writing to this governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this resolution is made, such report to include the amount, description, interest rate and maturity of the notes sold, the price obtained and the name of the purchaser.

Section 7. All resolutions regarding the form or sale of special emergency notes heretofore adopted by the City are hereby repealed.

Section 8. This resolution shall take effect immediately.

The foregoing resolution was adopted by the following vote:

AYES:

NAYES:

CERTIFICATE

I, IRENE A. JOLINE, Clerk of the City of Long Branch, in the County of Monmouth, State of New Jersey, HEREBY CERTIFY that the foregoing resolution has been adopted by the City on _____, 2007.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City this ____ day of _____, 2007.

IRENE A. JOLINE, Clerk

(SEAL)

R# 245-07

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

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

NOW THEREFORE BE IT RESOLVED, that the Tax Collector is hereby authorized to cancel the taxes shown below in the total amount of \$4,472.84 and charge 2007 taxes.

BLOCK	LOT	Address	AMOUNT
222	2	Melrose Terr.	988.68
222	3	4 Melrose Terr.	3,484.16

R# 246-01

**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 and charge 2007 taxes in the total amount of \$2,912.40 and,

BLOCK	LOT	NAME	AMOUNT
89 31 Cedar Ave.	6.15	ABN AMRO Account of: Paradise, J. & M C/O FARETS PO Box 961250 Ft. Worth, TX 76161-9887	1,062.78
263 374 W. Columbus Pl.	11	Aurora Loan Services, Inc. Account of: Lucas, Baco C/O FARETS PO Box 961250 Ft. Worth, TX 76161-9887	999.62
321 224 Rockwell Ave.	9	Countrywide Account of: DeLucia, Joseph PO Box 10211 Van Nuys, CA 91499-6089	850.00

R# 247-01

**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 and charge 2007 taxes in the total amount of \$2,348.78 and,

BLOCK	LOT	NAME	AMOUNT
85 735 Greens Ave.	13.204	Schoonhoven, Christopher 15 Oakhurst Rd. Middletown, NJ 07748	613.02
301.01 33 Cooper Ave.	1.112	Riley, Mary 6 Overlook Dr. Bridgewater, NJ 08807	1,541.32
322 205-4 Sixth Ave	3.43	Myers, Norah 205 N. Sixth Ave Unit 4 Long Branch, NJ 07740	194.44

R# 248-07

**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 \$12,885.10, 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 \$12,885.10 is hereby appropriated under the caption of:

US Department of Justice	
Bureau of Justice Assistance	
Bulletproof Vest Partnership Grant	\$12,885.10

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 _____ 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: 248-07

Date of Adoption: September 11, 2007

Revenue Title: US Dept. of Justice, Bulletproof Vest Partnership Amount: \$ 12,885.10

Appropriation Title: US Dept. of Justice, Bulletproof Vest Partnership Amount: \$ 12,885.10

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. _____

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

RESOLUTION NO. 249-07

RESOLUTION AMENDING RESOLUTION #234-07 CORRECTING THE PROPERTY LOCATION TO 897 NORWOOD AVE

WHEREAS, This resolution amends Resolution #234-07 pertaining to the Tax Exemption for a property owned by a veteran of any branch of the Armed Forces of the United States who has been declared by the United States Veterans Administration to have a service-connected disability which renders the veteran to be one hundred percent (100%) permanently disabled, shall be exempt from taxation, on proper claim made therefore, under the terms and conditions referenced in N.J.S.A. 54:4-3.30; and

WHEREAS, Resolution #234-07 incorrectly indicates that Raymond Levy is a resident of the City of Long Branch and resides at the property located at 387 Norwood Ave, more commonly known and designated as Block 23, Lot 2; and

WHEREAS, The correct address for Mr. Levy is 897 Norwood Avenue. Which is more commonly known and designated as Block 23, Lot 2; and

WHEREAS, the Mayor and City Council therefore -wish to authorize the requested tax exemption on the property, and wish to make such exemption effective as of January 1, 2007.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of Long Branch, that the City hereby grants a tax exemption to Mr. Raymond Levy, who has been shown to be a one hundred percent (100%) permanently disabled veteran of the United States Armed Forces, for the property in which he resides, which is located at 897 Norwood Avenue within the City, otherwise known and designated as Block 23, Lot 2 on the Long Branch City Tax Map. The exemption shall be retroactive to January 1, 2007 in the amount of \$5,449.96.

BE IT FURTHER RESOLVED, that a certified copy of this Resolution shall be provided to Mr. Levy, William Fitzpatrick (Long Branch City Assessor), Edward Mazzocco (Long Branch City Tax Collector), James G. Aaron, Esquire (City Attorney) and Frederick C. Raffetto, Esquire (of the City Attorney's Office)

R# 150-07

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 September 11, 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.

4 Connections, LLC	Monthly Lease of Dark Fiber - September 2007 - Admin	1,500.00	*
A T & T	Utilities - Telephone - 8/9 & 8/16/2007 - Various Locations	65.76	*
A.C. Moore	Miscellaneous Supplies for Various Art Classes - Senior Affairs	323.42	
A.R. Communications	(5) Mobile Radios & (4) Antenna Kits - DPW	2,004.00	
Allmand Bros. Inc.	Portable Light Fixtures for the Summer Concert Series	2,247.00	
American Locker Service Center	Pistol Locker Cylinder & Keys - Police Dept.	32.27	
Apruzzese, McDermott, Mastro & Murphy	Legal Services Rendered - Labor Attorney - July 2007	4,966.37	Pymt # 1
Eette White Fernandez	Tap Dance Instructions - Senior Affairs - 8/17 & 8/24/2007	54.00	
Beverly Baxter	Ceramic Instruction for Senior Center - July 2007	781.25	
Bigelow Motors	Headlight Assembly - PW #10 - DPW	204.40	
Birdsall Engineering	2007 Meetings & Status Report Preparation - July 2007	250.00	Pymt # 1
Buhler Dodge	Misc. Automotive Parts - Fire Bureau Vehicle #25-35 - DPW	1,016.60	
Bullet Lock & Safe	Re-key Ignition for Forfeiture Vehicle - Police Dept.	125.00	
CDWG	Computer Supplies - Police Department	157.00	
Central Towing & Recovery	Towing - 8/9/2007 - PD #48 - DPW	69.50	
City of Long Branch Clearing Account	Reimburse Clearing Account	276,366.98	*
City of Long Branch Clearing Account	Reimburse Clearing Account	839,340.82	*
City of Long Branch Clearing Account	Reimburse Clearing Account	97,789.09	*
City of Long Branch Clearing Account	Reimburse Clearing Account	31,413.78	*
City of Long Branch Clearing Account	Reimburse Clearing Account	384,961.76	*
City of Long Branch Payroll Agency	Payroll Dated 8/24/2007	34,951.41	*
City of Long Branch Payroll Agency	Payroll Dated 8/24/2007	804,389.41	*
Coast Hardware	Misc. Hardware - May 2007 - DPW	953.48	*
Comcast Online	Internet Services - 8/15-9/14/2007 - City Network	169.95	*
Conte's Car Wash	Car Wash Contract - August 2007	1,187.34	
Cougar Electronics Tool & Equipment Repair	Parts and Installation to Repair Cordless Drill - Traffic Department	91.95	
CWA Local 1034, Branch 4	Dental & Vision Benefits - September 2007	5,500.00	*
Darlene Santos	Exercise Instruction - Senior Affairs - 8/21/2007	24.00	
Deptcor	Envelopes - Police Dept.	150.00	

* DENOTES PREPAY

** SUBJECT TO COMPLETION OF PAYMENT PACKAGE

Don Rowe.Com	Inverter - Police Department	280.00
Edwards Tire	Tires - LBH #03 - DPW	200.64
Efinger Sporting Goods	Misc. Equipment for Tennis Program - Recreation Dept.	1,560.25
Eli Journals	(2) Subscription Renewals - Microsoft Word & Excel - Finance Dept.	154.00
Elite Forms	Various Office Forms - Administration & Building Department	160.50
Emergency Accessories	Prisoner Containment Equipment for (6) Police Vehicles - Police Dept.	7,145.33
EMSL Analytical, Inc	Lead Dust Wipes Analyzed for 450 Brighton Avenue - Health Department	60.00
Fax Express	Fax Toner for Fax Machine - Municipal Court	181.75
Fine Fare	Food & Refreshments for Misc. Functions - Senior Affairs & Recreation Dept	884.83
Ford Motor Credit	(7) Lease/Purchase Vehicles - October 2007	4,304.47
Fort Dearborn Life Insurance	Life Insurance - September 2007	1,296.10
Garden State Highway Products	Traffic Materials for Project on 8/13/2007 - Traffic Dept.	1,027.50
George Cieri	Special DWI Session - Municipal Court - 7/25/2007	200.00
GF United Auto Service	Reinspection for PD #25-45 - DPW	107.63
Global Govt./Education Solutions	Projector for Health Dept. & Parts for Video PC Upgrade - IT-Administration	1,353.97
Greenbaum, Rowe, Smith & Davis	Legal Services Rendered - Redevelopment Attorney - July 2007	1,406.20
Greenbaum, Rowe, Smith & Davis	Legal Services Rendered - Koplitz Matter - July 2007	1,056.31
Health Net of New Jersey	Health Benefits - September 2007	87,801.60
Hewlett Packard Govt/Education Sales	Laptop for Capt. Antonucci - Police Dept.	729.00
Home Depot Credit Services	Various Building Materials - DPW	144.31
Horizon Blue Cross Blue Shield	Dental Benefits - September 2007	16,272.56
Horizon Blue Cross Blue Shield	Health Benefits - September 2007	212,777.79
Hunter Jersey Peterbilt	Misc. Parts - Sanitation #50 - DPW	398.31
Hydrair	Misc. Parts - Sanitation #20 - DPW	24.60
Industrial Repair	Misc. Parts for Paint Machine - Traffic Dept.	81.60
J Ford Electric	Repair/Replace Light Pole On Westwood & Bath Ave. - Police Dept.	1,112.00
James P. Lafferty	Musical Performance - The Jazz Lobsters - 8/28/2007	1,200.00
JBC Safety Plastics, Inc	Reflective Traffic Cones - Fire & Traffic Departments	212.60
Jennifer Wright	Musical Performance - Terraplane Blues - 8/26/2007	600.00
Jersey Cape Diagnostic	Beach Badges - Recreation Dept.	1,822.80
Jersey Central Power & Light	Utilities - Electric - 7/20-8/20/2007 - Various Locations	42,366.91
John Guire Company	Misc. Tools/Equipment - June 2007 - DPW	973.65
K-Mart	Cooler - OEM	54.99
Lanigan Associates	Streamlight Flashlight Batteries - Fire Prevention	108.00
Lawmen Supply Co of NJ	Miscellaneous Police Equipment - Police Department	247.05
Lee Battery Service	Batteries - Police Dept. / DPW	593.65
Lous Uniforms	Health Investigator Badge - Olly Davenport - Health Department	64.00

* DENOTES PREPAY

** SUBJECT TO COMPLETION OF PAYMENT PACKAGE

Lt. Jason Roebuck	Investigative Funds for Street Crimes Unit	*	500.00	
Manasquan Transmission & Clutch	Rebuild Transmission - PD #102 - DPW		1,950.00	
MODC	Membership Dues for H. Woolley - Admin - 09/01/2007-08/31/2008		225.00	
Music Men Productions	Sound System - Jazz & Blues on the Beach & Big Band Swing Night - 8/30/2007	*	2,400.00	
National Tactical Officers Assoc.	Annual Membership Renewal - 7/15/07-7/14/08 - Det./Sgt. McGlennnon - Police Dept.		40.00	
Naval Surface Warfare Center/Crane Division	Night Vision Equipment for Surveillance Operations - Police Dept.		300.00	
New Jersey American Water	Utilities - Water - 7/9-8/7/2007 - Various Locations	*	3,651.51	
New Jersey Natural Gas	Utilities - Gas - 7/15-8/16/2007 - Various Locations	*	832.58	
NJ Sports & Exposition Authority	Banner Highlighting Breeders Cup for Business Attraction & Development - UEZ	*	750.00	
NJ State League of Municipalities	Economic Development Primer 3rd Edition - Admin		40.00	
Ocean Business Machines	Service Call for Check Signers - Finance Department		350.00	
Office Depot	Various Office Supplies - Various Depts.		1,349.90	
Perry's Trophy	Recognition Plaques for Golf Outing - Fire Dept./Name Plaques - Police Department		495.00	
Petro King Service	Service Calls - Gasoline/Diesel Tanks - DPW		1,744.20	
PMK Group	Engineering Services Rendered - Reporting Brownfields Pilot Activity - March / July 2007		1,416.25	Final Pymt
Prevention Links	KIV Training Classes - S. Berry - 6/27-6/29/2007 - Human Services		50.00	
Public Strategies	Professional Services Rendered - Lobbying Consultant - September 2007		2,500.00	Pymt #3-4
Quality Communications	Microphones for Radios - Police Department	*	560.00	
R. W. V. Land & Livestock South	Purchase & Deliver Soil - 8/13-8/17/2007		23,107.33	
Ray Croft Distributors c/o Lawes Coal Co.	Seed/Hay for Long Branch Ave. Lot - DPW	*	66.47	
Registrar's Assoc. of NJ	Annual Seminar - 11/13/2007 - A. Towns & L. Hurden - Health Dept.		100.00	
Richard Keil	Special DWI Session - Municipal Court - 7/25/2007		200.00	
Rittenhouse-Kerr Ford	Hub Cap - Fire #25-68 - Fire Dept.		46.38	
Saker Shoprites	Miscellaneous Refreshments & Food for Various Functions - OEM & Senior Affairs		484.48	
Satellite Self Storage	Storage Fees - Delores Smith - September 2007 - School Project - Community Dev.		478.50	
Scientific Devices	Toner and Printer Cartridges for Health Department & DPW		381.62	
Seaboard Fire & Safety	Recharge Fire Extinguishers - Fire Dept.		189.30	
Sherwin Williams	Traffic Line White Paint for Crosswalks & Traffic Lines - Traffic Department		495.90	
Stavola Asphalt	Road Materials to Repair Pot Holes - DPW		728.37	
Stavola Contracting	Disposal of Concrete - DPW		72.78	
Steve Rubin, Esq	Special DWI Session - Municipal Court - 7/25/2007		200.00	
The Standard Group	Gutters for DPW		21.30	
Thompson Design Group	Urban Design & Planning Services - General Matters - June 2007		1,882.49	Pymt #8
United Parcel Service	Overnight Transportation - Police Dept. / Ground Service - Fire Prevention		55.85	
Verizon	Utilities - Telephone - 8/11/2007 - Various Locations	*	108.28	
Verizon Wireless	Laptop Service - 8/13-9/12/2007 - Various Depts.	*	1,633.02	
Vision Service Plan	Vision Benefits - September 2007	*	1,316.26	

* DENOTES PREPAY

** SUBJECT TO COMPLETION OF PAYMENT PACKAGE

W.B. Mason Co., Inc.

Office Supplies - Purchasing Department

26.88

TOTAL CURRENT

2,930,801.09

Atlantic Plumbing Supply
 Basile, Baumann, Prost & Assoc.
 City of Long Branch Clearing Account
 Garden State Precast
 Global Govt./Education Solutions
 Greenbaum, Rowe, Smith & Davis
 Ray Croft Distributors c/o Lawes Coal Co.
 Satellite Self Storage

Pipes for Manahassett Park
 Professional Services Rendered - Hotel Campus - July / August 2007
 Reimburse Clearing Account
 Inlet Base & Riser for Narragansett Ave. - DPW
 Video Card & Monitor for Video Computer - IT-Administration
 Legal Services Rendered - Hotel Campus - July 2007
 Bails of Hay for Manahassett Creek Park - DPW
 Storage Fees - Delores Smith - September 2007 - School Project - Community Dev.

1,697.81
 35,716.94 Pymt #1
 1,145.28
 857.49
 428.99
 7,582.00 Pymt #1
 46.50
 478.50

TOTAL CAPITAL

47,953.51

City of Long Branch Clearing Account
 City of Long Branch Payroll Agency
 City of Long Branch Payroll Agency
 Fort Dearborn Life Insurance
 Health Net of New Jersey
 Horizon Blue Cross Blue Shield
 Horizon Blue Cross Blue Shield
 Monmouth County SPCA
 Vision Service Plan

Reimburse Clearing Account
 Reimburse Clearing Account
 Reimburse Clearing Account
 Reimburse Clearing Account
 Payroll Dated 8/24/2007
 Payroll Dated 8/24/2007
 Life Insurance - September 2007
 Health Benefits - September 2007
 Dental Benefits - September 2007
 Health Benefits - September 2007
 Animal Shelter Services - July 2007
 Vision Benefits - September 2007

554.40
 6,302.01
 42.60
 1,896.33
 448.80
 5,853.21
 2.94
 1,157.99
 177.94
 526.00
 4,145.00 Pymt #7
 31.46

TOTAL DOG

21,138.68

* DENOTES PREPAY

** SUBJECT TO COMPLETION OF PAYMENT PACKAGE

Birdsall Engineering	Engineering Services Rendered - Cherry Street Park - July 2007		3,364.50	Pymt #1
City of Long Branch Clearing Account	Reimburse Clearing Account	*	7,130.98	
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 8/24/2007	*	350.79	
City of Long Branch Payroll Agency	Payroll Dated 8/24/2007	*	4,559.65	
Conte's Car Wash	Car Wash Contract - August 2007	*	77.10	
Fort Dearborn Life Insurance	Life Insurance - September 2007	*	9.80	
Health Net of New Jersey	Health Benefits - September 2007	*	1,157.99	
Horizon Blue Cross Blue Shield	Dental Benefits - September 2007	*	147.76	
Horizon Blue Cross Blue Shield	Health Benefits - September 2007	*	1,362.03	
John Guire Company	Misc. Tools/Equipment - June 2007 - Community Dev.		269.15	
MODC	Annual Membership Dues - 9/1/07-8/31/08 - Jacob Jones - Community Dev.		150.00	
NAHRO	Membership Renewal - J. Jones - Community Development - 07/01/2007-06/30/2008	*	400.00	
Vision Service Plan	Vision Benefits - September 2007		25.52	
West End Family Pharmacy	Film Developing of Various Events - Community Dev.	*	154.74	

TOTAL HUD 26,773.55

Basile, Baumann, Prost & Assoc.	Professional Services Rendered - Broadway Arts - July / August 2007		607.50	Pymt #1
Basile, Baumann, Prost & Assoc.	Professional Services Rendered - Broadway Gateway - July / August 2007		12,622.88	Pymt #1
Birdsall Engineering, Inc	Engineering Services Rendered - Zoning Board - 9/12/2006		316.00	
City of Long Branch Clearing Account	Reimburse Clearing Account	*	9,006.20	
City of Long Branch Clearing Account	Reimburse Clearing Account	*	26,546.37	
City of Long Branch Clearing Account	Reimburse Clearing Account	*	13,428.75	
City of Long Branch Clearing Account	Reimburse Clearing Account	*	22,017.00	
City of Long Branch Clearing Account	Reimburse Clearing Account	*	4,725.09	
City of Long Branch Payroll Agency	Unemployment - August 2007	*	476.05	
City of Long Branch Payroll Agency	Payroll Dated 8/24/2007	*	417.93	
City of Long Branch Payroll Agency	Payroll Dated 8/24/2007	*	26,128.44	
E M Waterbury & Assoc.	Engineering Services Rendered - March & August 2007 - Zoning Board	*	1,562.00	
EJC Inspection Agency	Return of Bid Deposit	*	9,717.00	
Fort Dearborn Life Insurance	Life Insurance - September 2007	*	0.98	
Health Net of New Jersey	Health Benefits - September 2007	*	1,637.47	
Horizon Blue Cross Blue Shield	Dental Benefits - September 2007	*	73.88	

* DENOTES PREPAY ** SUBJECT TO COMPLETION OF PAYMENT PACKAGE

Municipal Inspection Corp.
Philips Preiss Shapiro Assoc.
Roxy Perry
Vision Service Plan

Return of Bid Deposit
Professional Services Rendered - 8/14/2007 - Zoning Board
Musical Performance - Roxy Perry Band - 9/1/2007
Vision Benefits - September 2007

* 12,300.00
* 2,238.75
* 2,500.00
* 12.76

TOTAL TRUST OTHER

146,335.05

* DENOTES PREPAY

** SUBJECT TO COMPLETION OF PAYMENT PACKAGE