CITY COUNCIL

WORKSHOP SESSION

MAY 26, 2009

6:00 P.M.

1) PROPERTY TAX ISSUES/HOWARD WOOLLEY/JAMES AARON, ESQ./JOHN BUTOW, ASSESSOR

2) BEACHSIDE MANOR BEACH OPERATION/HOWARD WOOLLEY/JAMES AARON, ESQ.

3) REVIEW OF REGULAR AGENDA

EXECUTIVE SESSION

1) BEACH CONCESSION PROPOSAL/HOWARD WOOLLEY/RON MEHLHORN, SR.

ADMINISTRATIVE AGENDA

CITY COUNCIL

CITY OF LONG BRANCH

MAY 26, 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

8:00 PM HEARING – 2009 MUNICIPAL BUDGET

R131-09 RESOLUTION ADOPTING 2009 MUNICIPAL BUDGET

READING AND APPROVAL OF PREVIOUS MINUTES

MAY 12, 2009

CONSIDERATION OF ORDINANCES:
PUBLIC HEARING AND FINAL CONSIDERATION: (INTRODUCED: MAY 12, 2009)

#1-09 HISTORIC PRESERVATION ORDINANCE – LONG BRANCH, NJ

#9-09 ORDINANCE ESTABLISHING OUTDOOR FRESH PRODUCE MARKETS

ORDINANCES FOR INTRODUCTION:

NONE

PUBLIC PARTICIPATION (ALL COMMENTS)

RESOLUTIONS:

R132-09 RESOLUTION AUTHORIZING THE CLERK OF THE CITY OF LONG BRANCH IRENE JOLINE TO EXECUTE A PROPERTY OWNER'S CERTIFICATION FOR 14-18 RENWICK PLACE (BLOCK 489, LOT 2.01)

R133-09 RESOLUTION TO REFUND OVERPAYMENT OF 2008 TAXES (BLOCK 3 LOT 7)

R134-09 RESOLUTION APPOINTING CLASS I SPECIAL POLICE OFFICER FOR THE CITY OF LONG BRANCH

R135-09 RESOLUTION AUTHORIZING THE CITY OF LONG BRANCH TO PROVIDE MANPOWER AND EQUIPMENT TO RAKE THE BEACH HARBOR MANSION FOR THE 2009 SUMMER SEASON

R136-09 RESOLUTION AUTHORIZING THE CITY OF LONG BRANCH TO PROVIDE MANPOWER AND EQUIPMENT TO RAKE THE BEACH AT MONMOUTH BEACH BATH & TENNIS CLUB FOR THE 2009 SUMMER SEASON

R137-09 RESOLUTION AUTHORIZING THE CITY OF LONG BRANCH TO PROVIDE MANPOWER AND EQUIPMENT TO RAKE THE BEACH AT MONMOUTH BEACH FOR THE 2009 SUMMER SEASON

R138-09 RESOLUTION AUTHORIZING THE CITY OF LONG BRANCH TO PROVIDE MANPOWER AND EQUIPMENT TO RAKE THE BEACH AT OCEAN COVE CONDOMINIUMS FOR THE 2009 SUMMER SEASON

R139-09 RESOLUTION AUTHORIZING THE CITY OF LONG BRANCH TO PROVIDE MANPOWER AND EQUIPMENT TO RAKE THE BEACH AT THE VILLA'S FOR THE 2009 SUMMER SEASON

R140-09 RESOLUTION TO REFUND OVERPAYMENT OF 2009 TAXES (BLOCK 147, LOT 9.02, BLOCK 152, LOT 6, BLOCK 164, LOT 13, BLOCK 179, LOT 15, BLOCK 229, LOT 15, BLOCK 241, LOT 12, BLOCK 267, LOT 2, BLOCK 301.02, LOT 1.408, BLOCK 363, LOT 13, BLOCK 376, LOT 35, BLOCK 489, LOT 9.45)

R141-09 RESOLUTION APPROVING PARTICIPATION WITH THE STATE OF NEW JERSEY IN A SAFE AND SECURE COMMUNITIES PROGRAM ADMINISTERED BY THE DIVISION OF CRIMINAL JUSTICE, DEPARTMENT OF LAW AND PUBLIC SAFETY

R142-09 RESOLUTION ACCEPTING PLANS PREPARED BY BIRDSALL ENGINEERING FOR THE PURPOSE OF OBTAINING BIDS FOR THE IMPROVEMENTS TO MUNICIPAL COURT

R143-09 RESOLUTION REJECTING BIDS FOR IMPROVEMENTS TO THE LONG BRANCH MUNICIPAL COURT COURTROOM

R144-09 RESOLUTION AWARDING BID TO RUSSELL REID WASTE HAULING & DISPOSAL SERVICE., INC. FOR TWO TWENTY FOUR FOOT RESTROOM TRAILERS

R145-09 RESOLUTION APPROVAL PAYMENT OF BILLS

APPLICATIONS:

1. A PPROVAL OF TRANSFER OF TAXI-CAB OWNER'S LICENSE FROM MUSTAFA YAMAN TO ALI M HAMID

2. A PPROVAL OF HONORARY CITY AND STATE ACTIVE MEMBERSHIP FOR BRIAN PATRICK WILLIAMS IN THE ELBERON ENGINE CO.

3. A PPROVAL OF HONORARY CITY AND STATE ACTIVE MEMBERSHIP FOR TIMOTHY NUDD IN THE OCEANIC FIRE & ENGINE CO. #1

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 aforegoing 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 of 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 archaeologic 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 confirm 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 al 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 detections 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.

Ordinance No. 9-09

ORDINANCE ESTABLISHING OUTDOOR FRESH PRODUCE MARKETS

WHEREAS, as part of the growing interest for outdoor fresh produce markets in the region and to enhance the City's Go Green initiative, an addition to the Zoning Ordinance to allow farm markets and/or community farmer's markets in certain commercial areas of the City is warranted; and

NOW, THEREFORE, BE IT ORDAINED that farmer's markets and/or community farmer's markets be and the same hereby are authorized as follows and as subject to the following terms and conditions:

A. Zones and Site Locations

1. Farm Markets and/or Community Farmer's Markets permitted in the C-1, C-2 and C-3 Zones.
2. City Council approval of specific site location(s) may be required.
3. Special Events Committee approval for days and times of operation may be required.
4. Farm Market Permit required through the Planning & Zoning Office.

B. Requirements

1. The property owner or sole proprietor for the Farm Market or Community Farmer's Market ("Market") is considered the management ("Management") in charge of the market.
2. "Management":
   a. Is responsible for obtaining Farm Market Permit for the site.
   b. Is responsible for obtaining Health Department Approvals in accordance with the State Sanitary Code and City Ordinances for the "Management" and all farmers/growers/produce sellers from the *"Jersey Fresh Organic Farmer's Market"* Program that utilize the "Market".
   c. Is required to coordinate and keep records on providers.
   d. Is responsible to comply with all Food Safety Requirements for Product Sales for Farm Market and Community Farmers' Markets required by the NJ Department of Agriculture and NJ Department of Health and Senior Services' Food and Drug Safety Programs.

e. May be asked by Health Officials to demonstrate knowledge of the Minimum Food Safety Requirements for Product Sales for Farm Market and Community Farmers' Markets required by the NJ Department of Agriculture and NJ Department of Health and Senior Services' Food and Drug Safety Programs.

f. Is required to comply with and enforce City Health Department and Department of Public Works food vendor, recycling and waste management rules and ordinances.

3. Farmers/growers/produce sellers other than those within the *"Jersey Fresh Organic Farmer's Market"* Program must obtain their own Health Department Approvals in accordance with the State Sanitary Code and City Ordinances.

4. *All participants to operate under State Health requirements.*

5. The total number of farmers/growers/produce sellers on the site determined by the NJ Department of Agriculture farm market guidelines and City requirements.

6. No mobile food vendors/peddlers permitted.

7. Sales or vendors other than farmers/growers/produce sellers not permitted.

C. Zoning Ordinance Revisions

1. Define Farmer's Market and Community Farmers Market in the Definitions Section:

   Add to Section 345-3:

   a) Farm Market:
   A retail outlet normally owned or operated by a producer or farm unit, located on-farm or off-farm, selling products produced by the farm, directly to the consumer.

   b) Community Farmers Market:
   An established area where several farmers/growers gather on a regular, recurring basis to sell a variety of fresh fruits and vegetables as well as other farm products, directly to the consumer.

2. Include conditions in the Permitted Modifications and Exceptions Section:

   Add Section 345-10(J) to read: "Farm Markets and/or Community Farmers Markets as outlined in Section 345-3 shall be allowed as a permitted use in the C-1, C-2, and C-3 Zoning Districts, provided that the following criteria and procedures are complied with:

   a) A Farm Market Permit application must be filed with the Planning and Zoning Department. As part of the application, appropriate documentation (survey/site plan showing location of farmers/growers, types of produce, tables, parking, signs, data, etc.) must be submitted. All items as outlined in A & B above must be documented and provided for review and approval.

   b) Obtain approval by the City Council and/or Special Events Committee and/or designated technical expert(s) as required.

c) Obtain required Health, Public Works, construction, food vendor, recycling and waste management approvals and permits.

d) Farm Markets and/or Community Farmers Markets are permitted on a seasonal basis for one-year from the date of issuance.

3. Add Farm Markets/Community Farmers Market as a permitted use in the C-1, C-2 and C-3 Zones:

   Add new Ordinance Sections 345-30A(9) / 345-31A(3) / 345-32A(24) to read: "Farm Markets/Community Farmers Market (See Sections 345-10J and 345-3)".

4. Add as permitted use in C-2 Zone Schedule:

   Add to Section 345-113 under permitted uses: "Farm Markets/Community Farmers Market"

INTRODUCED: May 12, 2009

ADOPTED:

ATTEST:

CITY OF LONG BRANCH

IRENE JOLINE, CITY CLERK

ADAM SCHNEIDER, MAYOR

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

SUMMARY OF APPROPRIATIONS

		2009
5. GENERAL APPROPRIATIONS	xxxxxxxx	xxxxxxxxxx.xx
Within "CAPS"	xxxxxxxx	xxxxxxxxxx.xx
(a&b) Operations Including Contingent	34-201	$ 35,718,122.51
(e) Deferred Charges and Statutory Expenditures - Municipal	34-209	$ 811,647.13
(g) Cash Deficit	46-885	$ 0.00
Excluded from "CAPS"	xxxxxxxx	xxxxxxxxxx.xx
(a) Operations - Total Operations Excluded from "CAPS"	34-305	$ 5,245,377.13
(c) Capital Improvements	44-999	$ 435,734.00
(d) Municipal Debt Service	45-999	$ 3,148,511.34
(e) Deferred Charges - Municipal	46-999	$ 135,500.00
(f) Judgements	37-480	$ 0.00
(n) Transferred to Board of Education for Use of Local Schools (N.J.S. 40:48-17.1 & 17.3)	29-405	$ 0.00
(g) Cash Deficit	46-885	$ 0.00
(k) For Local District School Purposes	29-410	$ 0.00
(m) Reserve for Uncollected Taxes	50-899	$ 2,377,582.05
6. SCHOOL APPROPRIATIONS - TYPE I SCHOOL DISTRICTS ONLY (N.J.S. 40A:4-13)	07-195	$ 0.00
Total Appropriations	34-499	$ 47,872,474.16

It is hereby certified that the within budget is a true copy of the budget finally adopted by resolution of the Governing Body 27th day of May, 2009. It is further certified that each item of revenue and appropriation is set forth in the same amount and by the same title as appeared in the 2009 approved budget and all amendments thereto, if any, which have been previously approved by the Director of Local Government Services.

Certified by me this 28th day of May, 2009 _____, Clerk.

Signature

R# 132-09

RESOLUTION AUTHORIZING THE CLERK OF THE CITY OF LONG BRANCH IRENE JOLINE TO EXECUTE A PROPERTY OWNER'S CERTIFICATION FOR 14-18 RENWICK PLACE (BLOCK 489, LOT 2.01)

WHEREAS, the Long Branch Zoning Board has recently granted approval for a townhouse development located at 14-18 Renwick Place (Block 489, Lot 2.01) within the City of Long Branch; and

WHEREAS, site improvements for the project include work within the Right of Way of Renwick Place; and

WHEREAS, a part of the New Jersey Department of Environmental Protection's approval, a property owner's Certification is required for Renwick Place in the form annexed hereto and made a part hereof; and

WHEREAS, the City Engineering firm of Birdsall Engineering has reviewed the Certification and approved the substantive answers to questions 1 through 4 therein; and

WHEREAS, the Resolution needs to be executed by the Clerk of the City of Long Branch; and

WHEREAS, the Clerk of the City of Long Branch and the City attorney for the City of Long Branch have determined that it is in the best interest of the City to have a Resolution authorizing the Clerk to execute the property owner's Certification on behalf of the City of Long Branch as it relates to the Right of Way owned by 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 Clerk of the City of Long Branch be and is the same is hereby authorized to execute the property owner's Certification in the form annexed hereto and made a part hereof for the applicant 14-18 Renwick Place, LLC's proposed townhouse development on Block 489, Lot 2.01 which has been approved by the Long Branch Board of Adjustment.

MOVED:

SECONDED:

AND ADOPTED UPON THE FOLLOWING ROLL CALL:

AYES:

NAYES:

ABSENT:

ABSTAIN:

PROPOSED LONG BRANCH TOWNHOMES
BLOCK 489, TAX MAP LOTS 2.01, 7.01 & 7.02
CITY OF LONG BRANCH
MONMOUTH COUNTY, NEW JERSEY
KZA FILE: 05-0632
EMG FILE: 07-111

APPLICANT:
14-18 RENWICK PLACE, LLC
PO BOX 517
ALLENWOOD, NJ 08720

PROPERTY OWNER OF RENWICK PLACE:
CITY OF LONG BRANCH
344 BROADWAY
LONG BRANCH, NJ 07740-6994

PROPERTY OWNER'S CERTIFICATION

I hereby certify that the undersigned is the owner of the property upon which the proposed work is to done. This endorsement is certification that the owner grants permission for the conduct of the proposed activity. In addition, I hereby give unconditional written consent to allow access to the site by representatives or agents of the Department for the purpose of conducting a site inspection or survey of the project site.

In addition, the undersigned property owner certifies:

1. Whether any work is to be done within an easement – Yes _____ No X
2. Whether any part of the entire project (e.g., pipeline, roadway, cable, transmission line, structure, etc.) will be located within property belonging to the State of New Jersey – Yes _____ No X
3. Whether any work is to be done on any property owned by any public agency that would be encumbered by Green Acres - Yes _____ No X
4. Whether any part of this project requires a Section 106 (National Register of Historic Places) Determination as part of a federal permit or approval – Yes _____ No X

_____
Date

_____
Signature of Property Owner

_____
Print Name

_____
Print Address

R# 133-09

RESOLUTION TO REFUND OVERPAYMENT OF 2008 TAXES

BE IT RESOLVED, by the City Council of the City of Long Branch, that upon the recommendation of the Tax Collector, a refund be made to the taxpayer shown below due to an overpayment of 2008 taxes and,

NOW THEREFORE BE IT RESOLVED, that the Finance Office is hereby authorized to issue a check to the taxpayer shown(s) below and charge 2008 taxes in the total amount of $250.00 and,

BLOCK	LOT	NAME	AMOUNT
3	7	Jack & Claudette Grazi 5 Lincoln Gardens Long Branch, NJ 07740	250.00

R# 134-09

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

BE IT RESOLVED by the City Council of the City of Long Branch that they hereby the following individual as a Class I Special Police Officer for the City of Long Branch effective June 1, 2009.

Francis Palumbo

MOVED:
SECONDED:

AYES:
NAYS:
ABSENT:
ABSTAIN:

R# 135-09

RESOLUTION AUTHORIZING THE CITY OF LONG BRANCH TO PROVIDE MANPOWER AND EQUIPMENT TO RAKE THE BEACH AT HARBOR MANSION FOR THE 2009 SUMMER SEASON

WHEREAS, Harbor Mansion located in the City of Long Branch will operate beachfront operations for its residents and guests and will station lifeguards at that location for their protection and the protection of the citizens of the City of Long Branch; and

WHEREAS, the City of Long Branch provides manpower through its Department of Recreation and has the equipment necessary to rake the beach at Harbor Mansion; and

WHEREAS, Harbor Mansion wishes to utilize on its behalf of the services, manpower and equipment, which the City of Long Branch can provide, provided that same does not adversely affect the maintenance of the City of Long Branch's bathing beaches; and

WHEREAS, Harbor Mansion agrees to pay the City of Long Branch a sum of $85.00 per hour for the services rendered by the City of Long Branch; and

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

WHEREAS, the City Council of the City of Long Branch is of the opinion that entering into such an agreement with Harbor Mansion will not adverse the impact of the maintenance of the City of Long Branch bathing beaches and that the contract to be entered into must contain such a provision.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Long Branch that the Mayor is authorized to execute an agreement annexed hereto and made a part hereof, whereby the City of Long Branch shall provide manpower and equipment to rake the beach at Harbor Mansion, provided that such work does not adverse the impact upon the maintenance of the City of Long Branch's bathing beaches.

MOVED:
SECONDED:

AYES:
NAYS:
ABSENT:
ABSTAIN:

R# 136-09

RESOLUTION AUTHORIZING THE CITY OF LONG BRANCH TO PROVIDE MANPOWER AND EQUIPMENT TO RAKE THE BEACH AT MONMOUTH BEACH BATH & TENNIS CLUB FOR THE 2009 SUMMER SEASON

WHEREAS, Monmouth Beach Bath & Tennis Club is adjacent to the beach of the City of Long Branch will operate beachfront operations for its residents and guests and will station lifeguards at that location for their protection and the protection of the citizens of Monmouth Beach Bath & Tennis Club; and

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

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

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

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

WHEREAS, the City Council of the City of Long Branch is of the opinion that entering into such an agreement with the Monmouth Beach Bath & Tennis Club will not adverse the impact of the maintenance of the City of Long Branch bathing beaches and that the contract to be entered into must contain such a provision.

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

MOVED:
SECONDED:

AYES:
NAYS:
ABSENT:
ABSTAIN:

R# 137-09

RESOLUTION AUTHORIZING THE CITY OF LONG BRANCH TO PROVIDE MANPOWER AND EQUIPMENT TO RAKE THE BEACH AT MONMOUTH BEACH FOR THE 2009 SUMMER SEASON

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

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

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

WHEREAS, the Borough of Monmouth Beach agrees to pay the City of Long Branch a sum of $85.00 per hour for services rendered by the City of Long Branch; and

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

WHEREAS, the City Council of the City of Long Branch is of the opinion that entering into such an agreement with the Borough of Monmouth Beach will not adverse the impact of the maintenance of the City of Long Branch bathing beaches and that the contract to be entered into must contain such a provision.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Long Branch that the Mayor is authorized to execute an agreement annexed hereto and made a part hereof, whereby the City of Long Branch shall provide manpower and equipment to rake the beach at Monmouth Beach, provided that such work does not adverse the impact upon the maintenance of the City of Long Branch's bathing beaches.

MOVED:
SECONDED:

AYES:
NAYS:
ABSENT:
ABSTAIN:

R# 138-09

RESOLUTION AUTHORIZING THE CITY OF LONG BRANCH TO PROVIDE MANPOWER AND EQUIPMENT TO RAKE THE BEACH AT OCEAN COVE CONDOMINIUMS FOR THE 2009 SUMMER SEASON

WHEREAS, Ocean Cove Condominiums located in the City of Long Branch will operate beachfront operations for its residents and guests and will station lifeguards at that location for their protection and the protection of the citizens of the City of Long Branch; and

WHEREAS, the City of Long Branch provides manpower through its Department of Recreation and has the equipment necessary to rake the beach at Ocean Cove Condominiums; and

WHEREAS, Ocean Cove Condominiums wishes to utilize the services, manpower and equipment, which the City of Long Branch can provide, provided that same does not adversely affect the maintenance of the City of Long Branch's bathing beaches; and

WHEREAS, Ocean Cove Condominiums agrees to pay the City of Long Branch a sum of $85.00 per hour for services rendered by the City of Long Branch; and

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

WHEREAS, the City Council of the City of Long Branch is of the opinion that entering into such an agreement with the Ocean Cove Condominiums will not adverse the impact of the maintenance of the City of Long Branch bathing beaches and that the contract to be entered into must contain such a provision.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Long Branch that the Mayor is authorized to execute an agreement annexed hereto and made a part hereof, whereby the City of Long Branch shall provide manpower and equipment to rake the beach at Ocean Cove Condominiums, provided that such work does not adverse the impact upon the maintenance of the City of Long Branch's bathing beaches.

MOVED:
SECONDED:

AYES:
NAYS:
ABSENT:
ABSTAIN:

R# 139-09

RESOLUTION AUTHORIZING THE CITY OF LONG BRANCH TO PROVIDE MANPOWER AND EQUIPMENT TO RAKE THE BEACH AT THE VILLA'S FOR THE 2009 SUMMER SEASON

WHEREAS, the Villa's located in the City of Long Branch will operate beachfront operations for its residents and guests and will station lifeguards at that location for their protection and the protection of the citizens of the City of Long Branch; and

WHEREAS, the City of Long Branch provides manpower through its Department of Recreation and has the equipment necessary to rake the beach at the Villas; and

WHEREAS, the Villa's wishes to utilize the services, manpower and equipment, which the City of Long Branch can provide, provided that same does not adversely affect the maintenance of the City of Long Branch's bathing beaches; and

WHEREAS, the Villa's agrees to pay the City of Long Branch a sum of $85.00 per hour for services rendered by the City of Long Branch; and

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

WHEREAS, the City Council of the City of Long Branch is of the opinion that entering into such an agreement with the Villa's will not adverse the impact of the maintenance of the City of Long Branch bathing beaches and that the contract to be entered into must contain such a provision.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Long Branch that the Mayor is authorized to execute an agreement annexed hereto and made a part hereof, whereby the City of Long Branch shall provide manpower and equipment to rake the beach at the Villa's, provided that such work does not adverse the impact upon the maintenance of the City of Long Branch's bathing beaches.

MOVED:
SECONDED:

AYES:
NAYS:
ABSENT:
ABSTAIN:

R# 140-09

RESOLUTION TO REFUND OVERPAYMENT OF 2009 TAXES

BE IT RESOLVED, by the City Council of the City of Long Branch, that upon the recommendation of the Tax Collector, a refund be made to the taxpayer(s) shown on the attached sheet due to an overpayment of 2009 taxes and,

NOW THEREFORE BE IT RESOLVED, that the Finance Office is hereby authorized to issue individual check(s) to the taxpayer(s) shown on the attached sheet and charge 2009 taxes in the total amount of $16,290.49 and,

BLOCK	LOT	OWNER	AMOUNT
147	9.02	Countrywide Account of: Carr, Wade P. Sr. & Dor MS: SVW-24 PO Box 10211 Van Nuys, CA 91499-6089	1,201.30
152	6	Mortgage Service Center Account of: Achkar, James C/O FARETS PO Box 961250 Fort Worth, TX 76161-9887	1,935.70
164	13	James B. Nutter & Co. Account of: Small, Barry C/O FARETS PO Box 961250 Fort Worth, TX 76161-9887	1,358.72
179	15	Aurora Financial Group Account of: Reinhardt, John C/O FARETS PO Box 961250 Fort Worth, TX 76161-9887	1,210.83
229	15	Mortgage Services C/O Wells Fargo Account of: Castillo, Noe One Home Campus MAC X2303-04D Des Moines, IA 50328	1,218.65
241	12	Chase Home Finance Account of: HOMESALES, INC C/O FARETS PO Box 961250 Fort Worth, TX 76161-9887	1,062.94
267	2	Mortgage Services C/O Wells Fargo Account of: Lopes, Ines One Home Campus MAC X2303-04D Des Moines, IA 50328	1,126.22
301.02	1.408	Wells Fargo Account of: Rothman, Brian One Home Campus MAC X2303-04D Des Moines, IA 50328	3,543.27
363	13	Wells Fargo Account of: Ribeiro, Jose One Home Campus MAC X2303-04D Des Moines, IA 50328	1,150.75

376	35	Washington Mutual Account of: Columbia Bank C/O FARETS PO Box 961250 Fort Worth, TX 76161-9887	937.10
489	9.45	Countrywide Account of: Hallisey, Vincent MS: SVW-24 PO Box 10211 Van Nuys, CA 91499-6089	1,545.01

R# 141-09

State of New Jersey
Department of Law and Public Safety
Division of Criminal Justice

Safe and Secure Communities Program

Resolution of Participation

A RESOLUTION APPROVING PARTICIPATION WITH THE STATE OF NEW JERSEY IN A SAFE AND SECURE COMMUNITIES PROGRAM ADMINISTERED BY THE DIVISION OF CRIMINAL JUSTICE, DEPARTMENT OF LAW AND PUBLIC SAFETY.

WHERAS, the City of Long Branch wishes to apply for a project under the Safe and Secure Communities Program; and

WHEREAS, the Long Branch City Council has reviewed the application and has approved said request; and

WHEREAS, the project is a joint effort between the Department of Law and Public Safety and the Applicant Local Unit of Government, for purpose described in the application.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Long Branch that:

1- As a matter of public policy the Applicant's Unit of Government wishes to participate to the fullest extent possible with the Department of Law and Public Safety
2- The Attorney General of New Jersey will receive funds on behalf of the Applicant
3- The division of Criminal Justice shall be responsible for the receipt and review of the application for said funds.
4- The Division of Criminal Justice shall initiate allocations to the applicant as authorized by law.

STATE OF NEW JERSEY
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CRIMINAL JUSTICE

SAFE AND SECURE COMMUNITIES PROGRAM

CERTIFICATION OF RECORDING OFFICER

This is to certify that the foregoing Resolution is a true and correct copy of a resolution which was duly and regularly introduced and finally adopted at the meeting of the City Council of the City of Long Branch held on the 26th day of May 2009 and duly recorded in my office; that all requirements of law pertaining to the conduct of said meeting and the passage of this resolution were observed; and that I am duly authorized to execute this certificate'

Dated: This 27th day of May 2009

SEAL

_____
Signature of Certifying Officer

_____
Title of Certifying Officer

_____
Name of Certifying Officer

Grant # 4579

SAFE AND SECURE COMMUNITIES APPLICATION CHECK LIST

SUBGRANTEE: LONG BRANCH CITY

GRANT NUMBER: P- 4579

INSTRUCTIONS: **The Application Check List is provided to serve as a guide to ensure the submission of a complete application.**

Return two (2) copies of the completed application; ONE (1) copy must contain original signatures.

APPLICATION:

SUBGRANTEE TO SUBMIT:

_____ Applicant Information Form

_____ Program Application Narrative

_____ Budget Detail

_____ Application Authorization (Signed by Mayor)

_____ Grant Agreement Certification (Signed by appropriate official)

_____ General Conditions and Assurances (Signed by Mayor)

_____ Special Conditions (Signed by Mayor)

_____ Resolution of Participation **and** Certification of Recording Officer with ORIGINAL RAISED SEAL

NOTE: ***ONLY COMPLETE APPLICATIONS CAN BE PROCESSED. IT IS IMPORTANT THAT ALL OF THE ABOVE-CITED ITEMS BE SUBMITTED WITH THE APPLICATION.***

[SS rev'd 2/25//08]

STATE OF NEW JERSEY
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CRIMINAL JUSTICE

SAFE AND SECURE COMMUNITIES PROGRAM

APPLICANT INFORMATION FORM

*Two (2) copies of the entire application are required, **one** (1) with original signatures.*

1. **Municipality:** City of Long Branch, New Jersey

2. **Police Department:** Long Branch

3. **Address:** 344 Broadway

   Long Branch, New Jersey **Zip Code:** 07740-6938

4. **Project Duration:** From July 1 2009 To June 30 2010
   (Requested Starting and Concluding Dates)

5. **Project Director** *(Person listed on the contract & co-signer on financial reports)*:

   Name William Richards Title Director of Public Safety

   Address 344 Broadway Telephone No. 732 222 1000 x5676

   Long Branch, New Jersey Fax No. 732 222 1346

   Email Address wrichards@ci.long-branch.nj.us *(Required)*

6. **Contact Person** *(Person directly responsible for project operations)*:

   Name Lt Fred Dorner Title Lieutenant, Support Services

   Address 344 Broadway Telephone No. 732 222 1000 x5394

   Long Branch, N.J. 07740-6938 Fax No. 732 222 1346

   Email Address fdorner@ci.long-branch.nj.us *(Required)*

7. **Fiscal Officer** *(Person who co-signs financial reports)*:

   Name Ronald Mehlhorn Title Director of Finance

   Address 344 Broadway Telephone No. 732 222 7000 x5688

   Long Branch, N.J. 07740-6938 Fax No. 732 222 1556

   Email Address rmehlhorn@ci.long-branch.nj.us *(Required)*

[SS rev'd 2/22/08]

SAFE AND SECURE COMMUNITIES PROGRAM
PROGRAM APPLICATION NARRATIVE

SUBGRANTEE: City of Long Branch, New Jersey

GRANT NUMBER: P- 4579

PROJECT DURATION: July 2009 TO June 2010

Total Number of Sworn Law Enforcement Officers: 97

Number of Officers funded by the grant: 2

Number of Civilians funded by the grant: 0

GOAL OF THE SAFE AND SECURE COMMUNITIES PROGRAM:

The Safe and Secure Communities Program is designed to provide municipalities with funding for additional law enforcement personnel to address crime in a focused community-oriented manner.

1. To what specific target areas and/or specific assignments will the Safe and Secure funded officers be assigned:

Please see attached letter, page 1

2. List SPECIFIC problems and proposed strategies that the Safe and Secure Communities Grant funded officers will employ to reduce crime:

Please see attached letter

3. (If applicable) To what specific assignments will the Safe and Secure funded civilian personnel be assigned:

no civilians funded

CITY OF LONG BRANCH
OFFICE OF THE DIRECTOR OF PUBLIC SAFETY
344 BROADWAY
LONG BRANCH, NEW JERSEY 07740
(732) 222-1000
FAX (732) 728-0738

1.) The Safe & Secure officers, in addition to standard patrol duties, are assigned to perform community-policing functions within the City. Both officers are bilingual, and have roots in both the Hispanic and Korean communities. The City of Long Branch happens to have a sizable undocumented population. Police Officer Aponte's ability to communicate, and relate to members of the Central and South American population of the City, is critical to our law enforcement efforts. This is particularly important in light of the anonymity and insulation from law enforcement, associated with illegal immigrant status. This is true in cases wherein these individuals are victims, witnesses, or potential suspects. Police Officer Kim, in addition to his knowledge of, and relationships with the Korean community, has forged a close relationship with the Portuguese and Brazilian communities. We have had persistent difficulties associated with undocumented members of these communities violating the provisions of New Jersey motor vehicle laws, with respect to false documents, and falsely obtained registrations. It constitutes a widely recognized issue for our department. Police Officer Kim has been in the forefront in addressing this matter.

2.) In cultivating and enhancing our department's knowledge and relationships with our largely illegal Central and South American populations, our Safe & Secure grant funded officers provide a vital function, with respect to public safety in the City of Long Branch. If I were to attempt to identify the salient negative factor, with respect to crime solving and solvability, it would probably be anonymity. The best example of this might be found in the difficulties, which law enforcement faces, when dealing with itinerant serial killers. By and large, law enforcement solves crimes because law enforcement either knows the players, or is familiar with individuals who know the players. When dealing with illegal populations, who by virtue of their status, are insulated from law enforcement (along with any number of other institutions, e.g., banks, health care, etc.), generating specific individual relationships between police officers and civilians is critical. Officers Aponte and Kim have both been very successful in this regard, and have enhanced our department's ability to address the issue of crime in our jurisdiction.

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

Grant number P-4579

Officer Aponte is currently assigned to the patrol division. He continues to live in the community he serves. Because of this, there is a tremendous interaction with the community. This is beneficial to the Agency and City of Long Branch. He is a well-liked member of this agency as well in the community. He speaks English as well as Spanish fluently, and his translations have been instrumental in numerous investigations. He continues to willfully assist with translations for other agencies as well, including the court, surrounding police agencies, county and state agencies, and the community. Long Branch, as well as Monmouth County has a large Hispanic population, which makes Officer Aponte continue to be an important asset to this agency.

Officer Kim is also assigned to the patrol division, and has served with distinction. He also continues to reside in the community he serves. He has school-aged children and is involved with the local community as a result. This is also a benefit To the City and the Long Branch Police. P.O. Kim is fluent in English and Korean. He is often called on by other agencies for translation. P.O. Kim continues to lead the department in motor vehicle enforcement, and remains a member of the Ceremonial Honor Guard. PO Kim has a martial arts background, and has utilized his knowledge by becoming an instructor for defensive tactics, self-defense, side handle baton, and expandable baton. He teaches members of this agency as well as new recruits at the Monmouth County Police Academy, and Special Officers in Ocean County. PO Kim is an important asset to this agency.

Applicant: City of Long Branch Grant # P-4279

Appendix "A"

Budget Detail Form

COST ELEMENT	State Share	Local Match	Project Total
A. Salaries and Wages			
Rank and Name of Each Grant Funded Person — % of time — Current Annual Salary			
see below — 100			
List the names and salaries of personnel assigned to the grant:			
PO Aponte #249	$28,311.50	$66,702.50	$95,014.00
PO Kim #252	$28,311.50	$66,702.50	$95,014.00
Fringe benefit composed of health, life, pension sick and vacation amounts			
Sub-total Salaries	$56,623.00	$133,403	$190,028
A-1. Fringe Benefits — **Fringe Benefits** (@100%)		$88,262	$88,262
Total Salaries	$56,623.00	$221,665	$278,190

(SS rev'd 12/23/08)

STATE OF NEW JERSEY
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CRIMINAL JUSTICE

SAFE AND SECURE COMMUNITIES PROGRAM

APPLICATION AUTHORIZATION

Authorization to submit an application to the Department of Law and Public Safety, Division of Criminal Justice for a project entitled:

Safe and Secure Communities Program P4579

at an estimated total project cost of $ $280,000.00.

The undersigned agrees upon approval of this project on behalf of the unit of government, to comply with the conditions applicable to grants awarded. The undersigned's signature indicates that the information provided within the application is accurate and complete and that the applicant intends to comply with all conditions applicable to subgrants awarded pursuant the Safe and Secure Communities Act, N.J.S.A. 52:17B-159 et seq. and regulations, N.J.A.C. 13:79-1 et seq. Further, the undersigned makes the assurances concerning non-supplanting of local funds with state and federal funds.

Complement of Officers and Other Law Enforcement Personnel:

The undersigned certifies that, as of the date of this document, the staffing of the applicant police department with respect to the number of actively employed personnel is as follows:

97 **Police Officers** 25 **Other Law Enforcement Personnel** (non-police employees who perform paperwork and related support services, thereby allowing police officers to devote more time to direct community policing duties)

This application consists of the following attachments in addition to this form:

1. Applicant Information Form,
2. Program Application Narrative,
3. Budget Detail,

4. Grant Agreement Certification,

5. General Conditions and Assurances,

6. Special Conditions,

7. Resolution of Participation and Certification for local units of government.

The Subgrantee certifies that all grant funds shall be used exclusively for the purposes specified in the grant award. As the duly authorized representative of the applicant-subgrantee, I hereby certify that the applicant-subgrantee will comply with the above-referenced provisions. I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Signature

Adam Schneider
Printed Name

Mayoy
Title (Mayor or Chief Executive Director)

City of Long Branch
Name of Local Unit of Government

5/18/2009
Date

Grant # P- 4579

[ss rev'd 12/23/08]

STATE OF NEW JERSEY
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CRIMINAL JUSTICE

SAFE AND SECURE COMMUNITIES PROGRAM

GRANT AGREEMENT CERTIFICATION

Ronald J Mehlhorn Sr., being over the age of 18 years old,
(Name)

hereby certifies:

1. I am Director of Finance of the City of Long Branch
(Title) **(Name of entity receiving grant funds)**

(hereafter " municipal grant recipient"). I am submitting this certification in conjunction with the provision of grant funds in the amount of 56,623.00
(Dollar amount of funds)

to the recipient entity by the Division of Criminal Justice under the Safe and Secure Communities Program. In making this certification, I understand that the Division of Criminal Justice will rely upon the statements made herein in processing this application and with making provision of the grant funds in question.

2. I have reviewed the contents of the application which have been submitted by the municipal grant recipient for such funding and hereby certify that the factual statements and data set forth in the application are true to the best of my knowledge and belief.

3. I also hereby certify that I am responsible for authorizing expenditures and disbursements of grant funds; that I will be responsible for undertaking the programs and activities described in the application; that I have reviewed and am familiar with all statutory and regulatory requirements pertaining to the use of the funds being provided to undertake such programs and

activities; and that I have sought and obtained legal advice from the municipal grant recipient's legal counsel as I have considered appropriate or necessary in this regard.

4. I further certify that I will ensure that the municipal grant recipient shall use all grant funds exclusively for the purposes specified in the grant award.

5. I further certify that I will ensure that the municipal grant recipient will, in utilizing the funds being provided by the Division of Criminal Justice, comply with any and all statutory and regulatory requirements pertaining to the use of such funds.

6. I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are wilfully false, I am subject to punishment.

Ronald J. Mehlhorn Sr.
Signature

Ronald J. Mehlhorn Sr.
Printed Name

Director of Finance
Title

City of Long Branch
Name of Local Unit of Government

5/ /2009
Date

Grant # P- 4279

[SS rev'd 2/7/08]

STATE OF NEW JERSEY
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CRIMINAL JUSTICE

SAFE AND SECURE COMMUNITIES PROGRAM

GENERAL CONDITIONS AND ASSURANCES

1. The Subgrantee agrees that it possesses legal authority to apply for the grant; that, if applicable, a resolution or similar action has been duly adopted or passed as an official act of the applicant's governing body, authorizing the filing of the application, including all understandings and assurances contained therein, and directing and authorizing the person identified as the official representative of the applicant to act in connection with the application and to provide such additional information as may be required. The Subgrantee agrees that it has the institutional, managerial, and financial capability (including funds sufficient to pay any required non-State share of project cost) to ensure proper planning, management, and completion of the project described in this application.

2. The Subgrantee agrees that it will establish safeguards to prohibit employees from using their positions for a purpose that is or gives the appearance of being motivated by a desire for private gain for themselves or others, particularly those with whom they have family, business, or other ties.

3. The Subgrantee agrees to comply and to require its contracts to comply with all requirements imposed by the Department of Law and Public Safety (L&PS) and the Division of Criminal Justice (DCJ) concerning special requirements of all federal, State, municipal laws, rules and regulations generally applicable to the activities in which the grantee is engaged in the performance of this Subgrant. Failure to comply with these laws, rules, regulations and State circulars will be grounds for termination of this subgrant.

4. The Subgrantee agrees that it will comply and to require its contractors to comply with the requirements of the Federal and State's anti-discrimination and affirmative action laws and regulations, including N.J.A.C. 17:27, applicable provisions of N.J.S.A. 10:5, et al., and P.L. 1975, c. 127 and all implementing regulations. Failure to comply with these laws, rules, regulations and State circulars will be grounds for termination of this subaward.

5. The Subgrantee agrees that if required to formulate an Equal Employment Opportunity Program (EEOP) in accordance with 28 C.F.R. § 42.301 et seq., it will maintain a current plan on file. The Subgrantee assures that in the event a Federal or State court or Federal or State administrative agency makes a finding of discrimination on the grounds of race, color, religion, national origin, sex or disability against a recipient of funds, the Subgrantee will forward a copy of the finding to DCJ.

6. The Subgrantee understands and agrees to comply with State Treasury Circular Letter OMB 93-13-GSA regarding Debarments, Suspensions & Disqualifications. Subgrantee and it subcontractors will not conduct business with ineligible firms or individuals who are considered debarred, suspended or disqualified.

7. The Subgrantee agrees to comply with the minium wage and maximum hours provision of the Federal Fair Labor Standards Act and the New Jersey Prevailing Wage Act, N.J.S.A. 34:11-56.26 et seq.

8. The Subgrantee agrees to maintain an adequate financial management system in accordance with generally accepted principles of accounting. The Subgrantee shall maintain accurate and current financial reports, accounting records, internal controls, budget controls, and cash management procedures for receiving, holding, and expending grant funds. The Subgrantee shall maintain accurate and complete disclosure of financial results of each subgrant in the Detailed Cost Statements (DCS), have procedures to determine allowable costs, and provide source documentation for financial records.

9. As required under the federal Single Audit Act of 1984, Pub. L. 98-502, as amended, the Subgrantee agrees to comply with the organizational audit requirements of Federal OMB Circular, A-133, Audits of States, Local Governments and Non-Profit Organizations, as further described in OJP's The Financial Guide, Part III, Chapter 19 (2005)(available on the web at: http://www.ojp.usdoj.gov/FinGuide/), Government Accountability Office's Government Auditing Standards (Yellow Book), and the State of New Jersey, Department of Treasury, Circular Letter (State Circular Letter) 04-04-OMB, Single Audit Policy for Recipients of Federal Grants, State Grants and State Aid Payments. The Subgrantee agrees to submit to DCJ any copies of any exceptions and/or findings regarding this project as a result of a single audit. The Subgrantee immediately will report to DCJ any changes in its fiscal year.

10. The Subgrantee agrees that grant funds will be used only for allowable costs as determined according to applicable Federal cost principles specific to the Subgrantee (e.g. Federal OMB Circular A-87, A-122, A-21, etc.), according to OJP's The Financial Guide, Part III, Chapter 7, Allowable Costs (2005), and State Circular Letter 07-05-OMB, Standard Grant Agreement Form, X. Allowable Costs.

11. The Subgrantee agrees that it will maintain data and information and submit timely reports, including programmatic and financial reports, as L&PS may require. If reports are not submitted as required, L&PS may, at its discretion, suspend payments on this subgrant. The State of New Jersey may, at its discretion, take such action to withhold payments to the Subgrantee on this or any grant with other State agencies until the required reports have been submitted.

12. The Subgrantee agrees to provide information required for any evaluation conducted by L&PS, DCJ and the State of New Jersey.

13. The Subgrantee agrees to report any Budget Revisions or Grant Extensions as follows:

a. Any deviations from the approved budget or extensions in the grant period require prior approval via DCJ Form 108, Grant Adjustment Request Form. Subgrantee should be aware that approved budget revisions may result in the imposition of additional special conditions.

b. L&PS may request changes in the scope of services of the Subgrantee to be performed hereunder. Such changes, which are mutually agreed upon by and between L&PS and the Subgrantee must be incorporated in written amendments to this grant.

c. If the Subgrantee is making program expenditures or providing grant services at a rate which, in the judgment of L&PS, will result in substantial failure to expend the grant amount or provide grant services, L&PS may so notify the Subgrantee. If, after consultation, the Subgrantee is unable to develop to the satisfaction of L&PS a plan to rectify its low level of program expenditures or grant services, L&PS may upon thirty (30) days notice to the Subgrantee, reduce the grant amount by a sum so that the revised grant amount fairly projects program expenditures over the grant period. This reduction shall take into account the Subgrantee's fixed costs and shall establish the committed level of services for each program element of grant services at the reduced grant amount. If such a determination is made by L&PS subsequent to the awarding of the grant and the funds have already been received by the Subgrantee, the reduced amount will be remitted to L&PS.

d. The Subgrantee agrees that should circumstances affecting the grant-funded project change it will immediately contact DCJ in writing and advise of such changes; and prior to (or not timely) expending any grant funds other than as contained on the approved budget, it will request and receive prior written approval from DCJ via a DCJ Form 108, Grant Adjustment Request Form.

14. The Subgrantee agrees that all income earned by the Subgrantee from grant-supported activities is deemed program income. Program income includes any interest earned of $250 or more in a fiscal year on advances of grant funds. The Subgrantee agrees to add program income to funds committed to the program to further eligible program objectives.

15. The Subgrantee agrees that L&PS and DCJ reserve a royalty-free, non-exclusive and irrevocable license to reproduce, publish, or otherwise use, and authorize others to use: the copyright in any work developed from activities supported by this grant, and any rights of copyright to which a subgrantee purchases ownership with support. The Subgrantee agrees that L&PS reserves the right to require the Subgrantee not to publish any work, which right shall not be exercised unreasonably. The Subgrantee assures that any publication by the Subgrantee shall include, on the title page, a standard disclaimer of responsibility by L&PS for any opinions or conclusions contained therein.

16. The Subgrantee agrees to give the New Jersey Attorney General, L&PS and DCJ through any authorized representative, access to and the right to examine all paper and electronic records, books, papers, and documents related to the grant including pertinent accounting records, books, documents, and papers as may be necessary to monitor and audit the

Subgrantee's operations. L&PS reserves the right to have access to all work papers produced in connection with audits made by the Subgrantee or independent certified public accountants, registered municipal accountants or licensed public accountants hired by the Subgrantee to perform such audits.

17. The Subgrantee agrees to retain all grant records for a period of seven years, unless otherwise directed by DCJ, state, or federal statute. The Subgrantee agrees that this period is extended until otherwise directed if there is any litigation, claim, negotiation, action, or audit finding involving grant records is started before the end of the seven-year period.

18. Subgrantee recognizes and agrees that both the initial provision of funding and the continuation of such funding under this grant is expressly dependent upon the availability to L&PS of funds appropriated by the State Legislature from State and/or Federal revenue or such other funding sources as may be applicable. A failure of L&PS to make any payment under this grant or to observe and perform any condition on its part to be performed under the grant as a result of the failure of the Legislature to appropriate shall not in any manner constitute a breach of the agreement by L&PS or an event of default under the agreement and L&PS shall not be held liable for any breach of the agreement because of the absence of available funding appropriations. In addition, future funding shall not be anticipated from L&PS beyond the duration of the award period set forth in the grant agreement and in no event shall the grant agreement be construed as a commitment by L&PS to expend funds beyond the termination date set in the grant agreement.

19. The Subgrantee shall not subcontract any of the work or services covered by this grant, nor shall any interest be assigned or transferred except as may be provided for in this grant or with the express written approval of L&PS.

20. If applicable, the Subgrantee agrees that it will deposit advances of State grants in interest bearing accounts.

21. If the Subgrantee materially fails to comply with the terms of an award, whether stated in a State or Federal statute or regulation, an assurance, general condition, special condition, in a State plan or application, a notice of award, or elsewhere, the Subgrantee agrees that L&PS may take one or more of the following actions, as appropriate in the circumstances:
    a. Temporarily withhold cash payments pending correction of the deficiency by the Subgrantee or take more severe enforcement action.
    b. Disallow all or part of the cost of the activity or action not in compliance.
    c. Wholly or partly suspend or terminate the current award for the Subgrantee's program.
    d. Withhold further awards for the program.
    e. Request the balance of grant funds to be returned and/or seek reimbursement for funds expended that were not in compliance with the terms and conditions of the grant agreement.
    f. Take other remedies that may be legally available.

22. When the Subgrantee has failed to comply with grant award requirements, stipulations, standards, or conditions, the Subgrantee agrees that L&PS may suspend the grant and withhold further payments; prohibit the Subgrantee from incurring additional obligations of grant funds pending corrective action by the Subgrantee; or decide to terminate the grant in accordance with the below paragraph. L&PS shall allow all necessary and proper costs, which the Subgrantee could not reasonably avoid during the period of suspension, provided they meet Federal and State requirements.

23. The Subgrantee agrees that L&PS may terminate the grant in whole or in part whenever it is determined that the Subgrantee has failed to comply with the conditions of the grant. L&PS shall notify the Subgrantee in writing of the determination and the reasons for the termination together with the effective date. Payments made to the Subgrantee or recoveries by L&PS under the grant terminated for cause shall be in accord with the legal right and liability of the parties.

24. L&PS and the Subgrantee may terminate the grant in whole, or in part, when both parties agree that the continuation of the project would not produce beneficial results commensurate with the further expenditure of funds. The two parties shall agree upon the termination conditions, including the effective date and in case of partial terminations, the portion to be terminated. The Subgrantee shall not incur new obligations for the terminated portion after the effective date and shall cancel as many outstanding obligations as possible.

25. The Subgrantee agrees that under certain instances it may be considered "High Risk":
    a. If L&PS determines that a Subgrantee:
        i. Has a history of unsatisfactory performance.
        ii. Is not financially stable.
        iii. Has a financial management system which does not appear adequate according to the General Conditions, or meet the standards expressed according to State Circular Letter 07-05-OMB, Standard Grant Agreement Form, VIII Financial Management System.
        iv. Has not conformed to terms and conditions of previous awards.
        v. Is otherwise not responsible; and L&PS determines that an award will be made; special conditions and/or restrictions shall correspond to the high risk condition and shall be included in the award.
    b. If a Subgrantee is considered "High Risk," then L&PS may impose additional Special Conditions or restrictions on the Subgrantee at any time including:
        i. Issuing payment on a reimbursement basis.
        ii. Withholding authority to proceed to the next phase until receipt or evidence of acceptable performance within a given funding period.
        iii. Requiring additional, more detailed financial reports.
        iv. Requiring additional project monitoring.
        v. Requiring the Subgrantee obtain technical or management assistance.
        vi. Establishing additional prior approvals.
    c. If L&PS decides to impose such special conditions, L&PS will notify the Subgrantee as soon as possible, in writing, of:

i. The nature of the special conditions/restrictions.
ii. The reason(s) for imposing the special conditions.
iii. The corrective actions that must be taken before the special conditions will be removed by the Department and the time allowed for completing the corrective actions.
iv. The method of requesting reconsideration of the conditions/restrictions imposed.

26. The Subgrantee understands and agrees that, in compliance with the Corruption of Public Resources Act, N.J.S.A. 2C:27-12, it cannot knowingly misuse state grant funds for an unauthorized purpose, and violations under this act could result in a prison term of up to 20 years, and, under N.J.S.A. 2C:30-8, subject to a fine of up to $500,000.

27. The Subgrantee agrees that it shall be solely responsible for and shall keep, save, and hold the State of New Jersey harmless from all claims, loss, liability, expense, or damage resulting from all mental or physical injuries or disabilities, including death, to its employees or recipients of the Subgrantee's services or to any other persons, or from any damage to any property sustained in connection with the delivery of the Subgrantee's services that results from any acts or omissions, including negligence or malpractice, of any of its officers, directors, employees, agents, servants or independent contractors, or from the Subgrantee's failure to provide for the safety and protection of its employees, whether or not due to negligence, fault, or default of the Subgrantee. The Subgrantee's responsibility shall also include all legal fees and costs that may arise from these actions. The Subgrantee's liability under this agreement shall continue after the termination of this agreement with respect to any liability, loss, expense or damage resulting from acts occurring prior to termination.

CERTIFICATION

I certify that the programs proposed in this application meet all the requirements of the Safe and Secure Communities Act Grant Program; that all the information presented is correct; and that the applicant will comply with the provisions of this grant program and all other applicable federal and state laws, regulations, and guidelines.

City of Long Branch
Subgrantee Municipality

Grant # P-- 4279

Adam Schneider
Name of Mayor

Signature of Mayor

5/18/2009
Date

[SS revd 12/23/08]

STATE OF NEW JERSEY
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CRIMINAL JUSTICE

SAFE AND SECURE COMMUNITIES PROGRAM

SPECIAL CONDITIONS

Subgrantee: City of Long Branch

Subgrant Number: P- 4579

Project Duration: July 1 2009 to June 30 2010

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1. **Prohibited Use of Funds:** The Subgrantee certifies that all grant funds will be used exclusively to pay the base salary of police officers and other law enforcement personnel deployed in support of this grant program, N.J.A.C. 13:79-4.1. Grant funds cannot be used to make any overtime payments.

2. **No Supplanting of Local Funds:** The Subgrantee agrees that funds made available under the Safe and Secure Communities Act Grant Program will not be used to supplant local funds.

3. **Compliance with Program Laws and Regulations:** Subgrantee agrees to follow all applicable requirements and procedures as required by the State of New Jersey Safe and Secure Communities Program statute N.J.S.A. 52:17B-159 et seq. and regulations N.J.A.C. 13:79-1.1 et seq., and as outlined in letters sent to the applicant.

4. **Baseline Regular Complement:** The Subgrantee agrees that its baseline regular complement of police officers (as of 12/31/1993 and as reported in the 1993 Uniform Crime Report) is based on its police department's number of regular, sworn, appointed municipal officers who have the full power to arrest and who regularly exercise police powers regarding the enforcement of the general criminal and motor vehicle laws of this State.

5. **Maintaining Full Complement of Officers:** The Safe and Secure Communities Program legislation, N.J.S.A. 52:17B-164a and regulation N.J.A.C. 13:79-4.1, requires as a condition of the grant award, that the Subgrantee certify that it shall not reduce its baseline regular complement of police officers and other law enforcement personnel (as of 12/31/1993 and as reported in the 1993 Uniform Crime Report) during any grant period. A reduction of complement of officers below full complement (those added with grant funds) will result in a proportionately reduced or total loss of grant award.

6. **Match Requirement:** The Subgrantee agrees to pay as matching costs all fringe benefits (retirement, social security, health and dental insurance, workers compensation, unemployment, disability and survivor's insurance), other related costs, and any project expenses above the grant award. The Subgrantee will also agree to satisfy any State requirement on matching and cost sharing.

7. **Municipal Budget Cap:** In order to be exempt from the municipal budget cap, any monies provided by the municipality must be in the form of matching funds as specified by N.J.S.A. 40A:4-45.3 1. Therefore, the State award and the required fringe benefit match under the Safe and Secure Communities Program are outside the budget cap. However, any additional dollars spent by the municipality in support of the project, including any overmatch, will fall under the Division of Local Government Services budget cap requirements.

8. **Time and Attendance Records:** Subgrantee must maintain a timekeeping system which provides, at a minimum, records for all personnel charged to the grant as follows: positions (filled with grant funds); rank/title; employee's name; date hired; annual salary; total daily hours worked, and the signatures of the supervisor and project director.

9. **Financial and Performance Reporting:** The Subgrantee agrees to file timely Detailed Cost Statements (DCS) and payment vouchers within fifteen (15) days after the end of each quarter. The Subgrantee also agrees to file a timely Final DCS within thirty (30) days after the end date of the grant period and a Final Grant Narrative Report. The Final Grant Narrative Report is a grant narrative describing the past year's activities and accomplishments.

10. **Availability of Grant Funds:** The Subgrantee understands that annual funding for the Safe and Secure Communities Program is uncertain and that full funding for each year's grant depends on the continued collection of sufficient program revenue. The Subgrantee accepts this award on the condition that if sufficient funds are not available, the municipality may not receive its entire state award.

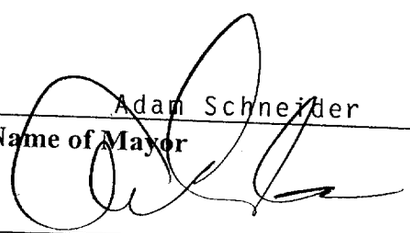
11. **Timely Return of Completed Application:** The Subgrantee agrees to complete and return the Application Package (Applicant Information Form, Program Application Narrative, Budget Detail Form, Application Authorization, Grant Agreement Certification, General Conditions and Assurances, Special Conditions, and Resolution of Participation and Certification of Recording Officer with original raised seals) and to return an executed contract within sixty (60) days of mailing from DCJ. The Subgrantee understands and agrees that failure to comply with these filing deadlines may result in a reduction or total loss of the Subgrantee's award.

CERTIFICATION

I certify that the programs proposed in this application meet all the requirements of the Safe and Secure Communities Act Grant Program; that all the information presented is correct; and that the applicant will comply with the provisions of this grant program and all other applicable federal and state laws, regulations, and guidelines.

City of Long Branch
Subgrantee Municipality

Grant # P-- 4279



Adam Schneider
Name of Mayor

Signature of Mayor

5/18/2009
Date

Jan 1 **to** Dec 31
Subgrantee's Fiscal Year
[Start date/End date]

[SS revd 12/23/08]

R# 142-09

RESOLUTION

WHEREAS, the City of Long Branch operates its Municipal Court at 279 Broadway, Long Branch; and

WHEREAS, Birdsall Engineering, acting as the City Engineer, has prepared plans for technical improvements to the Municipal Court as required by the Administrative Office of the Court; and

WHEREAS, the plans are annexed hereto and made a part hereof.

NOW, BE IT RESOLVED by the Council of the City of Long Branch that the plans of Birdsall Engineering, as submitted and annexed hereto, be and the same hereby are accepted by the municipality by the City of Long Branch for the purpose of obtaining bids for the improvements to the Municipal Court pursuant to the local public bidding and contract laws of the State of New Jersey.

MOVED:

SECONDED:

AND ADOPTED UPON THE FOLLOWING ROLE CALL:

AYES:

NAYES:

ABSENT:

ABSTAIN:

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R# 143-09

RESOLUTION REJECTING BIDS FOR IMPROVEMENTS TO THE LONG BRANCH MUNICIPAL COURT COURTROOM

WHEREAS, pursuant to the Open Public Bidding Law, bids were to be received on Friday, May 8, 2009 at 10:00 a.m. at the Long Branch City Clerk's office for improvements to the Long Branch Municipal Court Courtroom; and

WHEREAS, four bidders picked up bid packages; and

WHEREAS, only one bid was received, that bid being from Innovational Construction & Design, 216 Broadway, Keyport, New Jersey; and

WHEREAS, the sole bid was in the amount of $29,032.00; and

WHEREAS, Birdsall Engineering, the City's engineers, had estimated the cost of construction in the range of $85,000.00 to $90,000.00; and

WHEREAS, there arose a question as to whether or not the bid of $29,000.00 was a responsible bid; and

WHEREAS, after communication with the City attorneys of the City of Long Branch, Birdsall Engineering made an investigation to determine the reason for the disparity between the bid price and the estimated cost; and

WHEREAS, as part of the investigation, Birdsall Engineering contacted the bidder to ensure that the bidder understood the entire scope of the work; and

WHEREAS, pursuant to communications received from Birdsall Engineering, under date of May 18, 2009, Birdsall Engineering contacted Nate Martinez of Innovational Construction & Design, Inc. and was advised that Innovational Construction & Design, Inc. was unaware of the scope of the electrical work; and

WHEREAS, while the disparity between the bid price and the estimated cost is not a cause on its own for rejection, the fact that the sole bidder was unsure of certain items of work gives cause to reject the bid as being an irresponsible bid; and

WHEREAS, Birdsall Engineering has conferred with James G. Aaron of Ansell, Zaro, Grimm & Aaron, City Attorneys, to reach this conclusion; and

WHEREAS, Birdsall Engineering recommends that the bids received on May 8, 2009 be rejected and the project be re-advertised.

NOW, THEREFORE BE IT RESOLVED, by the Council of the City of Long Branch that all bids received on Friday, May 8, 2009 be rejected; and

BE IT FURTHER RESOLVED, that the bid of $29,032.00 submitted by Innovational Construction & Design, Inc. is hereby rejected on the basis that the bid price did not include all of the scope of the electrical work involved and that an investigation by the City engineers determined that the bidder was unsure of the scope of the electrical work needed when the bid was submitted; and

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to Innovational Construction & Design, Inc., 216 Broadway, Keyport, New Jersey 07735.

MOVED:

SECONDED:

AND ADOPTED UPON THE FOLLOWING ROLL CALL:

AYES:

NAYES:

ABSENT:

ABSTAIN:

R# 144-09

RESOLUTION AWARDING BID TO RUSSELL REID WASTE HAULING & DISPOSAL SERVICE CO., INC. FOR TWO TWENTY FOUR FOOT RESTROOM TRAILERS

WHEREAS, the City of Long Branch has the need to contract for the purchase of two twenty four foot restroom trailers; and

WHEREAS, through a fair and open process, the City of Long Branch advertised in the legal ads section of the Asbury Park Press to receive bids on May 21, 2009, for a contract for the purchase of two twenty four foot restroom trailers and the following bids were received:

Russell Reid Waste Hauling & Disposal Service Co., Inc.	$55,000.00
Comfort of Home Services, Inc.	$92,326.00

WHEREAS, the bid documents were reviewed by the Purchasing Agent, and found to be in order; and

WHEREAS, the Director of Public Works has reviewed the bids from both bidders, and it is his recommendation, annexed hereto, that it is in the City's best interest to award a contract to Russell Reid Waste Hauling & Disposal Service Co., Inc.; 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 for this contract are available in the Line Item #C-04-097-601 ($27,500.00) and Line Item #C-04-088-601 ($27,500.00) for a sum not to exceed $55,000.00.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Long Branch, that a contract be awarded to **Russell Reid Waste Hauling & Disposal Service Co., Inc.** in accordance with the bid specifications and proposal herein attached, **for a sum not to exceed $55,000.00.**

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

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:

PURCHASE OF TWO 24' RESTROOM TRAILERS

Said contract being made as follows:

RUSSEL REID WASTE HAULING & DISPOSAL SERVICE, INC.	**$55,000**

Said funds being available in the form of:

CAPITAL BUDGET	
ORD. #5-09	
BEACHFRONT IMPROVEMENTS	
APPRO. #C-04-097-601	**$27,500**
ORD #37-07	
MANAHASSETT CREEK PARK PROJECT	
APPRO. #C-04-088-601	**$27,500**

Ronald J. Mehlhorn Sr.

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

5/21/09
Date

CONTRACT

THIS AGREEMENT MADE THIS DAY OF ,

BETWEEN: CITY OF LONG BRANCH
344 Broadway
Long Branch, NJ 07740

a municipal corporation of the State of New Jersey, hereinafter called the **OWNER**;

AND **Russell Reid Waste Hauling & Disposal Service Co., Inc.**
200 Smith Street
P O Box 130
Kearney, NJ 08892

hereinafter called the **CONTRACTOR:**

WITNESSETH: That the **OWNER** and the CONTRACTOR for the consideration, hereinafter specified, agree as follows:

ARTICLE ONE: SCOPE OF WORK: CONTRACTOR covenants and agrees to provide a contract for two twenty four foot restroom trailers in accordance with the bid specifications and proposal herein; and

CONTRACTOR further agrees to and perform in a good and workmanlike manner all work required to be furnished and delivered, done and performed in conformity with the Bid Specifications and Contractor's Proposal, annexed hereto and hereby made part of this agreement as fully and with the same effect as if the same had been set forth in the body of this agreement.

ARTICLE TWO: TIME OF DELIVERY AND PERFORMANCE: The **CONTRACTOR** is required to execute a contract within fifteen (15) days after the notice that his proposal has been accepted. Failure or neglect to execute his contract within said period shall constitute a breach of agreement. Said **PERFORMANCE or DELIVERY DATE** shall be in accordance with the provisions of the Contract Documents annexed thereto, and if no time is set forth in the body of this Agreement or in the Contract Documents Annexed thereto, then as directed by the **OWNER.**

ARTICLE THREE: PAYMENT: OWNER agrees to pay **CONTRACTOR** for said work and materials after delivery of any purchase or performance of stated work under the terms of this contract, in accordance with said Contract Documents, and within the

time stated for **DELIVERY,** for the actual quantity of authorized work done under each item scheduled in the Proposal, at the respective unit price bid therefore by the **CONTRACTOR**, which payment according to the estimated quantities will amount to a sum not to exceed **$55,000.00 (fifty five thousand).**

Payments to be made in accordance with the OWNER'S requirement for submission of invoices and vouchers and approval by authorized official(s). It is further agreed that the **OWNER** reserves the right to increase or decrease any or all of the quantities in each item at the unit price bid.

Acceptance of the final payment by the **CONTRACTOR** shall be understood to be a release in full of all claims against the **OWNER** arising out of or by reason of the work done and the materials furnished under this contract.

ARTICLE FOUR: INDEMNIFICATION: The **CONTRACTOR** will make all payments of proper charges for said work required in accordance with said Contract Documents, and will indemnify and save harmless the **OWNER**, its officers, agents, or servants and each and everyone of them, against and from all claims, suits, actions, damages and/or costs of every name and description, including royalties, fees or claims for the use of patented methods, or patented rights, or copyrights, and from all damages to which the **OWNER,** or any of its officers, servants or agents, may be subjected or put by reason of injury to person or property of others, or property of the **Owner,** resulting from carelessness in the performance of its work or through the negligence of, or through any act or omission on the part of, the **CONTRACTOR**, its agents or agent, servants, or subcontractors.

ARTICLE FIVE: ASSIGNMENT OR SUBLETTING: CONTRACTOR covenants and agrees not to assign or sublet the work specified or covered under the terms of this agreement without the prior written approval of the **OWNER**.

ARTICLE SIX: AFFIRMATIVE ACTION REQUIREMENTS:
During the performance of this contract, the **CONTRACTOR** agrees to comply with Affirmative Action Regulations, P.L. 1975, c. 127 (N.J.A.C.17:27),
as amended and supplemented from time to time, and, more specifically, as detailed in the section of the bid specifications entitled "Supplement to Information to Bidders, Procurement, Professional and Service Contract, Affirmative Action", and/or Mandatory Affirmative Action Language for Procurement, Professional and Service Contracts, which reads as follows:

The contractor or subcontractor, where applicable will not discriminate against any employee or applicant for employment because of age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, or sex. Except with respect to affectional or sexual orientation, the contractor will take affirmative action to ensure that such applicants are recruited and employed, and that employees are treated during employment, without regard to their age, race, creed color, national origin,

ancestry, marital status, affectional or sexual orientation or sex. Such action shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation, and selection for training including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the Public Agency Compliance Officer, setting forth provisions of this on-discrimination clause.

The contractor or subcontractor, where applicable, will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to their age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation or sex.

The contractor of subcontractor, where applicable, will send to each labor union or representative of workers with which it has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the agency contracting officer, advising the labor union or workers representative of the contractors commitments under this act and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

The contractor or subcontractor, where applicable agrees to comply with any regulations promulgated by the Treasurer pursuant to NJSA 10:5-36 et seq. as amended and supplemented from time to time and the Americans with Disabilities Act.

The contractor or subcontractor agrees to make good faith efforts to employ minority and women workers consistent with the applicable county employment goals established in accordance with NJAC 17:275.2, or a binding determination of the applicable county employment goals determined by the Division, pursuant to NJAC 17:275.2.

The contractor or subcontractor agrees to confirm in writing its appropriate recruitment agencies including but not limited to employment agencies, placement bureaus, colleges, universities, labor unions, that it does not discriminate on the basis of age, creed, color, national origin, ancestry, marital status, affectional or sexual orientation or sex, and that it will discontinue the use of any recruitment agency which engages in director discretionary practices. The contractor or subcontractor agrees to revise any of its testing procedures, if necessary to assure that all personnel testing conforms with the principals of job related testing, as established by the statues and court decisions of the state of new Jersey and as established by applicable federal law and applicable federal court decisions.

In conforming with the applicable employment goals, the contractor, or subcontractor agrees to review all procedures relating to transfer, upgrading, down grading and lay off to ensure that all such actions are taken without regard to age, creed, color, national origin, ancestry, marital status, sex, affectional or sexual orientation, and

conform with the applicable employment goals, consistent with the statutes and court decisions of the state of New Jersey, and applicable federal law and applicable Federal court decisions.

The contractor shall submit to the public agency, after notification of award, but prior to execution of a goods and services contract, one of the following three documents:

Letter of Federal Affirmative Action Plan Approval
Certificate of Employee Information Report
Employee information Report Form AA302

The contractor and its subcontract shall furnish such reports or other documents to the Division of Contract Compliance & EEO as maybe requested by the Division from time to time in order to carry out the purposes of these regulations, and public agency shall furnish information as may be requested by the Division of Contract Compliance and EEO for conducting a compliance investigation pursuant to Subchapter 10 of the Administrative Code NJAC17:27.

ARTICLE SEVEN: PERFORMANCE BOND: CONTRACTOR, upon execution of this agreement and said Contract Documents, shall execute a performance bond and payment bond. Said bonds shall be executed by a responsible bonding company, in good financial standing, and authorized to do business in the State of New Jersey, and shall be posted within fifteen (15) days of award of the Contract.

ARTICLE EIGHT: LIQUIDATED DAMAGES: **CONTRACTOR'S** failure to execute the contract within fifteen (15) days after he has received notice of acceptance of his bid shall be considered breach of contract and **CONTRACTOR** shall forfeit to the City of Long Branch, as liquidated damages for such failure or refusal, the bid security required in the bid specifications.

"The **CONTRACTOR**, is advised that the responsibility to file an annual disclosure statement on political contributions with the New Jersey Election Enforcement commission pursuant to N.J.S.A. 19:44A-20.3 (P.L. 205, c, 271, s.3), if the contractor receives contracts in excess of $50,000 from public Entities in a calendar year. It is the contractor's responsibility to determine if filing is necessary. Additional information on this requirement is available from ELEC at 888-313-3532 or at www.elec.state.nj.us.

This Contract shall be binding upon the **OWNER**, its successors and assigns, and upon the **CONTRACTOR**, its successors and assigns or heirs, executors, administrators and assigns.

IN WITNESS WHEREOF, the **OWNER** has caused this instrument to be signed by **ADAM SCHNEIDER, MAYOR**, attested by **IRENE A. JOLINE, CLERK**, and the Municipal Seal to be hereunto affixed, and **CONTRACTOR** hereunto set their hand and seals, or caused these presents to be signed by their proper corporate officers and their proper corporate seal to be hereto affixed, the day and year first above mentioned.

OWNER: CITY OF LONG BRANCH

Attested by: Date:

_____ _____

Irene A. Joline, City Clerk Adam Schneider, Mayor

CONTRACTOR:

By:_____ Attested by:

_____ _____

Title

Date:_____

Kathy Schmelz

From: "Fred Migliaccio" <fmigliaccio@ci.long-branch.nj.us>
To: "Schmelz, Kathy" <kschmelz@ci.long-branch.nj.us>
Cc: "Mellaci Carol" <cmellaci@ci.long-branch.nj.us>
Sent: Thursday, May 21, 2009 3:33 PM
Subject: Restroom Trailers

I have reviewed the bids for the restroom trailers and find that the low bidder, Russell Reid Waste Hauling and Disposal Service Co., Inc.appears to be in order. I hereby recommend that the bid be awarded to the Russell Reid Company.

5/21/2009

CITY OF LONG BRANCH
PROPOSAL FORM

Proposal of: Russell Reid Waste Hauling and ~~Disposal Service Co., Inc.~~

Address: 200 Smith Street P.O. Box 130 ~~Keasbey, NJ 08832~~

.....

.....

In accordance with the Notice to Bidders advertisement of the City of Long Branch inviting Proposals for:

.....

.....

.....

in conformity with the attached specifications, I/we hereby certify that I am/we are the only person(s) with interest in this Proposal as principal(s), that it is made without collusion with any person, firm or corporation, that an examination has been made of the specifications, and that the equipment/materials/services will be delivered/performed within the time specified, at the bid prices detailed on the Proposal Form following.

Accompanying this Proposal is Bid/Proposal Security in the form of a Bid Bond (...), Certified or Cashier's Check (...) Payable to the order of the City of Long Branch in the sum of $_____, which the undersigned agrees is to be forfeited as liquidated damages, and not as a penalty, if the Contract is awarded to the undersigned and the undersigned shall fail to execute the contract for the project, or to furnish within the stipulated time, the Performance or Contract Bond, if required in the specifications. Otherwise, the Bid Security will be returned to the undersigned.

If required in the Notice to Bidders and specifications, also accompanying this proposal is a Consent of Surety from a surety company guaranteeing that it will provide the Performance Bond if the undersigned is awarded the contract.

PROPOSAL FORM
(Cont'd)

The undersigned is an/a (....) individual, (....) partnership, (.X.) corporation

organized under the laws of the State of NJ, having its principal offices at: Russell Reid Waste Hauling and Disposal Service Co., Inc., 200 Smith Street, P.O. Box 130, Keasbey, NJ 08832

Phone Number 800-356-4468 Fax Number 732-417-0367

Trade Name of Bidder RUSSELL REID WASTE HAULING AND DISPOSAL SERVICE CO., INC. D/B/A MR. JOHN PORTABLE SANITATION UNITS, INC.

Federal I.D. # or Social Security # 222365208

200 SMITH STREET
P.O. BOX 130
KEASBEY, NJ 08832

1. Signature _____
David J. Dam
Executive Vice President

Name _____

Title _____

2. Signature _____

Name _____

Title _____

3. Signature _____

Name _____

Title _____

Signed this 8 day of May, ~~19~~ 2009.

Note: If a partnership all partners must sign. If a corporation, two properly authorized officers must sign. If a proprietorship, the proprietor must sign. Proposals signed by an agent must be accompanied by a Power-of-Attorney for the Principal or Principals involved. Attach additional signature sheets in the above form if necessary.

CITY OF LONG BRANCH
PROPOSAL FORM

Russell Reid Waste Hauling
and Disposal Service Co., Inc.
200 Smith Street
P.O. Box 130
Keasbey, NJ 08832

Bidder's Name

Proposal to furnish two 24' deluxe wide-body transportable Restroom trailers, in accordance with the bid specifications

$ 55,000.—

Fifty Five Thousand dollars
Bid Price in words

Manufacturer's Make, Model being bid_____

_____

Check One:

___ Units are new and unused, and detailed product literature and pictures are enclosed

___Units are in used "like new" condition, and enclosed are detailed product literature and interior and exterior photos of the specific units to be provided

Delivery
Delivery of the unit will be made within AS required calendar days of date of notice of award of contract.

Warranty:
Provide detailed written warranty being offered on the trailer and/or its individual components.

STOCKHOLDER DISCLOSURE CERTIFICATION

This Statement Shall Be Included with Bid Submission

Name of Business Russell Reid Waste Hauling and Disposal Service Co., Inc.
~~200 Smith Street~~
P.O. Box 130
Keasbey, NJ 08832

☒ I certify that the list below contains the names and home addresses of all stockholders holding 10% or more of the issued and outstanding stock of the undersigned.

OR

☐ I certify that no one stockholder owns 10% or more of the issued and outstanding stock of the undersigned.

Check the box that represents the type of business organization:

☐ Partnership ☐ Corporation ☐ Sole Proprietorship

☐ Limited Partnership ☐ Limited Liability Corporation ☐ Limited Liability Partnership

☒ Subchapter S Corporation ☐ Corporation-Other _____

Sign and notarize the form below, and, if necessary, complete the stockholder list below.

Stockholders:

Name: MITCHELL WEINER
Home Address: 16 SLEEPY HOLLOW ROAD RED BANK, NJ 07701

Name: GARY M. WEINER
Home Address: 22 COVENTRY DRIVE WAYSIDE, NJ 07712

Name: DAVID J. DAM
Home Address: 54 WESTGATE DRIVE ANNANDALE, NJ 08801

Name: _____
Home Address: _____

Name: WENDY WEINER
Home Address: 113 RUMSON ROAD LITTLE SILVER, NJ 07739

Name: _____
Home Address: _____

Subscribed and sworn before me this 8th day of May, 2009

(Notary Public) Melissa Eglow

My Commission expires: **Melissa F. Eglow My Commission Expires April 10, 2013**

(Affiant) David J. Dam
Executive Vice President

(Print name & title of affiant)

(Corporate Seal)

NON-COLLUSION AFFIDAVIT

State of New Jersey
County of _____ ss:

DAVID J. DAM
54 WESTGATE DRIVE
I, ANNANDALE, NJ 08801 residing in _____
(name of affiant) (name of municipality)

in the County of _____ and State of _____ of full age, being duly sworn according to law on my oath depose and say that:

I am David J. Dam (title or position) of the firm of Russell Reid Waste Hauling and Disposal Service Co., Inc. 200 Smith Street P.O. Box 130 Keasbey, NJ 08832 (name of firm)

_____, the bidder making this Proposal for

the bid entitled _____, and that I executed the said
(title of bid proposal)

proposal with full authority to do so that said bidder has not, directly or indirectly entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free, competitive bidding in connection with the above named project; and that all statements contained in said proposal and in this affidavit are true and correct, and made with full knowledge that the **City of Long Branch** relies upon the truth of the statements contained in said Proposal, and in the statements contained in this affidavit in awarding the contract for the said project.

I further warrant that no person or selling agency has been employed or retained to solicit or secure such contract upon an agreement or understanding for a commission, percentage, brokerage, or contingent fee, except bona fide employees or bona fide established commercial or selling agencies maintained by

Russell Reid Waste Hauling and Disposal Service Co., Inc. 200 Smith Street P.O. Box 130 Keasbey, NJ 08832.
(Name of firm)

Subscribed and sworn to before me this day

05-08-, 2009

(Signature of affiant)

David J. Dam
Executive Vice President
(Type or print name of affiant under signature)

Melissa Eglow
Signature of Notary Public

(Seal)

Melissa F. Eglow
My Commission Expires
April 10, 2013

My Commission expires

CITY OF LONG BRANCH
ACKNOWLEDGEMENT OF RECEIPT OF ADDENDA

The undersigned Bidder hereby acknowledges the following information relative to receipt of Addenda for this bid (check appropriate box and provide required information):

____ **No addenda was received by my company**

X **My company received the following addenda:**

ADDENDUM NUMBER	DATED
Change of Bid date to	5/21/09

Russell Reid Waste Hauling
and Disposal Service Co., Inc.
200 Smith Street
P.O. Box 130
Keasbey, NJ 08832

Acknowledgement for: _____
(Name of company/corporation)

By: _____
(Signature of Authorized Representative)

David J. Dam
Executive Vice President

Name: _____

Title: _____

NOTE: THIS FORM MUST BE COMPLETED AND SIGNED REGARDLESS OF WHETHER OR NOT ADDENDA WAS ISSUED AND/OR RECEIVED BY THE BIDDER. FAILURE TO SUBMIT THE COMPLETED FORM WITH THE BID PROPOSAL IS MANDATORY CAUSE FOR REJECTION IN ACCORDANCE WITH NJSA 40A:11-23.

REQUIRED EVIDENCE
AFFIRMATIVE ACTION REGULATION
P.L. 1975, C. 127 (N.J.A.C. 17:27)

If awarded a contract, all procurement and service contractors will be required to comply with the requirements of P.L. 1975, c. 127, (N.J.A.C. 17:27). Within seven (7) days after receipt of the notification of intent to award the contract or receipt of the contract, whichever is sooner, the contractor should present one of the following to the Purchasing Agent.

1. **A photocopy of a valid letter from the U.S. Department of Labor that the contractor has an existing federally-approved or sanctioned Affirmative Action Plan (good for one year from the date of the letter).**

OR

2. **A photocopy of approved Certificate of Employee Information Report from the State of New Jersey.**

OR

3. **An Affirmative Action Employee Information Report (Form AA302).**

OR

4. **All successful construction contractors must submit, within three days (3) of the signing of the contract, an Initial Project Manning Report (AA201) for any contract award that meets or exceeds the Public Agency bidding threshold (available upon request).**

NO FIRM MAY BE ISSUED A CONTRACT UNLESS IT COMPLIES WITH THE AFFIRMATIVE ACTION REGULATIONS OF P.L. 1975, C. 127.

The following questions must be answered by all bidders:

1. **Do you have a federally-approved or sanctioned Affirmative Action Program?**

___Yes X No **If yes, please submit copy of such approval.**

2. **Do you have a Certificate of Employee Information Report Approval?**

X Yes ___No **If yes, please submit copy of such certificate.**

The undersigned contractor certifies that he is aware of the commitment to comply with the requirements of P.L. 1975, c. 127, and agrees to furnish the required documentation pursuant to law.

Russell Reid Waste Hauling
and Disposal Service Co., Inc.
200 Smith Street
P.O. Box 130
Keasbey, NJ 08832

COMPANY: _____

SIGNATURE: _____ David J. Dam

Executive Vice President

TITLE: _____

NOTE: A CONTRACTOR'S BID MUST BE REJECTED AS NON-RESPONSIVE IF A CONTRACTOR FAILS TO COMPLY WITH REQUIREMENTS OF P.L.1975, C. 127, WITHIN THE REQUIRED TIME FRAME.

CITY OF LONG BRANCH
BID DOCUMENT CHECKLIST

REQUIRED BY OWNER		READ, SIGNED & SUBMITTED
■	EXECUTED BID PROPOSAL FORM	☐
■	STOCKHOLDER DISCLOSURE CERTIFICATION	☐
■	NON-COLLUSION AFFIDAVIT	☐
■	ACKNOWLEDGEMENT OF RECEIPT OF ADDENDA	☐
■	BID/PROPOSAL SECURITY (IN THE AMOUNT OF 10% OF THE BID, NOT TO EXCEED $20,000)	☐
☐	CERTIFICATE OF SURETY	☐
■	BUSINESS REGISTRATION CERTIFICATE	☐
■	AFFIRMATIVE ACTION QUESTIONAIRE	☐
☐	INSURANCE CERTIFICATE(S)	☐
☐	REFERENCES	☐
☐	OTHER –	☐
		REVIEWED
■	MANDATORY AFFIRMATIVE ACTION LANGUAGE	☐
■	AMERICANS WITH DISABLILITIES ACT OF 1990	☐
☐	PREVAILING WAGE REGULATIONS	☐

THE AMERICAN INSTITUTE OF ARCHITECTS

AIA Document A310

Bid Bond

KNOW ALL MEN BY THESE PRESENTS, that we

Russell Reid Waste Hauling & Disposal Service Co., Inc.
200 Smith Street
Keasbey, NJ 08832

as Principal, hereinafter called the Principal, and

United States Surety Company
20 W. Aylesbury Road
Timonium, MD 21094

A corporation duly organized under the laws of the State of
MD
as Surety, hereinafter called the Surety, are held and firmly bound unto
Long Branch City
344 Broadway
Long Branch, New Jersey 07740-6994
as Obligee, hereinafter called the Obligee, in the sum of

Ten Percent of Amount Bid Not To Exceed Twenty Thousand and 00/100 Dollars (10% NTE $20,000.00)

for the payment of which sum well and truly to be made, the said Principal and the said Surety, bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, the Principal has submitted a bid for:

Purchase of (2) 24 Foot Restroom Trailers

NOW, THEREFORE, if the Obligee shall accept the bid of the Principal and the Principal shall enter into a Contract with the Obligee in accordance with the terms, of such bid, and give such bond or bonds as may be specified in the bidding or Contract Documents with good and sufficient surety for the faithful performance of such Contract and for the prompt payment of labor and material furnished in the prosecution thereof, or in the event of the failure of the Principal to enter such Contract and give such bond or bonds, if the Principal shall pay to the Obligee the difference not to exceed the penalty hereof between the amount specified in said bid and such larger amount for which the Obligee may in good faith contract with another party to perform the Work covered by said bid, then this obligation shall be null and void, otherwise to remain in full force and effect.

Signed and sealed this **7th** Day of **May** **2009**

Russell Reid Waste Hauling & Disposal Service Co., Inc.
(Principal) (Seal)

GARY M. WEINER
(Witness) **22 COVENTRY DRIVE**
WAYSIDE, NJ 07712

(Title) David J. Dam
Executive Vice President

United States Surety Company
(Surety) **(Seal)**

Jean Witkowski (Witness)

Michele A. Dery, Attorney-in-Fact **(Title)**

Printed in cooperation with the American Institute of Architects (AIA). The language in this document conforms exactly to the language used in AIA document A310, February 1970 ED..

CONSENT OF SURETY

KNOW ALL MEN BY THESE PRESENTS, that for and in consideration of the sum of $1.00 lawful money of the United States of America, the receipt whereof is hereby acknowledged, paid the undersigned corporation, and for other valuable consideration, **United States Surety Company**, incorporated, organized and existing under the laws of the State of **Maryland** and licensed to do business in the State of New Jersey, certifies and agrees, that if the contract for the **Purchase of (2) 24 Foot Restroom Trailers, Long Branch City, NJ** is awarded to **Russell Reid Waste Hauling & Disposal Service Co., Inc.** the undersigned Corporation will execute the bond or bonds as required of the contract documents and will become Surety in the full amount set forth in the contract documents for the faithful performance of all obligations of the Contractor.

Signed and sealed this **7th** day of **May**, 2009.

United States Surety Company

By: Michele A. Dery
Michele A. Dery
Attorney-in-Fact

Witness: Jean Witkowski
Jean Witkowski

UNITED STATES SURETY COMPANY

STATE OF NEW JERSEY

COUNTY OF HUDSON

On this 7th day of May, 2009 before me, a Notary Public within and for said County and State, personally appeared **Michele A. Dery** to me personally known, who being duly sworn, upon oath, did say that he is the **Attorney-in-fact** of and for the **United States Surety Company**, a corporation created, organized and existing under and by the virtue of the laws of the State of Maryland that the Corporate seal affixed to the foregoing instrument is the seal of said Corporation; that the seal was affixed; and the said **Michele A. Dery** did acknowledge that he executed the said instrument as the free act and deed of said Corporation.

Jean Witkowski
Notary Public

JEAN WITKOWSKI
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires January 13, 2014

POWER OF ATTORNEY

AMERICAN CONTRACTORS INDEMNITY COMPANY UNITED STATES SURETY COMPANY U.S. SPECIALTY INSURANCE COMPANY

KNOW ALL MEN BY THESE PRESENTS: That American Contractors Indemnity Company, a California corporation, United States Surety Company, a Maryland corporation, and U.S. Specialty Insurance Company, a Texas corporation (collectively, the "Companies"), do by these presents make, constitute and appoint: **Scott Adams, Charles P. Moran, Kieran J. Moran, Michele A. Dery**

its true and lawful Attorney(s)-in-fact, each in their separate capacity if more than one is named above, with full power and authority hereby conferred in its name, place and stead, to execute, acknowledge and deliver **any and all bonds, recognizances, undertakings or other instruments or contracts of suretyship to include riders, amendments, and consents of surety.** This Power of Attorney is granted under and by authority of the following resolutions adopted by the Boards of Directors of the Companies:

Be it Resolved, that the President, any Vice-President, any Assistant Vice-President, any Secretary or any Assistant Secretary shall be and is hereby vested with full power and authority to appoint any one or more suitable persons as Attorney(s)-in-Fact to represent and act for and on behalf of the Company subject to the following provisions:

Attorney-in-Fact may be given full power and authority for and in the name of and on behalf of the Company, to execute, acknowledge and deliver, any and all bonds, recognizances, contracts, agreements or indemnity and other conditional or obligatory undertakings and any and all notices and documents canceling or terminating the Company's liability thereunder, and any such instruments so executed by any such Attorney-in-Fact shall be binding upon the Company as if signed by the President and sealed and effected by the Corporate Secretary.

Be it Resolved, that the signature of any authorized officer and seal of the Company heretofore or hereafter affixed to any power of attorney or any certificate relating thereto by facsimile, and any power of attorney or certificate bearing facsimile signature or facsimile seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is attached.

IN WITNESS WHEREOF, the Companies have caused this instrument to be signed and their corporate seals to be hereto affixed, this 25th day of July, 2008.

AMERICAN CONTRACTORS INDEMNITY COMPANY UNITED STATES SURETY COMPANY U.S. SPECIALTY INSURANCE COMPANY

Corporate Seals

By: _____

Peter W. Carman, Vice President

State of Maryland
County of Baltimore SS:

On this 4th day of December, 2008, before me, Jean Grzymala, a notary public, personally appeared Peter W. Carman, Vice President of American Contractors Indemnity Company, United States Surety Company and U.S. Specialty Insurance Company who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of Maryland that the foregoing paragraph is true and correct. WITNESS my hand and official seal.

Signature _____

My commission expires the 15th day of December, 2012

I, Carol T. Nevin, Assistant Secretary of American Contractors Indemnity Company, United States Surety Company and U.S. Specialty Insurance Company, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney, executed by said Companies, which is still in full force and effect; furthermore, the resolutions of the Boards of Directors, set out in the Power of Attorney are in full force and effect.

In Witness Whereof, I have hereunto set my hand and affixed the seals of said Companies at Baltimore, Maryland this 7th day of May, 2009

Carol T. Nevin, Assistant Secretary

Corporate Seals

UNITED STATES SURETY COMPANY
STATUTORY STATEMENT OF ADMITTED ASSETS,
LIABILITIES, CAPITAL AND SURPLUS *(1)*
December 31, 2008

Admitted Assets		*Liabilities and Capital and Surplus*	
Investments:		Liabilities:	
Fixed Maturities, at amortized cost	47,928,490	Unpaid loss and loss adjustment expense	5,836,920
Cash and short term investments	9,568,408	Contingent commissions payable/(receivable)	(33,890)
Total cash and invested assets:	57,496,898	Accrued expenses	1,150,695
		Taxes, licenses, and fees	57,954
		Federal taxes	738,779
		Unearned premiums	11,835,231
		Ceded reinsurance balance payable	281,350
		Securities collateral held	3,707,178
		Total liabilites	23,574,217
Accrued interest income	435,570		
Premium receivable	2,227,500		
Reinsurance recoverable/(payable) on paid losses	(85,205)		
Net deferred tax asset	834,215	Capital and Surplus:	
Electronic data processing equipment and software	11,311	Capital Stock	2,100,000
Receivable from parent, subsidiaries and affiliates	86,590	Additional paid-in and contributed capital	20,800,117
	3,509,982	Unassigned surplus	14,432,546
			37,432,663
Total admitted assets	61,006,880	*Total liabilities and capital and surplus*	61,006,880

(1) - In accordance with the statutory financial statements as filed on March 1, 2009.

I, Carol T. Nevin, Assistant Secretary of United States Surety Company, hereby certify that to the best of my knowledge and belief, the foregoing is a full and true Statutory Statement of Admitted Assets, Liabilities and Capital and Surplus of the Company as of December 31, 2008, prepared in conformity with accounting practices prescribed or permitted by the Maryland Insurance Administration. The foregoing statement should not be taken as a complete statement of financial condition of the Company. Such a statement is available upon written request at the Company's home office located at 20 West Aylesbury Road, Timonium, Maryland 21093.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Corporation at Timonium, Maryland.

Carol T. Nevin
Assistant Secretary

Certificate Number
642397

Registration Date: 02/04/2009
Expiration Date: 02/03/2010

State of New Jersey

Department of Labor and Workforce Development
Division of Wage and Hour Compliance

Public Works Contractor Registration Act

Pursuant to N.J.S.A. 34:11-56.48, et seq. of the Public Works Contractor Registration Act, this certificate of registration is issued for purposes of bidding on any contract for public work or for engaging in the performance of any public work to:

2009

Russell Reid Waste Hauling & Disposal Service Co.

Responsible Representative(s):
Gary M. Weiner, President
Mitchell Weiner, CEO

Responsible Representative(s):
David J Dam, Vice-President

David J. Socolow, Commissioner
Department of Labor and Workforce Development

NON TRANSFERABLE

This certificate may not be transferred or assigned and may be revoked for cause by the Commissioner of Labor and Workforce Development.

12/23/03

Taxpayer Identification# **222-365-208/000**

Dear Business Representative:

03 DEC 30 AM 8:05

Congratulations! You are now registered with the New Jersey Division of Revenue.

Use the Taxpayer Identification Number listed above on all correspondence with the Divisions of Revenue and Taxation, as well as with the Department of Labor (if the business is subject to unemployment withholdings). Your tax returns and payments will be filed under this number, and you will be able to access information about your account by referencing it.

Additionally, please note that State law (Public Law 2001, c.134) requires all contractors and subcontractors with State agencies to provide proof of their registration with the Division of Revenue. The law also amended Section 92 of the Casino Control Act, which deals with the casino service industry.

We have attached a Proof of Registration Certificate for your use. To comply with the law, if you are currently under contract or entering into a contract with a State agency, you must provide a copy of the certificate to the contracting agency.

If you have any questions or require more information, feel free to call our Registration Hotline at (609) 292-1730.

I wish you continued success in your business endeavors.

Sincerely,

John E. Tully, CPA
Acting Director

STATE OF NEW JERSEY
BUSINESS REGISTRATION CERTIFICATE
FOR STATE AGENCY AND CASINO SERVICE CONTRACTORS

DEPARTMENT OF TREASURY/
DIVISION OF REVENUE
PO BOX 252
TRENTON, NJ 08646-0252

TAXPAYER NAME:
RUSSELL REID WASTE HAULING AND DISPOSAL

TRADE NAME:
MR. JOHN

TAXPAYER IDENTIFICATION#:
222-365-208/000

SEQUENCE NUMBER:
0022679

ADDRESS:
200 SMITH ST PO BOX 130
KEASBEY NJ 08832

ISSUANCE DATE:
12/23/03

EFFECTIVE DATE:
04/22/81

Acting Director

FORM-BRC(08-01)

This Certificate is NOT assignable or transferable. It must be conspicuously displayed at above address.

Certification 6723

CERTIFICATE OF EMPLOYEE INFORMATION REPORT

RENEWAL

This is to certify that the contractor listed below has submitted an Employee Information Report pursuant to N.J.A.C. 17:27-1.1 et seq. and the State Treasurer has approved said report. This approval will remain in effect for the period of 15-JAN-2008 to 15-JAN-2015

RUSSELL REID WASTE HAULING & DISPOSAL SRVC.
200 SMITH ST., P.O. BOX 130
KEASBEY NJ 08832

Acting State Treasurer

200 Smith Street | PO Box 130 | Keasbey, NJ 08832 | Fax 732-417-0367
www.mrjohn.com 800-628-8955 www.russellreid.com 800-356-4468

Prevailing Wage Rate Not Applicable to This Bid

Dear Bid Administrator:

This pricing in this bid has been prepared based on the fact that this type of work is not subject to "Prevailing Wage Rates". Please see the attached wage determination letter from the New Jersey Department of Labor.

Sincerely,
RUSSELLREID/MR. JOHN

David J. Dam
Executive Vice President

State of New Jersey

DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT
PO BOX 389
TRENTON, NEW JERSEY 08625-0389

JAMES E. McGREEVEY
Governor

KEVIN P. McCABE
Commissioner

November 8, 2004

David J. Dam, Vice-President
Russell Reid
200 Smith Street
PO Box 130
Keasbey, NJ 08832-0130

RE: sludge removal

Dear Mr. Dam,

Please be advised that removal of sludge from a sewage treatment facility, is subject to the New Jersey Prevailing Wage Act only if done as part of, or in preparation for, repair or construction work.

If you have any questions or need further information, feel free to contact me by phone at (609) 292-2259/2283 or e-mail at Ashleigh.Chamberlain@dol.state.nj.us.

Very truly yours,

Ashleigh Chamberlain, Investigator
Public Contracts Section
Division of Wage and Hour Compliance

200 Smith Street | PO Box 130 | Keasbey, NJ 08832 | Fax 732-417-0367
www.mrjohn.com 800-628-8955 www.russellreid.com 800-356-4468

Public Law 2005, Chapter 51

Russell Reid and Mr. John are in compliance with the requirements of the pay to play law. We have more than $50,000 per year in contracts with State Agencies and file an annual report with the Election Law Commission. Further, it is our understanding that the submission of a political contribution disclosure form is not required for bids that are "fair and open". Therefore we have not submitted a disclosure form with this bid. A political disclosure form will be provided upon request.

Under N.J.S.A. 19:44A-20.4 et seq.,
Specifically, the "fair and open" process shall include, at minimum:
• Public advertisement (either conventionally in newspapers OR posted on the entity's website) with "sufficient time to give notice," and
• Award under "a process that provides for public solicitation of proposals OR qualifications," and
• Established on the basis of an award and disclosure process documented in writing prior to any solicitation, and
• Publicly opened and announced when awarded

Chapter 271 supplements the two earlier laws and requires disclosure of contributions made by a business at two junctures: to the government entity awarding a contract having a value in excess of $17,500, if the contract is not awarded pursuant to a fair and open process; and to the Commission in an annual report if a business entity has received $50,000 or more in a calendar year as a result of contracts with New Jersey government entities.

These facts can be confirmed by contacting the N.J. Election law Commission at 888-313-3532 or http://www.elec.state.nj.us

Sincerely,

David J. Dam, Executive Vice President

State of New Jersey
Department of Environmental Protection
Bureau of Background Disclosure Review
CN-414
Trenton, NJ 08625-0414
Phone: (609) 530-8210
Fax: (609) 530-8899

Christine Todd Whitman
Governor

Robert C. Shinn, Jr.
Commissioner

Mr. Mitchell Weiner
Russell Reid Waste Hauling & Disposal Co., Inc.
200 Smith Street
Keasby, NJ 08832

OCT 31 1994

RE: Solid Waste Transporter License
N.J.S.A. 13:1E-126 et seq.

Dear Mr. Weiner:

This is to advise you that the investigative report from the Attorney General required under N.J.S.A. 13:1E-126 et seq. has been received by the Department of Environmental Protection.

Based on our review of the investigative report, the disclosure statement, your other application papers and the Department's enforcement history, the Department is issuing a solid waste transporter license to:

RUSSELL REID WASTE HAULING & DISPOSAL CO., INC.

This letter will serve as documentation that a solid waste transporter license has been issued. This license must be renewed annually by filing the annual license update form and any other information concerning your company or its operation as required by the Department.

Questions regarding this solid waste transporters license or your Certificate of Public Convenience and Necessity should be directed to the Bureau of Background Disclosure Review at (609) 530-8210. Questions regarding vehicle registration should be directed to the Bureau of Registration at (609 530-4004.

Sincerely,

Alan Kaczoroski

Alan Kaczoroski, Chief
Bureau of Background Disclosure Review

AK/rh

New Jersey is an Equal Opportunity Employer
Recycled Paper

Let's protect our earth

STATE OF NEW JERSEY
DIVISION OF SOLID AND HAZARDOUS WASTE
Bureau of Hazardous Waste Regulation
PO BOX 414
Trenton, NJ 08625-0414
(609)-292-7081

Expiration Date : 06/30/09
Decal No. : 2638
Vehicle ID# : 1M1AA18Y11W138310 NJ
License # : AK337Y
Certified : RUSSELL REID WASTE HAULING
200 SMITH STREET
KEASBEY NJ 08832
DEP No. : 07911 **Type :** M

RUSSELL REID WASTE HAULING
200 SMITH STREET
KEASBEY NJ 08832

#532

Transporter Vehicle Registration Card

SEE BACK FOR INSTRUCTIONS ON MOUNTING YOUR DECALS.

SOLID

Document #:

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STATE OF NEW JERSEY
DIVISION OF SOLID AND HAZARDOUS WASTE
Bureau of Hazardous Waste Regulation
PO BOX 414
Trenton, NJ 08625-0414
(609)-292-7081

Expiration Date : 06/30/09
Decal No. : 2525
Vehicle ID# : 2NPLHD7X65M825186 NJ
License # : AB949D
Certified : RUSSELL REID WASTE HAULING
200 SMITH STREET
KEASBEY NJ 08832
DEP No. : 07911 **Type :** S

RUSSELL REID WASTE HAULING
200 SMITH STREET
KEASBEY NJ 08832

#585

Transporter Vehicle Registration Card

SEE BACK FOR INSTRUCTIONS ON MOUNTING YOUR DECALS.

SOLID

Document #:

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STATE OF NEW JERSEY
DIVISION OF SOLID AND HAZARDOUS WASTE
Bureau of Hazardous Waste Regulation
PO BOX 414
Trenton, NJ 08625-0414
(609)-292-7081

Expiration Date : 06/30/09
Decal No. : 2663
Vehicle ID# : 3FRLL45Z66V297426 NJ
License # : XH176Y
Certified : RUSSELL REID WASTE HAULING
200 SMITH STREET
KEASBEY NJ 08832
DEP No. : 07911 **Type :** S

RUSSELL REID WASTE HAULING
200 SMITH STREET
KEASBEY NJ 08832

#592

Transporter Vehicle Registration Card

SEE BACK FOR INSTRUCTIONS ON MOUNTING YOUR DECALS.

SOLID

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STATE OF NEW JERSEY
DIVISION OF SOLID AND HAZARDOUS WASTE
Bureau of Hazardous Waste Regulation
PO BOX 414
Trenton, NJ 08625-0414
(609)-292-7081

Expiration Date	:	06/30/09
Decal No.	:	2534
Vehicle ID#	:	1FDXN80E2WVA39870 NJ
License #	:	AH380S
Certified	:	RUSSELL REID WASTE HAULING 200 SMITH STREET KEASBEY NJ 08832
DEP No.	:	07911 **Type** : S

RUSSELL REID WASTE HAULING
200 SMITH STREET
KEASBEY NJ 08832

#355

Transporter Vehicle Registration Card

SEE BACK FOR INSTRUCTIONS ON MOUNTING YOUR DECALS.

SOLID

Document #:

Let's protect our earth

STATE OF NEW JERSEY
DIVISION OF SOLID AND HAZARDOUS WASTE
Bureau of Hazardous Waste Regulation
PO BOX 414
Trenton, NJ 08625-0414
(609)-292-7081

Expiration Date	:	06/30/09
Decal No.	:	2535
Vehicle ID#	:	1NPGLT9X7XD488477 NJ
License #	:	AH202U
Certified	:	RUSSELL REID WASTE HAULING 200 SMITH STREET KEASBEY NJ 08832
DEP No.	:	07911 **Type** : S

RUSSELL REID WASTE HAULING
200 SMITH STREET
KEASBEY NJ 08832

#354

Transporter Vehicle Registration Card

SEE BACK FOR INSTRUCTIONS ON MOUNTING YOUR DECALS.

SOLID

Document #:

Let's protect our earth

STATE OF NEW JERSEY
DIVISION OF SOLID AND HAZARDOUS WASTE
Bureau of Hazardous Waste Regulation
PO BOX 414
Trenton, NJ 08625-0414
(609)-292-7081

Expiration Date	:	06/30/09
Decal No.	:	2536
Vehicle ID#	:	5AGEV4127XS250501 NJ
License #	:	T44D5A
Certified	:	RUSSELL REID WASTE HAULING 200 SMITH STREET KEASBEY NJ 08832
DEP No.	:	07911 **Type** : T

RUSSELL REID WASTE HAULING
200 SMITH STREET
KEASBEY NJ 08832

#370

Transporter Vehicle Registration Card

SEE BACK FOR INSTRUCTIONS ON MOUNTING YOUR DECALS.

SOLID

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STATE OF NEW JERSEY
DIVISION OF SOLID AND HAZARDOUS WASTE
Bureau of Hazardous Waste Regulation
PO BOX 414
Trenton, NJ 08625-0414
(609)-292-7081

Expiration Date	:	06/30/09
Decal No.	:	2589
Vehicle ID#	:	2NPNHD7X03M808048 NJ
License #	:	AH110G
Certified	:	RUSSELL REID WASTE HAULING 200 SMITH STREET KEASBEY NJ 08832
DEP No.	:	07911 **Type** : S

RUSSELL REID WASTE HAULING
200 SMITH STREET
KEASBEY NJ 08832

#481

Transporter Vehicle Registration Card

SEE BACK FOR INSTRUCTIONS ON MOUNTING YOUR DECALS.

SOLID

Document #:

Let's protect our earth

STATE OF NEW JERSEY
DIVISION OF SOLID AND HAZARDOUS WASTE
Bureau of Hazardous Waste Regulation
PO BOX 414
Trenton, NJ 08625-0414
(609)-292-7081

Expiration Date	:	06/30/09
Decal No.	:	2590
Vehicle ID#	:	1HTWNADT53J072321 NJ
License #	:	AG731T
Certified	:	RUSSELL REID WASTE HAULING 200 SMITH STREET KEASBEY NJ 08832
DEP No.	:	07911 **Type** : S

RUSSELL REID WASTE HAULING
200 SMITH STREET
KEASBEY NJ 08832

#478

Transporter Vehicle Registration Card

SEE BACK FOR INSTRUCTIONS ON MOUNTING YOUR DECALS.

SOLID

Let's protect our earth

STATE OF NEW JERSEY
DIVISION OF SOLID AND HAZARDOUS WASTE
Bureau of Hazardous Waste Regulation
PO BOX 414
Trenton, NJ 08625-0414
(609)-292-7081

Expiration Date	:	06/30/09
Decal No.	:	2591
Vehicle ID#	:	2NPNLD9X13M808443 NJ
License #	:	AG732T
Certified	:	RUSSELL REID WASTE HAULING 200 SMITH STREET KEASBEY NJ 08832
DEP No.	:	07911 **Type** : S

RUSSELL REID WASTE HAULING
200 SMITH STREET
KEASBEY NJ 08832

#494

Transporter Vehicle Registration Card

SEE BACK FOR INSTRUCTIONS ON MOUNTING YOUR DECALS.

SOLID

This Certificate is
Non-Transferable.

State of New Jersey

NO. SW. 1499

DEPARTMENT OF PUBLIC UTILITIES
BOARD OF
PUBLIC UTILITY COMMISSIONERS

CERTIFICATE

OF

PUBLIC CONVENIENCE AND NECESSITY

Hereby issued to:

NAME RUSSELL REID WASTE HAULING AND DISPOSAL SERVICE CO., INC.

ADDRESS 450 RARITAN CENTER, P.O. BOX 415, EDISON, NJ 08817

FOR AUTHORITY TO ENGAGE IN THE BUSINESS OF SOLID WASTE COLLECTION AS DEFINED IN N.J.S.A. 48:13A-1 ET SEQ. AND N.J.S.A. 13:1E-1 ET SEQ. IN AND ABOUT THE STATE OF NEW JERSEY

N.J.B.S.W.M. CERTIFICATE NO. 5785

The authority granted herein shall not exceed that previously requested in the application and tariff in Docket No. 712R-125 and authorized by SW 556. The Order of July 23, 1981 in Docket No. 815-473 authorized the transfer of assets from Alan Garrettson to Russell Reid Waste Hauling and Disposal Service and issuance of Certificate of Public Convenience and Necessity SW No. 1499.

IT IS MADE A CONDITION OF THIS CERTIFICATE THAT THE HOLDER SHALL OPERATE IN COMPLIANCE WITH THE AUTHORITY HEREIN GRANTED UNDER THE PROVISIONS OF N.J.S.A. 48:13A-1 ET SEQ. AND N.J.S.A. 13:1E-1 ET SEQ. AND FAILURE SO TO DO SHALL CONSTITUTE SUFFICIENT GROUNDS FOR SUSPENSION, CHANGE OR REVOCATION, PURSUANT TO N.J.S.A. 48:1-1 ET SEQ.

Date of Issue 7/29/81

BOARD OF PUBLIC UTILITY COMMISSIONERS

Secretary

Not valid without this Seal

State of New Jersey

VENDOR I.D. NO. 45561

CASINO CONTROL COMMISSION

Russell Reid Waste Hauling and Disposal Service
t/a Mr. John, Inc.

200 Smith Street
PO Box 130
Keasbey, NJ 08832

on this Thirieth (30th) day of April 2007, having established the qualifications set forth in the Casino Control Act, N.J.S.A. 5:12-1 et seq. and the regulations of this Commission, N.J.A.C. 19:40-1 et seq., is hereby issued a

CASINO SERVICE INDUSTRY LICENSE

and is hereby authorized by the Casino Control Commission to offer goods or services not directly related to casino or gaming activity to a casino licensee or a casino applicant and their employees or agents.

CHRISTOPHER D. STORCELLA
Director, Division of Licensing

LINDA M. KASSEKERT
Chair

This license expires on April 30, 2011

№ 10234

LITHO. IN U.S.A.

GOES 746

NEW JERSEY DEPARTMENT OF THE TREASURY
DIVISION OF REVENUE

Donald T. DiFrancesco
Acting Governor

Peter R. Lawrance
Acting State Treasurer

Renewal Notice and Filing Form for Alternate Business Name

Date: 12/06/2001
Business ID: 0100138168

0198 120601
RUSSELL REID WASTE HAULING AND DISPOSAL SERVICE CO
W RAYMOND FELTON
PO BOX 5600
WOODBRIDGE, NJ 07095

0198 120601
RUSSELL REID WASTE HAULING AND DISPOSAL SERVICE CO
POB 130, 200 SMITH STREET
KEASBEY, NJ 08832

FILED
FEB 4 2002
STATE TREASURER
AVK

Dear Business Representative:
Our files indicate that the alternate business name listed below, for RUSSELL REID WASTE HAULING AND DISPOSAL SERVICE CO., INC. is due to expire on 01/10/2002.

MR. JOHN, INC.

The last registration or registration renewal on file for the alternate name above is dated 01/10/1997.

A. Instructions for Renewing Your Alternate Name Registration
If you wish to renew your alternate name registration: 1) fill out the purpose field in Section B below; 2) sign in the space indicated; and 3) return this form, along with a check for $25 made payable to the Treasurer, State of New Jersey, to:

Corporate Filing Unit
PO Box 308
Trenton, NJ 08625-0308

The renewed registration will be valid for five (5) years from the date on which your renewal is filed.
We will send a filing acknowledgment to your registered agent/office after we have processed your renewal.

B. Information Required for Renewal:
RUSSELL REID WASTE HAULING AND DISPOSAL SERVICE CO., INC. intends to continue using the Alternate Name, MR. JOHN, INC., in the State of New Jersey for the following purpose(s):

Briefly describe the nature of the business/activity to be conducted using the Alternate Name:
PORTable toilet Rental Co

Signature

Name: [signature] Signature: _____

Title: CEO Date: 1-17-01

Signer must be:
For Corporations — Chairman of the Bd., President, Vice-President
For Limited Partnerships — General Partner
For All Other Business Types — Authorized Representative

If the renewal is received after 03/06/2002 a $50 per year penalty will be assessed.

3(058221
2031500

0100138168

Document No.
B 3808

CITY OF NEW YORK
BUSINESS INTEGRITY COMMISSION
100 CHURCH STREET, NEW YORK, NY 10007

The issuance and retention of this license or registration is contingent upon the licensee's or registrant's compliance with the laws of the State of New York and the City of New York, the rules, regulations, and orders of the Business Integrity Commission, and the rules, regulations and orders of all Federal, State, and City agencies, now in effect or hereafter enacted.

Type: LICENSE

TW# 2766

Issued: **03/21/2008** Expires: **03/31/2010**

Start Date: **04/01/2008** End-Date: **03/31/2010**

Entity Name: **RUSSELL REID WASTE HAULING AND DISPOSAL SERVICE CO., I**

Trade-Name (D/B/A): **RUSSELL REID CO. & MR. JOHN**

Principal Office: **200 SMITH STREET, KEASBEY, NJ 08832**

Principal Garage Office: **200 SMITH STREET, KEASBEY, NJ 08832**

Mailing Address: **PO BOX 130, KEASBEY, NJ 08832**

Michael J. McSweeney

Chair, Business Integrity Commission

NOT TRANSFERABLE

THIS LICENSE OR REGISTRATION MUST BE CONSPICUOUSLY DISPLAYED IN PRINCIPAL OFFICE

The City of New York

DEPARTMENT OF ENVIRONMENTAL PROTECTION

EXECUTIVE OFFICES
59-17 JUNCTION BLVD., 19TH FLOOR, CORONA, NEW YORK 11368-5107

JOEL A. MIELE, SR., P.E., COMMISSIONER

(718) 595-6565 FAX: (718) 595-3525
E-mail Jmiele@pppmail.nyser.net

December 19, 1997

Russell Reid Waste Hauling
and Disposal Service Co., Inc.
200 Smith Street
Keasbey, NJ 08832

1997 DEC 29

Re: New York City
Scavenger Waste
Permit(s)

Permit Number(s)
277 288 237 276 224
98-41, 98-42, 98-43, 98-44, 98-45
98-46, 98-47, ~~98-48~~, 98-48 98-49
220 208 186 215

Certified Mail, Return Receipt Requested

Gentlemen:

Enclosed please find the above referenced Scavenger Waste Permit(s). Each permit is issued for a specific vehicle and must be carried on that vehicle at all times. The permit must be produced upon the request of any personnel of this Department or any law enforcement officer.

You should read the permit carefully. It contains important limitations on the type of wastes that can be transported and discharged. **The discharge of wastes collected from outside New York City is strictly prohibited.** Additionally, the permit limits the time of day when discharging is authorized. Also included in the permit are important reporting requirements. **Please note: the reporting format has been revised.**

It should be noted that New York City Scavenger Waste Permits do not satisfy the registration, licensing or permitting requirements of any other city, state or federal agency.

Your Scavenger Waste Permit(s) is valid until midnight, December 31, 1998. You are responsible to apply for a renewal of this permit prior to December 1, 1998.

If you have any questions concerning your Scavenger Waste Permit, please telephone Ms. Kin Fong Tong at (718) 595-4725.

New York State Department of Taxation and Finance - Sales Tax

Certificate of Authority

Identification Number

22 2365208

(Use this number on all returns and correspondence)

VALIDATED
REPLACEMENT
PROCESSING DIV
SALES TAX
01-31-02
DEPT. OF TAX
AND FINANCE

VOID
UNLESS
VALIDATED

RUSSELL REID WASTE HAULING AND DISPOSAL
PO BOX 130 200 SMITH ST
KEASBEY NJ 08832

is authorized to collect sales and use taxes under Articles 28 and 29 of the New York State Tax Law.

Not Transferable

This certificate must be prominently displayed in your place of business listed above.
Fraudulent or other improper use of this certificate may cause it to be revoked.
This certificate may not be photocopied or reproduced.

DTF-17 A (8/97)

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
DIVISION OF SOLID & HAZARDOUS MATERIALS

PART 364
WASTE TRANSPORTER PERMIT NO. NJ-146

Pursuant to Article 27,Titles 3 and 15 of the Environmental Conservation Law and 6 NYCRR 364

PERMIT ISSUED TO:

RUSSELL REID WASTE HAULING & DISPOSAL
SERVICE COMPANY, INC.
P.O BOX 130
200 SMITH STREET
KEASBEY, NJ 08832

PERMIT TYPE:

☐ NEW
☐ RENEWAL
■ MODIFICATION

CONTACT NAME: MITCHELL WEINER
COUNTY: OUT OF STATE
TELEPHONE NO: (732)225-2238

EFFECTIVE DATE: 10/30/2006
EXPIRATION DATE: **08/31/2007**
US EPA ID NUMBER: NJD980533434

AUTHORIZED VEHICLES:
The Permittee is Authorized to Operate the Following Vehicles to Transport Waste:
(Vehicles enclosed in <>'s are authorized to haul Residential Raw Sewage and/or Septage only)

122 (One Hundred and Twenty Two) Permitted Vehicle(s)

< NJ AB949D > 585	< NJ AK411G > 595	NJ AH201U 351
< NJ AB950D > 243	< NJ AK412G > 596	NJ AH202U 354
< NJ AC296W > 600	< NJ AK413G > 601	NJ AH545W 544
< NJ AE213C > 277	< NJ AK868H > 597	NJ AH803K 530
< NJ AE313X > 290	< NJ AK869H > 598	NJ AH920S 539
< NJ AE314X > 288	< NJ AK870H > 599	NJ AJ103Z 521
< NJ AE507Z > 255	< NJ X63L45 > 357	NJ AJ130P 566
< NJ AE901S > 378	< NJ XG775Y > 590	NJ AJ152D 560
< NJ AE913U > 383	< NJ XH176Y > 592	NJ AJ185L 567
< NJ AE973V > 384	< NJ XH831J > 452	NJ AJ186L 568
< NJ AF405R > 396	< NJ XJ803E > 591	NJ AJ359M 569
< NJ AF709J > 402	< NY 41922JW > 604	NJ AJ583S 583
< NJ AF801V > 427	< NY 41923JW > 603	NJ AJ880J 573
< NJ AG188S > 475	< NY 48739JA > 505	NJ AJ975B 572
< NJ AG220D > 446	< NY 64324JA > 511	NJ T12V8H 538
< NJ AG221D > 448	< NY 73833JA > 514	NJ T44D5A 370
< NJ AG328V > 480	< NY 73843JA > 509	NJ T49S1W 459
< NJ AG388X > 441	< NY 73844JA > 510	NJ T50S1W 454
< NJ AG730T > 479	NJ AB897D 437	NJ T51S1W 455
< NJ AG731T > 498	NJ AB942D 515	NJ T52V8H 536
< NJ AG757G > 465	NJ AC722X 562	NJ T64H6G 382
< NJ AG894R > 503	NJ AD726K 591	NJ T72Y5N 558
< NJ AG904B > 418	NJ AE210L 376	NJ T7E942 317
< NJ AH110G > 481	NJ AE300D 387	NJ T7L445 321
< NJ AH247P > 382	NJ AE477Y 388	NJ T7T499 336
< NJ AH381S > 542	NJ AF257Y 432	NJ T97U3D 498
< NJ AH382S > 543	NJ AF317L 404	NJ T98U3D 497
< NJ AH428L > 484	NJ AF426S 384	NJ T9G769 346
< NJ AH477M > 533	NJ AF548U 420	NJ TBG49N 539
< NJ AH770V > 551	NJ AF590Y 422	NJ TDA91U 608
< NJ AH837U > 349	NJ AF738Z 436	NJ X9119F 311
< NJ AH870F > 576	NJ AG329V 495	NJ XB735H 451
< NJ AJ112F > 466	NJ AG389X 319	End of List
< NJ AJ122V > 420	NJ AG511N 314	
< NJ AJ198M > 535	NJ AG513N 563	
< NJ AJ244A > 422	NJ AG536W 496	
< NJ AJ262Y > 501	NJ AG578R 473	
< NJ AJ574J > 439	NJ AG732T 494	
< NJ AJ682K > 362	NJ AG762G 462	
< NJ AJ685K > 564	NJ AG893R 473	
< NJ AJ731Y > 540	NJ AH111G 528	
< NJ AJ733R > 372	NJ AH112G 527	
< NJ AJ734R > 375	NJ AH151G 526	
< NJ AJ872E > 440	NJ AH152G 529	
< NJ AJ885A > 552	NJ AH200U 348	

This certifies that the bearer is duly licensed by the County of Suffolk

Charles A. Gardner
Director

SUFFOLK COUNTY EXECUTIVE'S
OFFICE OF CONSUMER AFFAIRS

COMMERCIAL, INDUSTRIAL
RESIDENTIAL, SEPTIC
LICENSE

NAME
GARY M WEINER

BUSINESS NAME
RUSSELL REID WASTE HAULING &
DISPOSAL SVC CO INC

License Number	Date Issued
190-LW	06/01/2001

EXPIRATION DATE 06/01/2009

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

DEC PERMIT NUMBER	EFFECTIVE DATE
1-4728-04094/00001	November 25, 2008
FACILITY/PROGRAM NUMBER(S)	EXPIRATION DATE(S)
52T116	November 24, 2011

PERMIT

Under the Environmental Conservation Law

TYPE OF PERMIT ☐ New ■ Renewal ☐ Modification ☐ Permit to Construct ☐ Permit to Operate

- ☐ Article 15, Title 5: Protection of Waters
- ☐ Article 15, Title 15: Water Supply
- ☐ Article 15, Title 15: Water Transport
- ☐ Article 15, Title 15: Long Island Wells
- ☐ Article 15, Title 27: Wild, Scenic and Recreational Rivers
- ☐ Other:
- ☐ 6NYCRR 608: Water Quality Certification
- ☐ Article 17, Titles 7, 8:SPDES
- ☐ Article 19: Air Pollution Control
- ☐ Article 23, Title 27: Mined Land Reclamation
- ☐ Article 24: Freshwater Wetlands
- ☐ Article 25: Tidal Wetlands
- ■ Article 27, Title 7; 6NYCRR 360: Solid Waste Management
- ☐ Article 27, Title 9; 6NYCRR 373: Hazardous Waste Management
- ☐ Article 34: Coastal Erosion Management
- ☐ Article 36: Floodplain Management
- ☐ Articles 1, 3, 17, 19, 27, 37; 6NYCRR 380: Radiation Control

PERMIT ISSUED TO	TELEPHONE NUMBER
Russell Reid Co.	(631) 567-3122
ADDRESS OF PERMITTEE	
10 Lo Grande Court, Bohemia, NY 11716	
CONTACT PERSON FOR PERMITTED WORK	TELEPHONE NUMBER
Steven Kramer	(631) 473-2430
NAME AND ADDRESS OF PROJECT/FACILITY	
Russell Reid Transfer Station, 10 Lo Grande Court	

COUNTY	TOWN	WATERCOURSE	NYTM COORDINATES
Suffolk	Islip		

DESCRIPTION OF AUTHORIZED ACTIVITY:

Construct and operate a facility for the storage, handling and transportation of non-hazardous restaurant grease and sanitary waste. The facility is authorized to accept 9400 gallons per day of wastewater with small amounts of grease and 21,000 gallons per day of portable toilet waste.

By acceptance of this permit, the permittee agrees that the permit is contingent upon strict compliance with the ECL, all applicable regulations, the General Conditions specified **(see page 2)** and any Special Conditions included as part of this permit.

PERMIT ADMINISTRATOR:	ADDRESS	
Susan V. Ackerman (CAF)	SUNY @ Stony Brook, 50 Circle Road, Stony Brook, NY 11790-3409	
AUTHORIZED SIGNATURE	DATE	
	November 26, 2008	Page 1 of 4

Pennsylvania Department of Environmental Protection

Rachel Carson State Office Building
P.O. Box 8472
Harrisburg, PA 17105-8472

July 16, 1997

Bureau of Land Recycling and Waste Management

(717) 787-7381

David J. Dam
Russell Reid Waste Hauling and Disposal Service Co., Inc.
200 Smith St.
Keasbey, NJ 08832

Dear Mr. Dam:

Thank you for your submission of the septage hauler registration form provided by the Department of Environmental Protection. The Department has assigned a transporter number of 99008 to your business. PA Title 25, Chapter 285.225 (c) requires that you display this number on the sides and rear of each vehicle that you use to haul septage. These regulations also require that the numbers be at least three inches high in a color contrasting to the background. If you do not comply with the regulations, you may be subject to enforcement action. Thank you for your cooperation in this matter. Any questions should be directed to C.D. Vu in the Division of Wastewater Management at (717) 787-8184.

Sincerely,

William F. Pounds, Chief
Division of Municipal and Residual Waste

CC: Regional Office

Commonwealth of Pennsylvania

This certificate expires on
November 12, 2012

Registration No.
VR-27839

Pennsylvania Gaming Control Board

Russell Reid Waste Hauling and Disposal Service Company, Inc.
200 Smith Street
Keasbey, NJ 08832

On the 13th day of November 2008, having established the qualifications set forth in the Pennsylvania Race Horse Development and Gaming Act and the regulations of this Board, the above-named party is hereby issued a

VENDOR REGISTRATION

and is hereby authorized by the Pennsylvania Gaming Control Board to provide non-gaming goods or services to a slot machine licensee or applicant.

PENNSYLVANIA GAMING CONTROL BOARD

WITNESS THE SIGNATURES AND
SEAL OF THE PENNSYLVANIA
GAMING CONTROL BOARD

ATTEST:

Mary DiGiacomo Colins
Chairman

Susan Hensel
Director, Bureau of Licensing

A Registration issued by the Pennsylvania Gaming Control Board is a grant of the privilege to conduct business in this Commonwealth and is not transferable.

LICENSE NO. 2000104269

POST CONSPICUOUSLY

STATE OF DELAWARE
DIVISION OF REVENUE

VALID
01/01/07 - 12/31/09
NOT TRANSFERABLE

BUSINESS CODE 099 LICENSED ACTIVITY PROFESSIONAL AND/OR PRSL SRVCS-UNCLASSIFIED
GROUP CODE 007 PROFESSIONAL AND/OR PERSONAL SERVICES

DLN: 06 81363 45

DATE ISSUED: 12/28/[illegible]

LICENSE FEE: $[illegible]

Delaware It's good being first.

VALIDATED

2009

BUSINESS LICENSE

MAILING ADDRESS
#BWNKHPS
#13CE 2300 TLMO 8181#
RUSSELL REID WASTE HAUL/DISPOSAL
PO BOX 130 200 SMITH ST
KEASBEY NJ 08832-0130

BUSINESS LOCATION
RUSSELL REID WASTE HAUL/DISPOSAL
PO BOX 130 200 SMITH ST
KEASBEY NJ 08832-0130

IS HEREBY LICENSED TO PRACTICE, CONDUCT OR ENGAGE IN THE OCCUPATION OR BUSINESS ACTIVITY INDICATED ABOVE IN ACCORDANCE WITH THE LICENSE APPLICATION DULY FILED PURSUANT TO TITLE 30, DEL CODE.

PATRICK T. CARTER
DIRECTOR OF REVENUE

672599

IMPORTANT - TEAR AT ABOVE PERFORATION AND DISPLAY IN A PUBLIC LOCATION

Federal E.I. No. or Social Security Number 1 22236 5208 001

Business Code 099 Group Code 007

Licensed Activity PROFESSIONAL AND/OR PRSL SRVCS-UNCLASSIFIED PROFESSIONAL AND/OR PERSONAL SERVICES

The State of Delaware Business License printed above must be posted in a public area at the location address listed. If you have any questions regarding this license, please call (302) 577-8778.

REPLACEMENT LICENSES

Keep this portion of your license separate, in case you need a replacement for any lost, stolen or destroyed license. A $15 fee will be charged for the replacement of a license. Send the $15 along with a copy of this form or provide your Federal Employer Identification Number, or Social Security Number, suffix, Business Code, Business Name and address to Delaware Division of Revenue, Attn.: Business Master File, PO Box 8750, Wilmington, DE 19899-8750. You will receive your replacement license within three to four weeks.

OTHER IMPORTANT INFORMATION

Most licensees are also required to pay either gross receipts or excise taxes in addition to the license fee. The coupon booklets you must use to pay these taxes are mailed December through January from our annual mailing, or six weeks after you have applied for a business license. You must **submit all business tax returns** filed with the Division of Revenue **under the same identification number.** If you are a sole-proprietor, and have a federal employer identification number, use the employer identification number, not your social security number. Only sole proprietors with no employees are allowed to file under their social security number. Inquiries regarding your coupon booklets to pay gross receipts, excise tax, withholding, corporate tentative and Sub Chapter "S" estimated taxes; or to make changes to your name, address or identification number should be directed to the Business Master File Unit at **(302) 577-8778.**

INTERNET SITE

The Division of Revenue web address is: http://www.state.de.us/revenue. Visit our web site for tax tips, links to telephone numbers, forms that you can download, links to other State agencies, the Delaware Code, the publication "Delaware Guide for Small Business" and lots more. Internet filing of personal income tax returns via the Division of Revenue's website is available. Internet filing for Withholding and Corporate Tentative payments is also available.

STATE OF DELAWARE
DEPARTMENT OF NATURAL RESOURCES &
ENVIRONMENTAL CONTROL
DIVISION OF WATER RESOURCES
89 KINGS HIGHWAY
DOVER, DELAWARE 19901

Russell Reid Waste Hauling and
Disposal Service Co, Inc
200 Smith St
Keasbey NJ 08832

Permit Number: OH-238
Issue Date: July 12, 2004
Expiration Date: July 11, 2009

Pursuant to the provisions of 7 Del. C., Chapter 60, and the State of Delaware Department of Natural Resources and Environmental Control's Guidance and Regulations Governing the Land Treatment of Wastes, permission is hereby granted to Russell Reid Waste Hauling and Disposal Service Co, Inc to operate and maintain the vehicle(s) listed in the permit application and any supplemental submissions to the Department, operated by Russell Reid Waste Hauling and Disposal Service Co, Inc, for the purpose of collecting, transporting and disposing of grease and/or cooking oil waste, portable toilet waste, and food manufacturing wastewater in the state of Delaware. **A copy of this permit must accompany each permitted vehicle and be presented upon request to any law enforcement officer or representative of the Department of Natural Resources and Environmental Control.**

This permit is issued subject to the following conditions:

1. Disposal site(s) for all wastes listed above shall be the following:

   a. Gloucester County Utilities Authority Treatment Plant, New Jersey.

2. Permittee shall maintain a current copy of their permit/authorization documentation for each facility listed in Condition 1 on file with the Department.

3. All receiving stations must be in compliance with all Federal, State and local regulations.

4. None of the wastes shall be deposited into ditches, watercourses, lakes, ponds, tidewater sources, landed property or at any point other than the disposal site(s) mentioned in Condition 1 above.

5. All waste material collected by permittee shall be transported and disposed of in accordance with the regulations of the Department of Natural Resources and Environmental Control and upon authorization by the disposal site(s) listed in Condition 1 above. None of these wastes may be disposed of within the State of Delaware without specific permission of the Department.

6. The company name, address and permit number, as shown above, shall be displayed on both sides of each vehicle used for hauling purposes in letters not less than three (3) inches high and of a color contrasting the color of the vehicle.

7. Every vehicle used for waste transporting purposes shall be equipped with a leak-proof tank or body and shall be maintained in a clean and sanitary condition. All pumps, hoses, and vehicle tanks or bodies shall be maintained so as to prevent leakage. Provisions shall be made to discharge all liquid waste through a leak-proof hose from the tank compartment of the vehicle.

200 Smith Street | PO Box 130 | Keasbey, NJ 08832 | Fax 732-417-0367
www.mrjohn.com 800-628-8955 www.russellreid.com 800-356-4468

Russell Reid Hauling Contract References:

Name:	**Cinnaminson Sewerage Authority**
Contact:	Paul Phillips
Phone:	856-829-5290
Description:	Transportation and/or disposal of sludge
Amount:	$220,000.00
Start:	2/12/2008
End:	2/11/2010

Name:	**Cape May County MUA**
Contact:	Stosh/Charlie @ 609 884 2299
Phone:	609-465-9026
Description:	Transportation and/or disposal of sludge
Amount:	$100,340.00
Start:	6/7/2007
End:	6/6/2009

Name:	**Medford Township**
Contact:	Ryan Willits
Phone:	609-654-7886
Description:	Transportation and/or disposal of sludge
Amount:	$125,000.00
Start:	12/1/2006
End:	11/30/2010

Name:	**Hanover Sewerage Authority**
Contact:	Michael Wynne
Phone:	973-428-2477
Description:	Transportation and/or disposal of sludge
Amount:	$34,475.00
Start:	3/13/2002
End:	3/14/2007

Name:	**Pollution Control Financing Authority of Warren Co**
Contact:	Brian
Phone:	908-453-2174
Description:	Transportation and/or disposal of Leachate
Amount:	$500,000.00
Start:	6/1/2006
End:	5/31/2010

ACORD™ CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY): 3/19/2008

PRODUCER
Waste & Septage Haulers
c/o Charter Partners
33 Rupell Road
Hampton NJ 08827

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

INSURED
Russell Reid Waste Hauling & Disposal Services Co Inc/Mr John Portable Sanitation Units Inc/ Mr. John, Inc. 200 Smith St.
Keasbey NJ 08832

INSURERS AFFORDING COVERAGE	NAIC #
INSURER A: NOVA Casualty Company	42552
INSURER B: Manufact. All. Ins. Co.	36897
INSURER C: Everest Nat'l Insur. Co.	10120
INSURER D:	
INSURER E:	

COVERAGES

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

INSR LTR	ADD'L INSRD	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS	
A		GENERAL LIABILITY [X] COMMERCIAL GENERAL LIABILITY [ ] CLAIMS MADE [X] OCCUR [X] XCU [X] Contractual Liab. GEN'L AGGREGATE LIMIT APPLIES PER: [ ] POLICY [X] PRO-JECT [ ] LOC	WAS-CL-0010000-1	4/1/2008	4/1/2009	EACH OCCURRENCE DAMAGE TO RENTED PREMISES (Ea occurrence) MED EXP (Any one person) PERSONAL & ADV INJURY GENERAL AGGREGATE PRODUCTS - COMP/OP AGG	$ 1,000,000 $ 100,000 $ 5,000 $ 1,000,000 $ 2,000,000 $ 2,000,000
A		AUTOMOBILE LIABILITY [X] ANY AUTO [ ] ALL OWNED AUTOS [ ] SCHEDULED AUTOS [X] HIRED AUTOS [X] NON-OWNED AUTOS [X] Hired Car Phys Dam	WAS-CA-0010000-1 MCS-90 Endorsement Broadened Pollution Form No. CA9948	4/1/2008	4/1/2009	COMBINED SINGLE LIMIT (Ea accident) BODILY INJURY (Per person) BODILY INJURY (Per accident) PROPERTY DAMAGE (Per accident)	$ 1,000,000 $ $ $
		GARAGE LIABILITY [ ] ANY AUTO				AUTO ONLY - EA ACCIDENT OTHER THAN AUTO ONLY: EA ACC AGG	$ $ $
C		EXCESS/UMBRELLA LIABILITY [X] OCCUR [ ] CLAIMS MADE [ ] DEDUCTIBLE [ ] RETENTION $	71C1000062-081	4/1/2008	4/1/2009	EACH OCCURRENCE AGGREGATE	$ 10,000,000 $ 10,000,000 $ $ $
B		WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? If yes, describe under SPECIAL PROVISIONS below	200801-7100340E	4/1/2008	4/1/2009	[X] WC STATU-TORY LIMITS [X] OTH-ER E.L. EACH ACCIDENT E.L. DISEASE - EA EMPLOYEE E.L. DISEASE - POLICY LIMIT	 $ 500,000 $ 500,000 $ 500,000
		OTHER					

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/EXCLUSIONS ADDED BY ENDORSEMENT/SPECIAL PROVISIONS

CERTIFICATE HOLDER

( ) -
Sample Certificate

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 10 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE
K Ujvary/LFRANK

© ACORD CORPORATION 1988

RUSSELL REID WASTE HAULING AND DISPOSAL SERVICE CO., INC.

AND/OR

D/B/A MR. JOHN PORTABLE SANITATION UNITS, INC.

CORPORATE OFFICES:

200 SMITH STREET, KEASBEY, NJ 08832
FED ID # 22-2365208
DUN'S # 05-220-1704

CREDIT AND TRADE REFERENCES

Del Vel Chem Company
424 A Kelley Drive
West Berlin, NJ 08091
Attn: Cam

Phone 800-699-9903
Fax 609-714-3030

F & S Tire
2510 Woodbridge Avenue
Edison, NJ 08837

Phone 732-985-8935
Fax 732-572-9379

Taylor Oil
77 Second Street
Somerville, NJ 08876

Phone 908-725-7737
Fax 908-725-7746

Wright Express
Account #: 0431-00-246079-8
P.O. Box 390024
Boston, MA 02241-0924

Phone 800-492-0669

Globe Petroleum
9 Central Avenue
Red Bank, NJ 07701
Attn: Pat Mazzucca

Phone 800-432-8546

BANK REFERENCE

Merrill Lynch
15 Exchange Place, 3rd Floor
Jersey City, NJ 07302
Attn: Thomas P. Higgins

Phone 201-593-7953
Fax 201-593-7870

200 Smith Street | PO Box 130 | Keasbey, NJ 08832 | Fax 732-417-0367
www.mrjohn.com 800-628-8955 www.russellreid.com 800-356-4468

Customer reference:

Customer: **Cape May County MUA**
1523 RT US Route 9 North
Cape May, NJ 08210
Owner Contact Bob Denato. 609-465-9026
Plant Contact Larry Cramer 609-398-8993
Description Loading & Hauling from the Ocean City Plant to the Seven Mile Beach **Annual Value**
$100,000.00 Start 5/1/2006 End 4/30/2007

Customer: **Cinnaminson Sewerage Authority**
1621 Riverton Road
Cinnaminson, NJ 08077
Owner Contact Paul Phillips 856-829-5290
Plant Contact Paul Phillips 856-829-2272
Description Sludge hauling
Annual Value $220,000.00 Start 2/12/2008 End 2/11/2010

Customer: **Hanover Sewerage Authority**
Hanover Municipal Building
Whippany, NJ 07981
Owner Contact Michael Wynne 973-428-2477
Plant Contact
Description Sludge hauling
Annual Value $60,000.00 Start 7/1/2008 End 6/30/2009

Customer: **Monroe County of PA**
1 Quaker Plaza
Stroudsburg, PA 18360-2191
Owner Contact Robert Gress 570-420-3450
Plant Contact 570-629-2981
Description Two year sludge hauling contract
Annual Value $70,150.00 Start 12/5/2007 End 12/5/2009

Customer: **North Castle Town of**
15 Bedford Road
Arrmonk, NY 10504
Owner Contact: Annemarie Kelly 914-273-3321
Plant Contact: Anthony Futia 914-273-1641
Description: Sludge Hauling
Annual Value: $237,182.00 Start 1/1/2008 End 12/31/2008

K# 175-09

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 May 26, 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.

A.R. Communications	Repair Pager - Fire Dept.		44.35	
Action Office Supplies	Bank Deposit Bags - Recreation Dept.		63.68	
Affordable Interior Systems	Work Stations & Storage for Youth Services & Street Crimes Unit - Police Dept.		21,471.48	
Allied Building Products	Materials for Morris Avenue Comfort Station - DPW		104.90	
Allied Oil	Diesel Fuel & Underground Storage Tank Tax - 4/28/2009 - DPW		6,972.84	
Ansell, Zaro, Grimm & Aaron	Legal Services Rendered - Hotel Campus - April 2009	*	33.00	
Ansell, Zaro, Grimm & Aaron	Legal Services Rendered - Retainer - April 2009	*	2,500.00	
Ansell, Zaro, Grimm & Aaron	Legal Services Rendered - General/Litigation/Redevelopment/Tax Appeals - April 2009	*	16,977.68	
Apruzzese, McDermott, Mastro & Murphy	Legal Services Rendered - Labor Attorney - General Matters - April 2009		4,260.60	Pymt #4
Aramark	Uniform Hats & Jackets - Fire Dept. / Fire Prevention Office		407.95	
AT&T	Utilities - Telephone - 4/28-4/30/2009 - Various Locations	*	1,492.32	
AT&T	Utilities - Telephone - 4/16-4/21/2009 - Various Locations	*	147.23	
Atlantic Plumbing Supply	Materials for Beach Signs - DPW		488.49	
Avtech Software	Software Maintenance Renewal for Network Monitoring - 7/1/2009-6/30/2010 - IT-Admin.		75.00	
AW Direct	Misc. Parts - Fire #8-85 - Fire Dept.		132.76	
Basile, Baumann, Prost & Assoc.	Professional Services Rendered - Redevelopment Coordinator - April 2009		7,237.50	Pymt #4
Basile, Baumann, Prost & Assoc.	Professional Services Rendered - General Matters - April 2009		1,575.00	Pymt #4
Battery Mart	Batteries to Replenish Central Supply - Purchasing Dept.		337.79	
Beverly Baxter	Ceramic Instruction - April 2009 - Senior Affairs		1,331.25	
Boro Printing	Flyers for Father's Day Car Show - Administration		78.00	
Boundary Fence	Install Poles/Netting at Van Court Park - DPW		1,750.00	
Builders' General Supply	Materials for Barrier on Jay Street - DPW		118.56	
Cablevision Lightpath	Monthly Lease of Dark Fiber - May 2009 - IT-Administration		1,500.00	
CDWG	Misc. Equipment - Police Dept.		220.00	
Charles E. Lambert	Musical Performance - The Chuck Lambert Band - 5/23/2009 - Community Dev.	*	700.00	
Cherry Valley Tractor Sales	Hoses for R #21 - DPW		54.48	
City of Long Branch Clearing Account	Reimburse Clearing Account	*	595.00	
City of Long Branch Clearing Account	Reimburse Clearing Account	*	75,732.91	
City of Long Branch Clearing Account	Reimburse Clearing Account	*	86,281.93	
City of Long Branch Clearing Account	Reimburse Clearing Account	*	19,510.68	
City of Long Branch Clearing Account	Reimburse Clearing Account	*	840,816.39	

* DENOTES PREPAY

** SUBJECT TO COMPLETION OF PAYMENT PACKAGE

City of Long Branch Clearing Account	Reimburse Clearing Account	*	15,000.00	
City of Long Branch Payroll Agency	Payroll Dated 5/15/2009	*	34,338.31	
City of Long Branch Payroll Agency	Payroll Dated 5/15/2009	*	807,246.81	
Coast Hardware	Consumable Supplies - Traffic Dept.		56.71	
Comfort Inn & Suites	Temporary Housing - 4/17-4/30/09 - Delores Smith - School Project - Community Dev.	*	595.00	
Complete Security Systems	Replace Battery for Fire Detection System at City Hall Building		113.25	
Complete Security Systems	Central Station Monitoring Service - Parks & Recreation - 5/1-7/31/09 - DPW		63.00	
Conrad Smith Nursery	Tree for Library - DPW		135.00	
Cristina N. Lipski	Spanish Interpreting Services - April 2009 - Municipal Court		540.00	
DiFrancesco, Bateman, Coley & Yospin	Legal Services Rendered - Conflict Attorney - Tax Appeals - April 2009		2,505.57	Pymt #4
E Plus Technology	License Renewal for Backup Software - IT-Administration		510.30	
Edwards Tire Co.	Tires for Various Vehicles - DPW		1,904.70	
Efinger Sporting Goods	Basketball Nets for Various Parks - Recreation Dept.		121.50	
Eric Reisher	Technical Support Services - April 2009 - L.B. Cable Commission		550.00	
Evans, Osborne & Kreizman	Legal Services Rendered - Conflict Judge - May 2009		500.00	Pymt #1
F & C Automotive Supply	Misc. Parts - Various Vehicles - DPW		936.39	
Fine Fare	Food for Volunteer Celebration - 4/24/2009 - Senior Affairs		149.37	
Foley Inc.	Misc. Parts - PW #257 - DPW		105.50	
Ford Motor Credit	(7) Lease/Purchase Vehicles - June 2009		4,624.71	
Frank Passantino	Reimbursement for Fuel - Motorcycle Training - Police Dept.		22.70	
Gagliano Appraisal	2009 Tax Court Appeals - May 2009		260.00	Pymt #11
Gall's Inc.	Misc. Equipment - Police Dept.		217.75	
Gam Information System	Computer Supplies - Police Dept.		217.10	
Gannett Satellite Information Network	Legal Ads - April 2009 - City Clerk's Office		1,037.32	
Garden State Highway Products	Misc. Hardware for Hanging Street Signs - Traffic Dept.		432.50	
General Linen & Paper Supply	Janitorial Supplies for City Hall & Beachfront - DPW		629.07	
Global Industries	Work Stations for Youth Services Office - Police Dept.		4,121.70	
Golden Rule Creations	Patches for K-9 Officers' Uniforms - Police Dept.		256.23	
Grainger Inc.	Step Ladder - IT Dept.		109.35	
Graybar	Electrical Materials for Traffic Dept.		610.16	
Greenbaum, Rowe, Smith & Davis	Legal Services Rendered - Redevelopment Attorney - April 2009		6,671.20	Pymt #4
Greenbaum, Rowe, Smith & Davis	Legal Services Rendered - Hotel Campus - April 2009		253.50	Pymt #4
Harley Davidson of Long Branch	Maintenance & Service - Various Police Motorcycles - DPW		1,369.20	
Haworth	Files & Storage for Youth Services Office & Street Crimes Unit - Police Dept.		6,931.60	
Home Depot Credit Services	Various Building Materials - Various Depts.		681.24	
Hunter Jersey Peterbilt	Misc. Parts - Sanitation #50 - DPW		247.94	
IBM	Software Subscription & Support Renewal - 7/1/2009-6/30/2010 - Police Dept.		2,346.00	
Impact Technology Solutions	Service Contract for Courtroom Video Arraignment System - 4/1/09-3/31/10 - Mun. Court		1,140.00	
Industrial Repair	Various Materials for Paint Machine Repairs - Traffic Dept.		340.35	

International Council of Shopping Centers	Membership Renewal through 6/30/2010 - Howard H. Woolley Jr. - Administration		100.00	
J. Slattery Pest Management Services	Pest Control Services - Termite Treatment at City Hall Building & Building Dept.		2,150.00	
Jersey Central Power & Light	Utilities - Electric - 1/3-5/5/2009 - Various Locations	*	22,779.97	
Jewish Community Center	Use of Pool for Lifeguard Swim Test - 5/10/2009 - Recreation Dept.		160.00	
Joshua Marcus Group	Various Giveaways for Fire Prevention Education Program		2,138.00	
Kepwel Water	Monthly Cooler Rental - April 2009 - Administration		41.80	
Lanigan Associates	Uniforms - Disp. L. Johnson & A. Owens - Police Dept.		499.00	
Lawmen Supply Co. of NJ	Misc. Equipment for Raid Team - Police Dept.		244.19	
Lou's Uniforms	Uniforms for Police Explorers' - Police Dept.		1,506.78	
MAFP/Carol Schwar	Membership Dues & Registration for Seminar - 5/6/09 - J. Muh & J. Potyra - Health Dept.		140.00	
Maria Garcia-Malave	Spanish Interpreting Services - April 2009 - Municipal Court		600.00	
Mark A. Heitz	Ammunition for Less Than Lethal Launcher Training - Police Dept.		1,974.00	
Mark Aikins	Legal Services Rendered - Conflict Attorney - April 2009		407.00	Pymt #3
Matthew Bender & Co.	NJ Admin. Code Title 4A - July 2009 / June 2010 - DPW		66.00	
Mazza & Sons	Recycling of Tires & Recycling Tax - March 2009 - DPW		592.33	
Mazza & Sons	Disposal of Bulky Waste - March 2009		10,015.98	Pymt #3
Monmouth Building Center	Lumber for Volleyball Courts on Beachfront - Recreation Dept.		313.20	
Monmouth Cnty Treasurer - Finance Dept.	Tipping Fees & Various Taxes - 4/1-4/15/2009 - DPW		36,843.90	
Motor Vehicle Services	Motor Vehicle Title - DPW	*	20.00	
New Jersey American Water	Utilities - Water - 3/10-4/27/2009 - Various Locations	*	15,082.22	
New Jersey Natural Gas	Utilities - Gas - 3/17-5/1/2009 - Various Locations	*	5,447.07	
NJ Fire Equipment Co.	Air Tank Inspection & Maintenance for Fire Dept.		4,804.36	
NJSOPHE	Registration for Environmental Course - 5/14/09 - J. Muh & M. Kowal - Health Dept.		40.00	
Otilia Silva	Portuguese Interpreting Services - April 2009 - Municipal Court		600.00	
Perry's Trophy Co.	Nameplates - Det. M. Decker & DSgt. D. Gotfredsen - Police Dept.		57.00	
Perry's Trophy Co.	Plaques for Life Skills Dinner - 5/14/2009 - Coastal Monmouth Alliance		209.00	
Petroleum Traders Corp.	Unleaded Gasoline & Underground Storage Tank Tax - 4/8 & 4/30/2009 - DPW		26,185.10	
Public Strategies / Impact	Professional Services Rendered - Lobbying Consultant - May 2009		2,500.00	Pymt #5
Ram Hydraulics	Misc. Parts - Sanitation #50 - DPW		295.00	
Rose Leonard	Watercolor Instruction - 4/30/2009 - Senior Affairs		70.00	
Safelite Fulfillment	Install Windshield - PD #15 & PW #210 - DPW		361.17	
Seaboard Welding Supply	Welding Supplies & Industrial Gases for Municipal Garage		235.80	
Seely Equipment & Supply Co.	Misc. Parts - PW #314 - DPW		1,045.71	
Semcor Equipment & Manufacturing Corp.	Rental of Equipment (Trencher) - DPW		217.00	
Stavola Asphalt Co.	Road Materials for Pot Hole Repairs - DPW		550.72	
Storr Tractor Co.	Misc. Parts - PD TS5 & TS6 - DPW		15.26	
Talco Business Systems	Contract Renewal for Cash Register in Records - 7/24/09-7/24/10 - Police Dept.		168.00	
The Power of Christ Gospel	Full Page Ad in 20th Anniversary Celebration Journal - Mayor's Office		100.00	
Thompson Design Group	Professional Services Rendered - General Matters - April 2009		4,260.00	Pymt #6

* DENOTES PREPAY

** SUBJECT TO COMPLETION OF PAYMENT PACKAGE

Thompson Design Group	Professional Services Rendered - Broadway Sector - April 2009		3,520.00	Pymt #2
Thompson Design Group	Professional Services Rendered - Beachfront South - April 2009		18,571.05	Pymt #7-8
Thomson West	NJ Stat 2009 Pocket Parts - Tax Collector's Office		80.00	
Toshiba Business Solutions	Computer Supplies - Police Dept.		537.43	
Treasurer, State of NJ	Marriage / Civil Union License Fees - First Three Quarters of 2007	*	225.00	
Treasurer, State of NJ - Dept. Of Comm. Affairs	Demolition Bond Loan Payment	*	29,508.60	
Treasurer, State of NJ - Dept. of Health	2009 License Renewal - D. Roach & J. Muh - Health Dept.		100.00	
Trico Equipment Services	Misc. Parts - PW #55 - DPW		523.12	
Troil Enterprises	Hydraulic Oil - DPW		840.73	
Tuzzio's	Food for Marathon Volunteers & Lifeskills Celebration Dinner -Fire Dept. / Coastal Mon. Alliance		2,086.25	
United Parcel Service	Ground Transportation - Police Dept. / Finance Dept.		41.70	
United States Postal Service	Postage for Meter - Tax Collector's Office	*	15,000.00	
US Electrical Services	Electrical Materials for Beachfront - DPW		998.50	
Verizon	Utilities - Telephone - 5/1/2009 - Various Locations	*	10,879.52	
W.B. Mason Co.	Various Office Supplies - Various Depts.		382.43	
Warshauer Electric Supply	Electrical Materials for Morris Avenue Comfort Station & Police Dispatch - DPW		175.25	
TOTAL CURRENT			**2,217,207.94**	
Affordable Interior Systems	Work Station for Watch Commander/Dispatch Observation Room - Police Dept.		2,058.31	
Ansell, Zaro, Grimm & Aaron	Legal Services Rendered - School Project - April 2009	*	187.00	
Basile, Baumann, Prost & Associates	Professional Services Rendered - Preliminary Tasks for Pier - April 2009		39,898.84	Pymt #4
City of Long Branch Clearing Account	Reimburse Clearing Account	*	595.00	
City of Long Branch Clearing Account	Reimburse Clearing Account	*	12,551.55	
City of Long Branch Clearing Account	Reimburse Clearing Account	*	187.00	
Comfort Inn & Suites	Temporary Housing - 4/17-4/30/09 - Delores Smith - School Project - Community Dev.	*	595.00	
D.W. Smith Associates	Engineering Services Rendered - Manahassett Creek Park Environ. Oversight - April 2009		7,313.75	Pymt #1
D.W. Smith Associates	Engineering Services Rendered - Final Design - Long Branch Ave. - March & April 2009		6,000.00	Final Pymt
D.W. Smith Associates	Engineering Services Rendered - Manahassett Creek Park Drainage Invest. - Mar./April 2009		4,877.50	Final Pymt
Lucas Brothers	2008 Road Program - Third Avenue - January / May 2009		106,939.74	Pymt #2
Precise Construction	Construction of Manahassett Creek Park - April / May 2009		94,638.60	Pymt #10
TOTAL CAPITAL			**275,842.29**	
City of Long Branch Clearing Account	Reimburse Clearing Account	*	1,182.85	

* DENOTES PREPAY

** SUBJECT TO COMPLETION OF PAYMENT PACKAGE

City of Long Branch Clearing Account	Reimburse Clearing Account	*	141.00	
City of Long Branch Clearing Account	Reimburse Clearing Account	*	5,190.29	
City of Long Branch Payroll Agency	Payroll Dated 5/15/2009	*	371.58	
City of Long Branch Payroll Agency	Payroll Dated 5/15/2009	*	4,818.71	
NJ Dept. of Health & Senior Services	Dog License Report - April 2009	*	141.00	
TOTAL DOG			**11,845.43**	
Barbara Heggie	Choral Instruction - March / May 2009 - Senior Affairs / Community Dev.		100.00	
Becker's Tree Service	Removal of Tree on Brighton Avenue - Community Dev.		400.00	
City of Long Branch Clearing Account	Reimburse Clearing Account	*	2,767.49	
City of Long Branch Clearing Account	Reimburse Clearing Account	*	5,724.00	
City of Long Branch Clearing Account	Reimburse Clearing Account	*	3,770.24	
City of Long Branch Payroll Agency	Payroll Dated 5/15/2009	*	271.87	
City of Long Branch Payroll Agency	Payroll Dated 5/15/2009	*	3,498.37	
Information Station Specialists	(8) Emergency Alert Systems - Various Locations - Community Dev.		15,440.00	
Jersey Central Power & Light	Holiday Lights for 2008 - Community Dev.	*	5,724.00	
Long Branch Chamber of Commerce	Rent for UEZ & CDBG Office - June 2009		1,625.00	
Maaco Auto Painting & Bodyworks Center	Paint CD #88 & #89 - Community Dev.		840.00	
Thomas Brents	Replace Concrete Sidewalk on Brighton Avenue (Jack's Rib Restaurant) - Comm. Dev.		970.00	
TOTAL HUD			**41,130.97**	
Ansell, Zaro, Grimm & Aaron	Legal Services Rendered - Pier Village II - April 2009	*	66.00	
Ansell, Zaro, Grimm & Aaron	Legal Services Rendered - Pier Village III - April 2009	*	506.00	
Ansell, Zaro, Grimm & Aaron	Legal Services Rendered - Beachfront North I - April 2009	*	154.00	
Ansell, Zaro, Grimm & Aaron	Legal Services Rendered - Broadway Arts - April 2009	*	1,713.95	
City of Long Branch Clearing Account	Reimburse Clearing Account	*	8,835.75	
City of Long Branch Clearing Account	Reimburse Clearing Account	*	2,439.95	
City of Long Branch Clearing Account	Reimburse Clearing Account	*	51,333.66	
City of Long Branch Payroll Agency	Payroll Dated 5/15/2009	*	1,280.74	
City of Long Branch Payroll Agency	Payroll Dated 5/15/2009	*	50,052.92	
Fax Express	Service Fax Machine at CDBG Office		451.15	
Greenbaum, Rowe, Smith & Davis	Legal Services Rendered - Broadway Arts - April 2009		39.00	Pymt #2
Thompson Design Group	Professional Services Rendered - Pier Village III - April 2009		7,064.75	Pymt #2

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** SUBJECT TO COMPLETION OF PAYMENT PACKAGE

Thompson Design Group	Professional Services Rendered - Pier Village II - April 2009	1,944.00 Pymt #4

TOTAL TRUST OTHER **125,881.87**

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