

CITY COUNCIL
WORKSHOP SESSION

APRIL 28, 2009

6:00 P.M.

- 1 - HISTORIC PRESERVATION ORDINANCE/MARK AIKINS ESQ/PROF. ESPOSITO
- 2 - INCREASE FEES HEALTH DEPARTMENT/DAVID ROACH
- 3 - REVISED STORMWATER ORDINANCE/ADMIN
- 4 - FARM MARKET/COMMUNITY FARMERS MARKET ORDINANCE/CARL TURNER
- 5 - REVIEW OF REGULAR AGENDA

EXECUTIVE SESSION

- 1 - REDEVELOPMENT CONTRACT NEGOTIATIONS
 - A) BROADWAY ARTS
 - B) BROWER

ADMINISTRATIVE AGENDA

CITY COUNCIL

CITY OF LONG BRANCH

APRIL 28, 2009

ROLL CALL:

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

PLEDGE OF ALLEGIANCE

CERTIFICATION BY CLERK:

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

Irene A. Joline, RMC
City Clerk

READING AND APPROVAL OF PREVIOUS MINUTES

APRIL 14, 2009

CONSIDERATION OF ORDINANCES:
PUBLIC HEARING AND FINAL CONSIDERATION:

NONE

ORDINANCES FOR INTRODUCTION: (PUBLIC HEARING SCHEDULED FOR MAY 12, 2009)

#1-09 HISTORIC PRESERVATION ORDINANCE

#6-09 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" **(TENTATIVE)**

#7-09 ORDINANCE AMENDING CHAPTER 5 "ADMINISTRATION OF GOVERNMENT", 5-17 "PUBLIC RECORDS" OF THE CODE OF THE CITY OF LONG BRANCH TO INCREASE FEES FOR COPIES OF CERTAIN PUBLIC RECORDS AS PART OF THE VITAL STATISTICS PROGRAM OF THE CITY OF LONG BRANCH **(TENTATIVE)**

#8-09 CALENDAR YEAR 2009 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)

PUBLIC PARTICIPATION (ALL COMMENTS)

RESOLUTIONS:

R99-09 – RESOLUTION AUTHORIZING THE CITY OF LONG BRANCH TO ENTER INTO AN AGREEMENT WITH NEW JERSEY TRANSIT CORPORATION FOR NEW JERSEY TRANSITS 2009 SUMMER SERVICES PROMOTION

R100-09 RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF LONG BRANCH AND/OR HIS DESIGNEE TO ENTER INTO AN INTERLOCAL SERVICES AGREEMENT TO UTILIZE A LEAD PAINT ANALYZER INSTRUMENT

R101-09 RESOLUTION AWARDDING TWO YEAR CONTRACT FOR ROAD MAINTENANCE MATERIALS

R102-09 RESOLUTION AWARDDING CONTRACTS FOR RENTAL OF CONSTRUCTION EQUIPMENT FOR THE PUBLIC WORKS DEPARTMENT

R103-09 RESOLUTION AUTHORIZING SERVICE AGREEMENT WITH THE LONG BRANCH SEWERAGE AUTHORITY

R104-09 RESOLUTION RE-APPOINTING SPECIAL POLICE OFFICERS CLASS I FOR THE CITY OF LONG BRANCH

R105-09 RESOLUTION RE-APPOINTING SPECIAL POLICE OFFICERS CLASS II FOR THE CITY OF LONG BRANCH

R106-09 RESOLUTION APPOINTING SPECIAL POLICE OFFICER CLASS II FOR THE CITY OF LONG BRANCH

R107-09 RESOLUTION AUTHORIZING PROFESSIONAL SERVICES CONTRACT FOR POLICE OFFICER REPRESENTATION (CHARLES J ULIANO, ESQ.)

R108-09 RESOLUTION AUTHORIZING PROFESSIONAL SERVICES CONTRACT FOR POLICE OFFICER REPRESENTATION (CHARLES M MORIARTY, ESQ.)

R109-09 RESOLUTION RELEASING ESCROW DEPOSITS (PROMENADE BEACH CLUB BLOCK 301, LOT 8)

R110-09 RESOLUTION ACCEPTING CONDITIONS OF 2009 MONMOUTH COUNTY OFFICE ON AGING GRANT (\$21,000.00) AND AUTHORIZING AGREEMENT

R111-09 RESOLUTION RELEASING GRADING BOND (ASHLEY POOLS & SPAS, LLC BLOCK 28, LOTS 12.01 & 12.02)

R112-09 RESOLUTION CANCELING MORTGAGE OF MRS. BARBARA DAVIS, 122 JOHNS STREET, LONG BRANCH, NEW JERSEY 07740 TO NEIGHBORHOOD PRESERVATION PROGRAM

R113-09 RESOLUTION CANCELING MORTGAGE OF WILLIAM AND GRACE MAZZA, 341 WAVERLY PLACE, LONG BRANCH, NEW JERSEY 07740 TO THE CITY OF LONG BRANCH

R114-09 RESOLUTION CANCELING MORTGAGE OF NICHOLAS & CECELIA VLOYANETES, 195 ROCKWELL AVENUE, LONG BRANCH, NEW JERSEY 07740 TO THE CITY OF LONG BRANCH

R115-09 RESOLUTION SUPPORTING THE SUBMISSION OF AN APPLICATION TO THE HAZARDOUS DISCHARGE SITE REMEDIATION FUND FOR TRUAX PARK

R116-09 RESOLUTION REQUESTING AUTHORIZING TO AMEND RESOLUTION #53-09 AN APPLICATION TO THE NEW JERSEY URBAN ENTERPRISE ZONE FOR \$100,000 TO SUPPORT THE CITY OF LONG BRANCH OCEANFRONT AND BROADWAY REDEVELOPMENT PROJECT

R117-09 RESOLUTION TO AMEND RESOLUTION #329-08 THE URBAN ENTERPRISE ZONE PROGRAM TO MARKET THE URBAN ENTERPRISE ZONE PROGRAM AND BUSINESS DEVELOPMENT FOR URBAN ENTERPRISE ZONES I THE CITY OF LONG BRANCH

R118-09 RESOLUTION REQUESTING AUTHORIZATION TO AMEND RESOLUTION #54-09 THE NEW JERSEY URBAN ENTERPRISE ZONE FOR \$169,500 IN MATCHING FUNDS TO SUPPLEMENT SALARIES AND EQUIPMENT FOR FOUR UEZ POLICE OFFICERS

R119-09 RESOLUTION TO AMEND RESOLUTION #55-09 THE URBAN ENTERPRISE ZONE ADMINISTRATIVE BUDGET FOR THE FISCAL YEAR 2010 PROGRAM

R120-09 RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE LEASE FOR MUNICIPAL COURT AND DRUG PREVENTION PROGRAM OFFICES

R121-09 RESOLUTION APPROVAL PAYMENT OF BILLS

R122-09 RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A FIXED COST AGREEMENT WITH JERSEY CENTRAL POWER & LIGHT IN AN AMOUNT NOT TO EXCEED \$41,250.00

R123-09 RESOLUTION FOR INTRODUCTION OF 2009 MUNICIPAL BUDGET

APPLICATIONS:

1. A PPROVAL OF (3) RAFFLE LICENSES FOR CYSTIC FIBROSIS
2. A PPROVAL OF HONORARY CITY AND STATE ACTIVE MEMBERSHIP FOR MATTHEW E WILLIAMS IN THE ELBERON ENGINE CO.

MISCELLANEOUS BUSINESS FOR THE GOOD OF THE ORDER

ADJOURNMENT:

Ord. #1-09

Historic Preservation Ordinance – Long Branch, NJ

§ 345-1. SHORT TITLE.

This chapter shall be known and may be referred to as the "Historic Preservation Ordinance of the City of Long Branch."

§ 345-2. SCOPE.

- A. In adopting this chapter, it is the intention of the City Council of the City of Long Branch to designate and regulate historic sites within the City consistent with and pursuant to the Municipal Land Use Law of the State of New Jersey (N.J.S.A. 40:55D-1 *et seq.*) and as interpreted by court decisions in this State.
- B. A Commission is hereby created to review the potential effect of development and permit applications on designated historic sites and to work with and advise the Planning Board and Zoning Board and individual property owners on the effect of applications coming before either Board on designated historic properties or improvements within an historic district.
- C. This chapter is intended to regulate only those activities on designated sites which require a permit from a municipal officer or employee or which require an application for development to the Planning Board or Zoning Board. Nothing herein shall prevent review of other activities by the Commission, but such review is not required by the adoption of this chapter.
- D. This chapter does not require or prohibit any particular architectural style; rather its purpose is to preserve the past by making the past compatible with and relevant to the present. To that end, new construction upon or near an historic site should not necessarily duplicate the exact style of the site; rather, it should be compatible with and not detract from the historic site.

- E. This Chapter does not require or mandate the creation of any historic district(s).

§ 345-3. FINDINGS AND PURPOSE.

The City Council of the City of Long Branch finds and determines that the City has many historic and architecturally significant properties, together with groupings of properties of generally vernacular structures. These properties contribute visually to the character and integrity of the City and are important in assessing the historic patterns of development and the City's history. Maintaining, preserving, and rehabilitating these visual links to the past is an important function of government, not only to provide a sense of stability and continuity for future generations, but to provide impetus for the revitalization of the City's economic base and for the resulting increase in property values.

Moreover, the City's Master Plan adopted by the City Council in 1988 contained many elements related to historic preservation designations, including a list of more than sixty properties which were identified as qualifying for landmark status.

These historic preservation regulations are intended to effect and accomplish the protection, enhancement and perpetuation of especially noteworthy examples of the City's environment in order to:

- A. Safeguard the heritage of Long Branch by preserving resources within the City which reflect elements of its cultural, social, economic and architectural history;
- B. Encourage the continued use of historic landmarks and facilitate their appropriate use;
- C. Maintain and develop an appropriate and harmonious setting for the historic and architecturally significant buildings, structures, sites or objects within the City of Long Branch;

- D. Stabilize and improve property values for historically significant buildings and buildings within the historic district, and foster civic pride in the building environment containing historic sites;
- E. Promote appreciation of historic landmarks for education, pleasure and the general welfare of the local population;
- F. Encourage beautification and private reinvestment in or near historic sites;
- G. Manage change by preventing alteration or new construction not in keeping with the historic districts or individually designated historic properties;
- H. Discourage demolition of historic resources;
- I. Encourage the proper maintenance and preservation of historic settings and landscapes;
- J. Encourage appropriate alteration of historic landmarks;
- K. Enhance the visual and aesthetic character, diversity, continuity and interest in the City of Long Branch; and
- L. Promote the conservation of historic sites and invite and encourage voluntary compliance.

**§ 345-4. ESTABLISHMENT OF HISTORIC PRESERVATION ADVISORY COMMISSION;
MEMBERSHIP; TERMS; VACANCIES.**

- A. Establishment. Pursuant to the provisions of N.J.S.A. 40:55D-1.07 *et seq.*, the City of Long Branch Historic Preservation Advisory Commission (hereafter "Commission") is hereby established and created.

B. Membership. The Commission shall consist of seven regular members, three (3) of whom shall be either Class A or Class B, and who shall serve without compensation, except that Commission members shall be reimbursed for reasonable and necessary expenses incurred in the performance of official business within the guidelines of the budget established by the City Council, and two alternates appointed by the Mayor. The Commission shall include members from each of the following classes:

- (1) Class A: a person knowledgeable in building design and construction or architectural history and who may reside outside the municipality; and
- (2) Class B: a person who is knowledgeable of or with a demonstrated interest in local history and who may reside outside the municipality; and
- (3) Class C: regular members who are not designated Class A or B shall be designated as Class C. Class C members shall be citizens of the municipality who shall hold no other municipal office, position or employment, except for membership on the Planning Board or the Board of Adjustment. Of the regular members, a total of at least three must be of Class A and B.
- (4) Alternate members.
 - (a) Alternate members shall meet the qualifications of Class C members and at the time of their appointment shall be designated "Alternate Number 1" and "Alternate Number 2." Alternate members may participate in discussions of the proceedings, but may not vote except in the absence or disqualification of a regular member. In the event that a choice must be made as to which alternate member is to vote, Alternate Member Number 1 shall vote first and if a second Class C member is absent or disqualified, Alternate Member Number 2 shall vote second.

(b) No member of the Commission shall be permitted to act on any matter in which he or she has, either directly or indirectly, any personal or financial interest; and all members shall disclose to the Commission any such personal or financial interest.

C. Term; vacancies; removal. The terms of members shall be for four (4) years. The terms of the initial members appointed under this article shall be staggered, to the extent possible, evenly over the first four years after their appointment. The term of any member common to the Commission and the Planning Board shall be for the term of membership on the Planning Board; and the term of any member common to the Commission and the Zoning Board shall be for the term of membership on the Zoning Board. All members, at the expiration of their terms, may be eligible for appointment to an additional four-year term. Appointments to fill vacancies shall be only to complete the unexpired terms. Vacancies shall be filled within sixty (60) days. A member of the Commission may, after public hearing if requested, be removed by the City Council for cause.

§ 345-5. ORGANIZATION OF HISTORIC PRESERVATION ADVISORY COMMISSION.

A. Officers. Each year in the month of January, the Commission shall elect a Chairman and Vice Chairman from its members and select a secretary who may or may not be a member of the Commission or a municipal employee.

B. Staff, experts, counsel, expenses and costs.

(1) The City Council shall make provision in its annual budget and appropriate funds for the expenses of the Commission.

(2) The Commission may employ, contract for, and fix the compensation of experts and other staff and services as it shall deem necessary. The Commission shall obtain its legal counsel from the Municipal Attorney or other authorized attorney approved by the City Council at the rate of compensation determined by the governing body. Expenditures pursuant to this subsection shall not exceed, exclusive of gifts, grants

or other sources of self-generated revenue, the amount appropriated by the governing body for the Commission's use and shall be in accordance with the Local Public Contracts Law.

- (3) Escrow and application fee schedules, which are necessary to reimburse the Commission for costs incurred pursuant to §345-5 B(2), shall be established and adopted via ordinance by the City Council.

- C. Meetings; procedures; decisions. The Commission shall reorganize annually, each January. The Commission may adopt such administrative rules, regulations, procedures and forms for applications by formal resolution, as shall provide for the orderly conduct of its business and processing of applications, provided that such rules, regulations and procedures shall not be inconsistent with any provision of this article. A quorum shall consist of four (4) members. All Commission meetings shall be subject to the Open Public Meetings Act. To the extent practical, the procedures followed by the Commission as to public hearings, voting, etc., shall be patterned after those of a Planning Board pursuant to the Municipal Land Use Law. Decisions by the Commission shall be in writing by resolution setting forth findings of fact and conclusions of law. The Commission may follow the procedure for memorializing decisions as is permitted for Planning Boards.
- D. A staff member of the Department of Building and Development may attend all meetings of the Commission and may participate in a non-voting capacity.

§ 345-6. RESPONSIBILITIES OF HISTORIC PRESERVATION ADVISORY COMMISSION.

- A. Powers and duties. The powers and duties of the Commission shall be as follows:

- (1) To prepare and to maintain guidelines for the appropriate architectural designs applicable to the exterior appearance of new construction and for the renovation, alteration, enlargement or other change to the exterior of structures that are located on an historic property in the City which have been designated historic landmarks.

- (2) To review all applications relative to § 345-9 and make recommendations on proposed designs.
- (3) To review and make recommendations on proposed designs and other design elements (e.g., exterior materials, signs, landscaping, exterior lighting, etc.) contained in site plans for new, enlarged, or altered existing buildings designated as landmarks.
- (4) To review and make recommendations on design for all plans that call for the construction of new buildings or the improvement or demolition of existing buildings, in whole or in part, that are located in or on any historic property, site or buildings located elsewhere in the City that have been designated by the City or other agency.
- (5) To study and prepare reports evaluating other areas or properties in the City which, because of their recognized architectural/historical significance, would qualify as historic landmarks. Such findings and recommendations shall be presented to the Planning Board for action thereon and shall be included in the list of properties.
- (6) Prepare an inventory of historic sites/landmarks of the City pursuant to criteria identified in the survey report. Thereafter, in cooperation with City professionals, determine which properties are eligible for state and national historic preservation designation and apply for such designations where applicable. For purposes of "survey" definition, the Commission adopts the following nationally accepted guidelines: National Register Bulletin 24- Guidelines for Local Surveys, "A Basis for Preservation Planning;" and National Register Bulletin 15 - "How to Apply the National Register Criteria."
- (7) Make recommendations to the Planning Board on the historic preservation plan element of the Master Plan.

- (8) Advise the Planning Board and City Council on the inclusion of historic landmarks in any recommended capital improvement program.
- (9) Advise the Planning Board and the Board of Adjustment on applications for development.
- (10) Provide written reports on the application of the zoning provisions concerning historic preservation to the administrative officer in charge of issuance of building permits.
- (11) Carry out such other advisory, educational and informational functions as will promote historic preservation in the City, including serving as the City's archivists and participating in education programs dealing with preservation for schools, senior citizens and others.
- (12) Assist other public bodies in aiding the public in understanding historic resources, their significance and methods of preservation.
- (13) Advise the City Council on the relative merits of proposals involving public lands to restore, preserve and protect historical buildings, sites and structures, including the preparation of a long-range plan; identify and secure state, federal and other grants and aid to assist therein; and monitoring such projects once underway.
- (14) Recommend to the Planning Board and the City Council the establishment and boundaries of historic sites where appropriate.
- (15) Advise the Board of Adjustment as to the granting of use variances where such are deemed to be within the intent and purposes of this Article.
- (16) Secure the voluntary assistance of the public and, within the limits of the budget established by the City Council for the Commission's operation, to retain consultants and experts and incur expenses to assist the Commission in its work and to provide

testimony in support of the Commission's position before other bodies, commissions or courts.

- (17) Co-operate with local, county, state, or national historical societies, governmental bodies and organizations to maximize their contributions to achieve the intent and purposes of this article.
- (18) Recommend to the applicable county, state and federal agencies, where appropriate, recognition of historic buildings, structures, sites, objects or districts.
- (19) To provide recommendations, input and advice relative to sites of historic interest to the same extent as to historic landmarks and to buildings, structures, sites and/or objects; however when an application for a construction permit relating to a site of historic interest has caused the Commission's jurisdiction to be invoked, any such recommendation, input and advice shall be purely advisory and shall have no binding effect.
- (20) The Commission shall on or before January 14 of each year provide to the City Council, Municipal Clerk, Planning Board, Board of Adjustment, Construction Official and administrative officer, an updated list of landmarks and sites of historic interest. Throughout the year, the Commission shall update such lists as designations change.

B. Compatibility with other agencies.

- (1) The responsibilities, powers and duties of the Commission shall not conflict with or supersede the powers and duties of any other board or agency within the City of Long Branch.
- (2) The Planning Board and Board of Adjustment shall refer to the Commission every application for development submitted to either board for development in historic zoning districts or on historic sites designated on the zoning or official map or

identified in any component element of the master plan. This referral shall be made when the application for development is deemed complete or is scheduled for a hearing, whichever occurs sooner. Failure to refer the application as required shall not invalidate any hearing or proceeding. The Commission may provide its advice, which shall be conveyed through delegation of one of its members or staff to testify orally at the hearing on the application for development and to explain any written report which may have been submitted.

§345-7. DEFINITIONS AND WORD USAGE.

A. **Word usage.** For the purpose of this article, unless the context clearly indicates a different meaning:

- (1) The term "shall" indicates a mandatory requirement, and the term "may" indicates a permissive action.
- (2) The word "lot" includes the words "plot" or "premises".
- (3) The word "used" includes the words "intended to be used" or "arranged to be used".
- (4) The word "occupied" includes the words "intended to be occupied," "designed to be occupied" or "arranged to be occupied."
- (5) The word "permit" shall refer to a "Certificate of Appropriateness" permit and shall be the certificate issued by the Planning Board, Zoning Board or administrative officer after review of the certificate of appropriateness application by the Commission. This certificate is required prior to undertaking rehabilitation, restoration, renovation, alteration, ordinary and nonordinary repair work or demolition work undertaken within an historic district or on an individually designated historic structure pursuant to this article.

- (6) The word "demonstrate" means to provide such visual, written or oral information as will enable the Commission or other reviewing agency or board to render an informed opinion or decision thereon.

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

ADDITION - The construction of a new improvement as a part of an existing improvement when such new improvement changes the exterior appearance of any landmark.

ADMINISTRATIVE OFFICER - The person designated to handle the administration of building permit applications as referenced in this article.

AFFECTING A LANDMARK OR HISTORIC DISTRICT - Any act which alters or changes an historic landmark.

ALTERATION - Any work done on any existing improvement which:

- (1) Is not an addition to that improvement; or
- (2) Changes the appearance of the exterior surface of any improvement.

BUILDING - A structure created to shelter human activity of any kind.

DEMOLITION - The partial or total razing or destruction of any building, structure, or of any improvement within or on a historic site or of any historic landmark.

HISTORIC DISTRICT - A geographically definable area (but not including any City designated areas in need of redevelopment) possessing a significant linkage, or continuity of sites, buildings, structures, and/or objects which when viewed collectively:

- (1) Represent a significant period in the development of the City; or
- (2) Have a distinctive character resulting from their architectural style; or
- (3) Because of their distinctive character, can readily be viewed as an area or neighborhood distinct from surrounding portions of the City.

HISTORIC DISTRICT RESOURCES - Resources within a Historic District shall be classified either as key, contributing, or non-contributing which are defined as:

- (1) **KEY - Any buildings, structures, sites or objects which due to their significance would individually qualify for landmark status.**
- (2) **CONTRIBUTING - Any buildings, structures, sites or objects which are integral components of the Historic District either because they date from a time period for which the district is significant or because they represent an architectural type, period or method for which the district is significant.**
- (3) **NON-CONTRIBUTING - Any buildings, structures, sites or objects which are not integral components of the Historic District because they neither date from a time period for which the district is significant nor represent an architectural type, period, or method for which the district is significant.**

HISTORIC PROPERTIES – Any buildings, structures, sites, objects, or districts which possess integrity of location, design, setting, materials, workmanship, or association, (but not including any of the foregoing which are located in any City designated areas in need of redevelopment) and which have been determined pursuant to the terms of this chapter, to be:

- (1) **Of particular historic significance to the City of Long Branch by reflecting or exemplifying the broad cultural, political, economic or social history of the nation, state, county or community; or**

- (2) Associated with historic personages important in national, state, county or local history; or
- (3) The site of a historic event which had a significant effect on the development of the nation, state, county, City or neighborhood; or
- (4) An embodiment of the distinctive characteristics of a type, period, or method of architecture or engineering; or
- (5) Representative of the work of an important building, designer, artist, engineer or architect; or
- (6) Significant for containing elements of design, detail, materials, or craftsmanship which represent a significant innovation; or
- (7) Able or likely to yield information important in prehistory or history.

IMPROVEMENT – Any structure or any part thereof constructed or installed upon real property by human endeavor and intended to be kept at the location of such construction or installation for a period of not less than 120 continuous days.

OBJECT – A thing of functional, aesthetic, cultural, historical, or scientific value that may be, by nature or design, movable yet related to a specific setting, environment or event.

REPAIR – Any work done on any improvement which:

- (1) Is not an addition to the improvement;
- (2) Does not change the exterior architectural appearance of any improvement.

REPLACEMENT – The act or process of replicating any exterior architectural feature that is used to substitute for an existing and deteriorated or extensively damaged architectural feature.

SITE – The place where a significant event or pattern of events occurred. It may be the location of prehistoric or historic occupations or activities that may be marked by physical remains; or it may be the symbolic focus of a significant event or pattern of events that may both have been actively occupied. A site may also be the location of a ruined building, structure or object if the location itself possesses historic, cultural or archaeological significance.

SITES OF HISTORIC INTEREST – Any buildings structures, sites, objects or districts which, although not given historic landmark designation under this chapter, are an important historical asset to the community which it is felt would benefit from the advice and input of the Commission.

STRUCTURE – Any man-made work arranged in a definite pattern of organization.

§ 345-8. DESIGNATION OF HISTORIC LANDMARKS.

- A. Guidelines for designation: The Commission may recommend to the Planning Board guidelines for review to be utilized in determinations of historic landmark status, sites of historic interest status, and for review of development applications or permits affecting historic landmarks, sites of historic interest or improvements within historic districts. The Planning Board may recommend modifications of the guidelines and shall make the final decision as to their adoption.

- B. Historic landmark/sites of historic interest designation list: In addition to the properties and structures already identified in The Historic Preservation Plan Element of the City's Master Plan, the Commission shall consider for historic designation buildings, structures, objects, sites, and districts within the City which merit landmark designation and protection by reason of possessing integrity of location, design, setting, materials, workmanship, or

association based on its review or upon the recommendation of other City bodies or of concerned citizens, with the exception of all properties located within the existing redevelopment plan of 1996 (including all designated redevelopment sections). The Commission shall make a list of landmarks recommended for designation. For each landmark, there shall be a brief description of the landmark, of the landmark's significance pursuant to the criteria set forth above, a description of the landmark's location and boundaries, digital photograph of each property and a location map. In conjunction with the list of landmarks recommended for designation, the Commission may, at the same time, or at some later time, prepare a list of buildings, structures, objects, sites and districts which merit designation as sites of historic interest. Those properties that are listed on either the State or Federal Register of Historic Places shall comply with all requirements of this ordinance, unless the property owner objects to the proposed designation of the property as a historic landmark and/or site of historic interest in accordance with the provisions of §345-8(C) herein.

C. **Hearing on proposed designation:** A hearing shall be conducted on the proposed designations at which interested persons shall be entitled to present their opinions, suggestions, and objections on the proposed recommendations for landmark/site of historic interest designation. To the extent that a property owner (a) appears at the hearing to indicate or (b) provides written confirmation to the Commission at or prior to the hearing, that such property owner does not agree or consent to having such property designated as an historic landmark and/or site of historic interest, then such property shall not be so designated under any circumstances pursuant to this Historic Preservation Ordinance. The Commission shall then vote on its recommendations to the Planning Board for resources to be designated as historic landmarks and/or sites of historic interest.

D. **Notice of proposed designation.** At least 10 days prior to the hearing provided for in Subsection C above, the Commission shall provide notice of the hearing in the following manner:

- (1) By certified mail return receipt requested to each owner, that his property is being considered for historic landmark/site of historic interest designation and the reasons therefor. The notice shall advise the owner of the significance and consequences

of such designation, that if so designated, his or her property would be subject to the provisions of this article; shall advise him of his opportunities and rights to challenge or contest such designation and shall set forth the time, date and location of the public hearing to be held.

- (2) By publishing in an official newspaper of the municipality, a notice of the time, date and location of the hearing, a preliminary list of potential designations including a lot and block designation for same as it appears on the official City Tax Map.
- E. Historic Preservation Advisory Commission report to Planning Board. After the hearing, the Commission shall prepare a concise report, including a list and map of its recommended sites, to be designated as historic landmarks/site of historic interest. Copies of the report shall be delivered to the Mayor, City Council, Planning Board and the Municipal Clerk and a notice of action published by the Commission secretary in an official newspaper of the City. The published notice shall state the Commission's recommendations and also that final designation shall be made by the Planning Board at a public meeting specified on a date not less than 15 nor more than 45 days from the date of publication. The Planning Board shall communicate its action with respect to the Commission's recommendation to the City Council.
- F. City Council's adoption of designations. The Commission shall submit the list of designated landmarks/sites of historic interest and a map to the Municipal Clerk for filing. The City Council shall then consider the designation list and map, and may approve, reject or modify same by ordinance. Once adopted, the designation list and map may be amended in the same manner in which it was adopted. Upon adoption, the designation list and map shall also be incorporated by reference into the Municipal Master Plan and the zoning provisions of this chapter.
- G. Filing of certificate of designation. Copies of the list of designated landmarks and location maps as adopted shall be made public and distributed to all municipal agencies reviewing development applications and building permits. A certificate of designation shall be served by certified and regular mail upon each owner included on the list, a true copy thereof shall

be filed with the Tax Collector and Tax Assessor who shall maintain a record of all historic designation on the tax rolls. No filing shall take place for sites of historic interest.

- H. **Reconsideration of designation.** Nothing herein shall be construed as requiring the Commission to designate a structure, building, object or site an historic landmark even if all criteria, to so designate, have been satisfied. The Commission retains the discretion to designate such structure, building, object or site as a site of historic interest subject to the provisions of § 345-8(C). Thereafter, the Commission shall not be prohibited from reconsidering such designation and, after following the procedures of this § 345-8(C), re-designate a site of historic interest as an historic landmark.

§ 345-9. ACTIONS REQUIRING REVIEW BY HISTORIC PRESERVATION ADVISORY COMMISSION.

- A. **Applications subject to Commission review:**

- (1) All building permit, demolition and development applications affecting an historic landmark/site of historic interest or an exterior improvement within an historic district as designated in the Historic Preservation Plan Element of the City's Master Plan and those properties Historic Landmark pursuant to §345-8, shall be reviewed by the Commission. Such review shall be required for, but not limited to the following:
- (a) Demolition, in whole or in part, of an historic property or of any improvement within an historic district.
 - (b) Relocation of an historic property or an improvement with an historic district.
 - (c) Significant, nonhistoric changes in exterior appearance by means of repainting (not in the same color or an historically certified color).

- (d) Changes in exterior appearance by means of nonordinary repairs, replacement, rehabilitation, alteration or addition to any historic property or any improvement within a designated historic district.
- (e) New construction taking place within a designated historic district.
- (f) Changes in or additions of new signage or exterior lighting.
- (g) Zoning variances affecting an historic property or any improvement within a designated historic district.
- (h) Site plans or subdivisions affecting an historic property or an improvement within an historic district.
- (i) Roadway widening projects. In making a recommendation on an application, the Commission shall be aware of the importance of finding a way to meet the current needs of the applicant. The Commission shall also recognize the importance of making recommendations that will be both consistent with the purposes of this article and reasonable for the applicant to carry out. Before an applicant prepares plans, he or she may bring a tentative proposal to the Commission for informal review and comment.

(2). Any proposal for renovation, modification, addition or expansion requiring a building permit shall have plans drawn by a New Jersey licensed architect. An escrow fee shall be assessed to cover costs of review by City professionals and any portion of the procedural requirements may be waived depending on simplicity or complexity of the proposal.

(3) The following activities are not subject to this article:

- (a) Changes to the interior of structures.

- (b) Ordinary repairs and maintenance or the exact replacement of any existing architectural details that are otherwise permitted by law, provided that this work on an historic landmark does not alter the exterior appearance of the building.

B. Waiver; emergencies.

- (1) Waiver. Applicants for building permits for existing properties, located in historic district zones, but which are noncontributing as defined herein may apply for a waiver of the requirements of review and are defined as a minor application; provided that they transmit a letter, requesting said waiver to the Commission, which includes the following information:
 - (a) Identification of the property by City block and lot number as shown on the current Tax Maps.
 - (b) Year original structures were built and years when additions (if any) were built.
 - (c) Photographs taken within a year of the waiver requests showing front, side and rear elevations of structures.
 - (d) Explanation of work to be done under requested building permit.
 - (e) Reasons for waiver request.
- (2) Emergencies. Approval by the Commission is not required prior to immediate and emergent repair to preserve the continued habitability of the landmark and/or the health and safety of its occupants or others. Emergency repairs may be performed in accordance with City building and construction codes, without the necessity of first obtaining the Commission's review. Under such circumstances, the repairs performed shall be only such as are necessary to protect the health and safety of

the occupants of the historic landmark, or others, and/or to maintain the habitability of the structure. A request for the Commission's approval shall be made as soon as possible thereafter and no further work shall be performed upon the structure until an appropriate request for approval is made and obtained. All work done under this subsection shall conform to the criteria set forth in this article and the guidelines for review of applications as adopted by the Planning Board in accordance with this Article.

- (3) Pursuant to the authority granted to a Chairman of The Historic Preservation Commission as set forth in N.J.S.A. 40:55D-111, the Chairman will be allowed to act in place of the full Commission on minor applications.
- C. Referrals to Historic Preservation Advisory Commission. The Planning Board or Board of Adjustment shall refer all development applications to the Commission; and the administrative officer shall refer all building permit applications, including permit applications for new construction, demolition, alterations, additions, or replacements which affect a historic landmark, a site of historic interest or an improvement within a historic site to the Commission.
- (1) Procedures for the review of development and zoning applications.
 - (a) For all applications presented to the Planning Board and/or Zoning Board which meet the criteria set forth in § 345-9(E), the property owner shall also submit to either Board, as appropriate, an application for review and request for issuance of a certificate of appropriateness. Such an application shall pertain solely to the proposed site review or zoning request. If building permits are required, those actions will be reviewed separately by the Commission in accordance with the procedures outlines in §345-9B2.
 - (b) The Planning Board or Zoning Board shall forward to the Commission a complete set of all application materials as well as the application for review and request for issuance of a certificate of appropriateness. Such referral

shall be made when the application is deemed complete or is scheduled for a hearing, whichever is sooner. The Commission shall be allowed at least 14 calendar days from the day it receives a complete application to prepare its recommendations to either the Planning Board or Zoning Board regarding whether the certificate of appropriateness should be approved or denied. Said recommendations shall be in the form of a written report, which may be orally conveyed to the appropriate Board through the Commission's delegate at a hearing on the application.

- (c) The Commission's recommendation shall focus on how the proposed undertaking would affect an historic property's historical or architectural significance as outlined in § 345-8. In considering the Commission's recommendations, the Planning Board or Zoning Board shall be guided by the review criteria established in § 345-9(E). The recommendation of this Commission shall not be binding upon the Planning Board or the Zoning Board.

(2) Procedures for review of building permits and alterations.

- (a) Prior to undertaking any action affecting the exterior architectural appearance of an historic property or an improvement within an historic district, regardless of whether a building permit is required, the property owner shall complete and submit to the administrative officer an application for review and request for issuance of a certificate of appropriateness.
- (b) An Application for a certificate of appropriateness shall be submitted on forms provided by the administrative officer. Each application submission shall include, at a minimum, the following information:
 - [1] Those drawings, plans, photographs, manufacturer specifications and sample materials that are required by the administrative officer and/or as may be noted in the application checklist.

[2] Detailed drawings, when required by the administrative officer, which shall be drawn at the appropriate scales and shall depict the exact work to be performed, including renderings of the exterior of any proposed new building and/or structure or any exterior alterations to existing improvements. A detailed plot plan delineating the relationship of the renderings of the proposal in relation to adjacent improvements, buildings and/or structures or surrounding lands may be required as determined by the administrative officer. Drawings shall be prepared and sealed by either a New Jersey licensed registered architect or other New Jersey licensed design professional or by the residing property owner of a single-family dwelling under his/her ownership with an accompanying affidavit of ownership, as required by P.L. 1989, Chapter 277 (commonly known as the "Building Design Services Act") or other applicable laws of the State of New Jersey.

- (c) The administrative officer shall refer the application to the Commission for its recommendation. The Commission or its designee shall review the application for technical completeness. Any application found to be incomplete shall be returned to the applicant within 10 calendar days of the receipt of the application.
- (d) When an application is found to be technically complete, the Commission shall schedule a review of the application at its next regularly scheduled meeting. The applicant shall be notified of the meeting date and shall be allowed an opportunity to speak at the meeting. The Commission may recommend the denial of any application that is not properly represented at the hearing.
- (e) The Commission shall report to the Planning Board within 25 calendar days after the application is deemed complete. The report shall set forth the Commission's recommendation regarding whether the certificate of

appropriateness should be approved, denied or conditionally approved; and it shall explain, in writing, the reasons for its recommendation. In accordance with Subsection (f) of this section, if the application involves demolition or removal, the Commission may also recommend postponement. The Commission's recommendation shall focus on how the proposed undertaking would affect a property's historic or architectural significance pursuant to the review criteria set forth in § 345-9(E). The Commission's recommendation shall not be binding upon the Planning Board.

- (f) When making its determination on the application for a certificate of appropriateness, the Planning Board should be guided by the review criteria set forth in § 345-9(E). The Planning Board should consider the Commission's recommendations with the same care it affords all expert information. The Planning Board may accept, reject or modify the Commission's recommendations. The Planning Board shall provide its report to the administrative officer for the appropriate action within 45 days of his or her referral of the application to the Commission. Failure to report within the forty-five-day period shall be deemed to constitute a report in favor of the application for a certificate of appropriateness, without conditions. The administrative officer is bound by the Planning Board's decision.
- (g) Approval, denial or postponement.

[1] The Planning Board, upon affirmative vote of a majority of the membership, may approve, deny or postpone demolition of an historic property ancillary to a development application for up to one year. The Planning Board and the Commission may utilize this time period to consult with the New Jersey State Historic Preservation Office, the Monmouth County Historical Commission or other similarly qualified organizations to ascertain how the City may

preserve the structure, when demolition or moving thereof would be a great loss to the City. The Planning Board may request that the City Council initiate such actions as may lead to the preservation of the premises within the one-year hiatus. In its review of an application to demolish a site pursuant to this section, the Commission may require the applicant to prepare a financial analysis which may include any or all of the following:

- [a] Amount paid for the property, date of purchase and party from whom purchased, including a description of the relationship, whether business or familial, if any, between the owner and the person from whom the property was purchased.
 - [b] Assessed value of the land and improvements thereon according to the most recent assessment.
 - [c] For depreciable properties, a pro forma financial statement prepared by an accountant or broker of record.
 - [d] All appraisals obtained by the owner in connection with his purchase or financing of the property, or during his ownership of the property.
 - [e] Bona fide offers of the property for sale or rent, price asked and offers received, if any.
 - [f] Any consideration by the owner as to profitable, adaptive uses for the property.
- [2] The Commission shall study the question of economic hardship for the applicant and shall determine whether the site or the property in

the historic district can be put to beneficial use without the approval of the demolition application. In the case of an income-producing building, the Commission shall also determine whether the applicant can obtain a reasonable return from his existing building. The Commission may ask applicants for additional information to be used in making these determinations.

- (3) Applications involving historic landmark.
 - (a) The Commission shall determine if an application is complete. If incomplete, it shall be returned within 30 days. When complete, the Commission shall schedule a review at its next regular meeting and the applicant shall be notified and given an opportunity to be heard.
 - (b) The Commission shall provide written advice and recommendation to the Planning Board or Board of Adjustment or, in the case of the permit application through the administrative officer, except otherwise provided by § 345-9B(2), shall direct such officer to approve, deny or conditionally approve the application. Such determinations by the Commission shall be made within 45 days of the Commission's determination that the application is complete, unless such time is extended by consent of the applicant and is in the form of a written consent from the applicant and received by the Commission.
 - (c) On any application involving demolition or removal of any kind, except otherwise provided by § 345-9B(2), the Commission's recommendation shall specify whether the permit is to be denied or postponed. If postponement is ordered, the Commission shall work with the applicant during this interim period to investigate and consider alternatives to demolition or removal.
- (4) Applications involving sites of historic interest.

- (a) If such applications are for other than a building permit, each shall be processed in the same manner as under Subsection C above. If such applications are for a building permit, the Commission shall review the application submitted to the Construction Official and if the Commission deems it desirable based on the application filed, may request a meeting with the applicant to discuss the extent of the work planned and provide suggestions to accommodate the desires of the applicant while at the same time attempting to protect the historical significance of the site of historic interest. Such recommendations shall be purely advisory and shall offer any technical assistance as non-binding discussions during its regularly scheduled meeting and shall have no binding effect, however, the Construction Official shall await the report of the Commission for a period of 45 days after referral to the Commission. If no report is received within the forty-five day period, the Construction Official may, if all other requirements therefore are met, issue the requested permit.

- (b) In the co-operative effort outlined above, the Commission shall explore the availability of public or private funds to assist the property owner with any increased costs which may accompany following the Commission's recommendations. If such funds are provided by the City through any established grant or assistance program, it shall be required that, as a condition to receipt of such funds, the property owner shall record restrictions, in the County Clerk's office, subjecting the property to historic landmark designation to the same extent as though the procedure set forth in § 345-8D was followed and the certificate reference in § 345-8G, was filed.

D. **Submission requirements.** An original and two copies of each of the following shall be submitted to the Secretary of the Commission:

- (1) Applicable application form, if any, as adopted by the Commission.

- (2) Plans and specifications as accepted by the Building Department.

- (3) Detailed information shall be provided on the construction material, color, design and any of the following or other elements of the proposal to provide clear and comprehensive information for the Commission in its determination of the complexity of the proposal:
 - (a) Roof design and surfacing;

 - (b) Walls/siding/pattern of shingles/and exterior painting or stain;

 - (c) Windows: style, relationship to each other/awnings;

 - (d) Doors;

 - (e) Ornaments or trim;

 - (f) Colors/materials;

 - (g) Railings/porches;

 - (h) Chimneys;

 - (i) Fences;

 - (j) Garages/carports;

 - (k) Signs;

 - (l) TV Antennas/satellite dishes;

- (m) Solar energy installation;
- (n) Outdoor furniture for accessory use of a principal (non-residential) use such as restaurant's outdoor eating section;
- (o) Street furniture generally relative to a public or a semi-public use; or recreation equipment;
- (p) Landscaping, grading and topography;
- (q) For new construction, utilities shall be placed underground and site plans shall show the placement of same; statements from the relevant public utility company may be requested by the Commission.

E. Standards of review. In reviewing an application for its effect on a building, improvement or structure within an historic district or an historic property, the following criteria shall be used by the Commission, the Planning Board and the Zoning Board. The criteria set forth in Subsection (1) relate to all projects affecting an historic site or an improvement within an historic district.

- (1) If the historic landmark/site of historic interest is involved;
 - (a) the impact of the proposed change on its historic and architectural significance as defined in this section.
 - (b) Its importance to the municipality and the extent to which the historic or architectural interest would be adversely affected to the detriment of the public interest.
 - (c) The extent to which there would be involvement of textures and materials that would not be reproduced or could be reproduced only with great difficulty and expense.

- (d) The use of any structure involved.
 - (e) The extent to which the proposed action would adversely affect the public's view of a landmark from a public street.
 - (f) If the application deals with a structure within an historic district, the impact the proposed change would have on its character and ambience and the structure's visual compatibility with the buildings, places and structures to which it would be visually related in terms of a visual compatibility factors set forth herein.
 - (g) In regard to applications, additional pertinent matters may be considered, but in no instance shall interior arrangement be considered.
 - (h) In assessing the effect of any proposed change on an application concerning any landmark, the Secretary of the U.S. Department of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings shall be utilized. Such standards and guidelines are hereby adopted by reference and copies shall be made available for inspection and/or purchase in the office of the Municipal Clerk.
- (2) With respect to applications for certificates of appropriateness relating to changes in exterior appearance, new construction, alteration(s), addition(s), nonordinary repair(s), rehabilitation, replacement(s), signage or exterior lighting, excavation or ground disturbance, involving an historic property or any improvement within the historic district, the following shall be considered:
- (a) The use of any building and/or structure involved;
 - (b) The historical or architectural value and significance of the building and/or structure and its relationship to the historic value of the surrounding area;

- (c) The effectiveness of the proposal in adhering to the building and/or structure's original style or destroying or otherwise affecting the exterior texture, materials and architectural features;
- (d) The overall effect that proposed work would have upon the protection, enhancement, perpetuation and the use of the property, adjoining properties and the historic district in which it is located;
- (e) The general compatibility of exterior design, arrangement and materials proposed to be used and any other factor, including aesthetic, which is found to be pertinent;
- (f) The practicality of performing the work with materials or workmanship of a type equivalently or similar to the historical or architectural era during which the structure, building or place was constructed;
- (g) The impact of the proposed change upon archaeological resources;
- (h) The general purposes of the Municipal Land Use Law set forth in N.J.S.A. 40:55D-2, including, but not limited to the following:
 - [1] Appropriate use or development of all lands in a manner which promotes the public health, safety, morals and general welfare;
 - [2] Promotion of a desirable visual environment through creative development, techniques and good civic design and arrangements;
 - [3] Conservation of historic sites and districts, open space, energy resources and valuable natural resources to prevent degradation of the environment through improper use of land;

- [4] Encouraging coordination of the various public and private procedures and activities, shaping land development with a view of lessening the cost of such development and to the more efficient use of land.

F. **Demolitions.** An application for a permit to demolish an historic landmark/site of historic interest shall be forwarded by the Construction Official to the Commission.

(1) **Demolitions involving historic landmark.**

(a) **The Commission shall conduct a public hearing on the proposed demolition. At least 10 days before such hearing, the applicant shall give notice of the time, date, location and purpose of the hearing to the agencies listed below by certified mail, return receipt requested, and by published in an official newspaper of the municipality; and shall present an affidavit attesting to such notification prior to commencement of the hearing:**

[1] **Monmouth County Historical Commission**

[2] **Monmouth County Heritage Committee**

[3] **Monmouth Conservation Foundation**

[4] **Monmouth County Historical Association**

[5] **State Historic Preservation Office.**

[6] **State Advisory Council of Historic Preservation.**

(b) **The following matters shall be considered by the Commission:**

- [1] Its historic, architectural, cultural or scenic significance in relation to the criteria established in this section;
- [2] If it is within a historic district, its significance to the district as a key, contributing, or noncontributing resource and the probably impact of its removal on the district;
- [3] Its potential for use for those purposes currently permitted by the zoning provisions of this chapter;
- [4] Its structural condition and the economic feasibility of alternatives to the proposal;
- [5] Its importance to the City and the extent to which its historical or architectural value is such that its removal would be detrimental to the public interest;
- [6] The extent to which it is of such old, unusual or uncommon design, craftsmanship, texture or material that it would not be reproduced or could be reproduced only with great difficulty and expense;
- [7] The extent to which its relation would promote the general welfare by maintaining and increasing the real estate values, generating business, creating new jobs, attracting tourists, students, writers, historians, artists and artisans, attracting new residents, encouraging study and interest in American history, New Jersey history and the history of Long Branch, stimulating interest and study in architecture and design, educating citizens in American culture and heritage, or making the municipality a more attractive and desirable place in which to live;

- [8] Such other matters as may appropriately affect the decision considering the specific characteristics of the property in question.
 - [9] The ownership, use and applicant's reason(s) for requesting demolition.
 - [10] Any other applicable standards of review or guidelines as defined in "The Secretary of the Intern Standards for the Treatment of Historic Properties."
- (c) Following the public hearing, the Commission shall make a decision and act on the request for the demolition permit.
- (2) Demolitions involving a site of historic interest. The Commission shall conduct the procedures as outlined in Subsection F above, except as follows:
- (a) The Commission shall have a period not exceeding six (6) months in order to have an opportunity to seek a viable alternative to demolition.
 - (b) The applicant shall not be required to notify the agencies set forth in Subsection F(1)(a) [1] through [6].
- (3) Demolitions in conjunction with a development application. In those circumstances where the planned demolition is part of a development application pending before the Planning Board or Board of Adjustment, the hearing provided for in this section shall be combined as part of the development application hearing held before the reviewing board. The Commission shall be given notice of the hearing and its members or representative shall be allowed to ask questions, request information and present evidence to the reviewing board relating to the demolition. The Commission shall further be accorded the opportunity of making a recommendation to the reviewing board as to whether or not the demolition should be allowed.

G. Relocations. In regard to an application to move any historic landmark, or to move any improvement within a historic district, the application shall be forwarded by the responsible municipal official to the Commission.

(1) The Commission shall conduct a public hearing on the proposed move or relocation. At least 10 days before such hearing, the applicant shall give notice of the time, date, location and purpose of the hearing to the agencies listed below by certified mail, return receipt requested and by published notice in an official newspaper of the municipality and shall present an affidavit attesting to such notification prior to the hearing:

- (a) Monmouth County Historic Commission.
- (b) Monmouth County Heritage Committee.
- (c) Monmouth Conservation Foundation.
- (d) Monmouth County Historical Association.
- (e) State Office of Historic Preservation.
- (f) State Advisory Council of Historic Preservation.
- (g) Monmouth County Park System.
- (h) Any other local civic, social or community organization concerned with historic preservation, deemed appropriate by the Commission.

(2) The following matters shall be considered by the Commission:

- (a) The historic loss to the site of original location and the historic district as a whole;

- (b) The compelling reasons for not retaining the landmark or structure as its present site;
 - (c) The compatibility, nature and character of the current and the proposed surrounding areas as they relate to the protection of interest and values referred to in this section;
 - (d) The probability of significant damage to the landmark or structure itself;
 - (e) If it is to be moved from the City, the proximity of the proposed new location to the City, including the accessibility to the residents of the municipality and other citizens;
 - (f) Visual compatibility factors as set forth in this section.
- (3) Following the public hearing, the Commission shall make a decision and act on the request for relocation.
 - (4) In those circumstances where the planned relocation is part of a development application pending before the Planning Board or Board of Adjustment, the hearing provided for in this section shall be combined as part of the development application hearing held before the reviewing board. The Commission shall be given notice of the hearing and its members or representative shall be allowed to ask questions, request information and present evidence to the reviewing board relating to the relocation. The Commission shall further be accorded the opportunity of making a recommendation to the reviewing board as to whether or not the relocation should be allowed.

H. Advice regarding non-historic properties.

- (1) The Commission also serves in an advisory capacity in the review of plans referred by the Planning Board, Zoning Board of Adjustment or City Council pertaining to the

exterior appearance of structures that are not historic landmarks and not within a historic district. The purpose and intent of this additional role of the Commission is to assist other municipal boards in their review capacity, where development is proposed in close proximity to areas and/or structures of historic significance or because the owners or applicants desire to construct improvements with historic design and character. The goals of the Commission are to advise applicants on how to amend and improve designs rather than to impose individual design choices on any specific proposal.

(2) In the review of plans that have been referred to them, the Commission will generally examine the following elements for compatibility with the existing style, with existing adjoining development and appropriateness:

- (a) Building height.
- (b) Bulk/scale.
- (c) Placement of windows, doors, roof
- (d) Materials/textures and scales.
- (e) Color.
- (f) Signs.
- (g) Fences, walls, other accessory structures on the site.
- (h) Parking area layout, loading facilities.
- (i) Landscaping.
- (j) Driveways.

- (k) Compatibility of all elements of the proposal.
 - (l) Any other exterior elements that would impact the surroundings.
- (3) When plans are referred to the Commission by the Planning Board or Board of Adjustment, the referral should include the time schedule for the submission in order to enable the Commission to make its review and, if necessary, meet with the applicant to discuss adjustments, with the timing framework for the submission, the dates of public hearings, Planning Board or Board of Adjustment meetings, etc.
- I. Removal or disturbance of objects or landmark detection devices.
- (1) No person shall use any electrical, mechanical or other detection type device to disturb, remove, locate objects in or on any City owned historic landmark/site of historic interest or improvement within a historic district without giving written notice, as set forth below, to the Municipal Clerk and the Commission and receiving permission from the City Council to undertake the proposed activity.
 - (2) The written notice of the intent to use such a detection device shall set forth the name and address of the person giving notice as well as the names and addresses of all persons involved in the on-site use and shall set forth the date each use will occur and whether any business, club or other organization is involved.
 - (3) The written notice of the intent to use such a detection device shall be delivered to the Municipal Clerk and to the secretary of the Commission at least 30 days in advance of the proposed use. The Commission shall consider the request and make a recommendation to the City Council whether the request should be approved, denied or approved with conditions. The City Council shall then make the final decision and notify the applicant.

§345-10. VIOLATIONS AND PENALTIES.

- A. Any person who undertakes any activity affecting a historic landmark or any improvement within a historic district which is regulated by this article, without obtaining review by the Commission shall be in violation of this article.
- B. On any violation, the Zoning Officer shall personally serve a notice on the owner describing the violation and demanding abatement within 10 days; and, notifying the owner or person(s) present that they must immediately stop and cease any further activity whatsoever. Such owner or other person(s) shall immediately stop any activity.
- C. The Zoning Officer may also file complaint in the City municipal court and/or seek injunction relief or restraints in any court of competent jurisdiction.
- D. Each separate day a violation exists shall be deemed to be a new and separate violation.
- E. Any person violating the provisions of this article shall be subject to the fine and penalty set forth in Section 1-16 of the Code of the City of Long Branch.

Ord #6-09

**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 (2) 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 (1) 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 §300-23.9.
 - 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, particularly *Helonias bullata* (swamp pink) and/or *Clemmys muhlenbergi* (bog turtle).
- 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 §300-23.6(Sources for Technical Guidance), 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 §300-23.4, 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.

Table 1: Water Quality Design Storm Distribution			
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	See § 300-23.5.C
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 and 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.

§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;

2. The Rutgers Cooperative Extension Service, 732-932-9306; and
3. 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 §300-23.7(C) a freestanding outlet structure may be exempted from this requirement.

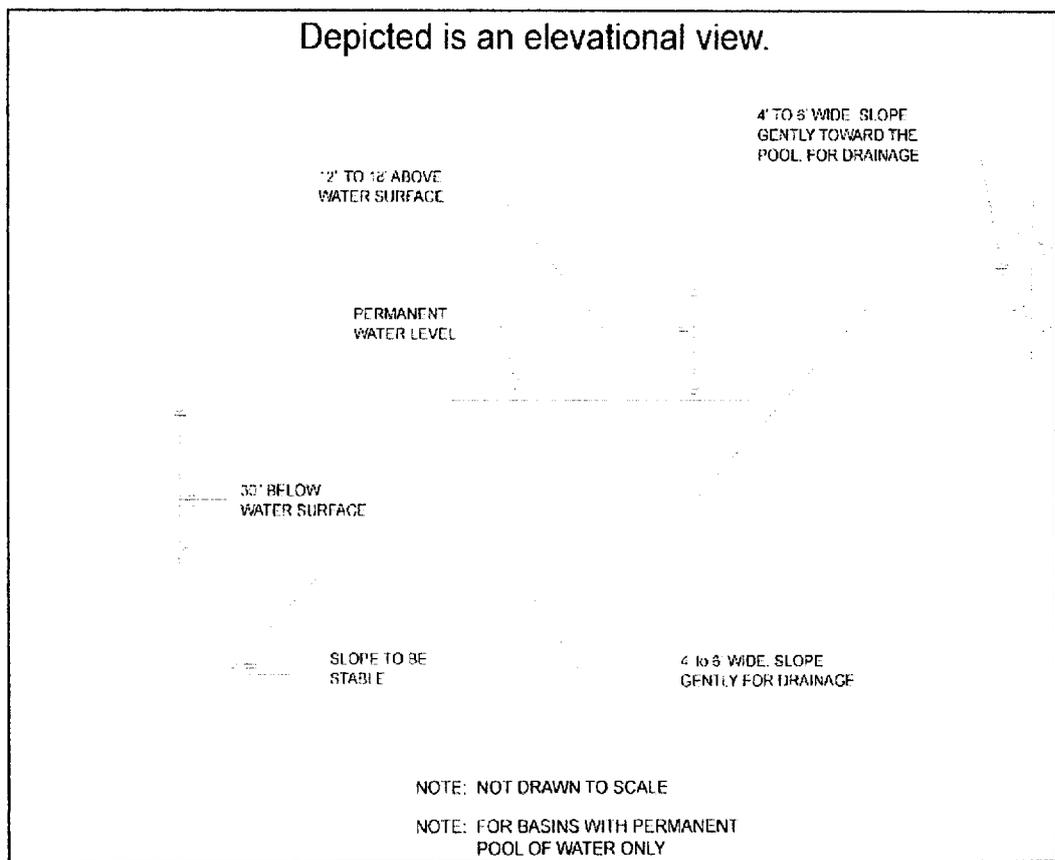
b. Safety ledges shall be constructed on the slopes of all new stormwater management basins having a permanent pool of water deeper than two and one-half feet. Such safety ledges shall be comprised of two steps. Each step shall be four to six feet in width. One step shall be located approximately two 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 §300-23.7 (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 §300-23.8 (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 §300-23.8 (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 whom 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
			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

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:			
			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 §300-23.9 (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.

ORDINANCE AMENDING CHAPTER 5 "ADMINISTRATION OF GOVERNMENT", § 5-17 "PUBLIC RECORDS" OF THE CODE OF THE CITY OF LONG BRANCH TO INCREASE FEES FOR COPIES OF CERTAIN PUBLIC RECORDS AS PART OF THE VITAL STATISTICS PROGRAM OF THE CITY OF LONG BRANCH

WHEREAS, the Council of the City of Long Branch wishes to amend its current Ordinance governing fees charged for certain public records, including marriage, birth and death certificates; and

WHEREAS, the amendments are necessary in consideration of personnel time and applicable technology as well as to reflect charges of other vital statistics programs in the area; and

WHEREAS, it is in the best interest of the residents of Long Branch to make these revisions to the Ordinance to allow for the vital statistics program to proceed and operate in an efficient and timely manner; and

WHEREAS, the last Amendment to this Ordinance was Ordinance 39-06.

NOW, THEREFORE BE IT ORDAINED by the Council of the City of Long Branch that Chapter 5 "Administration of Government", § 5-17 "Public records", subsection A.(2)(a) and (b) be and is hereby amended to read as follows

- (2) The following fees shall be charged for copies of public records: [Amended 1-26-1993 by Ord. No. 2-93; 8-26-1997 by Ord. No. 26-97]
 - (a) Birth, marriage, civil union and death certificates: \$10 each; burial permit fee: \$5 each. [Amended 4-13-2004 by Ord. No. 7-04; 5-11-2004 by Ord. No. 14-04]
 - [1] A certificate pursuant to N.J.S.A. 26:8A-1, et seq., known as the "Domestic Partnership Act": \$10 each. [Added 8-10-2004 by Ord. No. 30-04]
 - (b) In the event that correction forms are required for any of the foregoing documents, the following charges shall apply:
 - [1] Death certificate corrections: no charge for funeral directors only; all others must pay a \$10 fee.
 - [2] Marriage, Civil Union, Domestic Partnership certificate corrections \$10. No charge for officiants.

- [3] Birth certificate correction forms 34, 35, 56 and 60; \$10 nonrefundable processing fee.
- [4] There will be a \$10 funeral home filing fee for death certificates that are not filed electronically.
- [5] There will be a \$2 fee for an amendment of a recorded name via legal name change or naturalization.

INTRODUCED:

ADOPTED:

ATTEST:

CITY OF LONG BRANCH

IRENE JOLINE, CITY CLERK

ADAM SCHNEIDER, MAYOR

Ord. # 8-09

**CALENDAR YEAR 2009
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION
LIMITS
AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)**

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

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

WHEREAS, the City Council of the City of Long Branch in the County of Monmouth finds it advisable and necessary to increase its CY 2009 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the City Council of the City of Long Branch hereby determines that a 1% increase in the budget for said year, amounting to \$ 350,621.32 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

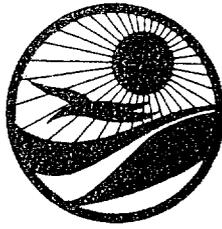
WHEREAS the City Council of the City of Long Branch hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the City Council of the City of Long Branch, in the County of Monmouth, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2009 budget year, the final appropriations of the City of Long Branch shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5 %, amounting to \$ 1,227,174.64, and that the CY 2009 municipal budget for the City of Long Branch be approved and adopted in accordance with this ordinance; and,

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

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

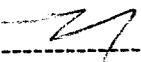
BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.



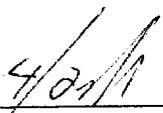
CITY OF LONG BRANCH, MUNICIPAL BUILDING, 344 BROADWAY, LONG BRANCH, N. J. 07740 (732) 222-7000

**ADMINISTRATIVE SIGN-OFF SHEET
FOR INCLUSION ON THE COUNCIL AGENDA**

The attached document(s) have been reviewed by Administration, and is hereby approved to be included on the Council Agenda.



Howard H. Woolley, Jr.
Business Administrator



Date



recycled paper

RESOLUTION AUTHORIZING THE CITY OF LONG BRANCH TO ENTER INTO AN AGREEMENT WITH NEW JERSEY TRANSIT CORPORATION FOR THE NEW JERSEY TRANSITS 2009 SUMMER SERVICES PROMOTION

WHEREAS, New Jersey Transit participates with municipalities each year in the summer services promotion; and

WHEREAS, an agreement is hereby necessary between the New Jersey Transit Corporation and the City of Long Branch to enable the City of Long Branch to participate in New Jersey Transit's 2009 Summer Services Promotion; and

WHEREAS, the summer services promotion is fully described in a letter agreement dated March 10 2009, which includes a round trip train transportation and a special beach package. The participant, the City of long Branch agrees to an adult admission fee of \$3.50 for individuals age 12 or over to participate in this program; the balance of the program is detailed in the March 10, 2009 agreement; and

WHEREAS, the City of Branch has been asked to execute a copy of the March 10, 2009 correspondence of the New Jersey Transit, as an agreement, which the City of Long Branch believes that it is in the best interest of the citizens of the City of Long Branch; and

WHEREAS, Carl Jennings, the Director of Recreation has appeared before the Council and has sought the approval of the Council; and

WHEREAS, the City of Long Branch has previously participated in the New Jersey Transit's Summer Services Program over the past years.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Long Branch that the Mayor of the City of Long Branch be and the same is hereby authorized to execute the March 10, 2009 letter agreement with New Jersey Transit for the New Jersey Transit's 2009 Summer Services Promotion.

MOVED:
SECONDED:

AYES:
NAYS:
ABSENT:
ABSTAIN:

Jon S. Corzine
Governor

Stephen Bilts
Board Chairman

Richard R. Sarles
Executive Director

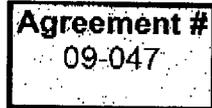
NJ TRANSIT

One Penn Plaza East
Newark, New Jersey 07105-2246
973-491-7000



March 10, 2009

Mr. Carl Jennings
City of Long Branch
344 Broadway
Long Branch, NJ 07740



Re: NJ TRANSIT 2009 Summer Beach Promotion

Dear Mr. Jennings:

This letter will serve as an agreement between New Jersey Transit Corporation (NJ TRANSIT) and the Long Branch with regard to the NJ TRANSIT's 2009 Beach Services Promotion pursuant to the following terms and conditions.

1. Long Branch agrees to an adult admission fee of \$3.50 for individuals twelve (12) years or older for the 2009 beach season.
2. Long Branch agrees to collect and honor NJ TRANSIT special beach tickets in even exchange for admission to the beach.
3. Long Branch agrees to provide NJ TRANSIT with the number of beach tickets redeemed at intervals during the summer season. **Reporting of beach ticket redemptions is due June 29, July 27, and September 2, 2009.**
4. Long Branch agrees to post the NJ TRANSIT logo and/or transportation information with a hyperlink to njtransit.com, from the Long Branch official website.
5. Long Branch agrees to submit the collected beach admission tickets together with an invoice, to NJ TRANSIT; Marketing – Curtis E. Rimler; One Penn Plaza East; Newark, NJ 07105-2246 for reimbursement by NJ TRANSIT at the end of the promotional campaign.
6. NJ TRANSIT agrees to promote the special beach package valid Friday, May 22, 2009 through Monday, September 7 2009. This special beach package will include round-trip train transportation and a special beach admission ticket. Promotion of the beach package will comprise the following advertising mix:
 - **Website:** NJ TRANSIT agrees to provide beach information and a hypertext link to the Long Branch web site.
 - **Cross Linkage:** NJ TRANSIT will provide cross linkage to Long Branch website () from njtransit.com and secacucusjunction.com.
 - **On-Hold Message:** NJ TRANSIT will air a 10 second message to be heard on NJ TRANSIT's Transit Information Center line – 973-275-5555 for the duration of this agreement.
 - **Press Release:** NJ TRANSIT will include Long Branch in a press release promoting the special beach package and North Jersey Coast Line rail service to the Jersey Shore.
 - **E-mail Blast:** NJ TRANSIT will include Long Branch in one e-mail message to registrants promoting the special beach packages.

7. NJ TRANSIT agrees to sell special beach packages at select ticket offices and ticket vending machines.
8. NJ TRANSIT agrees to verify each submission and reimburse Long Branch at a rate of three dollars (\$3.50) for each verified beach portion received with the invoice.
9. Long Branch agrees to hold NJ TRANSIT harmless from any and all suits, claims, demands and damages of any kind or nature arising out of Long Branch involvement in this promotion. All elements of this co-promotion are subject to approval by both NJ TRANSIT and Long Branch.
10. No such advertisements or promotional materials provided by NJ TRANSIT shall be modified, abbreviated, altered or amended, nor shall any derivative works be created, without the express written consent of NJ TRANSIT in each instance. All such advertisements and promotional materials, as well as trade names, trademarks, logos, slogans and all other intellectual property of NJ TRANSIT Corporation shall be and remain the sole property of NJ TRANSIT Corporation and shall not be modified, altered, edited, published, displayed or incorporated into any other works by Long Branch or any of its agents, employees, licensees or contractors, except as expressly authorized and approved in writing by NJ TRANSIT Corporation.
11. The NJ TRANSIT and Long Branch covenant that the individuals executing this permit have the authority to legally bind the respective parties.

If you are in agreement with all of the above terms, please indicate your concurrence by signing below and returning both copies to my attention. A fully approved copy will be returned to you once signed. We look forward to making this a successful and mutually rewarding promotion. Thank you.

Agreed to on the _____ day of _____, 2009.

NEW JERSEY TRANSIT CORPORATION

City of Long Branch

By: _____
 Megan Sanicki
 Senior Director
 Marketing & Business Development

By: _____
 Mr. Jennings

This agreement has been approved as to form

ANNE MILGRAM
 ATTORNEY GENERAL OF NEW JERSEY

By: _____ Date _____
 Deputy Attorney General

/cer09

R# 100-09

RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF LONG BRANCH AND/OR HIS DESIGNEE TO ENTER INTO AN INTERLOCAL SERVICES AGREEMENT TO UTILIZE A LEAD PAINT ANALYZER INSTRUMENT

WHEREAS, the City of Long Branch wishes to enter into an Interlocal Services Agreement, a true and accurate of which is annexed hereto as Exhibit A, with the Monmouth County Regional Health Commission No. 1 to utilize a Lead Paint Analyzer instrument; and

WHEREAS, the City of Long Branch believes that the instrument will protect the health, safety and welfare of its residents from the dangers posed by the existence of lead paint; and

WHEREAS, the Health Officer of the City of Long Branch Health Department has recommended that the City enter into the Interlocal Services Agreement in the form annexed herein, and that same is in the best interest of the residents of the City of Long Branch;

NOW, THEREFORE BE IT RESOLVED, by the Council of the City of Long Branch that the Mayor of the City of Long Branch and/or his designee be and is hereby authorized to execute all documents necessary to enter into the Interlocal Services Agreement with the Monmouth County Regional Health Commission No. 1 in the form annexed hereto as Exhibit A;

MOVED:

SECONDED:

AND ADOPTED UPON THE FOLLOWING ROLL CALL:

AYES:

NAYES:

ABSENT:

ABSTAIN:

EXHIBIT A

Monmouth County Regional Health Commission No.1
 1540 West Park Ave
 Ocean, NJ 07712

LEAD METER MAINTENANCE FEES and ASSOCIATED COSTS

	<u>ANNUAL FEES</u>
Semi-annual wipe test	\$50.00
RESOURCE meter every 18 mths \$2,450.00 plus 175.fedex ins	\$1,750.00
TOTAL TO BE DIVIDED BY 5 health depts	\$1,800.00
 ANNUAL FEES per Health Dept	 \$360.00

Fee above do not include \$200 State license

**INTERLOCAL AGREEMENTS FOR LEAD ANALYZER
 CONTRACT DATES**

<u>HD</u>	<u>START</u>	<u>END</u>	<u>QUOTE</u>
LONG BRANCH	06/23/02	06/30/09	\$125.00
	07/01/09	12/31/09	\$180.00
	01/01/10	12/31/10	\$360.00

INTERLOCAL SERVICES AGREEMENT
LEAD PAINT ANALYZER

This Agreement entered into this 1st day of July 2009 by and between the Monmouth County Regional Health Commission No. 1 and the City of Long Branch Health Department.

Witnesseth that:

Whereas, the Monmouth County Regional Health Commission No. 1 and Long Branch Health Department desire to contract together in order to utilize a Lead Paint Analyzer instrument and

Whereas, the parties will utilize the Lead Paint Analyzer instrument to protect the health, safety and welfare of citizens from the dangers and public nuisance posed by the presence of lead paint; and

Whereas, the Interlocal Services Act, N.J.S.A. 40:8A-1, et seq., permits local units of this State to enter into a contract with any other local unit for the joint provision within their combined jurisdictions of any service which any party to the agreement is empowered to render within its own jurisdiction: and

Whereas, the Monmouth County Regional Health Commission No. 1 and Long Branch Health Department have authorized and approved this Agreement by Ordinance or Resolution duly adopted pursuant to N.J.S.A. 40:8A-4 of the Interlocal Services Act; and

Now, therefore, in consideration of the mutual agreements and covenants herein contained, the parties agree as follows:

1. Registration: The Monmouth County Regional Health Commission No. 1 shall register with the New Jersey Department of Environmental Protection for possession of an ionizing radiation-producing machine as set forth in N.J.A.C. 7:28-3 et seq.
2. Possession: The Monmouth County Regional Health Commission No. 1 shall acquire a Lead Paint Analyzer Instrument and retain possession of such;
3. Regular Repair and Maintenance: The costs incurred for regular repairs, maintenance and annual licensing with the New Jersey Department of Environmental Protection of the Lead Paint Analyzer Instrument shall be the responsibility of the Monmouth County Regional Health Commission No. 1. However, in order to more equitably apportion the licensing, repair and maintenance costs among all parties having access to use of the Lead Paint Analyzer Instrument -- charges for Year 2009 shall be levied at One Hundred Eighty Dollars (\$180.00). This fee of One Hundred Eighty Dollars (\$180.00) shall be due and payable by August 1, 2009.
4. Proof of licensing and training: Proof of appropriate licensing and training is required to borrow a Lead Paint Analyzer Instrument in the State of New Jersey. To comply with these requirements, all parties desiring to utilize the Lead Paint Analyzer Instrument shall - as necessary - supply a copy of the following document(s) to the Monmouth County Regional Health Commission No. 1 prior to the release of the lead analyzer instrument.
 - a) The responsible individual to whom the Lead Paint Analyzer Instrument shall be released shall document attendance in a training course offered by the manufacturer of the Lead Paint Analyzer Instrument on the use, care and handling of the instrument.
 - b) The responsible individual to whom the Lead Paint Analyzer Instrument shall be released will need hold a current and valid Inspector/Risk Assessor Health Official Lead Certification Permit issued by the New Jersey Department of Health Senior Services, whenever that individual is implementing activities regulated by (N.J.S.A. 24:14A) - Chapter 13 of the New Jersey State Sanitary Code entitled the Childhood Lead Poisoning Prevention (N.J.A.C. 8:51) and Minimum Standards for local Board of Health lead activities (N.J.A.C. 8:52 and N.J.A.C. 8:52-5.2 et seq).

R# 101-09

RESOLUTION AWARDING TWO YEAR CONTRACT FOR ROAD MAINTENANCE MATERIALS

WHEREAS, through a Fair and Open process (#B-2009-02), the City of Long Branch advertised to receive bids on April 7, 2009, for a two year contract for road maintenance materials , and the following bids were received, as detailed in the analysis attached:

Stavola Asphalt Co., Inc.	\$383,975
(Items 1-4 pick-up only, Items 5,6 &8 pick-up/delivered, Item #7-No Bid)	

Trap Rock Industries, Inc.	\$ 48,650
(Bid for Items #3, 5, 6 & 8 only)	

WHEREAS, the bid documents were reviewed by the Purchasing Agent and found to be in order, the Public Works Director has recommended that the bid be awarded to the low bidder on a line item basis; and

WHEREAS, these contracts are being awarded as open ended contracts, with Certification of Funds provided by issuance of a purchase order prior to each order for materials, and contingent upon availability of adequate funds; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Long Branch, that two year contracts be awarded as follows:

1) **Stavola Asphalt Company, Inc.**, for the following items:

Item #1 (1-5 Hot Mix)-up to 4500 tons at \$57.00 per ton,
Item #2 (1-2 Stabilized Base Mix), up to 1000 tons at \$53.00 per ton,
Item #4 (High Performance Cold Patch), up to 200 tons at \$140 per ton
Item #6 (Clean Stone), up to 500 tons (delivered) at \$19.20 per ton
Item #8 (Recycled Crushed Concrete), up to 1000 tons (delivered) at \$13.35 per ton
in accordance with the bid specifications and proposal, and ordered on an as needed basis.

2) **Trap Rock Industries, Inc.** , for the following items:

Item #3 (Cold Patch) up to 200 tons at \$75.00 per ton pick up or \$82.00 per ton delivered,
Item #5 (Quarry Blend Stone) up to 500 tons at \$8.00 pick up, and \$15.00 delivered,
Item #8 (Recycled Crushed Concrete), up to 500 tons at \$8.00 per ton pick-up
in accordance with the bid specifications and proposal, and ordered on an as needed basis.

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

**CITY OF LONG BRANCH
ROAD MATERIAL BIDS**

Bid #B-2009-2

Item#	Material	Qty	STAVOLA ASPHALT CO.		TRAP ROCK INDUSTRIES	
			P/U per Ton	Del. per Ton	P/U per Ton	Del. per Ton
1	Bituminous Hot Mix-1-5	4500	\$57.00	N/B	N/B	
2	Bituminous Base - 1-2	1000	\$53.00	N/B	N/B	
3	Cold Patch	200	\$90.00	N/B	\$75.00	\$82.00
4	High Perf. Cold Patch	200	\$140.00	N/B	N/B	
5	Road Stone-Quarry Blind	500	\$15.75	\$15.75	\$8.00	\$15.00
6	Road Stone-Clean	500	\$19.20	\$19.20	\$12.50	\$19.50
7	Ice Control Abrasive	200	N/B	N/B	N/B	
8	Crushed Concrete	1000	\$10.00	\$13.35	\$8.00	\$15.00
	*Delivered items from Bound Brook facility Pick Up items from Tinton Falls					
Opt.	Hi Perf Cold Patch/50#Bg		N/B		N/B	
Remarks:		Plant: Tinton Falls Quarry: Bound Brook Delivery: 1 business day ARO ERR			Plant: Kingston, NJ Quarry: Kingston, NJ Delivery: 1 business day ARO	

R# 102-09

**RESOLUTION AWARDING CONTRACTS FOR
RENTAL OF CONSTRUCTION EQUIPMENT
FOR THE PUBLIC WORKS DEPARTMENT**

WHEREAS, the City of Long Branch has the need to contract for rental of various excavators and dozers on an as-needed basis for use by the Department of Public Works for various projects over the course of the year; and

WHEREAS, the City has advertised through a fair and open basis to receive bids on February 14, 2008, and bids were received from the following companies, as further detailed in the analysis annexed hereto:

**Foley, Inc.
Trico Equipment Services, LLC
Jesco, Inc.
Harter Equipment, Inc.**

WHEREAS, the bid documents were reviewed by the Purchasing Agent, and found to be in order, and as this bid will be awarded on a line item basis in accordance with the bid specifications, the Public Works Director has evaluated each bid to determine the lowest bidder for each line item, as indicated on the attached analysis; and

WHEREAS, these contracts are being awarded as open ended contracts, with Certification of Funds provided by issuance of a purchase order prior to each order for rental of equipment, and contingent upon availability of adequate funds; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Long Branch, that contracts be awarded as follows:

Foley, Inc., for Dozer Rental, Line Items #1, 2, 3, 4, Weekly/Monthly, (picked up or delivered), and Item #6 Weekly (delivered only) and Monthly (picked up or delivered), and Excavator Rental, Line Items # 4, 5, 6, 8 Monthly only, (picked up or delivered), as DPW may order on an as needed basis, and contingent upon availability of adequate funds.

Trico Equipment Services, LLC, for Excavator Rental Line Items #2, 3, and 9 Weekly/Monthly, (picked up or delivered), and Line Item #6 Weekly only, (picked up or delivered), as DPW may order on an as needed basis, and contingent upon availability of adequate funds.

Jesco, Inc., for Dozer Rental, Line Items #5, 7, and 8 Weekly/Monthly, (picked up or delivered), and Line Item #6, Weekly, (picked up only), and Excavator Rental, Line Item #1, Weekly/Monthly, (picked up or delivered), as DPW may order on an as needed basis, and contingent upon availability of adequate funds.

Harter Equipment, Inc. for Excavator Rental Line Items #4, 5, and 8, Weekly only, (picked up or delivered), and Line Item #7, Weekly/Monthly, (picked up or delivered), as DPW may ordered on an as needed basis, and contingent upon availability of adequate funds.

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

Analysis-Bids-Excavator
Bid#2009-01

Item#	Description	Foley, Inc.			Trico Eqp. Services LLC			Jesco, Inc.											
		Del/PU	Wkly	Monthly	Model	Del/PU	Wkly	Monthly	Model	Del/PU	Wkly	Monthly	Model						
1	JD#17D-Cat #301 8C	N/B	\$993.00	\$2,308.00		N/B	\$850.00	\$1,850.00		JD35D/CaseCX31	\$250.00	\$1,150.00	\$2,950.00	JD17D					
2	Cat #303C-CR-JD#35D	Inc. del/PU \$250.00	\$743.00	\$2,058.00	303.5	Inc. del/PU \$150.00	\$700.00	\$1,700.00		JD35D/CaseCX31	\$250.00	\$900.00	\$2,700.00	JD35D					
3	Cat #304C-CR-JD#35D		\$1,077.00	\$2,548.00			\$900.00	\$1,950.00		JD50/CaseCX50B	\$250.00	\$1,300.00	\$3,400.00	JD50D					
4	Cat#307C-Cat #308C		\$827.00	\$2,298.00	305		\$750.00	\$1,800.00		JD80C/CaseCX80	\$400.00	\$1,050.00	\$3,150.00	JD75C/80C					
5	JD#75C-JD 80C		\$1,373.00	\$3,188.00			\$1,350.00	\$3,750.00		JD80C/CaseCX80	\$400.00	\$1,150.00	\$3,450.00	JD75C/80C					
6	Cat#312CL-JD#135C		\$1,023.00	\$2,838.00			\$1,200.00	\$3,600.00		JD135D/CaseCX135	\$400.00	\$1,950.00	\$5,050.00	JD135C					
7	Cat#315CL-318CL JD#200DLC		\$1,286.00	\$3,570.00			\$1,600.00	\$4,200.00		JD160DLC/CaseCX160	\$400.00	\$1,550.00	\$4,650.00	JD160DLC					
8	Cat#320CL-JD#200DLC		\$1,871.00	\$4,568.00			\$1,700.00	\$4,700.00		JD200DLC/CaseCX210	\$450.00	\$2,000.00	\$5,250.00	JD200DLC					
9	Cat #324DL-JD#240D		\$1,521.00	\$4,218.00			\$1,500.00	\$4,500.00		JD240D/CaseCX240	\$450.00	\$1,850.00	\$5,550.00	JD240DLC					
10	Cat #330DL-JD#350DLC		\$2,250.00	\$5,623.00			\$2,200.00	\$6,200.00		JD350DLC/CaseCX330	\$450.00	\$2,300.00	\$6,850.00	JD350DLC					
11	Cat #324DL-JD#240D		\$1,900.00	\$5,273.00			\$1,900.00	\$5,900.00		JD240D/CaseCX240	\$450.00	\$2,650.00	\$7,050.00	JD240DLC					
12	Cat #324DL-JD#240D		\$2,513.00	\$6,359.00			\$2,700.00	\$7,200.00		JD240D/CaseCX240	\$450.00	\$2,200.00	\$6,600.00	JD240DLC					
13	Cat #324DL-JD#240D		\$2,163.00	\$6,000.00			\$2,400.00	\$6,900.00		JD240D/CaseCX240	\$450.00	\$3,450.00	\$9,450.00	JD350DLC					
14	Cat #330DL-JD#350DLC		\$3,242.00	\$8,380.00			\$3,000.00	\$8,200.00		JD350DLC/CaseCX330	\$450.00	\$3,000.00	\$9,000.00	JD350DLC					
15	Cat #330DL-JD#350DLC		\$2,892.00	\$8,030.00			\$2,700.00	\$7,900.00		JD350DLC/CaseCX330	\$450.00	\$3,000.00	\$9,000.00	JD350DLC					
AWARDED ITEMS #4, 5, 6, 8 (all monthly)											FACILITIES PISCATAWAY			AWARDED ITEMS #2,3, 9 (wkly & monthly) and 6 wkly			FACILITIES S. PLAINFIELD		
AWARDED ITEMS #4, 5 & 8 wkly, and #7 wkly & monthly											FACILITIES MILLSTONE			ITEM #1 wkly & monthly					

Item#	Description	Harter Eqp. Inc.			Model
		Del/PU	Wkly	Monthly	
1	JD#17D-Cat #301 8C	Inc. del/PU \$200.00	\$850.00	\$2,150.00	Kubota KX41
2	Cat #303C-CR-JD#35D		\$1,850.00	\$5,150.00	Kubota U35
3	Cat #304C-CR-JD#35D		\$1,650.00	\$4,950.00	Kubota U45
4	Cat#307C-Cat #308C		\$950.00	\$2,850.00	Kobelco SK80
5	JD#75C-JD 80C		\$1,300.00	\$3,300.00	Kobelco SK80
6	Cat#312CL-JD#135C		\$1,000.00	\$3,000.00	Kobelco SK135
7	Cat#315CL-318CL JD#200DLC		\$1,556.00	\$4,050.00	Kobelco SK135
8	Cat#320CL-JD#200DLC		\$1,256.00	\$3,750.00	Kobelco SK160
9	Cat#324DL-JD#240D		\$1,800.00	\$4,800.00	Kobelco SK160
10	Cat #324DL-JD#240D		\$1,500.00	\$4,500.00	Kobelco SK200
11	Cat #330DL-JD#350DLC		\$2,100.00	\$5,500.00	Kobelco SK200
12	Cat #330DL-JD#350DLC		\$1,700.00	\$5,100.00	Kobelco SK235
13	Cat #324DL-JD#240D		\$2,400.00	\$6,400.00	Kobelco SK235
14	Cat #324DL-JD#240D		\$2,000.00	\$5,000.00	Kobelco SK235
15	Cat #330DL-JD#350DLC		\$3,150.00	\$8,400.00	Kobelco SK330
16	Cat #330DL-JD#350DLC		\$3,150.00	\$8,400.00	Kobelco SK330
17	Cat #330DL-JD#350DLC		\$2,750.00	\$8,000.00	Kobelco SK330

Analysis-Bids-Dozers
Bid#2009-01

Foley, Inc.				Tico Eqp. Services LLC				Jesco, Inc.					
Item#	Description	Del/PU	Wkly	Monthly	Model	Del/PU	Wkly	Monthly	Model	Del/PU	Wkly	Monthly	Model
1	Cat#D3G/JD450J	Inc. del/PU \$350.00	\$1,253.00 \$903.00	\$2,865.00 \$2,515.00	CAT D3G	N/B				Inc. del/PU \$400.00	\$1,350.00 \$950.00	\$3,250.00 \$2,850.00	JD450JLT
2	CAT D4G/JD550J	\$350.00	\$1,388.00 \$1,038.00	\$3,227.00 \$2,877.00	D4G	N/B				\$400.00	\$1,450.00 \$1,050.00	\$3,550.00 \$3,150.00	JD550JLT
3	CAT D5G/JD850J	\$350.00	\$1,636.00 \$1,286.00	\$3,923.00 \$3,573.00	D5G	N/B				\$400.00	\$1,750.00 \$1,350.00	\$4,450.00 \$4,050.00	JD650JLT
4	JD700J	\$350.00	\$1,929.00 \$1,579.00	\$4,383.00 \$4,033.00	DSN	N/B				\$450.00	\$2,050.00 \$1,600.00	\$5,250.00 \$4,800.00	JD700JLT
5	CATD6	\$350.00	\$2,277.00 \$1,927.00	\$5,703.00 \$5,353.00	D6	N/B				\$450.00	\$2,200.00 \$1,750.00	\$5,700.00 \$5,250.00	JD700JLGP (See Class 4)
6	JD750J	\$350.00	\$2,277.00 \$1,927.00	\$5,703.00 \$5,353.00	D6N	N/B				\$450.00	\$2,650.00 \$2,200.00	\$7,050.00 \$6,600.00	JD850JLT
7	JD850J	N/B				N/B				\$450.00	\$2,000.00 \$1,500.00	\$6,000.00 \$4,500.00	JD1050C
8	CAT D7/H/D95-0J	N/B				N/B				\$500.00	\$4,500.00 \$4,500.00	\$13,500.00 \$13,500.00	
AWARDED ITEMS # 1, 2, 3, 4 wkly & monthly, & Item 6 wkly & monthly/delivered, and monthly picked-up.													
AWARDED ITEMS #5, 7 & 8 wkly & monthly, and #6 wkly pick-up only													

Harter Eqp. Inc.													
Item#	Description	Del/PU	Wkly	Monthly	Model	Del/PU	Wkly	Monthly	Model	Del/PU	Wkly	Monthly	Model
1	Cat#D3G/JD450J	Inc. del/PU \$300.00	\$1,300.00 \$1,000.00	\$3,300.00 \$3,000.00	J450J					N/B			
2	CAT D4G/JD550J	\$300.00	\$1,550.00 \$1,250.00	\$3,800.00 \$3,500.00	JD550J					N/B			
3	CAT D5G/JD850J	\$400.00	\$1,900.00 \$1,500.00	\$4,400.00 \$4,000.00	JD650J					N/B			
4	JD700J	\$400.00	\$2,100.00 \$1,700.00	\$5,400.00 \$5,000.00	JD700H					N/B			
5	CATD6	N/B								N/B			
6	JD750J	N/B								N/B			
7	JD850J	N/B								N/B			
8	CAT D7/H/D95-0J	N/B								N/B			

R# 103-09

RESOLUTION

WHEREAS, the City of Long Branch (the "City") and the Long Branch Sewerage Authority (the "Authority") heretofore entered into a Service Agreement dated as of September 1, 2002 (the "2002 Service Agreement") providing, among things, for the payment of Annual Charges (as defined therein) relating to the Authority's System (as defined therein); and

WHEREAS, the definition of "Bond" in the 2002 Service Agreement includes any bond, note or other evidence of indebtedness issued to finance costs of the System with respect to which the City consents by resolution to be a Bond (as defined therein) entitled to the benefits of the 2002 Agreement; and

WHEREAS, the Authority plans to issue not exceeding \$18,000,000 bonds to finance its 2009 Project as defined in Exhibit 1 attached hereto; now therefore,

BE IT RESOLVED, by the City Council of the City of Long Branch, as follows:

Section 1. The City consents to the inclusion of not exceeding \$18,000,000 bonds of the Authority to finance the Authority's 2009 Project as Bonds under the 2002 Service Agreement.

Section 2. This resolution shall take effect immediately.

EXHIBIT 1

LONG BRANCH SEWERAGE AUTHORITY 2009 CAPITAL IMPROVEMENT PROGRAM

Description of Project

Wastewater Treatment Plant Improvements, including new odor control facilities, new head works, new influent screening equipment, reconstruction of primary division box, new garage/maintenance building, relocation of controls, new alarm and scada system, replacement of existing grit chamber, replacement of effluent pump controls, replacement of sludge pumps and controls, modifications to chlorine system, hot water system improvements, security upgrades, conversion to fine bubble aeration, new digester gas mixers and new microturbine.

Collection system improvement including replacement of existing sanitary sewer mains and installation of new laterals.

Pumping Station improvements to six (6) pumping stations.

Renovation of the administration/operations building.

SERVICE AGREEMENT

BY AND BETWEEN

CITY OF LONG BRANCH

AND

LONG BRANCH SEWERAGE AUTHORITY

THIS AGREEMENT, made and dated as of the 1st day of September, 2002 between the City of Long Branch, New Jersey, (the "City"), and the Long Branch Sewerage Authority (the "Authority"), a public body politic and corporate of the State of New Jersey.

WITNESSETH:

WHEREAS, pursuant to the Sewerage Authorities Law, constituting Chapter 138 of the Pamphlet Laws of the State of New Jersey of 1946, as amended and supplemented, the Authority has heretofore been created and is a public body politic and corporate of the State of New Jersey organized and existing under the Sewerage Authorities Law, with all necessary and proper powers to acquire, construct, maintain, and operate facilities for the collection, treatment, purification or disposal of sewage or other wastes; and

WHEREAS, the Authority provides facilities for the collection, treatment, purification and disposal of sewage originating within the geographic boundaries of the City; and

WHEREAS, the City desires to aid and assist the Authority in proceeding with a project to improve the System; and

WHEREAS, the City and the Authority have each determined that it will be economical and otherwise advantageous to each of them and to the residents of the City for the City and the Authority to enter into an agreement pursuant N.J.S.A. 40:14A-

23 relating to the collection, treatment and disposal of sewage originating within the geographic boundaries of the City; and

WHEREAS, each of the City and the Authority has duly authorized their proper officials to enter into and execute this Agreement;

NOW, THEREFORE, in consideration of the mutual covenants and agreements herein set forth and the undertakings of each party to the other, the Authority and the City, each binding itself, its successors and its assigns, do mutually covenant, promise and agree as follows:

ARTICLE I

Definitions

Section 101. Definitions. As used and referred to in this Agreement, and unless a different meaning clearly appears from the context:

"Accountant" means any registered municipal accountant or any certified public accountant of the State of New Jersey (who may be the accountant or a member of the firm of accountants who regularly audit the books and accounts of the Authority) selected by the Authority from time to time.

"Act" means the Sewerage Authorities Law, constituting chapter 138 of the Pamphlet Laws of 1946, of the State of New Jersey, and the acts amendatory thereof or supplemental thereto.

"Agreement" means this Agreement, as amended or supplemented from time to time in accordance with its terms.

"Annual Charges" shall have the meaning given to such term in Section 302 hereof.

"Bond" means any of the Authority's proposed \$9,500,000 Sewer Revenue Bonds, Series 2002, and any other bond, note or other evidence of indebtedness issued to finance costs of the System with respect to which the City consents by resolution to

be a Bond entitled to the benefits of this Agreement, and any bond, note or other evidence of indebtedness issued to refund any Bonds.

"Bond Resolution" means resolution authorizing the issuance of the Bonds, as may be amended or supplemented.

"Sections or Articles" mentioned by numbers are the respective Sections and Articles of the Agreement so numbered.

"Service Charges" means the amounts payable to the Authority by users of the System for sewerage services provided by the Authority.

"System" shall mean and include all sewerage facilities owned by the Authority, from time to time, and all services for the collection, treatment and disposal of sewage originating within the City.

"Unrestricted Retained Earnings" means any funds derived from or related to the System which may be available for use by the Authority for any purpose, and which are not required by any contract of the Authority, including any Bond Resolution, as heretofore or hereafter amended or supplemented, to be retained in any fund or account.

Words importing the singular number include the plural number, and vice versa, and words importing persons include firms, associations and corporations.

Section 102. Short Title. This Agreement may hereafter be cited and is herein sometimes referred to as the "2002 Service Agreement".

Section 103. Severability of Invalid Provisions. If any one or more of the covenants or agreements provided in the Agreement, on the part of the Authority or the City to be performed should be contrary to law, then such covenant or covenants, agreement or agreements, shall be deemed severed from the remaining covenants and agreements, and shall in no way affect the validity of the other provisions of the Agreement.

ARTICLE II

Operation of the System

Section 201. Operation of the System. The Authority shall continue to operate and maintain the System (or cause the System to be operated and maintained), subject to and in conformity with the provisions of the Agreement, the Act and all other appropriate laws and regulations.

ARTICLE III

Charges by the Authority

Section 301. Service Charges.

(1) With respect to all sewage collected treated or disposed of by the Authority and for all use and services of the System, the Authority will charge Service Charges in accordance with the Act. Said Service Charges shall be established at rates estimated to be sufficient to provide for the receipt by the Authority in each Fiscal year the sum of money at least equal to the sum of all the amounts necessary in such Fiscal Year (to the extent not provided from other funds, including proceeds of obligations) (a) to pay or provide for the expenses of operation and maintenance of the System and the principal of and interest on any and all Bonds as the same become due, and (b) to maintain such reserves or sinking funds as may be required by the terms of any contract of the Authority or the Bond Resolution, or as may be deemed necessary or desirable by the Authority.

Section 302. Annual Charges. The Authority will charge the City and the City shall make payment to the Authority of Annual Charges, if any, computed and to be paid as set forth in this Agreement. Annual Charges shall be payable with respect to each year the Agreement is in effect. The Annual Charges made and to be charged by the Authority to, and payable by, the City for or with respect to each year shall be the sum of money equal to the amount necessary to make any debt service payments on the

Bonds to the extent that funds for such debt service payments are not otherwise available to the Authority.

Section 303. Payment of Annual Charges by the City. On or before each January 1, the Authority will make and deliver to the City its statement stating the amount of the Annual Charges, if any, for the preceding year, computed in accordance with this Agreement. The Annual Charges for each year, to the extent that any part thereof shall not have been theretofore paid, shall in all events be due and payable not later than the February 15 next succeeding, but current provision for and payment of Annual Charges on an estimated basis shall be made by the City in accordance with the following paragraphs of this Section.

On or before January 1 of each year the Authority will make an estimate of the amount of the Annual Charges, if any, which will become payable by the City for such year. Thereafter, on or before the February 15 next succeeding, the Authority will make and deliver to the City its certificate stating such estimated amount of the Annual Charges for such year. In the event that any part of any Annual Charges theretofore becoming payable by the City shall not have been paid, the Authority will include in such certificate an additional provision separately stating the amount of such unpaid part (herein called the "Prior Annual Charges Deficiency").

The City in each year will make all budgetary and other provisions or appropriations necessary to provide for and authorize the payment by the City to the Authority during each year of the estimated amount of the Annual Charges and the amount of the Prior Annual Charges Deficiency (if any) stated in the certificate delivered to it by the Authority as aforesaid.

On or before February 15 of each year, the City will pay to the Authority the amount of its Prior Annual Charges Deficiency (if any) stated in the certificate delivered to it by the Authority as aforesaid. The City will pay to the Authority that part of the estimated amount of the Annual Charges stated in the certificate delivered to

it by the Authority as aforesaid in four equal installments on the first days of March, June, September and November of such year.

In the event that the amount of the Annual Charges made and charged by the Authority to and payable by the City for any year computed as provided in this Article shall be less than the estimated amount of such Annual Charges (as aforesaid) stated in the certificate delivered for such year to it by the Authority and paid by it to the Authority, the Authority will credit the difference between said amounts to the City against the amount of the next payment becoming due to the Authority from the City under this Section.

Section 304. Collection of Service Charges. The Authority will at all times take all reasonable measures permitted by the Act or otherwise by law to collect and enforce prompt payment to or for it of all Service Charges.

ARTICLE IV

Miscellaneous

Section 401. Accounts. The Authority will keep proper books of record and account in which complete and correct entries shall be made of its transactions relating to the System or any part thereof, and which, together with all other books and papers of the Authority, shall at all reasonable times be subject to inspection by the City. The Authority shall cause its books and accounts to be audited annually by an Accountant, and copies of such audits shall be furnished by the Authority to the City, including statements in reasonable detail, accompanied by a certificate signed by the Accountant, of financial condition, of revenues and operating expenses, and of all funds held by or for the Authority.

Section 402. Enforcement and Obligation of Annual Charges. If any payment or part thereof due to the Authority from the City shall remain unpaid for

thirty days following its due date, the City shall be charged with and will pay to the Authority interest on the amount unpaid from its due date until paid, at a rate per annum equal to 1 percent in excess of the highest rate of interest per annum which the Authority is then paying with respect to any of its Bonds. Every obligation assumed by or imposed upon the City by this Agreement shall be enforceable by the Authority by appropriate action or proceeding, and the Authority may have and pursue any and all remedies provided by law for the enforcement of such obligations, including the remedies and processes provided by the Act with respect to charges.

Section 403. Effect of Breach. Failure on the part of the Authority or the City in any instance or under any circumstance to observe or fully perform any obligation assumed by or imposed upon it by this Agreement or by law shall not relieve the City from making any payment to the Authority or fully performing any other obligation required of it under this Agreement, but the City may have and pursue any and all other remedies provided by law for compelling performance by the Authority of said obligation assumed by or imposed upon the Authority.

Section 404. Pledge and Assignment. Since this Agreement is made with particular reference to the holders or prospective holders of the Bonds for the purpose of protecting the interests of such holders, the Authority hereby pledges and assigns for the benefit and security of the holders of the Bonds, all of its rights under the provisions of this Agreement to receive payments from the City, and this Agreement shall not be terminated, modified or changed by the Authority or the City without the consent of such holders.

Section 405. Repayments to City. It is the intention of the City and the Authority that obligations and expenses of the Authority shall be paid from revenues of the System and that the City shall be reimbursed for any amounts paid under this Agreement at such time as the Authority's operations will permit. The Authority agrees to refund to the City all moneys paid to the Authority under this Agreement from the

Unrestricted Retained Earnings of the Authority in such amounts as the Authority reasonably may determine.

Section 406. Termination of This Agreement. Upon the payment in full of the Bonds and any Bonds issued to refund the Bonds, this Agreement shall terminate without any further action by the City or the Authority.

IN WITNESS WHEREOF, the Authority and the City have caused their respective seals to be hereunto affixed and attested and this Agreement to be signed by their respective officers duly authorized and this Agreement to be dated as of the day and year first above written.

[SEAL]

ATTEST: GAIL J. MILLER
Notary Public of New Jersey
Commission Expires June 21, 2005

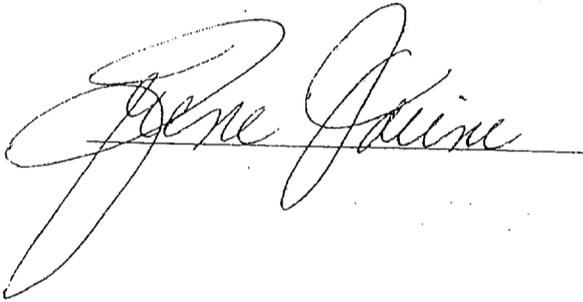


LONG BRANCH SEWERAGE
AUTHORITY

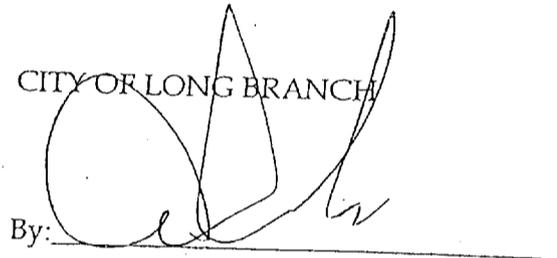
By: 

[SEAL]

ATTEST:



CITY OF LONG BRANCH

By: 

R# 104-09

**RESOLUTION RE-APPOINTING
SPECIAL POLICE OFFICERS CLASS I FOR THE CITY
OF LONG BRANCH**

BE IT RESOLVED by the City Council of the City of Long Branch that they hereby re-appoint the following individuals as Special Police Officers Class I for the City of Long Branch:

Phillip Anastasio
Michelle Rezende
Christopher Atkinson
Eric Van Schaack
Robert Knott
William Beckenstien
Aaron Owens
Dean Schock III
Brian Oliveria
Tanya Benjamin
John Edwards
Carl Green
Dana Lynn Page
John Weir
Timothy Phillips

BE IT FURTHER RESOLVED that the effective date of the appointment is May 1, 2009.

MOVED:
SECONDED:

AYES:
NAYES:
ABSENT:
ABSTAIN:



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

**TO: Kathy Schmelz
Dep. City Clerk**

April 20, 2009

**FROM: Sgt. Frank T. Passantino Jr.
Special Services Unit**

**REF: Appointing/Re-appointing
Part-time Class I & II SLEO's**

Kathy,

Below is a list of the SLEO's that need to be appointed and re-appointed for 2009.

Re-appointed Class I's

**Phillip Anastasio
627 Gerard Ave.
Long Branch N.J.**

**William Beckenstien
120 Harbor Cir.
Freehold N.J.**

**John Edwards
5 Brooklawn Dr.
E. Windsor N.J.**

**Michelle Rezende
648 Sydney Ave.
Union Bch. N.J.**

**Aaron Owens
651 Second Ave. Apt. 2B
Long Branch N.J.**

**Carl Green
514 Bath Ave.
Long Branch N.J.**

**Christopher Atkinson
57 Broadway
Freehold N.J.**

**Dean Schoch III
1125 Jeffrey St.
Ocean N.J.**

**Dana Lynn Page
79 Galloping Cir.
Belford N.J.**

**Eric Van Schaack
50 Shadybrook Dr.
Middletown N.J.**

**Brian Oliveria
445 Division St.
Long Branch N.J.**

**John Weir
109 Wynne Wood Ct.
Freehold N.J.**

**Robert Knott
20 Wyandotte Ave.
Oceanport N.J.**

**Tanya Benjamin
1445 Rustic Dr. Apt. 7
Ocean N.J.**

**Timothy Phillips
68 Atlantic Ave. Rear
Long Branch N.J.**

Re-appointed Class II's

**David Phillips
232 N. Fifth Ave.
Long Branch N.J.**

**Justin Bessinger
51 Periwinkle Cir.
Tinton Falls N.J.**

**Patrick Healey
8 Stokes St.
Freehold N.J.**

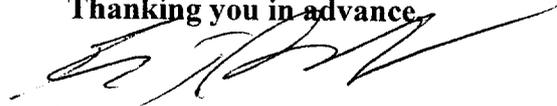
Joseph DiFilipps
21 Park Ave.
Eatontown N.J.

Brian Dinero
972 Elizabeth Terr.
Long Branch N.J.

Christopher Guy
30 Schiverea Ave.
Freehold N.J.

Can you make all appointments effective May 1, 2009.

Thanking you in advance,



Sgt. Frank T. Passantino Jr.
Special Services Unit

cc: Dir. Richards
Capt. Antonucci
Sgt. Rizzuto

R# 105-09

**RESOLUTION RE-APPOINTING
SPECIAL POLICE OFFICERS CLASS II FOR THE CITY
OF LONG BRANCH**

BE IT RESOLVED by the City Council of the City of Long Branch that they hereby re-appoint the following individuals as Special Police Officers Class II for the City of Long Branch:

David Phillips
Justin Bessinger
Patrick Healey
Joseph DiFillips
Brian Dinero
Christopher Guy

BE IT FURTHER RESOLVED that the effective date of the appointment is May 1, 2009.

MOVED:

SECONDED:

AYES:

NAYES:

ABSENT:

ABSTAIN:



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

**TO: Kathy Schmelz
Dep. City Clerk**

April 20, 2009

**FROM: Sgt. Frank T. Passantino Jr.
Special Services Unit**

**REF: Appointing/Re-appointing
Part-time Class I & II SLEO's**

Kathy,

Below is a list of the SLEO's that need to be appointed and re-appointed for 2009.

Re-appointed Class I's

**Phillip Anastasio
627 Gerard Ave.
Long Branch N.J.**

**William Beckenstien
120 Harbor Cir.
Freehold N.J.**

**John Edwards
5 Brooklawn Dr.
E. Windsor N.J.**

**Michelle Rezende
648 Sydney Ave.
Union Bch. N.J.**

**Aaron Owens
651 Second Ave. Apt. 2B
Long Branch N.J.**

**Carl Green
514 Bath Ave.
Long Branch N.J.**

**Christopher Atkinson
57 Broadway
Freehold N.J.**

**Dean Schoch III
1125 Jeffrey St.
Ocean N.J.**

**Dana Lynn Page
79 Galloping Cir.
Belford N.J.**

**Eric Van Schaack
50 Shadybrook Dr.
Middletown N.J.**

**Brian Oliveria
445 Division St.
Long Branch N.J.**

**John Weir
109 Wynne Wood Ct.
Freehold N.J.**

**Robert Knott
20 Wyandotte Ave.
Oceanport N.J.**

**Tanya Benjamin
1445 Rustic Dr. Apt. 7
Ocean N.J.**

**Timothy Phillips
68 Atlantic Ave. Rear
Long Branch N.J.**

Re-appointed Class II's

**David Phillips
232 N. Fifth Ave.
Long Branch N.J.**

**Justin Bessinger
51 Periwinkle Cir.
Tinton Falls N.J.**

**Patrick Healey
8 Stokes St.
Freehold N.J.**

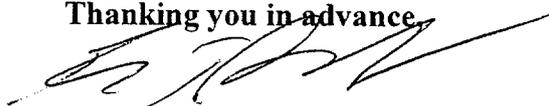
Joseph DiFilipps
21 Park Ave.
Eatontown N.J.

Brian Dinero
972 Elizabeth Terr.
Long Branch N.J.

Christopher Guy
30 Schiverea Ave.
Freehold N.J.

Can you make all appointments effective May 1, 2009.

Thanking you in advance,



Sgt. Frank T. Passantino Jr.
Special Services Unit

cc: Dir. Richards
Capt. Antonucci
Sgt. Rizzuto

R# 106-09

**RESOLUTION APPOINTING
SPECIAL POLICE OFFICER CLASS II FOR THE CITY
OF LONG BRANCH**

BE IT RESOLVED by the City Council of the City of Long Branch that they hereby appoint the following individual as a Special Police Officer Class II for the City of Long Branch:

Daniel Ceparano

BE IT FURTHER RESOLVED that the effective date of the appointment is May 1, 2009.

**MOVED:
SECONDED:**

**AYES:
NAYES:
ABSENT:
ABSTAIN:**



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

**To: Irene Joline
City of Long Branch**

**From: Sgt. Frank T. Passantino Jr.
Special Services Unit**

Date: 4/20/2009

Ref: Special Officer Class II

Please except this request for a resolution to appoint the following individual as Special Class II Officers as of May 1st. 2009 so he can attend training at the Cape May County Police Academy

- 1. Daniel Ceparano, 5 Cooper Ave. Howell N.J.**

Respectfully submitted,

Sgt. Frank T. Passantino Jr.

R# 107-09

**RESOLUTION AUTHORIZING PROFESSIONAL SERVICES CONTRACT FOR
POLICE OFFICER REPRESENTATION**

WHEREAS, the City has the need to authorize a contract for professional legal services for the representation of Officer Robert R. Bataille for charges brought against him by the State by Complaint #S2009-000258-1325); and

WHEREAS, Charles J. Uliano, Esq. has submitted a proposal attached hereto, dated April 15, 2009 for services for required project, and it is the recommendation of the Business Administrator that it is in the City's best interest to award a contract to Charles Moriarty, Esq.; and

WHEREAS, value of this contract does not exceed \$17,500.00 and therefore is not subject to N.J.S.A. 19:44A-20.5 et seq; and

WHEREAS, all contractors awarded professional service contracts are required to comply with City Ordinance #18-05, and execution of the contract documents, annexed hereto, will serve as acknowledgment by Charles J. Uliano, Esq., that it complies with the Ordinance, and has not made any political contributions that would bar it from being awarded a contract with the City of Long Branch; and

WHEREAS, the Chief Financial Officer of the City of Long Branch has certified, in accordance with the Certification of Funds form attached hereto, that funds are available for this contract in the following appropriation #9-01-014-202 in an amount not to exceed \$750.00.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Long Branch that they hereby authorize a contract with Charles Uliano, Esq. for legal services relative to Officer Robert R. Bataille in accordance with the contract document and proposal attached hereto, for an amount not to exceed \$750.00.

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

MOVED:
SECONDED:

AYES:
NAYS:
ABSENT:
ABSTAIN:

**RESOLUTION AUTHORIZING PROFESSIONAL SERVICES CONTRACT FOR
POLICE OFFICER REPRESENTATION**

WHEREAS, the City has the need to authorize a contract for professional legal services for the representation of Officer Brian Garrett for charges brought against him by the State by Complaint #S2009-000157-1325); and

WHEREAS, Charles M. Moriarty, Esq. has submitted a proposal attached hereto, dated April 15, 2009 for services for required project, and it is the recommendation of the Business Administrator that it is in the City's best interest to award a contract to Charles Moriarty, Esq.; and

WHEREAS, value of this contract does not exceed \$17,500.00 and therefore is not subject to N.J.S.A. 19:44A-20.5 et seq; and

WHEREAS, all contractors awarded professional service contracts are required to comply with City Ordinance #18-05, and execution of the contract documents, annexed hereto, will serve as acknowledgment by Charles M. Moriarty, Esq., that it complies with the Ordinance, and has not made any political contributions that would bar it from being awarded a contract with the City of Long Branch; and

WHEREAS, the Chief Financial Officer of the City of Long Branch has certified, in accordance with the Certification of Funds form attached hereto, that funds are available for this contract in the following appropriation #9-01-014-202 in an amount not to exceed \$750.00.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Long Branch that they hereby authorize a contract with Charles Moriarty, Esq. for legal services relative to Officer Brian Garrett in accordance with the contract document and proposal attached hereto, for an amount not to exceed \$750.00.

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

MOVED:

SECONDED:

AYES:

NAYS:

ABSENT:

ABSTAIN:

R# 109-09

RESOLUTION RELEASING ESCROW DEPOSITS

PROJECT: Promenade Beach Club
BLOCK: 301
LOT: 8

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

WHEREAS the applicant has requested return of said guarantees, and,

WHEREAS the project has been complete for several years.

NOW THEREFORE BE IT RESOLVED by the Council of the City of Long Branch, County of Monmouth, that the Finance Director is hereby authorized to refund the following escrow fund balances:

Application Escrow	\$ 10.81
Performance Cash	\$12,407.19
Engineering Inspection Fees	\$ 6,202.76

in the total amount of \$18,620.76, plus accrued interest if applicable, to:

Promenade Beach Club Management Co., LLC
1 Cooper Avenue
Long Branch, NJ 07740

NOW THEREFORE BE IT FURTHER RESOLVED that the original Performance Bond, International Fidelity Insurance Company, Bond No. 0283126, dated May 18, 2000, in the amount of \$291,942.90 is hereby released.

R# R110-09

**RESOLUTION
ACCEPTING CONDITIONS OF 2009 MONMOUTH COUNTY OFFICE
ON AGING GRANT, (\$21,000.00) AND AUTHORIZING
AGREEMENT**

WHEREAS wishes to enter into an agreement with the Monmouth County Board of Chosen Freeholders, for the Calendar year 2009, for a grant amount of \$21,000.00; and,

WHEREAS this amount will supplement City funds, in the amount of \$221,385, along with State COLA funds in the amount of \$4,000.00, and anticipated program income of \$100.00, for a total anticipated budget of \$246,485.00, for the year 2009, to operate the Long Branch Multi-purpose Senior Resource Center, to serve as a focal point for all senior citizens in the community and a base from which a comprehensive range of activities shall be conducted.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Long Branch, County of Monmouth, that the governing body of the City of Long Branch hereby accepts the conditions of the above referenced grant and authorizes Mayor and City Clerk to execute any and all documents necessary to secure said funding.

R# R111-09

**RESOLUTION RELEASING GRADING BOND
ASHLEY POOLS & SPAS, LLC
BLOCK 28, LOTS 12.01 & 12.02**

WHEREAS Ashely Pools & Spas, LLC deposited the amount of \$500.00 as a grading bond relative installation of a pool at 40 Sycamore Ln, Long Branch, New Jersey, and,

WHEREAS the job was given to another company.

WHEREAS Ashley Pools & Spas, LLC has request the return of said deposit.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Long Branch, County of Monmouth, that Director of Finance is hereby authorized to issue a check in the amount of \$500.00, in full refund of said bond, to:

Ashley Pools & Spas LLC
81 Pension Rd., Bldg #113
Manalapan, NJ 07726

R# 112-09

RESOLUTION CANCELLING MORTGAGE OF
MRS. BARBARA DAVIS, 122 JOHNS STREET, LONG BRANCH, NEW JERSEY 07740 TO
NEIGHBORHOOD PRESERVATION PROGRAM

WHEREAS, the Neighborhood Preservation Program has provided funds in the amount of \$8,600.00 to Mrs. Barbara Davis for property located at 122 Johns Street, Long Branch, New Jersey 07740, and

WHEREAS, the original Mortgage for \$8,600.00 was made on May 6, 1999; and

WHEREAS, Mrs. Barbara Davis has met the terms and conditions of the Mortgage Loan; and

NOW, THEREFORE BE IT RESOLVED, by the Council of the City of Long Branch that the Mayor of the City of Long Branch being and is hereby authorized to execute a Discharge of Mortgage for the premises known as 122 Johns Street, Long Branch, New Jersey, 07740, owned by Mrs. Barbara Davis in the amount of \$8,600.00 made on May 6, 1999, and

BE IT FURTHER RESOLVED, that a copy of this Resolution be forwarded to Mrs. Barbara Davis.

MOVED:

SECONDED:

AND ADOPTED UPON THE FOLLOWING ROLL CALL:

AYES:

NAYES:

ABSENT:

ABSTAIN:

R# 113-09

RESOLUTION CANCELLING MORTGAGE OF
WILLIAM AND GRACE MAZZA, 341 WAVERLY PLACE, LONG BRANCH, NEW JERSEY
07740 TO THE CITY OF LONG BRANCH

WHEREAS, the City of Long Branch has provided Mt. Laurel Home Repairs Low-Income Homeowner funds in the amount of \$11,390.00 to William and Grace Mazza for property located at 341 Waverly Place, Long Branch, New Jersey 07740, and

WHEREAS, the original Mortgage for \$11,390.00 was made on January 17, 1996 and recorded on January 31, 1996 in Mortgage Book MB 5925, Page 728, and

WHEREAS, the loan was a Mt. Laurel Home Repairs Low-Income Homeowner loan which improved the value of the property, and

WHEREAS, the conditions of the loan have been met; and

NOW, THEREFORE BE IT RESOLVED, by the Council of the City of Long Branch that the Mayor of the City of Long Branch being and is hereby authorized to execute a Discharge of Mortgage for the premises known as 341 Waverly Place, Long Branch, New Jersey, 07740, owned by William and Grace Mazza in the amount of \$11,390.00 made on January 17, 1996 recorded on January 31, 1996, in Mortgage Book MB 5925, Page 728, and

BE IT FURTHER RESOLVED, that a copy of this Resolution be forwarded to William and Grace Mazza, and

BE IT ALSO FURTHER RESOLVED, that upon the execution of the Discharge of Mortgage the City shall file the Discharge of Mortgage with the Monmouth County Clerk's Office.

MOVED:

SECONDED:

AND ADOPTED UPON THE FOLLOWING ROLL CALL:

AYES:

NAYES:

ABSENT:

ABSTAIN:

R# 114-09

RESOLUTION CANCELLING MORTGAGE OF
NICHOLAS & CECELIA VLOYANETES, 195 ROCKWELL AVENUE, LONG BRANCH, NEW
JERSEY 07740 TO THE CITY OF LONG BRANCH

WHEREAS, the City of Long Branch has provided Mt. Laurel Home Repairs Low-Income Homeowner funds in the amount of \$12,285.00 to Nicholas & Cecelia Vloyanetes for property located at 195 Rockwell Avenue, Long Branch, New Jersey 07740, and

WHEREAS, the original Mortgage for \$12,285.00 was made on December 12, 1996 and recorded on August 22, 1997 in Mortgage Book MB 6271, Page 161, and

WHEREAS, the loan was a Mt. Laurel Home Repairs Low-Income Homeowner loan which improved the value of the property, and

WHEREAS, the conditions of the loan have been met; and

NOW, THEREFORE BE IT RESOLVED, by the Council of the City of Long Branch that the Mayor of the City of Long Branch being and is hereby authorized to execute a Discharge of Mortgage for the premises known as 195 Rockwell Avenue, Long Branch, New Jersey, 07740, owned by Nicholas & Cecelia Vloyanetes in the amount of \$12,285.00 made on December 12, 1996 recorded on August 22, 1997, in Mortgage Book MB 6271, Page 161, and

BE IT FURTHER RESOLVED, that a copy of this Resolution be forwarded to Nicholas & Cecelia Vloyanetes, and

BE IT ALSO FURTHER RESOLVED, that upon the execution of the Discharge of Mortgage the City shall file the Discharge of Mortgage with the Monmouth County Clerk's Office.

MOVED:

SECONDED:

AND ADOPTED UPON THE FOLLOWING ROLL CALL:

AYES:

NAYES:

ABSENT:

ABSTAIN:

RESOLUTION NO. 115-09

**RESOLUTION SUPPORTING THE SUBMISSION OF AN APPLICATION TO THE
HAZARDOUS DISCHARGE SITE REMEDIATION FUND FOR TRUAX PARK**

WHEREAS, the City of Long Branch has learned that the groundwater at the Elberon School has been impacted by the former municipal landfill that is situate at the current Truax Park site down as Block 22.03, Lots 1, 2 & 3; and

WHEREAS, the City of Long Branch has submitted a Memorandum of Agreement to the New Jersey Department of Environmental Protection (NJDEP), Bureau of Risk Management, to enter into a voluntary cleanup program with NJDEP oversight in order to obtain a "whole site" No Further Action (NFA); and

WHEREAS, the City of Long Branch wishes to apply for funding from the Hazardous Discharge Site Remediation Fund for conducting a Preliminary Assessment, Site Investigation and Remedial Investigation on the subject property.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the City of Long Branch, County of Monmouth, State of New Jersey that the City of Long Branch is committed to minimizing the groundwater impacts from the former municipal landfill on the Elberon School site and to construct various improvements at Truax Park.

MOVED:

SECONDED:

AND ADOPTED UPON THE FOLLOWING ROLL CALL:

AYES:

NAYES:

ABSENT:

ABSTAIN:

**RESOLUTION REQUESTING AUTHORIZATION TO AMEND RESOLUTION
#53-09 AN APPLICATION TO THE NEW JERSEY URBAN ENTERPRISE
ZONE FOR \$100,000 TO SUPPORT THE CITY OF LONG BRANCH OCEAN-
FRONT AND BROADWAY REDEVELOPMENT PROJECT**

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

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

WHEREAS, Urban Enterprise Zone Development Corporation of the City of Long Branch has requested authorization to submit an application to the New Jersey Urban Enterprise Zone for \$100,000 to supplement and match Oceanfront and Broadway Redevelopment fees; and

WHEREAS, the Oceanfront, Broadway Gateway Redevelopment Project and Broadway Corridor Redevelopment Project are within the Long Branch Urban Enterprise Zone, and estimated to be in excess of \$100,000,000; and

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

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

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Long Branch that it hereby recommends to the New Jersey Urban Enterprise Zone that it give authority pursuant to the proposal annexed for \$100,000 in matching funds to continue the redevelopment work already in progress by the City of Long Branch for the period of August 1, 2009 through July 31, 2010.

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

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

VI. Proposed Budget

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

***If applicable, identify source of Other Funds: Itemize funding source, dollar amount.** The Developer will contribute \$50,000 of matching funds and \$40,000 will come from Federal funds.

R# 117-09

RESOLUTION TO AMEND RESOLUTION #329-08 THE URBAN ENTERPRISE ZONE PROGRAM TO MARKET THE URBAN ENTERPRISE ZONE PROGRAM AND BUSINESS DEVELOPMENT FOR URBAN ENTERPRISE ZONES IN THE CITY OF LONG BRANCH

WHEREAS, the UEZ of the City of Long Branch has recommended to the City Council of the City of Long Branch that \$243, 000 of UEZ Zone Assistance Funds be spent on the UEZ Marketing and Business Development Project for the 2009 Program Year. The Broadway corridor and other Urban Enterprise Zones will be marketed to promote the UEZ Program and business development; and

WHEREAS, the governing body of the City of Long Branch is a qualified municipality participating in the Urban Enterprise Zone Program as designated and recognized by the State of New Jersey and the City of Long Branch Urban Enterprise Zone Program has been established for the City as a designated and certified zone; and

WHEREAS, the funds that are generated through the UEZ are now deposited in the Urban Enterprise Zone Assistance Fund, maintained by the State of New Jersey and are credited to the account of the City of Long Branch by the Treasurer State of New Jersey; and

WHEREAS, this Resolution represents a proposal that is eligible for consideration of funding under the provisions of the Urban Enterprise Zone Act Public 1993, Chapter 367 and there is sufficient funding available to cover the cost of the proposal; and

WHEREAS, a budget for the project is attached to this Resolution as exhibit A; and

WHEREAS, the City of Long Branch, through the UEZ, is committed to providing job creation and economic development for residents and merchants; and

WHEREAS, the completion of this project will provide for the creation of jobs, economic development opportunities and other improvement projects that will benefit residents and business owners in Long Branch; and

WHEREAS, this project, which includes the marketing of the UEZ Program, is an example of activities that can be accomplished to revitalize the City and to bring about community development, business and economic development that are needed in Long Branch; and

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Long Branch hereby ratifies the recommendation of the local UEZ Board of Directors and requests that the New Jersey State UEZ Board of Commissioners authorize funding in the amount of \$243,000 for the purpose of the UEZ Broadway Marketing and Business Development Project for 2009 Program Year.

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

VI. Proposed Budget

Budget Category	State UEZ Funds	Municipal Funds	Total Budget: State UEZ and Municipal Funds	Other Funds* Describe Below	Federal Funds	Total Budget: All Funds
Municipal Services						
Salaries/Fringe	\$0	\$0	\$0	\$0	\$0	\$0
Equipment	\$0	\$0	\$0	\$0	\$0	\$0
Project						
Construction	\$0	\$0	\$0	\$0	\$0	\$0
Acquisition	\$0	\$0	\$0	\$0	\$0	\$0
Equipment	\$10,100	\$0	\$10,100	\$0	\$0	\$10,100
Professional Services	\$80,000	\$0	\$80,000	\$0	\$0	\$80,000
Administration	\$10,400	\$0	\$10,400	\$0	\$0	\$10,400
Loans	\$0	\$0	\$0	\$0	\$0	\$0
Grants	\$0	\$0	\$0	\$0	\$0	\$0
Marketing	\$142,500	\$0	\$142,500	\$0	\$0	\$142,500
Total	\$243,000	\$0	\$243,000	\$0	\$0	\$243,000
% of Total Project	100.0%	0.0%	100.0%	0.0%	0.0%	100.0%

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

R# 118-09

RESOLUTION REQUESTING AUTHORIZATION TO AMEND RESOLUTION #54-09
THE NEW JERSEY URBAN ENTERPRISE ZONE FOR \$169,500 IN MATCHING
FUNDS TO SUPPLEMENT SALARIES AND EQUIPMENT FOR FOUR UEZ POLICE
OFFICERS

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

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

WHEREAS, The Urban Enterprise Zone Development Corporation of the City of Long Branch, has requested authorization to submit an amendment to the above resolution to the New Jersey Urban Enterprise Zone for \$169,500 in matching funds as per the annexed budget to supplement salaries and equipment; and

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

WHEREAS, the total estimated cost of this proposal is \$449,440 pursuant to the budget annexed thereby exceeding the matching 20% match of municipal funding; and

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

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Long Branch that they hereby recommend to the New Jersey Urban Enterprise zone that it give authority pursuant to the amendment annexed for \$169,500 in matching funds to continue the salary, fringe benefits and equipment for four previously funded UEZ police officers for a period of August 1, 2009 to July 31, 2010.

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

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

VI. Proposed Budget

Budget Category	State UEZ Funds	Municipal Funds	Total Budget: State UEZ and Municipal Funds	Other Funds* Describe Below	Federal Funds	Total Budget: All Funds
Municipal Services						
Salaries/Fringe	\$150,000	\$276,100	\$426,100	\$0	\$0	\$426,100
Equipment	\$15,360	\$3,840	\$19,200	\$0	\$0	\$19,200
Project						
Construction	\$0	\$0	\$0	\$0	\$0	\$0
Acquisition	\$0	\$0	\$0	\$0	\$0	\$0
Equipment	\$0	\$0	\$0	\$0	\$0	\$0
Professional Services	\$0	\$0	\$0	\$0	\$0	\$0
Administration	\$4,140	\$0	\$4,140	\$0	\$0	\$4,140
Loans	\$0	\$0	\$0	\$0	\$0	\$0
Grants	\$0	\$0	\$0	\$0	\$0	\$0
Marketing	\$0	\$0	\$0	\$0	\$0	\$0
Total	\$169,500	\$279,940	\$449,440	\$0	\$0	\$449,440
% of Total Project	37.7%	62.3%	100.0%	0.0%	0.0%	100.0%

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

R# 119-09

**RESOLUTION TO AMEND RESOLUTION #55-09 THE
URBAN ENTERPRISE ZONE
ADMINISTRATIVE BUDGET FOR THE FISCAL YEAR 2010 PROGRAM**

WHEREAS, the governing body of the City of Long Branch is a qualified municipality in the Urban Enterprise Zone as designated and the Long Branch enterprise Zone Alliance has been created for said zone; and

WHEREAS, the funds which are generated by the UEZ programs are now deposited in the NJ State Urban Enterprise Zone Assistance Fund and credited to the account of the city of Long Branch, and said account being maintained by the NJ State Treasurer for the Urban Enterprise Zone; and

WHEREAS, the City of Long Branch Urban Enterprise Zone Board of Directors wishes to authorize the use of \$60,000 of the Urban Enterprise Zone Assistance Fund for program administration; and

WHEREAS, the proposal is an eligible use of Urban Enterprise Zone's funds under the provisions of the Urban Enterprise Zone Act Public 1993, Chapter 367, and there is sufficient funding available to cover the cost of the proposal; and

WHEREAS, the Administrative component is necessary in order to successfully complete UEZ objectives and goals; and

WHEREAS, these objectives and goals will directly benefit revitalization efforts and economic development needs.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Long Branch that the Mayor is hereby authorized to submit the proposal, represented by the attached administrative Budget, to the State of New Jersey Urban Enterprise Zone Authority for funds in the amount of \$60,000 for the purpose of addressing administrative costs and expenditures of the City of Long Branch UEZ Program and the Mayor recommends that the Authority approves the UEZ Administrative Proposal for 2010.



Urban Enterprise Zone - Long Branch 2010
 Log #: 2010-8015-0036
 Applicant: Long Branch City
 Status: Application In Process
 Access Level: Application Administrator

Start Menu | Agency Info | Application Menu

User: Adam Schneider | Help | Logout

[Go to Budget Overview](#)

BUDGET DETAIL

Check for Errors

Instructions: Type in necessary information and click **Save** to save the budget item. Click **Cancel** to cancel changes made. To view the budget detail, click the [Budget Detail](#) tab. To view the budget summary, click the [Budget Summary](#) tab.

Budget Summary | **Budget Detail** | Add Budget Item

Administrative Budget: UEZ Administrative Project 2010

[View PDF](#) | [Edit](#) | [Delete](#)

ADM - Personnel

Description	UEZ Assistance	Anticipated UEZ Assistance	Municipal Funds	Other Funds	Total Budget
Salaries/Wages					
<input type="checkbox"/> UEZ Salaries	\$40,000.00		\$75,000.00		\$115,000.00
Minor Category Sub-Total	\$40,000.00		\$75,000.00		\$115,000.00
Major Category Sub-Total	\$40,000.00		\$75,000.00		\$115,000.00

ADM - Operating Cost

Description	UEZ Assistance	Anticipated UEZ Assistance	Municipal Funds	Other Funds	Total Budget
Advertising					
<input type="checkbox"/> This category funds ads, paid articles and sponsorships	\$1,000.00				\$1,000.00
Minor Category Sub-Total	\$1,000.00				\$1,000.00
Travel					
<input type="checkbox"/> Travel Sub-account	\$450.00				\$450.00
Minor Category Sub-Total	\$450.00				\$450.00
Space Cost					
<input type="checkbox"/> This category pays for rental space.	\$9,000.00		\$12,600.00		\$21,600.00
Minor Category Sub-Total	\$9,000.00		\$12,600.00		\$21,600.00
Telephone					
<input type="checkbox"/> Telephone costs	\$1,050.00				\$1,050.00
Minor Category Sub-Total	\$1,050.00				\$1,050.00
Memberships					
<input type="checkbox"/> Memberships, conferences, conventions, subscriptions	\$2,000.00				\$2,000.00
Minor Category Sub-Total	\$2,000.00				\$2,000.00
Equipment Purchase					
<input type="checkbox"/> Equipment includes computer software and office equipment	\$2,500.00				\$2,500.00
Minor Category Sub-Total	\$2,500.00				\$2,500.00
Consumables					
<input type="checkbox"/> This category covers office supplies	\$1,500.00				\$1,500.00
Minor Category Sub-Total	\$1,500.00				\$1,500.00
Major Category Sub-Total	\$17,500.00		\$12,600.00		\$30,100.00

ADM - Purchased Services

Description	UEZ Assistance	Anticipated UEZ Assistance	Municipal Funds	Other Funds	Total Budget
Marketing Costs					

<input type="checkbox"/>	Marketing includes items for promotions, posters and flyers, etc.	\$1,500.00			\$1,500.00
	Minor Category Sub-Total	\$1,500.00			\$1,500.00
	Computer Services				
<input type="checkbox"/>	Service maintenance agreement for UEZ computers, fax and copiers	\$1,000.00	\$1,000.00	\$1,000.00	\$3,000.00
	Minor Category Sub-Total	\$1,000.00	\$1,000.00	\$1,000.00	\$3,000.00
	Major Category Sub-Total	\$2,500.00	\$1,000.00	\$1,000.00	\$4,500.00
Total		\$60,000.00	\$0.00	\$88,600.00	\$1,000.00 \$149,600.00

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R# 120-09

**RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE LEASE FOR
MUNICIPAL COURT AND DRUG PREVENTION PROGRAM OFFICES**

WHEREAS, the City of Long Branch has outgrown its own office space and as such has previously determined that it is in the City's best interest to lease office space to be used for the City's Municipal Court and Drug Prevention Offices; and

WHEREAS, the City through a Fair & Open Process, advertised to receive proposals on March 31, 2009 for leasing of office space (Fair & Open Notice #004-09) for the aforesaid purposes; and

WHEREAS, 279 Broadway Associates, LLC was the only party who submitted a bid concerning its building located at 279 Broadway in Long Branch, New Jersey; and is annexed hereto; and

WHEREAS, the City has previously entered into a lease with 279 Broadway Associates, LLC, a New Jersey Limited Liability Company, for the same property located at 279 Broadway which is used as the Long Branch Municipal Court and Drug Prevention Offices; and

WHEREAS, the City of Long Branch has had a working relationship with the present landlord and has heretofore determined that the subject office space meets the needs of the City for the intended use; and

WHEREAS, it is the recommendation of the City of Long Branch Business Administrator that the City enter into a lease with 279 Broadway Associates; and

WHEREAS, the lease, based upon the base rent of \$125,400.00 per year during the initial three (3) year term, plus an increase in rent payable for the two (2) additional one-year option periods, if exercised, based upon the U.S. Department of Labor Consumer Price Index – All Urban Consumers, Not Seasonally Adjusted, Area: New York-Northern New Jersey-Long Island, NY-NJ-CT-PA, Item: All items, Base Period; 1982-84=100 which is calculated to be approximately a 10% increase over the base; and

WHEREAS, the City of Long Branch can not lease any space which is for less money as any movement from the present location will require extensive additional outlay of funds to bring any location up to approved municipal standards by the Assignment Judge of Monmouth County whose office supervises the Municipal Court System within Monmouth County; and

WHEREAS, the Chief Financial Officer of the City of Long Branch has certified, in accordance with the Certification of Funds form attached hereto, that funds are available for this lease in the following appropriation # 9-01-081-698 (\$5,844) and #9-01-128-298 (\$25,506) for a sum not to exceed \$376,200.00 – continuation of this contract contingent upon provision of additional funds in the 2009 permanent and future year budgets.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Long Branch in the County of Monmouth and State of New Jersey, that the Mayor of the City of Long Branch be and the same hereby is authorized to enter into the Lease Agreement attached hereto as "Exhibit B" and made a part hereof for the rental by the City of Long Branch for space needed for the Long Branch Municipal Court and for the City's Drug Prevention Offices; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution shall be provided to the City Administrator, the Chief Financial Officer, the City Comptroller, the City Purchasing Agent, and the City Attorney as well as to 279 Broadway Associates, LLC

MOVED:
SECONDED:

AYES:
NAYS:
ABSENT:
ABSTAIN:

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

CERTIFICATION OF CHIEF FINANCIAL OFFICER

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

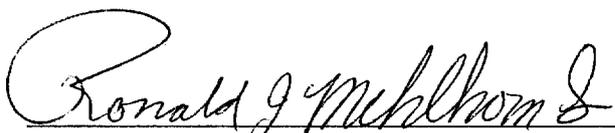
**THREE YEAR LEASE OF SPACE FOR OFFICES FOR
MUNICIPAL COURT AND SUBSTANCE ABUSE PROGRAM**

Said contract being made as follows:

279 BROADWAY ASSOCIATES, LLC \$376,200*

Said funds being available in the form of:

**2009 TEMPORARY BUDGET
DEPARTMENT OF RECREATION
MISC. OTHER EXPENSE
APPRO. #9-01-081-698 \$ 5,844
STATUTORY AGENCIES
MUNICIPAL COURT
APPRO. LINE ITEM #9-01-128-298 \$ 25,506
*CONTINUATION OF THIS CONTRACT CONTINGENT UPON PROVISION OF
ADDITIONAL FUNDS IN THE 2009 PERMANENT AND FUTURE YEAR BUDGETS.**



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

4/24/09
Date

Lease Agreement

Business and Commercial

This Agreement is made on April _____, 2009

BETWEEN

279 Broadway Associates, LLC, a New Jersey Limited Liability Company

whose address is:

552 Westwood Avenue

Long Branch, NJ 07740

referred to as the "Landlord,"

AND

The City of Long Branch, a municipal corporation of the State of New Jersey

whose address is:

344 Broadway

Long Branch, NJ 07740

referred to as the "Tenant."

1. Premises. The Landlord does hereby lease to the Tenant and the Tenant does hereby rent from the Landlord, the following described premises: A part of the premises located at 279 Broadway, consisting of approximately 4,300 sq. ft. of office space for use by the Municipal Court, and approximately 985 sq. ft. for the Drug Prevention Offices. *See Also Rider attached hereto at paragraph 5 (the "Premises".)

2. Term. This Lease is for a term of **Three (3) years** commencing on the 1st day of May, 2009, and ending on the 30th day of April, 2012.

3. Use. The Premises are to be used and occupied only and for no other purpose than use by the Tenant for the Municipal Court and offices and the City's Drug Prevention Offices and for no other purpose. The Tenant will not, and will not allow others to occupy or use the Premises or any part thereof for any purposes other than as specified in this Paragraph 3, nor for any purpose deemed unlawful, disreputable, or extra hazardous, on account of fire or other casualty.

4. Rent. The Tenant agrees to pay **SEE RIDER at paragraph 2** as rent, to be paid as follows: **SEE RIDER** per month, due on the **1st** day of each month. The first payment of rent and any security deposit is due upon the signing of this Lease by the Tenant.

5. Repairs and Care. The Tenant has examined the Premises and has entered into this Lease without any representation on the part of the Landlord as to the condition thereof. The Tenant will take good care of the Premises and will, at the Tenant's own cost and expense, make all repairs, including painting, decorating, and will maintain the Premises in good condition and state of repair, and at the end or other expiration of the term hereof, will deliver up the Premises in good order and condition, wear and tear from a reasonable use thereof, and damage by the elements not resulting from the neglect or fault of the Tenant, excepted. The Tenant will neither encumber nor obstruct the sidewalks, driveways, yards, entrances, hallways and stairs, but will keep and maintain the same in a clean condition, free from debris, trash, refuse, snow and ice.

6. Alterations and Improvements. No alterations, additions or improvements may be made, and no climate regulating, air conditioning, cooling, heating or sprinkler systems, television or radio antennas, heavy equipment, apparatus and fixtures, may be installed in or attached to the Premises, without the written consent

of the Landlord. Unless otherwise provided herein, all such alterations, etc., when made, installed in or attached to the Premises, will belong to and become the property of the Landlord and will be surrendered with the Premises and as part thereof upon the expiration or sooner termination of this Lease, without hindrance, molestation or injury. Tenant specifically acknowledges that it may not remove the existing drive thru from the building.

7. Signs. The Tenant may not place nor allow to be placed any signs upon, in or about the Premises, except as may be consented to by the Landlord in writing. The Landlord or the Landlord's agents, employees or representatives may remove any such signs in order to paint or make any repairs, alterations or improvements in or upon the Premises or any part thereof, but such signs will be replaced at the Landlord's expense when such repairs, alterations or improvements are completed. Any signs permitted by the Landlord will at all times conform with all municipal ordinances or other laws and regulations applicable thereto.

8. Utilities. All utility charges are included in the Rent. See Rider at paragraph 2.

9. Compliance with Laws etc. The Tenant will promptly comply with all laws, ordinances, rules, regulations, requirements and directives of all Governmental or Public Authorities and of all their subdivisions, applicable to and affecting the Premises, or the use and occupancy of the Premises, and will promptly comply with all orders, regulations, requirements and directives of the Board of Fire Underwriters or similar authority and of any insurance companies which have issued or are about to issue policies of insurance covering the Premises and its contents, for the prevention of fire or other casualty, damage or injury, at the Tenant's own cost and expense.

10. Assignment. The Tenant will not, without the written consent of the Landlord, assign, mortgage or hypothecate this Lease, nor sublet or sublease the Premises or any part thereof. In connection with any assignment or sublease, the Tenant will pay the Landlord, as additional rent, the Landlord's out-of-pocket expenses, up to a maximum of \$N/A per assignment or sublease, in connection with each such assignment or sublease. Any assignment or subletting will be on such terms and conditions as the Landlord may require as a condition of the Landlord's consent. The restrictions on assignment and subletting will also apply to: (a) any assignment or subletting that occurs by operation of law (including by reason of the death of the Tenant, if the Tenant is an individual, or, if the Tenant is an entity, by merger, consolidation, reorganization, transfer or other change in or of the Tenant's structure); (b) any assignment or subletting to or by a receiver or trustee in any federal or state bankruptcy, insolvency or other proceedings; (c) the sale, assignment or transfer of all or substantially all of the assets of the Tenant outside of the ordinary course of the Tenant's business, with or without specific assignment of this Lease; or (d) if the Tenant is an entity, the direct or indirect sale, redemption or other transfer of fifty percent (50%) or more of the voting equity interests in the Tenant or the acquisition of a fifty percent (50%) or more voting equity interest in the Tenant.

11. Indemnification. The Tenant will hold harmless and indemnify the Landlord from and for any and all payments, expenses, costs, reasonable attorney fees (including attorney fees incurred in enforcing the Tenant's obligations under this Paragraph 11) and from and for any and all claims and liability for losses or damage to property or injuries to persons occasioned wholly or in part by or resulting from any acts or omissions by the Tenant or the Tenant's agents, employees, guests, licensees, invitees, subtenants, assignees or successors, or for any cause or reason whatsoever arising out of or by reason of the occupancy of the Premises by the Tenant or business of the Tenant.

12. Mortgage Priority. This Lease will not be a lien against the Premises with respect to any mortgages that are currently or may hereafter be placed upon the Premises. Such mortgages will have preference and be superior and prior in lien to this Lease, irrespective of the date of recording of such mortgages. The Tenant will execute any instruments, without cost, which may be deemed necessary to further effect the subordination of this Lease to any such mortgages. A refusal by the Tenant to execute such instruments is a default under this Lease.

13. Condemnation; Eminent Domain. If any portion of the premises of which the Premises are a part is taken under eminent domain or condemnation proceedings, or if suit or other action shall be instituted for the taking or condemnation thereof, or if in lieu of any formal condemnation proceedings or actions, the Landlord grants an option to purchase and or sells and conveys the Premises or any portion thereof, to the governmental or other public authority, agency, body or public utility seeking to take the Premises or any portion thereof, then this Lease, at the option of the Landlord, will terminate, and the term hereof will end as of such date as the Landlord fixes by notice in writing. The Tenant will have no claim or right to claim or be entitled to any portion of any amount which may be awarded as damages or paid as the result of such condemnation proceedings or paid as the purchase price for such option, sale or conveyance in lieu of formal condemnation proceedings. The Tenant may, however, file a claim for any taking of fixtures and improvements owned by the Tenant, and for moving expenses. Except as provided in the preceding sentence, all rights of the Tenant to damages, if any, are hereby assigned to the Landlord. The Tenant will execute and deliver any instruments, at the expense of the Landlord, as may be deemed necessary to expedite any condemnation proceedings or to effectuate a proper transfer of title to such governmental or other public authority, agency, body or public utility seeking to take or acquire the Premises or any portion thereof. The Tenant will vacate the Premises, remove all of the Tenant's personal property therefrom and deliver up peaceable possession thereof to the Landlord or to such other party designated by the Landlord. The Tenant will repay the Landlord for such costs, expenses, damages and losses as the Landlord may incur by reason of the Tenant's breach hereof.

14. Fire and Other Casualty. If there is a fire or other casualty, the Tenant will give immediate notice to the Landlord. If the Premises are partially damaged by fire, the elements or other casualty, the Landlord will repair the same as speedily as practicable, but the Tenant's obligation to pay the rent hereunder will not cease. If, in the opinion of the Landlord, the Premises are so substantially damaged as to render them untenable, then the rent will cease until such time as the Premises are made tenable by the Landlord. If, however, in the opinion of the Landlord, the Premises are so substantially damaged that the Landlord decides not to rebuild, then the rent will be paid up to the time of such destruction and this Lease will terminate as of the date of such destruction. The rent, and any additional rent, will be apportioned as of the termination date, and any rent paid for any period beyond that date will be repaid to the Tenant. However, the preceding provisions of this Paragraph 15 will not become effective or be applicable if the fire or other casualty and damage are the result of the carelessness, negligence or improper conduct of the Tenant or the Tenant's agents, employees, guests, licensees, invitees, subtenants, assignees or successors. In such case, the Tenant's liability for the payment of the rent and the performance of all the covenants, conditions and terms hereof on the Tenant's part to be performed will continue and the Tenant will be liable to the Landlord for the damage and loss suffered by the Landlord. If the Tenant is insured against any of the risks herein covered, then the proceeds of such insurance will be paid over to the Landlord to the extent of the Landlord's costs and expenses to make the repairs hereunder, and such insurance carriers will have no recourse against the Landlord for reimbursement.

15. Reimbursement of Landlord. If the Tenant fails or refuses to comply with any of the terms and conditions of this Lease, the Landlord may carry out and perform such conditions at the cost and expense of the Tenant, which amounts will be payable on demand to the Landlord. This remedy will be in addition to such other remedies as the Landlord may have by reason of the breach by the Tenant of any of the terms and conditions of this Lease.

16. Increase of Insurance Rates. If for any reason it is impossible to obtain fire and other hazard insurance on the buildings and improvements on the Premises in an amount and in the form and from insurance companies acceptable to the Landlord, the Landlord may, at any time, terminate this Lease, upon giving to the Tenant fifteen (15) days' notice in writing of the Landlord's intention to do so. Upon the giving of such notice, this Lease will terminate as of the date specified in such notice. If by reason of the use to which the Premises are put by the Tenant or character of or the manner in which the Tenant's business is carried on, the insurance rates for fire and other hazards increase, the Tenant will, upon demand, pay to the Landlord, as additional rent, the amounts by which the premiums for such insurance are increased.

17. Inspection and Repair. The Landlord and the Landlord's agents, employees or other representatives, will have the right to enter into and upon the Premises or any part thereof, at all reasonable hours, on reasonable prior notice, for the purpose of examining the Premises or making such repairs or alterations therein as may be necessary for the safety and preservation thereof. This clause will not be deemed to be a covenant by the Landlord nor be construed to create an obligation on the part of the Landlord to make such inspection or repairs.

18. Removal of Tenant's Property. Any equipment, fixtures, goods or other property of the Tenant that are not removed by the Tenant upon the termination of this Lease, or upon any quitting, vacating or abandonment of the Premises by the Tenant, or upon the Tenant's eviction, will be considered as abandoned and the Landlord will have the right, without any notice to the Tenant, to sell or otherwise dispose of the same, at the expense of the Tenant, and will not be accountable to the Tenant for any part of the proceeds of such sale, if any.

19. Events of Default; Remedies Upon Tenant's Default. The following are "Events of Default" under this Lease: (a) a default by the Tenant in the payment of rent, or any additional rent when due or within 10 days thereafter; (b) a default by the Tenant in the performance of any of the other covenants or conditions of this Lease, which the Tenant does not cure within 30 days after the Landlord gives the Tenant written notice of such default; (c) the death of the Tenant (if the Tenant is an individual); (d) the liquidation or dissolution of the Tenant (if the Tenant is an entity); (e) the filing by the Tenant of a bankruptcy, insolvency or receivership proceeding; (f) the filing of a bankruptcy, insolvency or receivership proceeding against the Tenant which is not dismissed within 30 days after the filing thereof; (g) the appointment of, or the consent by the Tenant to the appointment of, a custodian, receiver, trustee, or liquidator of all or a substantial part of the Tenant's assets; (h) the making by the Tenant of an assignment for the benefit of creditors or an agreement of composition; (i) if the Premises are or become abandoned, deserted, vacated or vacant; (j) the eviction of the Tenant; or (k) if this Lease, the Premises or the Tenant's interest in the Premises passes to another by virtue of any court proceedings, writ of execution, levy, or judicial or foreclosure sale. If an Event of Default occurs, the Landlord, in addition to any other remedies contained in this Lease or as may be permitted by law, may either by force or otherwise, without being liable for prosecution therefor, or for damages, re-enter, possess and enjoy the Premises. The Landlord may then re-let the Premises and receive the rents therefor and apply the same, first to the payment of such expenses, reasonable attorney fees and costs, as the Landlord may have incurred in re-entering and repossessing the Premises and in making such repairs and alterations as may be necessary; and second to the payment of the rents due hereunder. The Tenant will remain liable for such rents as may be in arrears and also the rents as may accrue subsequent to the re-entry by the Landlord, to the extent of the difference between the rents reserved hereunder and the rents, if any, received by the Landlord during the remainder of the unexpired term hereof, after deducting the aforementioned expenses, fees and costs; the same to be paid as such deficiencies arise and are ascertained each month.

20. Termination on Default. If an Event of Default occurs, the Landlord may, at any time thereafter, terminate this Lease and the term hereof, upon giving to the Tenant five (5) days' notice in writing of the Landlord's intention so to do. Upon the giving of such notice, this Lease and the term hereof will end on the date fixed in such notice as if such date was the date originally fixed in this Lease for the expiration hereof; and the Landlord will have the right to remove all persons, goods, fixtures and chattels from the Premises, by force or otherwise, without liability for damage.

21. Non-Liability of Landlord. The Landlord will not be liable for any damage or injury which may be sustained by the Tenant or any other person, as a consequence of the failure, breakage, leakage or obstruction of the water, plumbing, steam, sewer, waste or soil pipes, roof, drains, leaders, gutters, valleys, downspouts or the like or of the electrical, gas, power conveyor, refrigeration, sprinkler, air-conditioning or heating systems, elevators or hoisting equipment; or by reason of the elements; or resulting from the carelessness, negligence or improper conduct on the part of any other tenant or of the Landlord or the Landlord's or the Tenant's or any other tenant's agents, employees, guests, licensees, invitees, subtenants, assignees or successors; or attributable to any interference with, interruption of, or failure beyond the control of the Landlord, of any services to be furnished or supplied by the Landlord. This limitation on the Landlord's liability will not apply to damage or injury resulting from the gross negligence or willful misconduct of the Landlord or of the Landlord's agents, employees, guests, licensees, invitees, assignees or successors.

22. Non-Waiver by Landlord. The various rights, remedies, options and elections of the Landlord under this Lease are cumulative. The failure of the Landlord to enforce strict performance by the Tenant of the conditions and covenants of this Lease or to exercise any election or option, or to resort or have recourse to any remedy conferred in this Lease or the acceptance by the Landlord of any installment of rent after any breach by the Tenant, in any one or more instances, will not be construed or deemed to be a waiver or a relinquishment for the future by the Landlord of any such conditions and covenants, options, elections or remedies, but the same will continue in full force and effect.

23. Non-Performance by Landlord. This Lease and the obligation of the Tenant to pay the rent hereunder and to comply with the covenants and conditions hereof, will not be affected, curtailed, impaired or excused because of the Landlord's inability to supply any service or material called for in this Lease, by reason of any rule, order, regulation or preemption by any governmental entity, authority, department, agency or subdivision or for any delay which may arise by reason of negotiations for the adjustment of any fire or other casualty loss or because of strikes or other labor trouble or for any cause beyond the control of the Landlord.

24. Validity of Lease. The terms, conditions, covenants and provisions of this Lease will be deemed to be severable. If any clause or provision contained in this Lease is adjudged to be invalid or unenforceable by a court of competent jurisdiction or by operation of any applicable law, it will not affect the validity of any other clause or provision in this Lease, but such other clauses or provisions will remain in full force and effect.

25. Notices. All notices required under the terms of this Lease will be given and will be complete by mailing such notices by certified or registered mail, return receipt requested, or by hand delivery, fax or overnight delivery service, to the address of the parties as shown at the beginning of this Lease, or to such other address as may be designated in writing, which notice of change of address is given in the same manner.

26. Title and Quiet Enjoyment. The Landlord covenants and represents that the Landlord is the owner of the Premises and has the right and authority to enter into, execute and deliver this Lease; and does further covenant that the Tenant on paying the rent and performing the conditions and covenants contained in this Lease, will and may peaceably and quietly have, hold and enjoy the Premises for the term of this Lease.

27. Private Well Testing Act (N.J.S.A. 58:12A-26 et seq.) In accordance with the Private Well Testing Act (the "Act"), if potable water for the [Demised Premises] is supplied by a private well, and testing of the water supply is not required pursuant to any other State law, Landlord is required to test the water (i) by March 14, 2004, and (ii) every five years thereafter, in the manner established under the Act and to provide a copy of the results thereof to each tenant. If such testing has been done prior to the date hereof, upon signing this Lease, Landlord shall provide Tenant with a written copy of the most recent test results.

28. Entire Contract. This Lease and attached Rider contains the entire contract between the parties. No representative, agent or employee of the Landlord has been authorized to make any representations or promises with reference to the leasing of the Premises, or to vary, alter or modify the terms hereof. No additions, changes

or modifications, renewals or extensions hereof, will be binding unless reduced to writing and signed by the Landlord and the Tenant.

29. Liens. If any construction or other liens are created or filed against the Premises by reason of labor performed or materials furnished for the Tenant in the erection, construction, completion, alteration, repair or addition to any building or improvement, the Tenant will, upon demand, at the Tenant's own cost and expense, cause such lien or liens to be satisfied and discharged of record together with any lien claims that may have been filed. Failure to do so, will entitle the Landlord to resort to such remedies as are provided in this Lease for any default of this Lease, in addition to such as are permitted by law.

30. Security. The Tenant has deposited with the Landlord the sum of **\$0.00** (the "Security Deposit") as security for the payment of the rent hereunder and the full and faithful performance by the Tenant of the covenants and conditions on the part of the Tenant to be performed. Such Security Deposit will be returned to the Tenant, without interest, after the expiration of the term hereof, provided that the Tenant has fully and faithfully performed all such covenants and conditions and is not in arrears in rent. During the term hereof, the Landlord may, if the Landlord so elects, have recourse to such Security Deposit, to make good any default by the Tenant, and the Tenant will, on demand, promptly restore the Security Deposit to its original amount. The Landlord will assign or transfer the Security Deposit, for the benefit of the Tenant, to any subsequent owner or holder of the reversion or title to the Premises, and the assignee will become liable for the repayment thereof as provided in this Lease, and the assignor will be released by the Tenant from all liability to return such Security Deposit. This provision will be applicable to every change in title and does not permit the Landlord to retain the Security Deposit after termination of the Landlord's ownership. The Tenant will not mortgage, encumber or assign the Security Deposit without the written consent of the Landlord.

31. Estoppel Certificates. The Tenant will at any time and from time to time upon not less than 30 days prior notice by the Landlord, execute, acknowledge and deliver to the Landlord or any other party specified by the Landlord, a statement in writing certifying that this Lease is unmodified and in full force and effect (or if there have been modifications, that this Lease is in full force and effect as modified and stating the modifications) and the dates to which the rent, additional rent and other charges have been paid, and stating whether or not, to the knowledge of the signer of such certificate, the Tenant or the Landlord is in default in performance of any covenant, agreement or condition contained in this Lease, and, if so, specifying each such default of which the signer may have knowledge, as well as certifying to such other matters as the Landlord or the intended recipient of such certificate may reasonably request.

32. Conformation with Laws and Regulations. The Landlord may pursue the relief or remedy sought in any invalid clause, by conforming such clause with the provisions of the statutes or the regulations of any governmental agency as if the particular provisions of the applicable statutes or regulations were set forth at length in this Lease.

33. Number and Gender. In all references in this Lease to any parties, persons or entities, the use of any particular gender or the plural or singular number is intended to include the appropriate gender or number as the text of this Lease may require. All the terms, covenants and conditions contained in this Lease will be for and will inure to the benefit of and will bind the respective parties hereto, and their heirs, executors, administrators, personal or legal representatives, successors and assigns.

SEE ALSO RIDER TO LEASE ATTACHED HERETO AND MADE A PART HEREOF

In Witness Whereof, the parties have signed this Lease, or caused these presents to be signed by their proper officers or other representatives, the day and year first above written.

Witnessed or Attested by:

279 Broadway Associates, LLC, Landlord (Seal)

By: Andreas Sahar, Manager

City of Long Branch, Tenant

(Seal)

By: Adam Schneider, Mayor

(Seal)

RIDER TO LEASE AGREEMENT
By and Between
279 Broadway, LLC, LANDLORD
and
THE CITY OF LONG BRANCH, TENANT,
for Property located at 279 Broadway, Long Branch, New Jersey.

DATED: April ____, 2009

1. The purpose of this Rider is to alter, amend, modify and/or clarify certain terms of the Lease Agreement to which it is attached (the "Lease Agreement"). Except as specifically altered, amended, modified and/or clarified herein, the terms of the Lease Agreement shall remain in full force and effect. All conflicts between the Lease and this Rider shall be resolved in favor of this Rider.
2. Rent. Paragraph 4 of the Lease is hereby amended to provide that rent for the term of the Lease shall be \$376,200.00; or \$125,400.00 per annum, payable at the rate of \$10,450.00 per month ("Rent"), allocated as follows:

\$8,502.00 of the monthly Rent is allocated for that portion of the demised premises which is used for the Municipal Court;

\$1,948.00 of the monthly Rent is allocated for that portion of the demised premises which is used for the Drug Prevention Offices.

Payment of rent shall commence on May 1, 2009. The rent shall be payable on the first day of each calendar month in accordance with paragraph 4 of the Lease. Notwithstanding the foregoing, if the execution of this Lease occurs on a day other than the first of the month, payment shall be pro-rated based upon the number of days remaining in the month.

Rent shall include all utilities, taxes and other expenses. It is specifically understood and agreed by the parties hereto that the Tenant's financial obligations during the term of this Lease shall be limited to the Rent as set forth above.

3. Option. Tenant shall have the option to renew the Lease for two (2) additional periods of one (1) year each. The terms of the option period shall remain the same as those of the initial term, except the rent for the option period shall be increased based upon the US Department of Labor Consumer Price Index-All Urban Consumers, Not Seasonally Adjusted, Area: New York-Northern New Jersey-Long Island, NY-NJ-CT-PA, Item: All items Base Period: 1982-84=100.

Tenant shall exercise the option in writing no later than ninety (90) days prior to the expiration of the current Lease term.

4. Tenant's Right to Terminate Lease Based Upon Budgetary Constraints. If due to

R# 121-09

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 _____, 2009

Irene A. Joline, City Clerk

PUBLIC NOTICE

Notice is hereby given that the following bills will be submitted for payment approval as of April 28, 2009. The original bills are on file in the Office of the Director of Finance of the City of Long Branch between the hours of 8:30 and 4:30 P.M. Monday through Friday.

3m Co.	Reflective Sheeting for Striping & Decaling of Police Vehicles - Police Dept.	702.00
A. R. Communications	Repair Pagers for Fire Dept. & (2-Way) Radio for DPW	355.00
Action Office Supplies	Office Supplies to Replenish Central Supply	134.55
Alexander Hamilton	2009 Spring / Summer Employee Problem Solver Update - Administration	30.35
Apruzzese, McDermott, Mastro & Murphy	Legal Services Rendered - General Matters - Labor Attorney - March 2009	5,633.75
Aramark	Golf Shirts for X-Chief's Brunch - Fire Dept.	727.06
AT&T	Utilities - Telephone - 3/28/2009 - Various Locations	116.96
Atlantic Fire & Security	Burglary/Fire Monitoring - Belmont Avenue - 4/1-6/30/2009 - DPW	150.00
Atlantic Plumbing Supply	Heating/Plumbing Materials for Various Locations - DPW	672.23
B. Keith Controls	Halogen Lamps - Fire #25-8-85 - Fire Dept.	129.00
Basile, Baumann, Prost & Assoc.	Professional Services Rendered - Redevelopment Coordinator - March 2009	7,500.00
Basile, Baumann, Prost & Assoc.	Professional Services Rendered - Broadway Gateway South - March 2009	300.00
Basile, Baumann, Prost & Assoc.	Professional Services Rendered - General Matters - March 2009	2,175.00
Basile, Baumann, Prost & Assoc.	Professional Services Rendered - Broadway Sector - March 2009	675.00
Basile, Baumann, Prost & Assoc.	Professional Services Rendered - Broadway Gateway North - March 2009	1,087.50
Best Trophies & Awards	Trophies for Trout Tournament - 4/11/2009 - Recreation Dept.	69.00
Beverly Baxter	Ceramic Instruction - 3/5-3/26/2009 - Senior Affairs	887.50
Boro Printing	Letterhead Paper - Community Dev.	272.65
Builders' General	Lumber for Manahasset Park	114.15
Cablevision Lightpath	Monthly Lease of Dark Fiber - April 2009 - IT-Administration	1,500.00
Carrot Top Industries	Flag Pole Ornament for Van Court Park - DPW	76.04
CDWG	Computer Equipment - Police Dept. / IT-Administration	293.99
City of Long Branch Clearing Account	Reimburse Clearing Account	23,688.57
City of Long Branch Clearing Account	Reimburse Clearing Account	848,490.56
City of Long Branch Clearing Account	Reimburse Clearing Account	2,977.85
City of Long Branch Payroll Agency	Payroll Dated 4/03/2009	35,254.65
City of Long Branch Payroll Agency	Payroll Dated 4/03/2009	813,235.91
Comcast Online	Internet Provider Service - 4/16-5/15/2009 - IT-Administration / Police Dept.	244.85
Comfort Inn & Suites	Temporary Housing - 3/20-4/16/2009 - Delores Smith - School Project - Community Dev.	1,190.00
Complete Security Systems	Central Station Monitoring at Senior Center - 4/1-6/30/2009 - DPW	54.00
Construction & Industrial Equip. Corp.	Equipment Rental - DPW	2,020.00

* DENOTES PREPAY

** SUBJECT TO COMPLETION OF PAYMENT PACKAGE

Craft Oil	Windshield Wiper Fluid - DPW	218.00
Creative Product Sourcing	D.A.R.E Giveaways for Police Dept.	977.34
Cristina N. Lipski	Spanish Interpreting Services - February & March 2009 - Municipal Court	960.00
Crossmatch Technologies	Service Contract for Fingerprint & Palm Print Machine - 3/1/09-2/28/10 - Police Dept.	6,491.00
Crucial Technology	Computer Supplies - IT-Administration	42.98
Dell Computer Corp.	Laptop for OEM Deputy Coordinator	2,779.00
Difrancesco, Bateman, Coley & Yospin	Legal Services Rendered - Conflict Attorney - Tax Appeals - March 2009	5,151.44 Pymt #3
Double Exposure	Paging System for DPW	253.00
Eagle Point Gun / TJ Morris & Son	Targets for Qualifications - Police Dept.	500.00
East Coast Emergency Lighting	Light for PW #144 - DPW	184.80
Eastern Concrete Materials	Concrete for Great Lawn & Van Court Park - DPW	803.15
F & C Automotive Supply	Misc. Automotive Parts - PW #250 - DPW	809.72
Fax Express	Drum Cartridge for Fax Machine at Switchboard	218.12
Fine Fare	Food for College Tour Meeting & "Lunch N Learn" Event - Recreation Dept. / Senior Affairs	305.07
Fleetsource	Batteries for Various Vehicles & Stock - DPW	817.38
Ford Motor Credit	(7) Lease/Purchase Vehicles - May 2009	4,624.71
G & M Trophy	Memorial Bench Plaque for Barry Sylvan Segall - DPW	16.00
Gagliano Appraisal	2009 Tax Court Appeals - February / April 2009	3,520.00 Pymt #7-8
Gannett Satellite Information	Legal Ads - March 2009 - City Clerk	1,279.58
Garden State Highway Products	Materials & Supplies for Traffic Dept.	720.00
Gen-El Safety & Industrial Products	HAZMAT Equipment - Fire Prevention Office	19,823.40
General Linen & Paper Supply	Janitorial Supplies for Senior Center - DPW	79.47
General Sales Admin t/a Major Police Supply	Misc. Equipment - Police Dept.	280.00
Gill Associates	Laminating Sheets - Police Dept.	90.00
Global Govt./Education Solutions	Computer Equipment - Fire Dept. / IT-Administration	261.94
Greenbaum, Rowe, Smith & Davis	Legal Services Rendered - Redevelopment Attorney - March 2009	5,393.84 Pymt #3
Greenbaum, Rowe, Smith & Davis	Legal Services Rendered - Hotel Campus - March 2009	756.10 Pymt #3
Hewlett Packard	Printer for DPW	92.00
Hilsen Termite & Pest Control	Integrated Pest Control - April 2009 - Health Dept.	385.00
Howard H. Woolley Jr.	Parking Reimbursement - 2/27 & 4/2/2009 - Administration	14.00
Hunter Jersey Peterbilt	Misc. Parts - Sanitation #30 & #100 - DPW	543.22
J & N Enterprises	Calibrate Gas Meters - Fire Dept.	1,080.40
Jacob L. Jones	Reimbursement for Expenses Incurred - UEZ Meeting - Community Dev.	24.45
JCP&L	Utilities - Electric - 2/3-4/2/2009 - Various Locations	5,289.96
Jesco	Misc. Parts - PW #98 & #104 - DPW	273.04
John's Auto & Truck Repair	Maintenance on Truck #25-9-75 & Towing - 4/1/2009 - PD #15 - DPW	730.00
Keewel Water	Monthly Cooler Rental - April 2009 - Administration	14.00
Laser Save & Central Technology	Computer Equipment - Police Dept.	74.41
Lomurro, Davison, Eastman & Munoz	Legal Services Rendered - Bond Counsel - March 2009	6,082.27 Pymt #1-2

* DENOTES PREPAY

** SUBJECT TO COMPLETION OF PAYMENT PACKAGE

Long Branch Chamber of Commerce	Rent for UEZ/CDBG Office - May 2009	1,500.00
Long Branch Sewer Authority	Sewer Charges - Second Quarter 2009	1,855.65
Maria Garcia-Malave	Spanish Interpreting Services - February & March 2009 - Municipal Court	1,080.00
Martin J. Arbus, Esq.	Legal Services Rendered - Retainer - July / December 2008	1,800.00
Matthew Bender & Co.	(3) 2009 Edition N.J. Law Enforcement Handbooks - Police Dept.	407.35
Michael Rafferty	Videography & Editing of Sports Program Part 2 - April 2009 - L.B. Cable Commission	400.00
Mid-Atlantic Fire & Air	Six Month Service for Air Compressor - Fire Dept.	668.39
Monmouth Cnty Treasurer - Finance Dept.	Tipping Fees & Various Taxes - 3/16-3/31/2009 - DPW	44,158.45
Monmouth County Juvenile Officers Assoc.	2009 Dues & Membership - DSgt. Douglas Gottfredsen - Police Dept.	50.00
Monmouth County Regional Health Comm #1	Semi Annual Contract Agreement - 1st Quarter of 2009 for Support Staff - Health Dept.	4,727.00
MOTCTA	Registration - Point & Pay Seminar - 4/3/09 - E. Mazzacco & C. Tomas - Tax Collector's Office	40.00
MPA & Assoc.	Professional Services Rendered - IT Consultant - April 2009	196.00
New Jersey American Water	Utilities - Water - 2/25-3/26/2009 - Various Locations	* 15,073.22
New Jersey Natural Gas	Utilities - Gas - 2/27-4/1/2009 - Various Locations	* 3,208.43
NFPA	Subscription for NFCCSS Internet Single User - Fire Prevention Office	72.00
NHSCA	Registration for 2009 National Wrestling Championship - Recreation Dept.	1,000.00
NJ Assoc. of Veterans Service Officers	2009 Membership Dues - M. Winnick - Veteran Services / Administration	25.00
NJ Dept. of Personnel	Registration - CPM Course Level 4-6 - 2/6-11/20/09 - Fred Migliaccio - DPW	1,999.99
NJRPA	Registration - Parent & Coach Relations Seminar - 4/7/09 - C. Jennings - Recreation Dept.	15.00
Office Needs	Ink Cartridges - Various Depts.	331.80
Otilia Silva	Portuguese Interpreting Services - February & March 2009 - Municipal Court	1,140.00
Party Fair	Supplies for St. Patrick's Day Party - 3/11/09 - Senior Affairs	228.89
Perry's Trophy	Trophies & Ribbons for Basketball Program & Trout Tournament - Recreation Dept.	545.00
Peter Strub	First Quarter Mileage Reimbursement - Human Services	108.19
Pitney Bowes	Postage Meter Rental - 1/1-3/31/2009 - Tax Collector's Office	180.00
Quality Communications	Repair of Dispatch Console #3 - Police Dept.	187.50
Rahway Electric Supply	Fuses for Senior Center	19.00
Red The Uniform Tailor	Uniforms for Various Fire Inspectors - Fire Prevention Office	112.80
Ronald McDonald House	Half Page Ad in 2009 Gala Journal - Mayor's Office	200.00
Rosano Howell Asphalt	Road Materials to Repair Pot Holes - DPW	118.13
Rose Leonard	Watercolor Instruction - 2/12-4/9/2009 - Senior Affairs	210.00
Safelight Fulfillment	Install New Windshield - R #25 & PW #117 - DPW	433.90
Sanitation Equipment Corp.	Misc. Parts - Sanitation #30 - DPW	3,589.68
Satellite Self Storage Co.	Storage Fees - April 2009 - Delores Smith - School Project - Community Dev.	* 518.00
Scoles Floorshine Industries	Janitorial Supplies for Senior Center - DPW	313.61
Seaboard Welding Supply	Welding Supplies & Industrial Gases - March 2009 - DPW	97.70
Seaside Materials	Materials for Dispatch Area - Police Dept.	11.04
Semcor Equipment & Manufacturing Corp.	Rental of Equipment - DPW	178.00
Shared Technologies	Telephone Maintenance - 4/16-7/15/2009 - Various Locations	3,350.93

* DENOTES PREPAY

** SUBJECT TO COMPLETION OF PAYMENT PACKAGE

TOTAL DOG

11,420.10

All American Poly Corp.	
Atlantic Fire House	
City of Long Branch Clearing Account	540.00
City of Long Branch Clearing Account	14,900.00
City of Long Branch Clearing Account	14,900.00
City of Long Branch Payroll Agency	3,765.82
City of Long Branch Payroll Agency	267.45
Jacob L. Jones	3,498.37
Long Branch Chamber of Commerce	72.10
Skip's Sports	125.00
	1,105.00
Garbage Bags - Community Dev.	
Building Rehab Program - 353 Broadway - Community Dev.	
Reimburse Clearing Account	
Reimburse Clearing Account	
Payroll Dated 4/03/2009	
Payroll Dated 4/03/2009	
Reimbursement of Expenses Incurred - November 2008 / March 2009 - Community Dev.	
Rent for UEZ/CDBG Office - May 2009	
T-Shirts & Equipment for Youth Basketball Camp - Community Dev.	

TOTAL HUD

39,173.74

Basile, Baumann, Prost & Assoc.		12,225.00	Pymt #1
Basile, Baumann, Prost & Assoc.		24,337.50	Pymt #3
City of Long Branch Clearing Account	*	5,347.00	
City of Long Branch Clearing Account	*	13,061.40	
City of Long Branch Payroll Agency	*	286.47	
City of Long Branch Payroll Agency	*	12,774.93	
Greenbaum, Rowe, Smith & Davis		39.00	Pymt #3
Griffith Electric Supply	*	2,847.00	
Hertz Equipment Rental	*	2,500.00	
Lexis Nexis Risk & Information	*	30.00	Pymt #8
Thompson Design Group		852.00	Pymt #3
W.B. Mason Co.		126.58	

TOTAL TRUST OTHER

74,426.88

* DENOTES PREPAY

** SUBJECT TO COMPLETION OF PAYMENT PACKAGE

R# 122-09

RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A FIXED COST AGREEMENT WITH JERSEY CENTRAL POWER & LIGHT IN AN AMOUNT NOT TO EXCEED \$41,250.00

WHEREAS, the City of Long Branch requested of Jersey Central Power & Light a Fixed Cost Agreement to have Jersey Central Power & Light perform work consisting of the restoration of sidewalks after new vaults are installed at the location of Broadway, City of Long Branch, County of Monmouth; and

WHEREAS, Jersey Central Power & Light has provided to the City of Long Branch a Fixed Cost Agreement dated February 19, 2009, copy of which is annexed hereto; and

WHEREAS, the City of Long Branch has been informed that Jersey Central Power and Light is providing for the sidewalk restoration work between Liberty and Third Avenue on Broadway; and

WHEREAS, the Fixed Cost Agreement establishes the work that needs to be done and the price of same; and

WHEREAS, the attachments to the Fixed Cost Agreement state the area and the work that needs to be done; and

WHEREAS, Jersey Central Power & Light has further amplified the work that needs to be done in a letter dated March 27, 2009, a copy of which is annexed hereto and made a party here; and

WHEREAS, funds are available in account number H-02-033-401 H-02-034-401 not to exceed \$41,258.00 as certified to by the Chief Financial Officer of the City of Long Branch.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Long Branch in the County of Monmouth and State of New Jersey, that the Mayor of the City

of Long Branch be and the same hereby is authorized to execute the Fixed Cost Agreement with Jersey Central Power & Light dated February 19, 2009 in the form annexed hereto and made a part hereof in an amount not to exceed \$41,258.00

MOVED:

SECONDED:

AND ADOPTED UPON THE FOLLOWING ROLL CALL:

AYES:

NAYES:

ABSENT:

ABSTAIN:

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

CERTIFICATION OF CHIEF FINANCIAL OFFICER

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

**CITY SHARE OF COST FOR SIDEWALK REPLACEMENT
ON BROADWAY**

Said contract being made as follows:

JERSEY CENTRAL POWER & LIGHT \$41,258

Said funds being available in the form of:

**CDBG BUDGET
INFRASTRUCTURE
APPRO. #H-02-033-401 \$8,246.83
APPRO. #H-02-034-401 \$33,011.17**



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

Date



One River Centre
331 Newman Springs Road, Building 3
Suite 325
Red Bank, NJ 07701

March 27, 2009

City of Long Branch
Dept of Public Works
344 Broadway
Long branch, NJ07740-6994
Attn: Director of Public Works – Fred Miglioccio

Re: Broadway Sidewalks restoration – JCP&L Invoice and Backup Documentation

Dear Mr. Miglioccio,

As discussed at our meeting yesterday at your office with James Markey, Area Manager-JCP&L, JCP&L is providing the attachments for the sidewalk restoration work between Liberty and Third on Broadway. JCP&L has issued a purchase order to J. Fletcher Creamer (JFC) to perform this work. JFC has verbally committed that they will perform the work and not subcontract this effort to another vendor.

Over the last six months, JCP&L and City of Long Branch representatives have defined the scope. Attachment 1 was the commitment by the City of Long Branch. Primarily, this represents lines 1 and 1A. Attachment 2, JCP&L's invoice to the City, represents the vendor's quote plus an overhead rate of approximately 10%. As described in the photographs of Attachment 3, the scope defined as line 1/1A is the sidewalk restoration 4ft out from the existing buildings all along Broadway.

JCP&L certainly appreciates the City of Long Branch's patience as all parties look forward to complete this project in 2009. Should there be any subsequent questions, please do not hesitate to contact me at 732-212-4282 or James Markey at 732-212-4103

Sincerely,

A handwritten signature in black ink that reads "Raemon Mallin". The signature is written in a cursive style with a long, sweeping underline.

Raemon Mallin
Contract Management Specialist – JCP&L

Attachments: (1) Low Bid from JFC for the Restoration Work
(2) JCP&L Invoice for Line 1 of the Lowest Bid
(3) Photographs – Scope Examples of Sidewalk Restoration

Attachment 1
Pa 1481

J. FLETCHER CREAMER & SON, INC.
CONTRACTORS



Corporate:
101 E. Broadway
Hackensack, NJ 07601
Ph: (201) 481-9800
Fax: (201) 488-0567

Linden:
1701 E. Linden Ave.
Linden, NJ 07036
Ph: (908) 925-3200
Fax: (908) 925-3330

Folsom:
1219 May's Landing Road
Folsom, NJ 08837
Ph: (609) 561-2403
Fax: (609) 561-6507

To: First Energy	Contact: Ray Mallin
Address: 76 1/2 South Mn Street Akron, OH4308	Phone: (330) 384-7911
	Fax: (330) 384-3879
Project Name: 08-1166 JCP&L Long Branch Sidwalk Repairs - revised	Bid Number: 08-1166
Project Location: Broadway Between Liberty St and 3rd Ave Long Branch, NJ	Bid Date: 2/9/2009

Line #	Item #	Item Description	Estimated Quantity	Unit	Unit Price	Total Price
1	1	Remove / Repa Exting 4" Concrete Sidewalk -roin Building Line TExisting Sav Cut Line - Includes Reapirs To h8 Brick Pavers As Described, Does Not Include The Section Of Sidewalk B Brookdale College	1.00	LS	\$29,500.00	\$29,500.00
1A	1A	Remove / Repa Exting 4" Concrete Sidewalk B Brookdale College	1.00	LS	\$7,810.00	\$7,810.00

City of Long Branch

Attachment 2
Pg 1 of 1



February 19, 2009

FIXED COST AGREEMENT

CITY OF LONG BRANCH
DEPT OF PUBLIC WORKS, 344 BROADWAY, LONG BRANCH, NJ 07740-6994

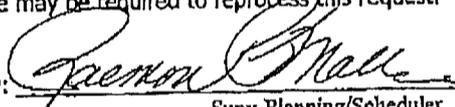
Work Request # 50559503 Order # 12578384
Notification # 101740940

IN RESPONSE TO YOUR REQUEST TO HAVE JCP&L PERFORM THE FOLLOWING WORK....
>>>> RESTORATION OF SIDEWALK AFTER NEW VAULTS INSTALLED
AT THE LOCATION OF: BROADWAY, LONG BRANCH, MONMOUTH COUNTY NJ;
THE CHARGE IS:

FIXED COST OF WORK	\$41,258.00
NJ STATE SALES TAX	\$0.00
TOTAL AMOUNT TO BE PAID	\$41,258.00
LESS PREVIOUSLY PAID	(\$0.00)
BALANCE DUE	\$41,258.00

If you still wish to have the described work performed, **please furnish an authorized approval signature on this letter and return the original signed copy to me at the address specified below. DO NOT REMIT PAYMENT WITH THIS AGREEMENT - YOU WILL RECEIVE A SEPARATE INVOICE, ONCE WE RECEIVE YOUR SIGNED AGREEMENT.**

The above price will be held for a period of six (6) months from the date shown at the top of this letter. Afterwards, this agreement will be updated with a load review. Payment must be received before this job can be scheduled for construction, and within sixty (60) days from the date of this letter, or an additional fee may be required to reprocess this request.

By: 
Supv-Planning/Scheduler

Raemon P Mallin
331 Newman Springs Rd - Bldg 3
Red Bank NJ 07701

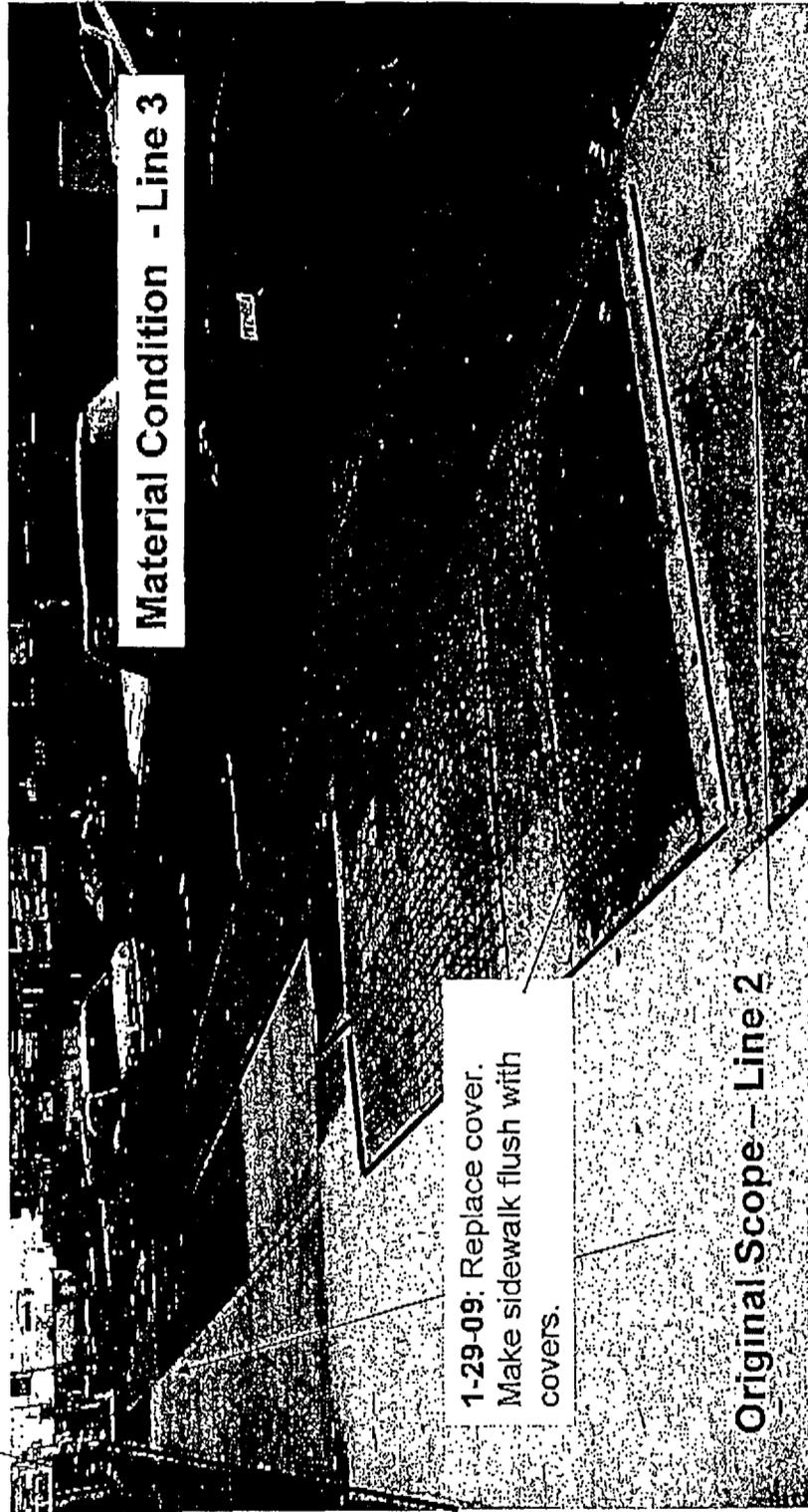
TEL# 732-212-4282 FAX# 330-245-5471

Approved: _____
(customer or authorized representative)

Date: _____

Attachment 3
pg. 1 of 2
Item 11

Redevelopment - Line 1



Material Condition - Line 3

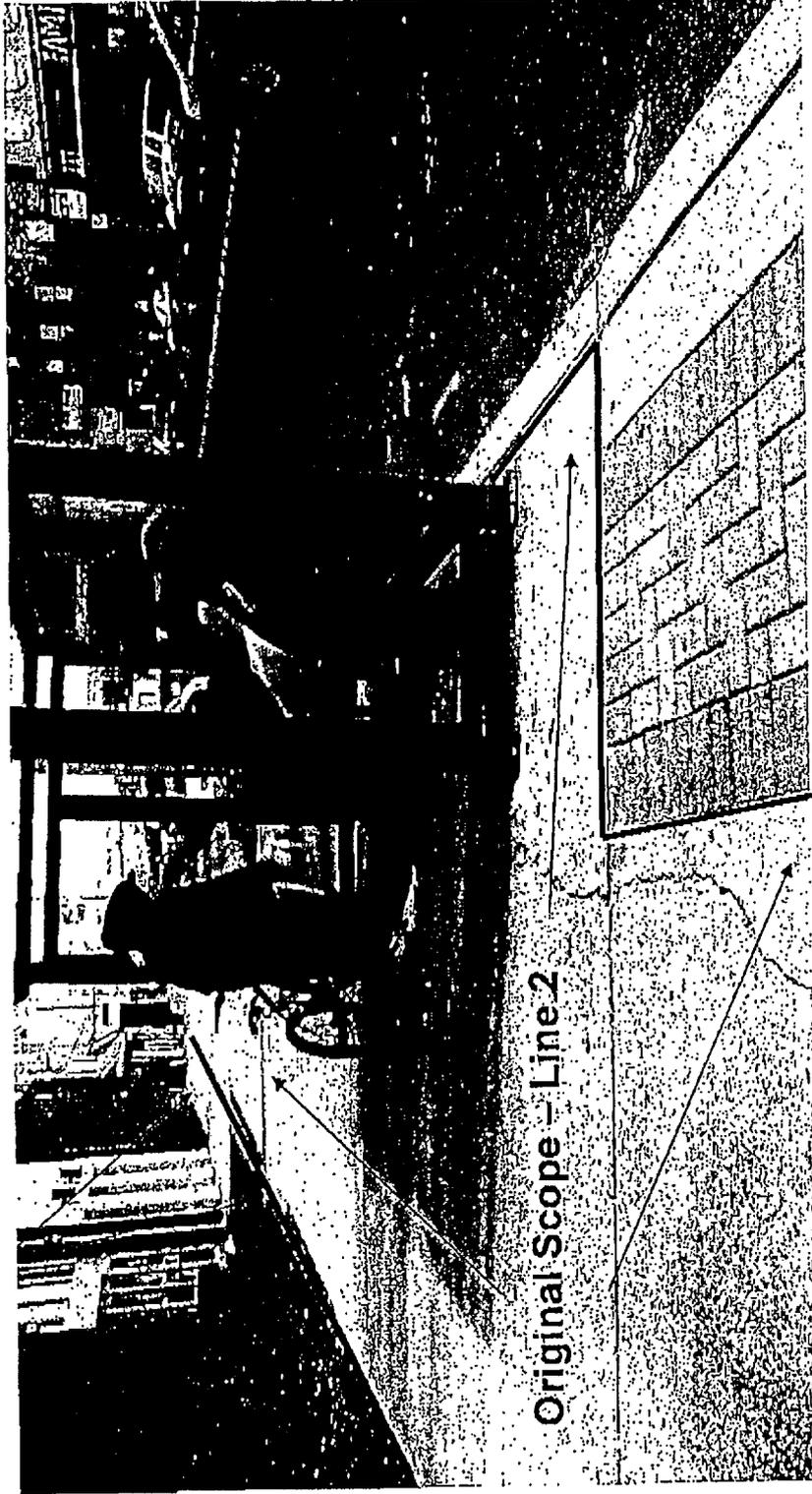
1-29-09: Replace cover.
Make sidewalk flush with
covers.

Original Scope - Line 2

*Attachment 3
Pg 2 of 2*

Item 17

Redevelopment - Line 1
Brookdale Area



Original Scope - Line 2

MUNICIPAL BUDGET NOTICE

Section 1.

Municipal Budget of the City of Long Branch, County of Monmouth for the Fiscal Year 2009.

Be it resolved, that the following statements of revenues and appropriations shall constitute the Municipal Budget for the year 2009;
Be It Further Resolved, that said Budget be published in the LINK Newspaper

In the issue of May 14th, 2009.

The Governing Body of the City of Long Branch, does hereby approve the following as the Budget for the year 2009:

RECORDED VOTE

(Insert last name)

Ayes



Nays



Abstained



Absent



Notice is hereby given that the Budget and Tax Resolution was approved by the City Council of the City

of Long Branch, County of Monmouth, on April 28th, 2009.

A Hearing on the Budget and Tax Resolution will be held at Council Chambers, 344 Broadway, LB, NJ 07740, on May 26th, 2009 at

8:00 o'clock (P.M.) at which time and place objections to said Budget and Tax Resolution for the year 2009 may be presented by taxpayers or other interested persons. (Cross out one)

2009 MUNICIPAL DATA SHEET

CAP

MUNICIPALITY: City of Long Branch

(Must accompany 2009 budget)

COUNTY: Monmouth

Adam Schneider	06/30/10
Mayor's Name	Term Expires

Municipal Officials	
Irene Joline	Jan. 1, 1989 Date of Orig. Appt.
Municipal Clerk	645
Edward Mazzacco	Cert No.
	130
Tax Collector	Cert No.
Ronald J. Mehhorn Sr.	465
Chief Financial Officer	Cert No.
Robert W. Alison	483
Registered Municipal Accountant	Lic No.
James G. Aaron	
Municipal Attorney	

Official Mailing Address of Municipality

City of Long Branch
 344 Broadway
 Long Branch
 New Jersey 07740
 Fax #: 732-222-1556

Governing Body Members	
Name	Term Expires
David Brown, Councilman	06/30/10
Mary Jane Celli, councilwoman	06/30/10
Michael DeStefano, councilman	06/30/10
Anthony Giordano, Councilman	06/30/10
Brian Unger, Councilman	06/30/10

Please attach this to your 2009 Budget and Mail to:

Director, Division of Local Government Services
 Department of Community Affairs
 P. O. Box 803
 Trenton NJ 08625

Division Use Only
Municode: _____
Public Hearing Date: _____

2009

MUNICIPAL BUDGET

Municipal Budget of the City of Long Branch, County of Monmouth for the Fiscal Year 2009.

It is hereby certified that the Budget and Capital budget annexed hereto and hereby made a part hereof is a true copy of the Budget and Capital Budget approved by resolution of the Governing Body on the

28th day of April, 2009

and that public advertisement will be made in accordance with the provisions of N.J.S. 40A:4-6 and N.J.A.C. 5:30-4.4(d).

Certified by me, this 29th day of April, 2009

Irene Joline
Clerk
344 Broadway
Address
Long Branch, New Jersey 07740
Address
732-222-7000
Phone Number

It is hereby certified that the approved Budget annexed hereto and hereby made a part is an exact copy of the original on file with the Clerk of the Governing Body, that all additions are correct, all statements contained herein are in proof and the total of anticipated revenues equals the total of appropriations.

Certified by me, this 29th day of April, 2009

Robert W. Allison, CPA, RMA
912 Highway 33, Suite 2
Address

Registered Municipal Accountant

Freehold, New Jersey 07728
Address

732-409-0800
Address

Phone Number

Ronald J. Mehlhorn Sr., CPA, RMA
Chief Financial Officer

It is hereby certified that the approved Budget annexed hereto and hereby made a part is an exact copy of the original on file with the Clerk of the Governing Body, that all additions are correct, all statements contained herein are in proof, the total of anticipated revenues equals the total of appropriations and the budget is in full compliance with the Local Budget Law, N.J.S. 40A:4-1 et seq.

Certified by me, this 29th day of April

DO NOT USE THESE SPACES

CERTIFICATION OF ADOPTED BUDGET

It is hereby certified that the amount to be raised by taxation for local purposes has been compared with the approved Budget previously certified by me and any changes required as a condition to such approval have been made. The adopted budget is certified with respect to the foregoing only.

Do Not Advertise This Certification Form

Dated: 2009

STATE OF NEW JERSEY
Department of Community Affairs
Director of the Division of Local Government Services
By: _____

CERTIFICATION OF APPROVED BUDGET

It is hereby certified that the Approved Budget made part hereof complies with the requirements of law, and approval is given pursuant to N.J.S. 40A:4-79.

Dated: 2009

STATE OF NEW JERSEY
Department of Community Affairs
Director of the Division of Local Government Services
By: _____

COMMENTS OR CHANGES REQUIRED AS A CONDITION OF CERTIFICATION OF DIRECTOR OF LOCAL GOVERNMENT SERVICES

The changes or comments which follow must be considered in connection with further action on this budget

City _____ of Long Branch _____, County of _____ Monmouth _____

MUNICIPAL BUDGET NOTICE

Section 1.

Municipal Budget of the _____ City _____ of _____ Long Branch _____, County of _____ Monmouth _____ for the Fiscal Year 2009.

Be it resolved, that the following statements of revenues and appropriations shall constitute the Municipal Budget for the year 2009;
Be It Further Resolved, that said Budget be published in the LINK Newspaper

In the issue of _____ May 14th _____, 2009.

The Governing Body of the _____ City _____ of _____ Long Branch _____, does hereby approve the following as the Budget for the year 2009:

RECORDED VOTE

(Insert last name)

Ayes



Nays



Abstained



Absent



Notice is hereby given that the Budget and Tax Resolution was approved by the _____ City Council _____ of _____ Long Branch _____, County of _____ Monmouth _____, on _____ April 28th _____, 2009. _____ of the _____ City _____

A Hearing on the Budget and Tax Resolution will be held at _____ Council Chambers, 344 Broadway, LB, NJ 07740 _____, on _____ May 26th _____, 2009 at _____

_____ 8:00 _____ o'clock _____ (P.M.) _____ at which time and place objections to said Budget and Tax Resolution for the year 2009 may be presented by taxpayers or other interested persons. _____ (Cross out one)

The instructions can be found on the instruction Tab of the workbook.

Summary Levy Cap Calculation

MUNICIPALITY	COUNTY	EXAMINER
1325	Long Branch City	Mommouth
Model Tax Levy Calculation Worksheet		
Levy Cap Calculation		
Prior Year Amount to be Raised by Taxation for Municipal Purposes		\$29,268,646
Less: One Year Waivers		\$0
Less: Prior Year Recycling Tax		\$34,000
Less: Prior Year Capital Improvement Fund & Down Payments		\$200,000
Less: Prior Year Deferred Charges to Future Taxation Unfunded		\$0
Changes in Service Provider and Adjustments (+/-)		\$0
Net Prior Year Tax Levy for Municipal Purpose Tax for Cap Calculation		\$29,034,646
Plus: 4% Cap Increase		\$1,161,386
Plus: Prior Year Extraordinary Aid Award		\$0
Adjusted Tax Levy Prior to Exclusions		\$30,196,032
Exclusions:		
Change in debt service and existing county leases (+/-)	\$244,445	
Offsets to State formula aid loss	\$138,217	
Allowable pension increases	\$0	
Allowable increase in Reserve for Uncollected Taxes	\$429,710	
Allowable increase in health care costs	\$0	
Recycling Tax appropriation	\$41,000	
Capital Improvement Fund and/or Down Payment on Improvements	\$200,000	
Deferred Charges to Future Taxation Unfunded	\$0	
Add Total Exclusions		\$1,053,372
Less Cancelled or Unexpended Waivers		\$0
Less Cancelled Exclusions		\$0
Less Prior Year Extraordinary Aid Award (complete after EA is awarded)		\$0
Adjusted Tax Levy		\$31,249,404
Additions:		
New Ratables - Increase in Valuations (New Construction and Additions)	\$49,649,700	
Prior Year's Local Municipal Purpose Tax Rate (per \$100)	\$0.576	
New Ratable Adjustment to Levy		\$285,982
LFEB Approved Statewide Blanket Waivers		\$0
Amounts approved by Referendum		\$0
Waiver application amount		\$0
Maximum Allowable Amount to be Raised by Taxation		\$31,535,386
Amount to be Raised by Taxation for Municipal Purposes		\$30,515,934

The "Levy CAP" is a limitation on the amount of taxes that a Municipality may pass on to the taxpayers from one year to another.

2008 was the first time that Calendar year municipalities such as Long Branch were required to comply with this new law.

The most basic of calculations is that the prior year Amount to be Raised By Taxation for Municipal Purposes (1) is reduced by certain Prior Year exclusions such as Recycling Tax (2) and Prior years Capital Improvement Fund & Down Payment amounts (3) to arrive at a Net Prior Year Tax Levy for Municipal Purpose Tax for Cap Calculation (4); this net amount is multiplied by 4% and this amount (5) is added to item (4) to become the Adjusted Tax Levy Prior to Exclusions (6).

To this Adjusted Tax Levy Prior to Exclusions is added the following Exclusions:
 Changes in Debt Service
 Offsets to State Formula Aid Loss
 Allowable increase in Reserve for Uncollected Taxes
 Recycling Tax appropriation
 Capital Improvement Fund and / or Down Payment on Improvements
 These items become the Total Exclusions (7)

By adding the Adjusted Tax Levy Prior to exclusions (6) with the Total Exclusions (7) and subtracting the Cancelled or Unexpended Exclusions (8) we arrive at the Adjusted Tax Levy (9)

The last addition to Levy Cap Calculation is the amount of New Ratables from new construction multiplied by the Prior years Municipal Tax Rate to arrive at the New Ratable Adjustment to Levy (10).

By Adding the New Ratable Adjustment to Levy (10) to the Adjusted Tax Levy (9) we finally arrive at the Maximum Allowable Amount to be Raised by Taxation (11)

ANALYSIS OF MUNICIPAL APPROPRIATION "CAP" 2009

N.J.S.A. 40A:4-45.1 et. seq. "The Local Government Cap Law" places limits on municipal expenditures. Commonly referred to as the "CAPS", it is actually calculated by a method established by the law.

In general the actual calculation works as follows:

Starting with the figure in the prior years budget (2007) for the Total General Appropriations (1) certain prior year budget figures are subtracted, including "Other expenses, Interlocal Service agree-

Private Projects (grants) Deferred Charges and the Reserve for Uncollected Taxes (2) this resulting figure is then the base on

which the 2.5% CAP is applied and results in the base amount that the current budget may be increase over last years CAP (3)

Additionally the Statute allows for certain add-ons to the CAP such as:

Amounts that have been "Banked" in prior years (this is prior years "CAP" that has not been utilized) (4)

The amount of New Local Municipal Tax to be generated by increased Assessed Value attributable to New Construction (5)

And finally, the adoption of an ordinance that allows the Local Municipality to increase its CAP to a maximum of 3.5% (or 1% above the 2.5% allowed above) (6)

The above calculations arrive at the bottom line CAP limitation placed on the City which may not be Exceeded (7)

Total General Appropriation 2007		45,061,700.00	(1)
Exception :			
Total "Other" Operation		4,135,542.40	
Total Interlocal Service Agreement		62,727.36	
Total Capital Improvements		366,000.00	
Total Municipal Debt Service		2,854,376.23	
Total Public and Private Projects		589,967.48	
Total Deferred Charges		118,000.00	
Total Reserve for Uncollected Taxes		1,872,954.07	
Total Exceptions		<u>9,999,567.54</u>	
Add Back:		35,062,132.46	(2)
Amount on Which 2.5% "CAP" increase is applied		<u>35,062,132.46</u>	
2.50 % CAP Increase		2.500%	
Dollar increase @ 2.5%		<u>876,553.31</u>	(3)
Allowable Operating Appropriations before Additional Exceptions per (N.J.S.A. 40A:4-45.3)		35,938,685.77	
2008 Bank		<u>5,914.46</u>	
Total Bank		5,914.46	(4)
Statutory Additions to "CAPS"			
Amount of new construction (2007), as certified by the Municipal Tax Assessor (Cert Attached)		49,649,700.00	
Municipal rate 2006		<u>0.5760</u>	
Increase in CAP base due to new construction		285,982.00	(5)
COLA Rate Ordinance		<u>350,621.32</u>	(6)
Total Additional		642,517.78	
Maximum allowable Operating Appropriations		<u>36,581,203.56</u>	(7)
2009 Budget Appropriations Within "CAPS"		36,529,769.64	
Amount under "CAPS"		<u>51,433.92</u>	

**EXPLANATORY STATEMENT
SUMMARY OF CURRENT FUND SECTION OF APPROVED BUDGET**

General Appropriations For: (Reference to item and sheet number should be omitted in advertised budget)	YEAR 2009
1. Appropriations within "CAPS"	XXXXXXXXXX.XX
(a) Municipal Purposes {(Item H-1, Sheet 19)(N.J.S. 40A:4-45.2)}	XXXXXXXXXX.XX
(b) Municipal Purposes excluded from "CAPS"	36,529,769.64
2. Appropriations excluded from "CAPS"	XXXXXXXXXX.XX
(a) Municipal Purposes {(Item H-2, Sheet 28)(N.J.S. 40A:4-45.3 as amended)}	8,965,122.47
(b) Local School District Purposes in Municipal Budget (Item K, Sheet 29)	0.00
Total General Appropriations excluded from "CAPS" (Item O, Sheet 29)	8,965,122.47
3. Reserve for Uncollected Taxes (Item M, Sheet 29) - Based on Estimated	96.79% Percent of Tax Collections
4. Total General Appropriations (Item 9, Sheet 29)	2,377,582.05
5. Less: Anticipated Revenues Other Than Current Property Tax (Item 5, Sheet 11)	Building Aid Allowance 2009 - \$ 0.00
(i.e. Surplus, Miscellaneous Revenues and Receipts from Delinquent Taxes)	for Schools-State Aid 2008 - \$ 0.00
6. Difference: Amounts to be Raised by Taxes for Support of Municipal Budget (as follows)	17,356,539.89
(a) Local Tax for Municipal Purposes Including Reserve for Uncollected Taxes (Item 6(a), Sheet 11)	XXXXXXXXXX.XX
(b) Addition to Local District School Tax (Item 6(b), Sheet 11)	30,515,934.27
	0.00

EXPLANATORY STATEMENT - (Continued)

SUMMARY OF 2008 APPROPRIATIONS EXPENDED AND CANCELED

	General Budget	Water Utility	Second Utility	Third Utility	Fourth Utility
Budget Appropriations - Adopted Budget	45,550,978.71	0.00	0.00	0.00	0.00
Budget Appropriations Added by N.J.S. 40A:4-87	0.00	0.00	0.00	0.00	0.00
Emergency Appropriations	101,500.00	0.00	0.00	0.00	0.00
Total Appropriations	45,652,478.71	0.00	0.00	0.00	0.00
Expenditures:					
Paid or Charged (Including Reserve for Uncollected Taxes)	43,767,742.34	0.00	0.00	0.00	0.00
Reserved	1,884,716.36	0.00	0.00	0.00	0.00
Unexpended Balances Canceled	20.01	0.00	0.00	0.00	0.00
Total Expenditures and Unexpended Balances Canceled	45,652,478.71	0.00	0.00	0.00	0.00
Overexpenditures *	0.00	0.00	0.00	0.00	0.00

* See Budget appropriation items so marked to the right of column "Expended 2008 Reserved."

Explanation of Appropriations for "Other Expenses"

The amounts appropriated under the title of "Other Expenses" are for operating costs other than "Salaries & Wages"
Some of the items included in "Other Expenses" are:

- Materials, supplies and non-bondable equipment;
- Repairs and maintenance of buildings, equipment, roads, etc.;
- Contractual services for garbage and trash removal, fire hydrant service, aid to volunteer fire companies, etc.;
- Printing and advertising, utility services, insurance and many other items essential to the services rendered by municipal government.

CURRENT FUND - ANTICIPATED REVENUES (Continued)

GENERAL REVENUES

3. Miscellaneous Revenues - Section F: Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services - Public and Private Revenues Offset with Appropriations:	FCOA	Anticipated		Realized in
		2009	2008	Cash in 2008
Public Health Priority Funding - 1987	xxxxxx	xxxxxxxxxx.xx	xxxxxxxxxx.xx	xxxxxxxxxx.xx
N.J. Transportation Trust Fund Authority Act	10-785	14,994.00	15,124.00	15,124.00
Recycling Tomnange Grant	10-865	235,734.00	166,000.00	166,000.00
Drunk Driving Enforcement Fund	10-701		19,633.91	19,633.91
Clean Communities Program	10-745		23,100.81	23,100.81
Alcohol Education and Rehabilitation Fund	10-770	39,389.43	39,020.65	39,020.65
Municipal Alliance on Alcoholism and Drug Abuse	10-702		1,178.00	1,178.00
Safe and Secure Communities Program - P.L. 1994, Chapter 220	10-703	30,472.00	32,720.00	32,720.00
Neighborhood Preservation - Balanced Housing	10-704		51,314.00	51,314.00
Handicapped Recreation Opportunities Grant	10-705			
Small Cities Grant	10-706			
	10-707			
Monmouth County Grant				
Office on Aging				
Senior Citizen Program	10-805	25,000.00	25,000.00	25,000.00
Fireman's Fund Insurace Company Grant	12-701	25,000.00		

CURRENT FUND - ANTICIPATED REVENUES (Continued)

GENERAL REVENUES

3. Miscellaneous Revenues - Section F: Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services - Public and Private Revenues Offset with Appropriations (continued):	FCOA	Anticipated		Realized in
		2009	2008	Cash in 2008
[Extra Sheet]	xxxxxx	xxxxxxxxxx.xx	xxxxxxxxxx.xx	xxxxxxxxxx.xx
State of New Jersey				
Body Armor Replacement	10-809		20,511.82	20,511.82
State of New Jersey				
Department of Health and Senior Services				
Pandemic Flu Preparedness	10-813		8,378.00	8,378.00
State of New Jersey				
Cops in Shops Grant	10-814		1,600.00	1,600.00
State of New Jersey				
Urban Enterprize Zone Administration:				
Marketing and Business Development	19-701		230,000.00	230,000.00
Facade Assistance	19-702		100,000.00	100,000.00
Administrative Budget	19-704		52,000.00	52,000.00
Security X	19-705		130,000.00	130,000.00
Redevelopment Assistance	19-706		100,000.00	100,000.00

CURRENT FUND - ANTICIPATED REVENUES (Continued)

GENERAL REVENUES

SUMMARY OF REVENUES	FCOA	Anticipated		Realized in
		2009	2008	Cash in 2008
1. Surplus Anticipated (Sheet 4, #1)	xxxxxx	xxxxxxxxxx.xx	xxxxxxxxxx.xx	xxxxxxxxxx.xx
	08-101	4,415,000.00	4,415,000.00	4,415,000.00
2. Surplus Anticipated with Prior Written Consent of Director of Local Government Services (Sheet 4, #2)	08-102	0.00	0.00	0.00
3. Miscellaneous Revenues:	xxxxxx	xxxxxxxxxx.xx	xxxxxxxxxx.xx	xxxxxxxxxx.xx
Total Section A: Local Revenues	08-001	2,874,375.70	2,908,226.09	3,122,755.74
Total Section B: State Aid Without Offsetting Appropriations	09-001	5,390,487.00	5,477,497.00	5,528,704.00
Total Section C: Dedicated Uniform Construction Code Fees Offset with Appropriations	08-002	357,689.00	449,737.45	357,689.00
Total Section D: Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Service-Interlocal Muni. Services Agreements	11-001	0.00	0.00	0.00
Total Section E: Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services - Additional Revenues	08-003	0.00	0.00	0.00
Total Section F: Special Items of Local Government Services - Public and Private Revenues	10-001	1,934,578.43	1,015,581.19	1,015,581.19
Total Section G: Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services - Other Special Items	08-004	1,051,409.76	1,023,291.29	1,012,293.08
Total Miscellaneous Revenues	13-099	11,608,539.89	10,874,333.02	11,037,023.01
4. Receipts from Delinquent Taxes	15-499	1,333,000.00	993,000.00	1,688,566.79
5. Subtotal General Revenues (Items 1,2,3 and 4)	13-199	17,356,539.89	16,282,333.02	17,140,589.80
6. Amount to be Raised by Taxes for Support of Municipal Budget:	xxxxxx			
a) Local Tax for Municipal Purposes Including Reserve for Uncollected Taxes	07-190	30,515,934.27	29,268,645.69	xxxxxxxxxx.xx
b) Addition to Local District School Tax	07-191			xxxxxxxxxx.xx
Total Amount to be Raised by Taxes for Support of Municipal Budget	07-199	30,515,934.27	29,268,645.69	29,280,584.08
7. Total General Revenues	13-299	47,872,474.16	45,550,978.71	46,421,173.88

CURRENT FUND - APPROPRIATIONS

8. GENERAL APPROPRIATIONS

(A) Operations - within "CAPS"

	FCOA	Appropriated			Expended 2008		
		for 2009	for 2008	for 2008 By Emergency Appropriation	Total for 2008 As Modified By All Transfers	Paid or Charged	Reserved
General Administration							
Office of the Chief Executive - Mayor							
Salaries & Wages	20-110-1	57,635.00	79,652.00		79,652.00	76,179.44	3,472.56
Other Expenses	20-110-2	13,100.00	15,200.00		15,200.00	11,239.34	3,960.66
Miscellaneous Other Expenses (Lobbyist)	20-110-2	35,000.00	35,000.00		32,000.00	32,000.00	0.00
Office of the Chief Administrator							
Salaries & Wages	20-100-1	333,954.00	318,688.00		326,788.00	316,124.27	10,663.73
Other Expenses	20-100-2	11,600.00	11,600.00		11,600.00	8,858.57	2,741.43
Miscellaneous Other Expenses	20-100-2	2,500.00	2,500.00		2,500.00	2,166.60	333.40
Miscellaneous Other Expenses (Green Programs)	20-110-2	17,000.00	30,000.00		30,000.00	4,206.42	25,793.58
Miscellaneous Other Expenses - MIS	20-100-2	64,370.00	69,000.00		69,000.00	57,900.79	11,099.21
Miscellaneous Other Expense - Special Events (Moved from Bldg. & Develop.)	20-100-2	45,000.00	45,000.00		45,000.00	44,997.71	2.29
Miscellaneous Other Expenses (PR)	20-110-2	0.00	36,000.00		0.00		
Division of Personnel							
Salaries & Wages	20-105-1	160,232.00	203,006.00		154,006.00	147,364.42	6,641.58
Other Expenses	20-105-2	2,050.00	2,425.00		2,425.00	2,087.35	337.65
Central Switchboard							
Salaries & Wages	20-100-1	40,336.00	37,905.00		38,405.00	37,036.03	1,368.97

CURRENT FUND - APPROPRIATIONS

8. GENERAL APPROPRIATIONS

(A) Operations - within "CAPS" - (continued)

	FCOA	Appropriated			Expended 2008		
		for 2009	for 2008	for 2008 By Emergency Appropriation	Total for 2008 As Modified By All Transfers	Paid or Charged	Reserved
Office of Emergency Management							
Salaries & Wages	25-252-2	5,000.00	5,000.00		5,000.00	4,847.08	152.92
Other Expenses	25-252-2	20,000.00	20,000.00		26,000.00	25,958.50	41.50
Office of the City Council							
Salaries & Wages	20-110-1	17,500.00	17,500.00		17,500.00	16,964.65	535.35
Other Expenses	20-110-2	2,900.00	2,900.00		2,900.00	1,030.00	1,870.00
Office of the City Attorney							
Salaries & Wages (City Attorney)	20-155-1	0.00	30,000.00		15,000.00	14,310.35	689.65
Salaries & Wages (Prosecutor/ Asst. City Att)	25-275-1	30,000.00	30,000.00		30,000.00	29,083.76	916.24
Other Expenses	25-275-2	385,000.00	385,000.00		461,000.00	390,838.95	70,161.05
Misc Other Expenses(Labor Counsel)	20-105-2	100,000.00	100,000.00		100,000.00	72,108.02	27,891.98
Misc Other Expenses(Planning Bd. Attorney)	21-180-2	10,000.00	10,000.00		10,000.00	5,000.00	5,000.00
Misc Other Expenses(Zoning Bd. Attorney)	21-185-2	10,000.00	10,000.00		10,000.00	10,000.00	0.00
Misc Other Expenses(Prosecutor/Asst City Att)	25-275-2	5,000.00	5,000.00		5,000.00	2,500.00	2,500.00
Misc. Other Expense (Retainer)	20-155-2	30,000.00			15,000.00	15,000.00	0.00
Office of the City Clerk							
Salaries & Wages	20-120-1	194,651.00	187,286.00		187,786.00	181,133.30	6,652.70
Other Expenses	20-120-2	15,355.00	21,755.00		21,755.00	13,829.58	7,925.42
Misc. Other Expenses	20-120-2	44,500.00	46,500.00		46,500.00	37,476.53	9,023.47

8. GENERAL APPROPRIATIONS

CURRENT FUND - APPROPRIATIONS

[Extra Sheet]

(A) Operations - within "CAPS" - (continued)	FCOA	Appropriated				Expended 2008	
		for 2009	for 2008	for 2008 By Emergency Appropriation	Total for 2008 As Modified By All Transfers	Paid or Charged	Reserved
Department of Public Works							
Office of the Director							
Salaries & Wages	26-300-1	309,953.00	288,710.00		303,710.00	293,084.18	10,625.82
Other Expenses	26-300-2	21,000.00	18,100.00		18,100.00	17,089.61	1,010.39
Division of Street Construction & Maintenance							
Salaries & Wages	26-290-1	1,003,415.00	1,002,945.00		911,244.00	849,478.85	61,765.15
Other Expenses	26-290-2	148,750.00	159,750.00		144,750.00	127,533.31	17,216.69
Office of the City Engineer							
Salaries & Wages	20-165-1						
Other Expenses	20-165-2	100,000.00	100,000.00		120,000.00	99,450.00	20,550.00
Municipal Garage							
Salaries & Wages	26-315-1	328,359.00	306,738.00		306,738.00	289,769.55	16,968.45
Other Expenses	26-315-2	323,500.00	332,000.00		332,000.00	326,290.85	5,709.15
Division of Parks							
Salaries & Wages	28-275-1	311,791.00	291,608.00		300,608.00	277,461.37	23,146.63
Other Expenses	28-275-2	53,500.00	45,750.00		42,750.00	36,477.69	6,272.31

CURRENT FUND - APPROPRIATIONS

[Extra Sheet]

8. GENERAL APPROPRIATIONS

(A) Operations - within "CAPS" - (continued)

	FCOA	Appropriated			Expended 2008		
		for 2009	for 2008	for 2008 By Emergency Appropriation	Total for 2008 As Modified By All Transfers	Paid or Charged	Reserved
Department of Health							
Office of the Director							
Salaries & Wages	27-330-1	463,941.00	409,142.00		421,142.00	393,839.07	27,302.93
Other Expenses	27-330-2	49,750.00	49,750.00		51,250.00	48,124.24	3,125.76
Miscellaneous Other Expenses (Contractual)	27-330-2						
Bloodborne Pathogen Immunization	27-330-2	3,000.00	3,000.00		3,000.00	3,000.00	0.00
Animal Control Subsidy (to Trust)	27-340-2	203,000.00	207,000.00		217,000.00	217,000.00	0.00
Public Health Consortium	27-330-2	18,908.00	9,304.00		9,304.00	9,060.00	244.00
Bureau of Welfare							
Miscellaneous Other Expenses (Relocation)	27-345-2	10,000.00	10,000.00		10,000.00		10,000.00
Department of Recreation							
Office of the Director							
Salaries & Wages	28-370-1	345,029.00	355,724.00		360,724.00	341,070.37	19,653.63
Other Expenses	28-370-2	10,300.00	10,300.00		10,300.00	5,680.26	4,619.74
Miscellaneous Other Expenses	28-370-2	43,680.00	43,710.00		43,710.00	41,165.12	2,544.88
Bureau of Recreation							
Salaries & Wages	28-370-1	55,000.00	45,000.00	10,000.00	55,000.00	55,000.00	0.00
Other Expenses	28-370-2	46,900.00	40,900.00		40,900.00	39,859.18	1,040.82
Miscellaneous Other Expenses (Celebrations)	28-370-2	31,400.00	32,000.00		41,000.00	27,791.24	13,208.76

CURRENT FUND - APPROPRIATIONS

[Extra Sheet]

8. GENERAL APPROPRIATIONS

(A) Operations - within "CAPS" - (continued)

	FCOA	Appropriated				Expended 2008	
		for 2009	for 2008	for 2008 By Emergency Appropriation	Total for 2008 As Modified By All Transfers	Paid or Charged	Reserved
Bureau of Conservation (Beaches)							
Salaries & Wages	28-380-1	420,000.00	320,000.00	58,500.00	378,500.00	370,656.69	7,843.31
Other Expenses	28-380-2	66,100.00	68,565.00		68,565.00	65,640.43	2,924.57
Office of Senior Citizen Activities							
Salaries & Wages	28-370-1	36,542.00	16,000.00		28,000.00	21,565.31	6,434.69
Other Expenses	28-370-2	23,000.00	40,000.00		40,000.00	37,825.81	2,174.19
Environmental Commission							
Other Expenses	20-100-2	500.00	500.00		0.00	0.00	
Office of Cable Television Commission							
Other Expenses	20-100-2	12,000.00	12,000.00		12,000.00	11,299.83	700.17
Urban Enterprise Zone							
Salaries & Wages	20-170-1	16,370.00	15,301.00		15,301.00	15,301.00	0.00
Other Expenses	20-170-2	5,000.00	5,000.00		5,000.00	5,000.00	0.00
Long Branch Arts Council							
Other Expenses	20-100-2	25,000.00	25,000.00		25,000.00	20,194.42	4,805.58
Long Branch Parking Authority							
Other Expense	20-135-2	3,500.00	7,000.00		5,000.00	5,000.00	0.00

[Extra Sheet]

Sheet 15f

8. GENERAL APPROPRIATIONS

CURRENT FUND - APPROPRIATIONS

[Extra Sheet]

(A) Operations - within "CAPS" - (continued)	FCOA	Appropriated				Expended 2008	
		for 2009	for 2008	for 2008 By Emergency Appropriation	Total for 2008 As Modified By All Transfers	Paid or Charged	Reserved
Statutory & Other Agencies							
Planning Board							
Salaries & Wages	21-180-1	0.00	3,600.00		1,800.00	1,717.25	82.75
Other Expenses	21-180-2	8,150.00	20,350.00		20,350.00	4,182.65	16,167.35
Misc. Other Expense (Retainer)	21-180-2	3,600.00			1,800.00	1,800.00	0.00
Zoning Board of Adjustment							
Salaries & Wages	21-185-1	0.00	6,000.00		3,000.00	2,862.12	137.88
Other Expenses	21-185-2	7,150.00	8,000.00		8,000.00	3,569.00	4,431.00
Misc. Other Expense (Retainer)	21-185-2	12,000.00			3,000.00	3,000.00	0.00
Department of Building & Development							
Office of the Director							
Salaries & Wages	22-200-1	100,865.00	96,794.00		102,394.00	99,379.91	3,014.09
Other Expenses	22-200-2	8,400.00	8,400.00		8,400.00	4,238.58	4,161.42
Miscellaneous Other Expenses (Demolition)	22-200-2	10,000.00	15,000.00		0.00	0.00	
Office of the Construction Official							
Salaries & Wages	22-195-1	369,360.00	376,558.00		366,558.00	348,517.53	18,040.47
Other Expenses	22-195-2	17,250.00	20,250.00		20,250.00	15,221.54	5,028.46
Miscellaneous Other Expenses	22-195-2	137,000.00	133,875.00		133,875.00	126,660.24	7,214.76

[Extra Sheet]

Sheet 15g

8. GENERAL APPROPRIATIONS

CURRENT FUND - APPROPRIATIONS

[Extra Sheet]

	FCOA	Appropriated			Expended 2008			
		for 2009	for 2008	for 2008 By Emergency Appropriation	Total for 2008 As Modified By All Transfers	Paid or Charged	Reserved	
Office of Planning								
Salaries & Wages	21-180-1	238,590.00	229,429.00		237,429.00	227,765.36	9,663.64	
Other Expenses	21-180-2	10,000.00	7,508.00		7,508.00	5,229.53	2,278.47	
Miscellaneous Other Expenses (Redevelopment)	21-180-2	318,000.00	268,000.00		268,000.00	266,228.45	1,771.55	
Miscellaneous Other Expenses (Master Plan)	21-180-2	20,000.00						
Office of the Tax Assessor								
Salaries & Wages	20-150-1	147,507.00	134,665.00		134,665.00	128,203.45	6,461.55	
Other Expenses	20-150-2	6,200.00	6,200.00		6,200.00	4,886.78	1,313.22	
Miscellaneous Other Expenses	20-150-2	78,195.00	61,400.00		61,400.00	27,410.86	33,989.14	
Municipal Court								
Salaries & Wages	43-490-1	358,951.00	345,772.00		342,772.00	322,976.58	19,795.42	
Other Expenses	43-490-2	177,367.00	174,565.00		174,565.00	142,320.90	32,244.10	
Municipal Public Defender								
Salaries & Wages	43-495-1	22,000.00	22,000.00		22,000.00	13,915.09	8,084.91	

[Extra Sheet]

Sheet 15h

CURRENT FUND - APPROPRIATIONS

8. GENERAL APPROPRIATIONS

(A) Operations - within "CAPS" - (continued)	FCOA	Appropriated				Expended 2008	
		for 2009	for 2008	for 2008 By Emergency Appropriation	Total for 2008 As Modified By All Transfers	Paid or Charged	Reserved
Utilities:							
Electricity	31-430-2	363,000.00	323,400.00		323,400.00	285,481.26	37,918.74
Telephone	31-440-2	165,000.00	165,000.00		162,000.00	157,056.95	4,943.05
Natural Gas	31-446-2	142,000.00	107,300.00		111,800.00	80,400.27	31,399.73
Street Lighting	31-435-2	553,000.00	560,000.00		542,000.00	530,206.49	11,793.51
Fire Hydrant Service	25-265-2	181,675.00	173,000.00		173,000.00	155,297.17	17,702.83
Water	31-445-2	69,500.00	65,300.00		61,300.00	46,254.73	15,045.27
Other (specify)							
Sewer	31-455-2	8,000.00	7,500.00		7,500.00	7,170.36	329.64
Diesel Fuel	31-460-2	233,000.00	196,650.00	33,000.00	259,650.00	233,591.50	26,058.50
Gasoline	31-460-2	295,000.00	315,700.00		315,700.00	287,133.32	28,566.68
Accumulated Leave Compensation	30-415						
Salaries and Wages	30-415-1	1,000.00	1,000.00		151,000.00	151,000.00	0.00
Total Operations {Item 8(A)} within "CAPS"	34-199	35,718,122.51	34,249,877.54	101,500.00	34,351,377.54	32,581,744.12	1,769,633.42
B. Contingent	35-470			xxxxxxx.xx			
Total Operations Including Contingent							
within "CAPS"	34-201	35,718,122.51	34,249,877.54	101,500.00	34,351,377.54	32,581,744.12	1,769,633.42
Detail:							
Salaries & Wages	34-201-1	21,534,903.00	20,618,338.00	68,500.00	20,767,538.00	19,889,290.70	878,247.30
Other Expenses (Including Contingent)	34-201-2	14,183,219.51	13,631,539.54	33,000.00	13,583,839.54	12,692,453.42	891,386.12

CURRENT FUND APPROPRIATIONS

(A) Operations - Excluded from "CAPS"	FCOA	Appropriated					Expended 2008	
		for 2009	for 2008	for 2008 By Emergency Appropriation	Total for 2008 As Modified By All Transfers	Paid or Charged	Reserved	
		xxxxxxxxxxxx	xxxxxxxxxxxx	xxxxxxxxxxxx	xxxxxxxxxxxx	xxxxxxxxxxxx	xxxxxxxxxxxx	
Employee Group Health Insurance (P.L. 2007, C.62)	23-220-2							
Maintenance of Free Public Library								
Other Expenses	29-390-2	1,664,731.26	1,447,592.40		1,447,592.40	1,380,102.43	67,489.97	
Police and Fire Retirement System of New Jersey	36-475	1,172,945.00	2,181,479.00		2,181,479.00	2,181,479.00	0.00	
Public Employees Retirement System	36-475	371,017.00	472,471.00		472,471.00	472,471.00	0.00	
Disposal Costs (Sanitation & Recycling)								
Other Expenses (Recycling Tax)	32-465	41,000.00	34,000.00		34,000.00	34,000.00	0.00	

CURRENT FUND APPROPRIATIONS

8. GENERAL APPROPRIATIONS (A) Operations - Excluded from "CAPS"	FCOA	Appropriated				Expended 2008	
		for 2009	for 2008	for 2008 By Emergency Appropriation	Total for 2008 As Modified By All Transfers	Paid or Charged	Reserved
		xxxxx	xxxxxxxxxxxx	xxxxxxxxxxxx	xxxxxxxxxxxx	xxxxxxxxxxxx	xxxxxxxxxxxx
Public and Private Programs Offset by Revenues							
State of New Jersey							
Municipal Alcohol Education / Rehabilitation Program	10-702-2		1,178.00		1,178.00	1,178.00	0.00
State of New Jersey							
Department of Community Affairs							
Clean Communities Program	10-770-2	39,389.43	39,020.65		39,020.65	39,020.65	0.00
County of Monmouth							
Office on Aging Grant							
Senior Citizen Program							
Monmouth County Share	10-805-2	25,000.00	25,000.00		25,000.00	25,000.00	0.00
Local share	10-805-2	221,485.00	221,485.00		221,485.00	221,485.00	0.00
State of New Jersey							
Department of Health							
Public Health Priority Funding Act 1977	10-785-2	14,994.00	15,124.00		15,124.00	15,124.00	0.00
State of New Jersey							
Division of Motor Vehicles							
Drunk Driving Enforcement Grant	10-745-2		23,100.81		23,100.81	23,100.81	0.00

CURRENT FUND APPROPRIATIONS

[Extra Sheet]

8. GENERAL APPROPRIATIONS

(A) Operations - Excluded from "CAPS" [Extra Sheet]

	FCOA	Appropriated				Expended 2008	
		for 2009	for 2008	for 2008 By Emergency Appropriation	Total for 2008 As Modified By All Transfers	Paid or Charged	Reserved
Public and Private Programs Offset by Revenues (continued)	xxxxxx	XXXXXXXXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX
County of Monmouth							
Department of Alcohol & Drug Abuse							
Alliance to prevent Alcohol & Drug Abuse							
County Share	10-703-2	30,472.00	32,720.00		32,720.00	32,720.00	0.00
Local Share	10-703-2	7,618.00	8,180.00		8,180.00	8,180.00	0.00
State of New Jersey							
Safe & Secure Grant	10-704-2		51,314.00		51,314.00	51,314.00	0.00
Fireman's Fund Insurance Company	12-701-2	25,000.00					
United States Department of Transportation							
Federal Transit Administration grant	10-708-2	1,563,989.00					

[Extra Sheet]

Sheet 24a

CURRENT FUND APPROPRIATIONS

8. GENERAL APPROPRIATIONS

(D) Municipal Debt Service - Excluded from "CAPS"	FCOA	Appropriated				Expended 2008	
		for 2009	for 2008	for 2008 By Emergency Appropriation	Total for 2008 As Modified By All Transfers	Paid or Charged	Reserved
Payment of Bond Principal	45-920	1,239,000.00	916,000.00		916,000.00	916,000.00	XXXXXXXXXXXX
Payment of Bond Anticipation Notes and Capital Notes	45-925		44,500.00		44,500.00	44,500.00	XXXXXXXXXXXX
Interest on Bonds	45-930	1,484,607.28	1,527,842.32		1,527,842.32	1,527,842.32	XXXXXXXXXXXX
Interest on Notes	45-935	194,827.50	130,893.33		130,893.33	130,893.32	XXXXXXXXXXXX
Green Trust Loan Program:	xxxxxx	xxxxxxxxxxxx	xxxxxxxxxxxx	xxxxxxxxxxxx	xxxxxxxxxxxx	xxxxxxxxxxxx	XXXXXXXXXXXX
Loan Repayments for Principal and Interest	45-940	136,751.96	136,751.98		136,751.98	136,751.98	XXXXXXXXXXXX
State of New Jersey, Department of Community Affairs, Unsafe Housing Demolition Grant Repayment (Prin. Int)	10-802-2	29,508.60	29,508.60		29,508.60	29,508.60	XXXXXXXXXXXX
Payment of Bond Principal (Grants)	10-802-2						XXXXXXXXXXXX
Interest on Bonds (Grants)	10-802-2						XXXXXXXXXXXX
Payment of Special Emergency Note Principal (Reval)	10-802-2	60,000.00	60,000.00		60,000.00	60,000.00	XXXXXXXXXXXX
Interest on Special Emergency Notes	10-802-2	3,816.00	8,880.00		8,880.00	8,880.00	XXXXXXXXXXXX
Capital Lease Obligations Approved Prior to 7/12/07							XXXXXXXXXXXX
Principal	45-941						XXXXXXXXXXXX
Interest	45-941						XXXXXXXXXXXX
Capital Lease Obligations Approved After 7/12/07							XXXXXXXXXXXX
Principal	45-941						XXXXXXXXXXXX
Interest	45-941						XXXXXXXXXXXX
Total Municipal Debt Service - Excluded from "CAPS"	45-999	3,148,511.34	2,854,376.23	0.00	2,854,376.23	2,854,376.22	XXXXXXXXXXXX

CURRENT FUND APPROPRIATIONS

8. GENERAL APPROPRIATIONS

	FCOA	Appropriated				Expended 2008	
		for 2009	for 2008	for 2008 By Emergency Appropriation	Total for 2008 As Modified By All Transfers	Paid or Charged	Reserved
For Local District School Purposes - Excluded from "CAPS"	xxxxxx	xxxxxxxx.xx	xxxxxxxx.xx	xxxxxxxx.xx	xxxxxxxx.xx	xxxxxxxx.xx	xxxxxxxx.xx
(I) Type 1 District School Debt Service	xxxxxx	xxxxxxxx.xx	xxxxxxxx.xx	xxxxxxxx.xx	xxxxxxxx.xx	xxxxxxxx.xx	xxxxxxxx.xx
Payment of Bond Principal	48-920						xxxxxxxx.xx
Payment of Bond Anticipation Notes	48-925						xxxxxxxx.xx
Interest on Bonds	48-930						xxxxxxxx.xx
Interest on Notes	48-935						xxxxxxxx.xx
							xxxxxxxx.xx
							xxxxxxxx.xx
Total of Type 1 District School Debt Service							xxxxxxxx.xx
- Excluded from "CAPS"	48-999	0.00	0.00	0.00	0.00	0.00	xxxxxxxx.xx
(J) Deferred Charges and Statutory Expenditures - Local School - Excluded from "CAPS"	xxxxxx	xxxxxxxx.xx	xxxxxxxx.xx	xxxxxxxx.xx	xxxxxxxx.xx	xxxxxxxx.xx	xxxxxxxx.xx
Emergency Authorizations - Schools	29-406			xxxxxxxx.xx			xxxxxxxx.xx
Capital Project for Land, Building or Equipment				xxxxxxxx.xx			xxxxxxxx.xx
N.J.S. 18A:22-20	29-407						xxxxxxxx.xx
Total of Deferred Charges and Statutory Expen-							
ditures-Local School - Excluded from "CAPS"	29-409	0.00	0.00	0.00	0.00	0.00	xxxxxxxx.xx
(K) Total Municipal Appropriations for Local District School Purposes (Item (I) and (J)) - Excluded from "CAPS"	29-410	0.00	0.00	0.00	0.00	0.00	xxxxxxxx.xx
(O) Total General Appropriations - Excluded from "CAPS"	34-399	8,965,122.47	8,615,892.18	0.00	8,615,892.18	8,548,402.20	67,489.97
(L) Subtotal General Appropriations {Items (H-1) and (O)}	34-400	45,494,892.11	43,678,024.64	101,500.00	43,779,524.64	41,894,788.27	1,884,716.36
(M) Reserve for Uncollected Taxes	50-899	2,377,582.05	1,872,954.07	xxxxxxxx.xx	1,872,954.07	1,872,954.07	xxxxxxxx.xx
9. Total General Appropriations	34-499	47,872,474.16	45,550,978.71	101,500.00	45,652,478.71	43,767,742.34	1,884,716.36

CURRENT FUND APPROPRIATIONS

8. GENERAL APPROPRIATIONS

Summary of Appropriations	FCOA	Appropriated				Expended 2008	
		for 2009	for 2008	for 2008 By Emergency Appropriation	Total for 2008 As Modified By All Transfers	Paid or Charged	Reserved
(H-1) Total General Appropriations for Municipal Purposes within "CAPS"	34-299 xxxxxx	36,529,769.64	35,062,132.46	101,500.00	35,163,632.46	33,346,386.07	1,817,226.39
(A) Operations - Excluded from "CAPS"	xxxxxx	xxxxxxx.xx	xxxxxxx.xx	xxxxxxx.xx	xxxxxxx.xx	xxxxxxx.xx	xxxxxxx.xx
Other Operations	34-300	3,249,693.26	4,135,542.40	0.00	4,135,542.40	4,068,052.43	67,489.97
Uniform Construction Code	22-999	0.00	0.00	0.00	0.00	0.00	0.00
Interlocal Municipal Service Agreements	42-999	67,736.44	62,727.36	0.00	62,727.36	62,727.36	0.00
Additional Appropriations Offset by Revs.	34-303	0.00	0.00	0.00	0.00	0.00	0.00
Public & Private Progs Offset by Revs.	40-999	1,927,947.43	1,079,246.19	0.00	1,079,246.19	1,079,246.19	0.00
Total Operations - Excluded from "CAPS"	34-305	5,245,377.13	5,277,515.95	0.00	5,277,515.95	5,210,025.98	67,489.97
(C) Capital Improvements	44-999	435,734.00	366,000.00	0.00	366,000.00	366,000.00	0.00
(D) Municipal Debt Service	45-999	3,148,511.34	2,854,376.23	0.00	2,854,376.23	2,854,376.22	xxxxxxx.xx
(E) Total Deferred Charges - Excluded from "CAPS"	46-999	135,500.00	118,000.00	xxxxxxx.xx	118,000.00	118,000.00	xxxxxxx.xx
(F) Judgements	37-480	0.00	0.00	0.00	0.00	0.00	0.00
(G) Cash Deficit - With Prior Consent of LFB	46-885	0.00	0.00	xxxxxxx.xx	0.00	0.00	xxxxxxx.xx
(K) Local District School Purposes	29-410	0.00	0.00	0.00	0.00	0.00	xxxxxxx.xx
(N) Transferred to Board of Education	29-405	0.00	0.00	xxxxxxx.xx	0.00	0.00	xxxxxxx.xx
(M) Reserve for Uncollected Taxes	50-899	2,377,582.05	1,872,954.07	xxxxxxx.xx	1,872,954.07	1,872,954.07	xxxxxxx.xx
Total General Appropriations	34-499	47,872,474.16	45,550,978.71	101,500.00	45,652,478.71	43,767,742.34	1,884,716.36

DEDICATED ASSESSMENT BUDGET SECOND UTILITY

NOT APPLICABLE

14. DEDICATED REVENUES FROM	FCOA	Anticipated		Realized in Cash in 2008
		2009	2008	
Assessment Cash	53-101			
Deficit (Second Utility Budget)	53-885			
Total Second Utility Assessment Revenues	53-899	0.00	0.00	0.00
15. APPROPRIATIONS FOR ASSESSMENT DEBT		Appropriated		Expended 2008 Paid or Charged
		2009	2008	
Payment of Bond Principal	53-920			
Payment of Bond Anticipation Notes	53-925			
Total Second Utility				
Assessment Appropriations	53-999	0.00	0.00	0.00

Dedication by Rider - (N.J.S. 40A:4-39) "The dedicated revenues anticipated during the year 2008 from Animal Control, State or Federal Aid for Maintenance of Libraries, Bequest, Escheat; Construction Code Fees Due Hackensak Meadows Development Commission; Outside Employment of Off-Duty Municipal Police Officers; Unemployment Compensation Insurance; Reimbursement of Sale of Gasoline to State Automobiles; State Training Fees - Uniform Construction Code Act; Older Americans Act - Program Contributions; Municipal Alliance on Alcoholism and Drug Abuse - Program Income; Developer Escrow Funds, Disposal of Forfeited property, Parking Offenses Adjudication Act, Recycling Program, Uniform Fire Safety Act Penalty Monies, Municipal Alliance on Alcohol & Drug Abuse Neighborhood Preservation Program, Donations (Veterans Affairs Trust), Donations for Business Promotion / Revitalization, Donations for Celebration of City Centennial (Public Safety Scholarships), Donations (Memorial Benches, Donations (Historical Commission Activities, Off-site / Off-Tract Refunds, Donations (Parking Mitigation), Donations (Local Cable Television), Municipal Public Defender, Environmental Quality and Enforcement, Open Space / Recreation off-tract Assessments, Donations (Recreation Activities), Housing & Community Development Act of 1974, Older Americans Act-Program Contributions, Donations (Contributions from Developers), Donations (Public Safety), Commodity Resale System, Engineering Inspection Fees, Accumulated Absences, Regional Contribution Agreements (COAH), Snow Removal Trust Fund, Self Insurance Programs

are hereby anticipated as revenue and are hereby appropriated for the purposes to which said revenue is dedicated by statute or other legal requirement."

(Insert additional, appropriate titles in space above when applicable, if resolution for rider has been approved by the Director)

APPENDIX TO BUDGET STATEMENTS
COMPARATIVE STATEMENT OF CURRENT FUND OPERATIONS AND CHANGE IN CURRENT SURPLUS

CURRENT FUND BALANCE SHEET - DECEMBER 31, 2008

ASSETS			
Cash and Investments	1110100	9,277,884.58	
Due from State of N.J. (c. 20, P.L. 1961)	1111000	1,840.96	
Federal and State Grants Receivable	1110200	1,656,150.27	
Receivables with Offsetting Reserves:	xxxxxxx	xxxxxxxxxxx.xx	
Taxes Receivable	1110300	2,021,731.01	
Tax Title Liens Receivable	1110400	52,679.63	
Property Acquired by Tax Title Lien Liquidation	1110500	5,150,300.00	
Other Receivables	1110600	400,751.54	
Deferred Charges Required to be in 2009 Budget	1110700	195,500.00	
Deferred Charges Required to be in Budgets Subsequent to 2009	1110800	222,000.00	
Total Assets	1110900	18,978,837.99	
LIABILITIES, RESERVES AND SURPLUS			
*Cash Liabilities	2110100	4,815,135.02	
Reserves for Receivables	2110200	8,766,493.62	
Surplus	2110300	5,397,209.35	
Total Liabilities, Reserves and Surplus		18,978,837.99	

School Tax Levy Unpaid	2220100	0.00
Less: School Tax Deferred	2220200	0.00
*Balance Included in Above		0.00
"Cash Liabilities"	2220300	0.00

(Important: This appendix must be included in advertisement of budget.)

	YEAR 2008	YEAR 2007
Surplus Balance, January 1st	2310100	6,236,110.25
CURRENT REVENUE ON A CASH BASIS		
Current Taxes	2310200	70,446,469.24
* (Percentage collected: 2008 96.79 %, 2007 97.4 %)	2310300	66,916,392.43
Delinquent Taxes	2310300	1,688,566.79
Other Revenues and Additions to Income	2310400	995,265.75
Total Funds	2310500	15,586,667.39
EXPENDITURES AND TAX REQUIREMENTS:		
Municipal Appropriations	2310600	16,610,473.85
School Taxes (Including Local and Regional)	2310700	90,758,242.28
County Taxes (Including Added Tax Amounts)	2310800	94,470,972.12
Special District Taxes	2310900	45,652,478.71
Other Expenditures and Deductions from Income	2311000	30,963,790.00
Total Expenditures and Tax Requirements	2311100	12,075,049.23
Less: Expenditures to be Raised by Future Taxes	2311200	11,873,064.89
Total Adjusted Expenditures and Tax Requirements	2311300	483,944.83
Surplus Balance - December 31st	2311400	89,175,262.77
		84,418,973.58
		101,500.00
		89,073,762.77
		84,008,973.58
		5,397,209.35
		6,749,268.70

* Nearest even percent may be used

Proposed Use of Current Fund Surplus in 2009 Budget

Surplus Balance December 31, 2008	2311500	5,397,209.35
Current Surplus Anticipated in 2009 Budget	2311600	4,415,000.00
Surplus Balance Remaining	2311700	982,209.35

2009
CAPITAL BUDGET AND CAPITAL IMPROVEMENT PROGRAM

This section is included with the Annual Budget pursuant to N.J.A.C. 5:30-4. It does not in itself confer any authorization to raise or expend funds. Rather it is a document used as part of the local unit's planning and management program. Specific authorization to expend funds for purposes described in this section must be granted elsewhere, by a separate bond ordinance, by inclusion of a line item in the Capital Improvement Section of this budget, by an ordinance taking the money from the Capital Improvement Fund, or other lawful means.

CAPITAL BUDGET

- A plan for all capital expenditures for the current fiscal year.
If no Capital Budget is included, check the reason why:

- Total capital expenditures this year do not exceed \$25,000, including appropriations for Capital Improvement Fund, Capital Line Items and Down Payments on Improvements.
- No bond ordinances are planned this year.

CAPITAL IMPROVEMENT PROGRAM

- A multi-year list of planned capital projects, including the current year.
Check appropriate box for number of years covered, including current year:

- 3 years. (Population under 10,000)
- 6 years. (Over 10,000 and all county governments)
- ___ years. (Exceeding minimum time period)

Check if municipality is under 10,000, has not expended more than \$25,000 annually for capital purposes in immediately previous three years, and is not adopting CIP.

**CAPITAL BUDGET (Current Year Action)
2009**

Local Unit: City of Long Branch

1 PROJECT TITLE	FCOA	2 PROJECT NUMBER	3 ESTIMATED TOTAL COST	4 AMOUNTS RESERVED IN PRIOR YEARS	PLANNED FUNDING SERVICES FOR CURRENT YEAR - 2009					6 TO BE FUNDED IN FUTURE YEARS
					5a 2009 Budget Appropriations	5b Capital Im- provement Fund	5c Capital Surplus	5d Grants in Aid and Other Funds	5e Debt Authorized	
Street Paving & Drainage - City Wide		1	4,050,000.00		35,000.00			665,000.00	3,350,000.00	
Acquisition of Vehicles / Equip. for the									0.00	
Department of Public Works		2	1,704,000.00		11,500.00			342,500.00	1,350,000.00	
Acquisition of Vehicles & Equipment									0.00	
for the Department of Recreation		3	275,000.00		500.00			9,500.00	265,000.00	
Acquisition of Pumper Trucks for									0.00	
the Division of Fire		4	1,300,000.00						1,300,000.00	
Acquisition of Railing for Boardwalk		5	200,000.00		10,000.00			190,000.00	0.00	
Acquisition of Communication Equipment - Public Safety		6	500,000.00		25,000.00			475,000.00	0.00	
Preliminary Design and Engineering - Pier Project		7	1,000,000.00		50,000.00			950,000.00	0.00	
Acquisition of Gear and Equipment - Fire		8	68,100.00		3,500.00			64,600.00	0.00	
Acquisition of Color Copier for Department of									0.00	
Building & Development		9	25,000.00		1,500.00			23,500.00	0.00	
									0.00	
									0.00	
									0.00	
									0.00	
									0.00	
TOTALS - ALL PROJECTS	33-199		9,122,100.00	0.00	0.00	137,000.00	0.00	2,720,100.00	6,265,000.00	

6 YEAR CAPITAL PROGRAM 2009 - 2014

Anticipated Project Schedule and Funding Requirements

Local Unit City of Long Branch

1 PROJECT TITLE	FCOA	2 PROJECT NUMBER	3 ESTIMATED TOTAL COST	4 ESTIMATED COMPLETION TIME	FUNDING AMOUNTS PER BUDGET YEAR					
					5a 2009	5b 2010	5c 2011	5d 2012	5e 2013	5f 2014
Street Paving & Drainage - City Wide			4,050,000.00	Dec. 31, Ea. Yr.	700,000.00	650,000.00	700,000.00	650,000.00	700,000.00	650,000.00
Acquisition of Vehicles / Equip. for the							
Department of Public Works			1,704,000.00	Dec. 31, Ea. Yr.	354,000.00	225,000.00	250,000.00	275,000.00	300,000.00	300,000.00
Acquisition of Vehicles & Equipment							
for the Department of Recreation			275,000.00	Dec. 31, Ea. Yr.	10,000.00		61,000.00		100,000.00	104,000.00
Acquisition of Pumper Trucks for							
the Division of Fire			1,300,000.00	Dec. 31, Ea. Yr.		425,000.00		425,000.00		450,000.00
Acquisition of Railing for Boardwalk			200,000.00	Dec. 31, Ea. Yr.	200,000.00					
Acquisition of Communication Equipment - Public Safety			500,000.00	Dec. 31, Ea. Yr.	500,000.00					
Preliminary Design and Engineering - Pier Project			1,000,000.00	Dec. 31, Ea. Yr.	1,000,000.00					
Acquisition of Gear and Equipment - Fire			68,100.00	Dec. 31, Ea. Yr.	68,100.00					
Acquisition of Color Copier for Department of							
Building & Development			25,000.00	Dec. 31, Ea. Yr.	25,000.00					
							
							
							
							
							
TOTALS - ALL PROJECTS			9,122,100.00		2,857,100.00	1,300,000.00	1,011,000.00	1,350,000.00	1,100,000.00	1,504,000.00

6 YEAR CAPITAL PROGRAM 2009 - 2014
SUMMARY OF ANTICIPATED FUNDING SOURCES AND AMOUNTS

Local Unit: City of Long Branch

1 Project Title	FCOA	2 Estimated Total Cost	BUDGET APPROPRIATIONS		4 Capital Improve- ment Fund	5 Capital Surplus	6 Grants-In- Aid and Other Funds	BONDS AND NOTES				
			3a Current Year 2009	3b Future Years				7a General	7b Self Liquidating	7c Assessment	7d School	
Street Paving & Drainage - City Wide		4,050,000.00	...		202,500.00			3,847,500.00				
Acquisition of Vehicles / Equip. for the Department of Public Works		1,704,000.00	...		85,200.00			1,618,800.00				
Acquisition of Vehicles & Equipment for the Department of Recreation		275,000.00	...		14,000.00			261,000.00				
Acquisition of Pumper Trucks for the Division of Fire		1,300,000.00	...		65,000.00			1,235,000.00				
Acquisition of Railing for Boardwalk		200,000.00	...		10,000.00			190,000.00				
Acquisition of Communication Equipment - P		500,000.00	...		25,000.00			475,000.00				
Preliminary Design and Engineering - Pier Pr		1,000,000.00	...		50,000.00			950,000.00				
Acquisition of Gear and Equipment - Fire		68,100.00	...		3,500.00			64,600.00				
Acquisition of Color Copier for Department of Building & Development		25,000.00	...		1,500.00			23,500.00				
										
										
										
										
										
TOTALS - ALL PROJECTS	33-399	9,122,100.00	0.00	0.00	456,700.00	0.00	0.00	8,665,400.00	0.00	0.00	0.00	0.00

SECTION 2 - UPON ADOPTION FOR YEAR 2009

(Only to be included in the Budget as Finally Adopted)

RESOLUTION

Be it Resolved by the City Council of the City of Long Branch, County of Monmouth, that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of:

(a) \$ 30,515,934.27 (Item 2 below) for municipal purposes, and
 (b) \$ 0.00 (Item 3 below) for school purposes in Type I School Districts only (N.J.S. 18A:9-2) to be raised by taxation and,
 (c) \$ 0.00 (Item 4 below) to be added to the certificate of amount to be raised by taxation for local school purposes in Type II School Districts only (N.J.S. 18A:9-3) and certification to the County Board of Taxation of the following summary of general revenues and appropriations.
 (d) \$ 0.00 (Sheet 43) Open Space, Recreation, Farmland and Historic Preservation Trust Fund Levy

RECORDED VOTE
 (Insert last name) Ayes  Nays  Abstained  Absent 

SUMMARY OF REVENUES

1. General Revenues					
Surplus Anticipated		08-100	\$	4,415,000.00	
Miscellaneous Revenues Anticipated		13-099	\$	11,608,539.89	
Receipts from Delinquent Taxes		15-499	\$	1,333,000.00	
2. AMOUNT TO BE RAISED BY TAXATION FOR MUNICIPAL PURPOSES (Item 6(a), Sheet 11)		07-190	\$	30,515,934.27	
3. AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE I SCHOOL DISTRICTS ONLY:					
Item 6, Sheet 42		07-195	\$	0.00	
Item 6(b), sheet 11 (N.J.S. 40A:4-14)		07-191	\$	0.00	
Total Amount to be Raised by Taxation for Schools in Type I School Districts Only				0.00	
4. To Be Added TO THE CERTIFICATE FOR AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE II SCHOOL DISTRICTS ONLY:					
Item 6(b), Sheet 11 (N.J.S. 40A:4-14)		07-191	\$		
Total Revenues		13-299	\$	47,872,474.16	

MUNICIPALITY: CITY OF LONG BRANCH MUNICIPAL OPEN SPACE, RECREATIONAL, FARMLAND AND HISTORIC PRESERVATION TRUST FUND

DEDICATED REVENUES FROM TRUST FUND	FCOA	Anticipated		Realized in Cash in 2008	APPROPRIATIONS	FCOA	Appropriated		Expended 2008	
		2009	2008				for 2009	for 2008	Paid or Charged	Reserved
Amount To Be By Taxation	54-190				Development of Lands for Recreation and Conservation:		xxxxxxx.xx	xxxxxxx.xx	xxxxxxx.xx	xxxxxxx.xx
Interest Income	54-113				Salaries & Wages	54-385-1				
Reserve Funds:					Other Expenses	54-385-2				
					Maintenance of Lands for Recreation and Conservation:		xxxxxxx.xx	xxxxxxx.xx	xxxxxxx.xx	xxxxxxx.xx
					Salaries & Wages	54-375-1				
					Other Expenses	54-375-2				
					Historic Preservation:		xxxxxxx.xx	xxxxxxx.xx	xxxxxxx.xx	xxxxxxx.xx
					Salaries & Wages	54-176-1				
					Other Expenses	54-176-2				
					Acquisition of Lands for Recreation and Conservation	54-915-2				
					Acquisition of Farmland	54-916-2				
Total Trust Fund Revenues	54-299	0.00	0.00	0.00	Down Payments on Improvements	54-902-2				

Summary of Program

Year Referendum Passed / Implemented	MM/DD/YY
Rate Assessed:	0.0000 \$
Total Tax Collected to date	0.00 \$
Total Expended to date:	0.00 \$
Total Acreage Preserved to date	0.000 (Acres)
Recreation land preserved in 2008:	0.000 (Acres)
Farmland preserved in 2008:	0.000 (Acres)

APPROPRIATIONS	FCOA	for 2009	for 2008	Paid or Charged	Reserved
Development of Lands for Recreation and Conservation:		xxxxxxx.xx	xxxxxxx.xx	xxxxxxx.xx	xxxxxxx.xx
Salaries & Wages	54-385-1				
Other Expenses	54-385-2				
Maintenance of Lands for Recreation and Conservation:		xxxxxxx.xx	xxxxxxx.xx	xxxxxxx.xx	xxxxxxx.xx
Salaries & Wages	54-375-1				
Other Expenses	54-375-2				
Historic Preservation:		xxxxxxx.xx	xxxxxxx.xx	xxxxxxx.xx	xxxxxxx.xx
Salaries & Wages	54-176-1				
Other Expenses	54-176-2				
Acquisition of Lands for Recreation and Conservation	54-915-2				
Acquisition of Farmland	54-916-2				
Down Payments on Improvements	54-902-2				
Debt Service:		xxxxxxx.xx	xxxxxxx.xx	xxxxxxx.xx	xxxxxxx.xx
Payment of Bond Principal	54-920-2				xxxxxxx.xx
Payment of Bond Notes and Capital Notes	54-925-2				xxxxxxx.xx
Interest on Bonds	54-930-2				xxxxxxx.xx
Interest on Notes	54-935-2				xxxxxxx.xx
Reserve for Future Use	54-950-2				
Total Trust Fund Appropriations	54-499	0.00	0.00	0.00	0.00

**Annual List of Change Orders Approved
Pursuant to N.J.A.C. 5:30-11**

Contracting Unit: City of Long Branch

Year Ending: December 31, 2008

The following is a complete list of all change orders which caused the originally awarded contract price to be exceeded by more than 20 percent. For regulatory details please consult N.J.A.C. 5:30-11.1 et seq. Please identify each change order by name of the project.

- 1.
- 2.
- 3.
- 4.

For each change order listed above, submit with introduced budget a copy of the governing body resolution authorizing the change order and an Affidavit of Publication for the newspaper notice required by N.J.A.C. 5:30-11.9(d). (Affidavit must include a copy of the newspaper notice.)
If you have not had a change order exceeding the 20 percent threshold for the year indicated above, please check here

and certify below.

Date _____

Clerk of the Governing Body _____