

WORKSHOP SESSION

CITY COUNCIL

JULY 14, 2009

6:00 P.M.

- 1 - AUDIT REPORT / ROBERT ALLISON
- 2 - WEST END RAILROAD TRACKS / COUNCILMAN UNGER
- 3 - ACCESSORY BUILDING ORDINANCE MODIFICATION / CARL TURNER
- 4 - CHANGE ORDER LUCAS BROTHERS / HOWARD WOOLLEY
- 5 - CHANGE ORDER DW SMITH / HOWARD WOOLLEY
- 6 - REVIEW OF REGULAR MEETING AGENDA

EXECUTIVE SESSION

- 1 - LITIGATION UPDATE
 - A) COACH
 - B) ANZALONE
- 2 - PROPERTY SALE - UNDERSIZED LOT / HOWARD WOOLLEY

**ORDINANCE AMENDING CERTAIN PROVISIONS OF CHAPTER 345 "ZONING"
OF THE CODE OF THE CITY OF LONG BRANCH RELATING TO ACCESSORY
USES OF PROPERTIES WITHIN THE CITY OF LONG BRANCH**

WHEREAS, the Planning Board of the City of Long Branch ("Planning Board") has reviewed the existing Accessory Use Ordinance of the City of Long Branch ("City") and has recommended that certain modifications be made and adopted by the governing body; and

WHEREAS, these proposed modifications were unanimously approved by the Planning Board at its meeting of June 16, 2009; and

WHEREAS, the proposed modifications of the Planning Board were presented to the City Planner and City Attorney for their review; and

WHEREAS, the City believes that it is in the best interests of the City and its residents to adopt in their entirety the modifications proposed by the Planning Board:

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Long Branch that Chapter 345, Section 3 "Definitions" be and is hereby amended and supplemented to include the following definitions:

ACCESSORY STRUCTURE - A structure located on the same lot and customarily incidental and subordinate to the principal building or use. See "STRUCTURE".

ACCESSORY BUILDING - See BUILDING, ACCESSORY

BUILDING, ACCESSORY - A subordinate building on the same lot as the principal or main building or use that may be used as a an accessory use and may not be used as or converted to a separate dwelling unit, business or principal use. See BUILDING and ACCESSORY USE.

BE IT FURTHER ORDAINED that Chapter 345, Section 3 "Definitions" be and is hereby amended so as to revise the existing definition of "BUILDING" to read as follows:

BUILDING - Any structure having a roof supported by columns, piers or walls and intended for the shelter, housing, or enclosure of any individual, animal, process, equipment, goods or materials of any kind.

BE IT FURTHER ORDAINED that Chapter 345, Section 11, Subsection P. be and is hereby amended to add a paragraph (6), which shall read as follows:

(6) In Residential Zones R-1 through R-8, or with regard to any single-family property in any other zone, any accessory building, such as but not limited to detached garages, cabanas, out buildings, sheds, workshops, greenhouses, pool houses, animal shelters, etc. shall conform to the following:

a. shall not be greater in floor area than 50% of the footprint of the principal structure or use located on the property and shall not exceed a total combined size of 700 square feet; and

b. shall not have more than two accessory buildings per property; and

c. shall not be used for office space in which no occupation, business or service for profit is carried on, and no stock in-trade materials are permitted to be stored; and

d. shall include at least one parking space if a garage is not present on-site.

BE IT FURTHER ORDAINED that Chapter 345, Section 20, Subsection B. be and is hereby amended to add paragraph 8., which shall read as follows:

8. In Residential Zones R-1 through R-8, or with regard to any single-

family property in any other zone, any accessory building such as, but not limited to detached garages, cabanas, out buildings, sheds, workshops, greenhouses, pool houses, animal shelters, etc. shall conform to the following:

a. shall not be greater in floor area than 50% of the footprint of the principal structure or use located on the property; and

b. shall not exceed a total combined size of 700 square feet; and

c. shall comply with Section 345-11P.(6).

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

INTRODUCED:

ADOPTED:

Irene A. Joline, RMC, City Clerk

Adam Schneider, Mayor

ADMINISTRATIVE AGENDA

CITY COUNCIL

CITY OF LONG BRANCH

JULY 14, 2009 – 7:00 P.M.

ROLL CALL:

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

PLEDGE OF ALLEGIANCE

CERTIFICATION BY CLERK:

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

Irene A. Joline, RMC
City Clerk

READING AND APPROVAL OF PREVIOUS MINUTES:

JUNE 23, 2009

CONSIDERATION OF ORDINANCES:
PUBLIC HEARING AND FINAL CONSIDERATION

#11-09 ORDINANCE AMENDING HANDICAPPED PARKING ORDINANCE TO PROHIBIT PARKING AT 404 WILLOW AVENUE (INTRODUCED: JUNE 9, 2009)

#12-09 ORDINANCE - CHAPTER 177 THE FLOOD DAMAGE PREVENTION ORDINANCE (INTRODUCED: JUNE 23, 2009)

#13-09 AN ORDINANCE AUTHORIZING A SPECIAL EMERGENCY APPROPRIATION FOR A PROGRAM TO UPDATE AND MAKE CURRENT PROPERTY ASSESSMENTS FOR THE USE OF THE LOCAL ASSESSOR OF THE CITY OF LONG BRANCH, IN THE COUNTY OF MONMOUTH, NEW JERSEY (INTRODUCED: JUNE 23, 2009)

ORDINANCES FOR INTRODUCTION:
PUBLIC HEARING SCHEDULED FOR JULY 28, 2009

(INTRODUCTION PENDING WORKSHOP DISCUSSION)

#14-09 ORDINANCE AMENDING CERTAIN PROVISIONS OF CHAPTER 345 "ZONING" OF THE CODE OF THE CITY OF LONG BRANCH RELATING TO ACCESSORY USES OF PROPERTIES WITHIN THE CITY OF LONG BRANCH

PUBLIC PARTICIPATION:

RESOLUTIONS:

R194-09 RESOLUTION AUTHORIZING ANNUAL CONTRACT FOR LEGAL SERVICES AS REDEVELOPMENT COUNSEL (GREENBAUM ROWE SMITH & DAVIS LLP)

R195-09 RESOLUTION AUTHORIZING CONTRACT FOR URBAN DEVELOPMENT FINANCIAL AND ECONOMIC CONSULTANT SERVICES (BASILE BAUMANN PROST & ASSOCIATES, INC.)

R196-09 RESOLUTION AUTHORIZING ANNUAL CONTRACT FOR LEGAL SERVICES RELATIVE TO REDEVELOPMENT CONDEMNATION MATTERS (BOWE & FERNICOLA LLC)

R197-09 RESOLUTION AUTHORIZING CONTRACT FOR LEGAL SERVICES AS LABOR ATTORNEY (APRUZZESE MCDERMOTT MASTRO & MURPHY PC)

R198-09 RESOLUTION AUTHORIZING CONTRACT FOR LEGAL SERVICES AS BOND COUNSEL (LOMURRO DAVISON EASTMAN & MUNOZ)

R199-09 RESOLUTION AUTHORIZING CONTRACT FOR LOBBYING CONSULTANT SERVICES (PUBLIC STRATEGIES IMPACT LLC)

R200-09 RESOLUTION AUTHORIZING CHANGE ORDER NO. 3 TO D.W. SMITH ASSOCIATES LLC IN CONNECTION WITH THE MANAHASSETT CREEK PARK PROJECT

R201-09 RESOLUTION AWARDED TWO YEAR CONTRACT FOR DISPOSAL OF LEAVES (PUMPKIN FIELDS LLC)

R202-09 RESOLUTION APPROVAL PAYMENT OF BILLS

R203-09 RESOLUTION APPROVING THE LIQUOR LICENSE HELD BY LLOYDS RESTAURANT AND LOUNGE INC STATE LICENSE # 1325-33-043-010

R204-09 RESOLUTION AUTHORIZING THE ISSUANCE OF \$375,000 SPECIAL EMERGENCY NOTES OF THE CITY OF LONG BRANCH IN THE COUNTY OF MONMOUTH, NEW JERSEY

R205-09 RESOLUTION RE-APPOINTING GEORGE CIERI AS MUNICIPAL COURT JUDGE FOR THE CITY OF LONG BRANCH

R206-09 RESOLUTION SETTING FORTH THE RATE OF INTEREST TO BE CHARGED ON DELINQUENT TAXES AND THE EXTENSION OF THE GRACE PERIOD FOR ONLY THE THIRD TAX QUARTER OF 2009

R207-09 RESOLUTION APPROVING 2009/2010 LIQUOR LICENSE RENEWALS

R208-09 RESOLUTION APPROVING 2008/09 AND 2009/2010 LIQUOR LICENSE RENEWAL OF DATRE INCORPORATED STATE LICENSE # 1325-33-054-011

R209-09 RESOLUTION RELEASING GUARANTEES (KUSHNER)

R210-09 RESOLUTION SPECIAL ITEM OF REVENUE STATE OF NEW JERSEY SOLID WASTE ADMINISTRATION CLEAN COMMUNITIES GRANT \$50,253.59

R211-09 RESOLUTION SPECIAL ITEM OF REVENUE STATE OF NEW JERSEY URBAN ENTERPRISE ZONE AUTHORITY DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT UEZA ADMINISTRATIVE BUDGET 2009-2010 \$60,000.00

R212-09 RESOLUTION SPECIAL ITEM OF REVENUE STATE OF NEW JERSEY URBAN ENTERPRISE ZONE AUTHORITY DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT CONTRACT 09-49 MARKETING AND BUSINESS DEVELOPMENT 2009 \$13,000.00

R213-09 RESOLUTION RESCINDING RESOLUTION R98-09 ADOPTED APRIL 14, 2009 REGARDING CENTRAL JERSEY COUNCIL ON GOVERNMENTS

R214-09 RESOLUTION APPROVING LIQUOR LICENSE OF JULIO & V CORP T/A PEARL OF LISBON STATE LICENSE # 1325-32-008-007 FOR THE 2009/10 LICENSE TERM

R215-09 RESOLUTION AWARDED CONTRACT FOR PURCHASE AND INSTALLATION OF PLAYGROUND SAFETY SURFACE FOR MANAHASSETT CREEK PARK

R216-09 RESOLUTION AUTHORIZING AN INTERLOCAL SERVICE AGREEMENT WITH THE LONG BRANCH SEWER AUTHORITY (TENTATIVE) (TO BE HANDED OUT TUESDAY EVENING)

R217-09 RESOLUTION AUTHORIZING CHANGE ORDER FOR LUCAS BROTHERS (TENTATIVE) (PENDING CERTIFICATION OF FUNDS - TO BE HANDED OUT TUESDAY EVENING)

APPLICATIONS:

1. APPROVAL OF NICHOLAS SAFFIOTI AS ACTIVE STATE MEMBER OF THE ATLANTIC ENGINE AND TRUCK CO.
2. APPROVAL OF A RAFFLE LICENSE FOR THE SEA BRIGHT PARTNERSHIP
3. APPROVAL OF THREE (3) RAFFLE LICENSES FOR THE HOPE FOR CHILDREN FOUNDATION OF NJ
4. APPROVAL OF A RAFFLE LICENSE FOR THE AMERICAN DIABETES ASSOCIATION
5. APPROVAL OF RYAN TILLIS AS ACTIVE MEMBERSHIP IN THE ELBERON ENGINE COMPANY

MISCELLANEOUS BUSINESS FOR THE GOOD OF THE ORDER

ADJOURNMENT

Ordinance No.

11-09

**ORDINANCE AMENDING HANDICAPPED PARKING ORDINANCE
TO PROHIBIT PARKING AT 404 WILLOW AVENUE**

WHEREAS, Municipal Ordinance 325-24.2 references handicapped parking; and
WHEREAS, Schedule XXIV, Section 325-50 designate handicapped parking zones; and

WHEREAS, Mr. Angelo Cleffi is the owner of 404 Willow Avenue; and

WHEREAS, Mr. Cleffi has no on-site parking at his residence; and

WHEREAS, Mr. Cleffi suffers from a significant medical condition and has provided information concerning his physical condition which qualifies him for handicapped decal parking; and

WHEREAS, the Police Department of the City of Long Branch has requested that a handicapped parking site be established in front of 404 Willow Avenue; and

WHEREAS, the City of Long Branch has previously established no parking handicapped parking areas in other parts of the municipality for the same and similar reasons; and

WHEREAS, the Police Department of the City of Long Branch has requested that a handicapped parking space be created twenty-four (24) feet in length beginning two hundred seventy six (276) feet from the curb line of Exchange Place continuing twenty-four (24) feet thereafter.

NOW, THEREFORE BE IT ORDAINED that Ordinance 325-24.2 and Schedule XXIV Section 325-50 be and the same hereby is amended to include a handicapped parking zone twenty - four (24) feet in length in front of 404 Willow Avenue beginning at a point two hundred and seventy six (276) feet from Exchange Place, the eastern curb line of Exchange Place; and

BE IT FURTHER ORDAINED that a copy of this ordinance be forwarded to Mr. Angelo Cleffi of 404 Willow Avenue by regular and certified mail upon passage and adoption.

INTRODUCED: June 9, 2009

Chapter 177, THE FLOOD DAMAGE PREVENTION ORDINANCE

General References

Soil Removal – See Ch.290

Subdivision of Land – See Ch. 300

Zoning – See Ch. 345

177-1. STATUTORY AUTHORIZATION, FINDINGS OF FACT, PURPOSE AND OBJECTIVES

A. Statutory Authorization

The Legislature of the State of New Jersey has in N.J.S.A. 40:48-1, et seq., delegated the responsibility to local governmental units to adopt regulations designed to promote public health, safety, and general welfare of its citizenry. Therefore, the City Council of the City of Long Branch, of Monmouth County, New Jersey does ordain as follows:

B. Findings of Fact

- (1) The flood hazard areas of the City of Long Branch are subject to periodic inundation which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety, and general welfare.
- (2) These flood losses are caused by the cumulative effect of obstructions in areas of special flood hazard which increase flood heights and velocities, and when inadequately anchored, causes damage in other areas. Uses that are inadequately floodproofed, elevated or otherwise protected from flood damage also contribute to the flood loss.

C. Statement of Purpose

It is the purpose of this ordinance to promote the public health, safety, and general welfare, and to minimize public and private losses due to flood conditions in specific areas by provisions designed:

- (1) To protect human life and health;
- (2) To minimize expenditure of public money for costly flood control projects;
- (3) To minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- (4) To minimize prolonged business interruptions;
- (5) To minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets, bridges located in areas of special flood hazard;

- (6) To help maintain a stable tax base by providing for the second use and development of areas of special flood hazard so as to minimize future flood blight areas;
- (7) To ensure that potential buyers are notified that property is in an area of special flood hazard; and
- (8) To ensure that those who occupy the areas of special flood hazard assume responsibility for their actions.

D. Methods of Reducing Flood Losses

In order to accomplish its purposes, this ordinance includes methods and provisions for:

- (1) Restricting or prohibiting uses which are dangerous to health, safety, and property due to water or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities;
- (2) Requiring that uses vulnerable to floods including facilities which serve such uses, be protected against flood damage at the time of initial construction;
- (3) Controlling the alteration of natural flood plains, stream channels, and natural protective barriers, which help accommodate or channel flood waters;
- (4) Controlling filling, grading, dredging, and other development which may increase flood damage; and,
- (5) Preventing or regulating the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards in other areas.

177-2. DEFINITIONS

Unless specifically defined below, words or phrases used in this ordinance shall be interpreted so as to give them the meaning they have in common usage and to give this ordinance its most reasonable application.

"Appeal" means a request for a review of the Construction Code Official's interpretation of any provision of this ordinance or a request for a variance.

"Area of shallow flooding" means a designated AO, AH, or VO zone on a community's Digital Flood Insurance Rate Map (DFIRM) with a one percent annual or greater chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

"Area of special flood hazard" means the land in the flood plain within a community subject to a one percent or greater chance of flooding in any given year.

"Areas of special flood related erosion hazard" is the land within a community which is most likely to be subject to severe flood related erosion losses. After a detailed evaluation of the special flood related erosion hazard area will be designated a Zone E on the Flood Insurance Rate Map.

"Base flood" means the flood having a one percent chance of being equaled or exceeded in any given year.

"Basement" means any area of the building having its floor subgrade (below ground level) on all sides.

"Breakaway wall" means a wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces without causing damage to the elevated portion of the building or supporting foundation system.

"Coastal high hazard area" means an area of special flood hazard extending from offshore to the inland limit of a primary frontal dune along an open coast and any other area subject to high velocity wave action from storms or seismic sources.

"Development" means any man made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations, or storage of equipment or materials located within the area of special flood hazard.

"Digital Flood Insurance Rate Map" (DFIRM) means the official map on which the Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

"Elevated building" means a non-basement building (i) built in the case of a building in a Coastal High Hazard Area to have the bottom of the lowest horizontal structural member of the elevated floor, elevated above the ground level by means of piling, columns (posts and piers), or shear walls parallel to the flow of the water, and (ii) adequately anchored so as not to impair the structural integrity of the building during a flood up to the magnitude of the base flood. In an Area of Special Flood Hazard "elevated building" also includes a building elevated by means of fill or solid foundation perimeter walls with openings sufficient to facilitate the unimpeded movement of flood waters. In Areas of Coastal High Hazard "elevated buildings" also includes a building otherwise meeting the definition of "elevated building" even though the lower area is enclosed by means of breakaway walls.

"Erosion" means the process of the gradual wearing away of land masses.

"Flood or flooding" means a general and temporary condition of partial or complete inundation of normally dry land areas from:

- (1) The overflow of inland or tidal waters and/or
- (2) The unusual and rapid accumulation or runoff of surface waters from any source.

"Flood Insurance Study" (FIS) means the official report in which the Federal Insurance Administration has provided flood profiles, as well as the Flood Insurance Rate Map(s) and the water surface elevation of the base flood.

"Flood plain management regulations" means zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a flood plain ordinance, grading ordinance and erosion control ordinance) and other applications of police power. The term describes such State or local regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction.

"Floodway" means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than 0.2 foot.

"Highest adjacent grade" means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

"Historic Structure" means any structure that is:

- (1) Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- (2) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- (3) Individually listed on a State inventory of historic places in States with historic preservation programs which have been approved by the Secretary of the Interior;
or
- (4) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
 - (a) By an approved State program as determined by the Secretary of the Interior; or
 - (b) Directly by the Secretary of the Interior in States without approved programs.

"Lowest Floor" means the lowest floor of the lowest enclosed area [including basement]. An unfinished or flood resistant enclosure, useable solely for the parking of vehicles, building access or storage in an area other than a basement is not considered a building's lowest floor provided that such enclosure is not built so to render the structure in violation of other applicable non-elevation design requirements.

"Manufactured home" means a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term "manufactured home" does not include a "recreational vehicle".

"Manufactured home park or manufactured home subdivision" means a parcel (or contiguous parcels) of land divided into two (2) or more manufactured home lots for rent or sale.

"New construction" means structures for which the start of construction commenced on or after the effective date of a floodplain regulation adopted by a community and includes any subsequent improvements to such structures.

"New manufactured home park or subdivision" means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of the flood plain management regulations adopted by the municipality.

"Primary frontal dune" means a continuous or nearly continuous mound or ridge of sand with relatively steep seaward and landward slopes immediately landward and adjacent to the beach and subject to erosion and overtopping from high tides and waves from coastal storms. The inland limit of the primary frontal dune occurs at the point where there is a distinct change from the relatively steep slope to a relatively mild slope.

"Recreational vehicle" means a vehicle which is [i] built on a single chassis; [ii] 400 square feet or less when measured at the longest horizontal projections; [iii] designed to be self-propelled or permanently towable by a light duty truck; and [iv] designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

"Sand dunes" means naturally occurring accumulations of sand in ridges or mounds landward of the beach.

"Start of Construction" for other than new construction or substantial improvements under the Coastal Barrier Resources Act (P.L. No. 97-348) includes substantial improvements and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site such as the pouring of a slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation, or the placement of a manufactured home on a foundation.

Permanent construction does not include land preparation, such as clearing, grading and filling nor does it include the installation of streets and/or walkways, nor does it include excavation for a basement, footings or piers, or foundations or the erection of temporary forms, nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any

wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

"Structure" means a walled and roofed building, a manufactured home, or a gas or liquid storage tank, that is principally above ground.

"Substantial Damage" means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

"Substantial Improvement" means any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which exceeds 50 percent of the market value of the structure before the "start of construction" of the improvement. This term includes structures which have incurred "substantial damage", regardless of the actual repair work performed. The term does not, however, include either:

- (1) Any project for improvement of a structure to correct existing violations of State or local health, sanitary or safety code specifications which have been identified by the local code enforcement officer and which are the minimum necessary to assure safe living conditions; or
- (2) Any alteration of a "historic structure", provided that the alteration will not preclude the structure's continued designation as a "historic structure".

"Variance" means a grant of relief from the requirements of this ordinance that permits construction in a manner that would otherwise be prohibited by this ordinance.

177-3. GENERAL PROVISIONS

A. Lands to Which this Ordinance Applies

This ordinance shall apply to all areas of special flood hazards within the jurisdiction of the City of Long Branch, Monmouth County, New Jersey.

B. Basis for Establishing the Areas of Special Flood Hazard

The areas of special flood hazard for the City of Long Branch, Community No. 340307, are identified and defined on the following documents prepared by the Federal Emergency Management Agency:

- a) A scientific and engineering report "Flood Insurance Study, Monmouth County, New Jersey (All Jurisdictions)" dated September 25, 2009.
- b) Flood Insurance Rate Map for Monmouth County, New Jersey (All Jurisdictions) as shown on Index and panel(s) 34025C0184F, 34025C0192F, 34025C0194F, 34025C0203F, 34025C0211F, 34025C0213F, whose effective date is September 25, 2009.

The above documents are hereby adopted and declared to be a part of this ordinance. The Flood Insurance Study and maps are on file at 344 Broadway, Long Branch, New Jersey.

C. Penalties for Noncompliance

No structure or land shall hereafter be constructed, located, extended, converted, or altered without full compliance with the terms of this ordinance and other applicable regulations. Violation of the provisions of this ordinance by failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with conditions) shall constitute a misdemeanor. Any person who violates this ordinance or fails to comply with any of its requirements shall upon conviction thereof be fined not more than \$1250 or imprisoned for not more than 90 days, or both, for each violation, and in addition shall pay all costs and expenses involved in the case. Nothing herein contained shall prevent the City of Long Branch from taking such other lawful action as is necessary to prevent or remedy any violation.

D. Abrogation and Greater Restrictions

This ordinance is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this ordinance and other ordinance, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

E. Interpretation

In the interpretation and application of this ordinance, all provisions shall be:

- (1) Considered as minimum requirements;
- (2) Liberally construed in favor of the governing body; and,
- (3) Deemed neither to limit nor repeal any other powers granted under State statutes.

F. Warning and Disclaimer of Liability

The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This ordinance does not imply that land outside the area of special flood hazards or uses permitted within such areas will be free from flooding or flood damages.

This ordinance shall not create liability on the part of the City of Long Branch, any officer or employee thereof or the Federal Insurance Administration, for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made thereunder.

177-4. ADMINISTRATION

A. Establishment of Development Permit

A Development Permit shall be obtained before construction or development begins within any area of special flood hazard established in Section 177-3B. Application for a Development Permit shall be made on forms furnished by the Construction Code Official and may include, but not be limited to; plans in duplicate drawn to scale showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, fill, storage of materials, drainage facilities; and the location of the foregoing.

Specifically, the following information is required:

- (1) Elevation in relation to mean sea level, of the lowest floor (including basement) of all structures;
- (2) Elevation in relation to mean sea level to which any structure has been floodproofed.
- (3) Certification by a registered professional engineer or architect that the flood-proofing methods for any nonresidential structure meet the flood-proofing criteria in Section 177-5B(2); and,
- (4) Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.

B. Designation of the Local Administrator

The Construction Code Official is hereby appointed to administer and implement this ordinance by granting or denying development permit applications in accordance with its provisions.

C. Duties and Responsibilities of the Administrator

Duties of the Construction Code Official shall include, but not be limited to:

- (1) Permit Review
 - (a) Review all development permits to determine that the permit requirements of this ordinance have been satisfied.
 - (b) Review all development permits to determine that all necessary permits have been obtained from those Federal, State or local governmental agencies from which prior approval is required.
 - (c) Review all development permits to determine if the proposed development is located in the floodway.
 - (d) Review all development permits in the coastal high hazard area of the area of special flood hazard to determine if the proposed development alters sand dunes so as to increase potential flood damage.
 - (e) Review plans for walls to be used to enclose space below the base flood level in accordance with Section 177-5D(2)(d).

(2) Use of other Base Flood and Floodway Data

When base flood elevation and floodway data has not been provided in accordance with Section 177-3B, BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD, the Construction Code Official shall obtain, review, and reasonably utilize any base flood elevation and floodway data available from a Federal, State or other source, in order to administer Sections 177-5B(1), SPECIFIC STANDARDS, Residential Construction, and 177-5B(2), SPECIFIC STANDARDS, Nonresidential Construction.

(3) Information to be Obtained and Maintained

- (a) Obtain and record the actual elevation (in relation to mean sea level) of the lowest floor (including basement) of all new or substantially improved structures, and whether or not the structure contains a basement.
- (b) For all new or substantially improved floodproofed structures:
 - [1] verify and record the actual elevation (in relation to mean sea level); and
 - [2] maintain the flood-proofing certifications required in Section 177-4A(3)
- (c) In coastal high hazard areas, certification shall be obtained from a registered professional engineer or architect that the provisions of 177-5D(2)(a) and 177-5D(2)(b)[1] and [2] are met.
- (d) Maintain for public inspection all records pertaining to the provisions of this ordinance.

(4) Alteration of Watercourses

- (a) Notify adjacent communities and the New Jersey Department of Environmental Protection, Dam Safety and Flood Control section and the Land Use Regulation Program prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Insurance Administration.
- (b) Require that maintenance is provided within the altered or relocated portion of said watercourse so the flood carrying capacity is not diminished.

(5) Interpretation of FIRM Boundaries

Make interpretations where needed, as to the exact location of the boundaries of the areas of special flood hazards (for example, where there appears to be a conflict between a mapped boundary and actual field conditions). The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in section 177-4D.

D. Variance Procedure

(1) Appeal Board

- (a) The Zoning Board Of Adjustment as established by the City of Long Branch shall hear and decide appeals and requests for variances from the requirements of this ordinance.
- (b) The Zoning Board Of Adjustment shall hear and decide appeals when it is alleged there is an error in any requirement, decision, or determination made by the Construction Code Official in the enforcement or administration of this ordinance.
- (c) Those aggrieved by the decision of the Zoning Board Of Adjustment, or any taxpayer, may appeal such decision to the Superior Court, as provided in New Jersey statutes
- (d) In passing upon such applications, the Zoning Board Of Adjustment, shall consider all technical evaluations, all relevant factors, standards specified in other sections of this ordinance, and:
 - [1] the danger that materials may be swept onto other lands to the injury of others;
 - [2] the danger to life and property due to flooding or erosion damage;
 - [3] the susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
 - [4] the importance of the services provided by the proposed facility to the community;
 - [5] the necessity to the facility of a waterfront location, where applicable;
 - [6] the availability of alternative locations for the proposed use which are not subject to flooding or erosion damage;
 - [7] the compatibility of the proposed use with existing and anticipated development;
 - [8] the relationship of the proposed use to the comprehensive plan and flood plain management program of that area;
 - [9] the safety of access to the property in times of flood for ordinary and emergency vehicles;
 - [10] the expected heights, velocity, duration, rate of rise, and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site; and,
 - [11] the costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, and streets and bridges.
- (e) Upon consideration of the factors of Section 177-4D(1)(d) and the purposes of this ordinance, the Zoning Board Of Adjustment may attach such conditions to the granting of variances as it deems necessary to further the purposes of this ordinance.
- (f) The Construction Code Official shall maintain the records of all appeal actions, including technical information, and report any variances to the Federal Insurance Administration upon request.

(2) Conditions for Variances

- (a) Generally, variances may be issued for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing items [1-11] in Section 177-4D(1)(d) have been fully considered. As the lot size increases beyond the one-half acre, the technical justification required for issuing the variance increases.
- (b) Variances may be issued for the repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.
- (c) Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.
- (d) Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
- (e) Variances shall only be issued upon:
 - [1] a showing of good and sufficient cause;
 - [2] a determination that failure to grant the variance would result in exceptional hardship to the applicant; and,
 - [3] a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public as identified in Section 177-4D(1)(d), or conflict with existing local laws or ordinances.
- (f) Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with a lowest floor elevation below the base flood elevation and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.

177-5. PROVISIONS FOR FLOOD HAZARD REDUCTION

A. General Standards

In all areas of special flood hazards the following standards are required:

(1) Anchoring

- (a) All new construction and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure.

- (b) All manufactured homes shall be anchored to resist flotation, collapse or lateral movement. Methods of anchoring may include, but are not to be limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable state and local anchoring requirements for resisting wind forces.

(2) Construction Materials and Methods

- (a) All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.
- (b) All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage.

(3) Utilities

- (a) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;
- (b) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharge from the systems into flood waters;
- (c) On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding; and
- (d) Electrical, heating, ventilation, plumbing and air-conditioning equipment and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

(4) Subdivision Proposals

- (a) All subdivision proposals shall be consistent with the need to minimize flood damage;
- (b) All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage;
- (c) All subdivision proposals shall have adequate drainage provided to reduce exposure to flood damage; and,
- (d) Base flood elevation data shall be provided for subdivision proposals and other proposed development which contain at least fifty (50) lots or five (5) acres (whichever is less).

(5) Enclosure Openings

All new construction and substantial improvements having fully enclosed areas below the lowest floor that are usable solely for parking of vehicles, building access or storage in an area other than a basement and which are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by

allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or must meet or exceed the following minimum criteria: A minimum of two (2) openings having a total net area of not less than one (1) square inch for every square foot of enclosed area subject to flooding shall be provided. The bottom of all openings shall be no higher than one (1) foot above grade. Openings may be equipped with screens, louvers, or other covering or devices provided that they permit the automatic entry and exit of floodwaters.

B. Specific Standards

In all areas of special flood hazards where base flood elevation data have been provided as set forth in Section 177-3B, BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD or in SECTION 177-4C(2), Use of Other Base Flood Data, the following standards are required:

(1) Residential Construction

- (a) New construction and substantial improvement of any residential structure shall have the lowest floor, including basement together with the attendant utilities and sanitary facilities, elevated to or above base flood elevation; and**
- (b) Within any AO zone on the municipality's FIRM that all new construction and substantial improvement of any residential structure shall have the lowest floor, including basement, elevated above the highest adjacent grade at least as high as the depth number specified in feet (at least two feet if no depth number is specified). And, require adequate drainage paths around structures on slopes to guide floodwaters around and away from proposed structures.**

(2) Nonresidential Construction

- (a) In an Area Of Special Flood Hazard, all new construction and substantial improvement of any commercial, industrial or other nonresidential structure shall:**
- (b) either have the lowest floor, including basement together with the attendant utilities and sanitary facilities, elevated to the level of the base flood elevation; and**
- (c) Within any AO zone on the municipality's DFIRM to have the lowest floor, including basement, elevated above the highest adjacent grade at least as high as the depth number specified in feet (at least two feet if no depth number is specified). And, require adequate drainage paths around structures on slopes to guide floodwaters around and away from proposed structures; or**

- [1] be flood-proofed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water;
- [2] have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy; and,
- [3] be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for meeting the applicable provisions of this subsection. Such certification shall be provided to the official as set forth in Section 177-4C(3)(b)[2].

(3) Manufactured Homes

- (a) Manufactured homes shall be anchored in accordance with Section 177-5A(1)(b)
- (b) All manufactured homes to be placed or substantially improved within an area of special flood hazard shall be elevated on a permanent foundation such that the top of the lowest floor is at or above the base flood elevation.

C. Floodways

Located within areas of special flood hazard established in Section 177-3B are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of flood waters

which carry debris, potential projectiles, and erosion potential, the following provisions apply:

- (1) Prohibit encroachments, including fill, new construction, substantial improvements, and other development unless a technical evaluation demonstrates that encroachment shall not result in any increase in flood levels during the occurrence of the base flood discharge.
- (2) If section 177-5C(1) is satisfied, all new construction and substantial improvements must comply with section 177-5 PROVISIONS FOR FLOOD HAZARD REDUCTION.
- (3) In all areas of special flood hazard in which base flood elevation data has been provided and no floodway has been designated, the cumulative effect of any proposed development, when combined with all other existing and anticipated development, shall not increase the water surface elevation of the base flood more than two-tenths (0.2) of a foot at any point.

D. Coastal High Hazard Area

Coastal high hazard areas (V or VE Zones) are located within the areas of special flood hazard established in Section 177-3B. These areas have special flood hazards associated with high velocity waters from tidal surges and hurricane wave wash; therefore, the following provisions shall apply:

(1) Location of Structures

- (a) All buildings or structures shall be located landward of the reach of the mean high tide.
- (b) The placement of manufactured homes shall be prohibited, except in an existing manufactured home park or manufactured home subdivision.

(2) Construction Methods

- (a) Elevation - All new construction and substantial improvements shall be elevated on piling or columns so that the bottom of the lowest horizontal structural member of the lowest floor (excluding the piling or columns) is elevated to or above the base flood level, with all space below the lowest floor's supporting member open so as not to impede the flow of water, except for breakaway walls as provided or in Section 177-5D(2)(d)

(b) Structural Support

- [1] All new construction and substantial improvements shall be securely anchored on piling or columns.
- [2] The pile or column foundation and structure attached thereto shall be anchored to resist flotation, collapse or lateral movement due to the effects of wind and water loading values each of which shall have a one percent chance of being equaled or exceeded in any given year (100-year mean recurrence interval).
- [3] There shall be no fill used for structural support.

- (c) Certification - A registered professional engineer or architect shall develop or review the structural design specifications and plans for the construction and shall certify that the design and methods of construction to be used are in accordance with accepted standards of practice for compliance with the provisions of Section 177-5D(2)(a) and 177-5D(2)(b)[1] and [2].

(d) Space Below the Lowest Floor

- [1] Any alteration, repair, reconstruction or improvement to a structure started after the enactment of this ordinance shall not enclose the space below the lowest floor unless breakaway walls, open wood lattice-work or insect screening are used as provided for in this section.
- [2] Breakaway walls, open wood lattice-work or insect screening shall be allowed below the base flood elevation provided that they are intended to collapse under wind and water loads without causing collapse, displacement or other structural damage to the elevated portion of the building or supporting foundation system.

Breakaway walls shall be designed for a safe loading resistance of not less than 10 and no more than 20 pounds per square foot. Use of breakaway walls which exceed a design safe loading of 20 pounds per square foot (either by design or when so required by local or State codes) may be permitted only if a registered professional engineer or architect certifies that the designs proposed meet the following conditions.

- i. breakaway wall collapse shall result from a water load less than that which would occur during the base flood and,
 - ii. the elevated portion of the building and supporting foundation system shall not be subject to collapse, displacement or other structural damage due to the effects of wind and water load acting simultaneously on all building components (structural and non-structural). Water loading values used shall be those associated with the base flood. Wind loading values used shall be those required by applicable State or local building standards.
- [3] If breakaway walls are utilized, such enclosed space shall be used solely for parking of vehicles, building access, or storage and not for human habitation.
- [4] Prior to construction, plans for any breakaway wall must be submitted to the (local administrator) for approval.

(3) Sand Dune - Prohibit man-made alteration of sand dunes within Zones VE and V on the community's DFIRM which would increase potential flood damage.

INTRODUCED: JUNE 23, 2009

ADOPTED:

IRENE A. JOLINE, CITY CLERK

ADAM SCHNEIDER, MAYOR

#13-09

AN ORDINANCE AUTHORIZING A SPECIAL EMERGENCY APPROPRIATION FOR A PROGRAM TO UPDATE AND MAKE CURRENT PROPERTY ASSESSMENTS FOR THE USE OF THE LOCAL ASSESSOR OF THE CITY OF LONG BRANCH, IN THE COUNTY OF MONMOUTH, NEW JERSEY

WHEREAS, N.J.S.A. 40A:4-53 provides that a municipality may adopt an Ordinance providing for a special emergency appropriation for a program to update and make current property assessments for the use of the local assessor;

WHEREAS, the City Council of the City of Long Branch, in the County of Monmouth, New Jersey (the "City") has determined to undertake a program to update and make current property assessments for use of the local assessor;

WHEREAS, the estimated cost of preparing and executing the program is \$375,000; now, therefore,

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

Section 1. A special emergency appropriation in the sum of \$375,000 is hereby authorized for the purpose of preparing a program to update and make current property assessments for use of the local assessor.

Section 2. This Ordinance shall take effect upon final passage and ten days after publication thereof as provided by law.

INTRODUCED: JUNE 23, 2009

ADOPTED:

IRENE A. JOLINE, CITY CLERK

ADAM SCHNEIDER, MAYOR

R# 194-09

**RESOLUTION AUTHORIZING ANNUAL CONTRACT
FOR LEGAL SERVICES AS
REDEVELOPMENT COUNSEL**

WHEREAS, the City of Long Branch has the need to retain a firm to provide legal services as Redevelopment Counsel, for matters relating to certain redeveloper projects, including drafting redeveloper agreements, litigation of eminent domain cases for property acquisition, financing options, pilot and tax abatement knowledge, advice as to compliance with CAFRA and DEP regulations, pilot and tax abatement knowledge, COAH Round 3 rules and compliance matters, and other special litigation cases and matters as assigned by the City Attorney; and

WHEREAS, the City, through a Fair and Open Process, has advertised on its website the solicitation of proposals for said services (Fair and Open Notice #008-09), received and opened in public on June 22, 2009, and proposals were received from the following firms:

**Greenbaum Rowe Smith & Davis, LLP
Mark R. Aikins, LLC
McManimon & Scotland, LLC**

WHEREAS, the firm of Greenbaum Rowe Smith & Davis has extensive experience in the area of redevelopment and COAH matters, and has provided these legal services to the City of Long Branch for more than six years, and has the expertise and resources to provide the level of services required by the City; and it is the recommendation of the Mayor and Business Administrator that it is in the best interest of the City to award a contract to this firm for services as required for certain developer projects and other City matters; and

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

WHEREAS, this contract is issued as an open-ended contract with certification of funds provided during the contract year by issuance of a Purchase Order at the time of need for legal services for each matter, based upon availability of City funds, and, if applicable, posting of adequate Developer Escrow Trust Funds by developers of specific redevelopment projects.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Long Branch hereby authorizes a contract with **Greenbaum Rowe Smith & Davis LLP**, for legal services as Redevelopment Counsel relative to certain developer projects and other City matters as assigned by the City Attorney, in accordance with the Request for Qualifications and proposal annexed hereto, for the term of July 1, 2009 through June 30, 2010.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to execute any and all necessary documents pursuant to said contract, and, based upon request of the Department of Administration and availability of funds, the Purchasing Agent is authorized to issue purchase orders for the various matters as may be assigned under this contract.



CITY OF LONG BRANCH, MUNICIPAL BUILDING, 344 BROADWAY, LONG BRANCH, N.J. 07740 (732) 571-5645

Howard H. Woolley, Jr.
Business Administrator

TO: Council Members

FROM: Howard H. Woolley, Jr.
Business Administrator 

RE: Contract for Legal Services as Redevelopment Counsel

DATE: July 9, 2009

After examining the proposals submitted to the City of Long Branch for Redevelopment Counsel Services, it is the recommendation of the Mayor and Business Administrator to award Greenbaum Rowe Smith & Davis, LLP a contract for services for the term of July 1, 2009 through June 30, 2010.

Based upon prior history, the City of Long Branch has determined that Greenbaum Rowe Smith & Davis, LLP have the experience, expertise and resources to provide the services required by the City of Long Branch.

HHW/gsw



recycled paper

Bid: Redevelopment Attorney
 F&O #008-09
 Date: June 22, 2009

**CITY OF LONG BRANCH
 Bid Tally Form**

Attended: Joline/Mellaci

	Bidder #	Bidder #	Bidder #
Documents	Greenbaum, Rowe, Smith & Davis	Mark Atkins, Esq.	McManimin & Scotland LLC
Bid Security-Bond/Cert. Check			
Consent of Surety			
Non-Collusion Affidavit	X	X	X
Corp. Declaration	X	X	X
Business Registration	X	X	X
Affirmative Action	X	X	X
Insurance	X	X	X
Qualifications Response	X	X	X
Description	Rate	Rate	Rate
Fees-Per Hour:			
Attorneys	\$210.00	\$110.00	\$325.00
Legal Assistant	Blended rate for all attorneys		(Blended Rate)
Paralegal			\$180.00
TOTAL BID PRICE			
Remarks:	Woodbridge, NJ 07095	Wall, NJ 07719	Newark, NJ 07102

R# 195-09

**RESOLUTION AUTHORIZING CONTRACT FOR
URBAN DEVELOPMENT FINANCIAL AND ECONOMIC
CONSULTANT SERVICES**

WHEREAS, the City of Long Branch has the need to retain the services of a firm to provide urban development financial and economic consultant services relative to redevelopment, to aid the City in the developer designation process, and, once designated, for services for specific developer redevelopment projects as funded through Developer Escrow Trust Funds provided by developers of those projects; and

WHEREAS, the City, through a Fair and Open Process, has advertised on its website the solicitation of proposals for said services (Fair and Open Notice #015-09), received and opened in public on June 24, 2009, and proposals were received from the following firms:

Basile Baumann Prost & Associates, Inc., Annapolis, MD

NW Financial Group, LLC, Jersey City, NJ

WHEREAS, Basile Baumann Prost & Associates, Inc. is a nationally renowned economic and real estate development advisory firm that for the past ten plus years has provided consultant services to the City, and has been instrumental in bringing negotiations with developers to the present status, and their consulting services are necessary for the continued redevelopment process; and

WHEREAS, it is the recommendation of the Mayor and Business Administrator that it is in the best interest of the City to award a contract to this firm for services that may be required for the various redevelopment sectors and projects; and

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

WHEREAS, this contract is issued as an open-ended contract with certification of funds provided during the contract year by issuance of a Purchase Order at the time of need for services, based upon availability of City funds, and, if applicable, posting of adequate Developer Escrow Trust Funds by developers of specific redevelopment projects.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Long Branch hereby authorizes an open-ended contract with **Basile Baumann Prost & Associates, Inc** for urban development financial and economic consultant services, in accordance with the Request for Qualifications, proposal, and contract annexed hereto, for the term of July 1, 2009 through June 30, 2010.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to execute any and all necessary documents pursuant to said contract, and, based upon request of the Department of Administration and availability of funds, the Purchasing Agent is authorized to issue purchase orders for the various matters covered under this contract.



CITY OF LONG BRANCH, MUNICIPAL BUILDING, 344 BROADWAY, LONG BRANCH, N.J. 07740 (732) 571-5645

Howard H. Woolley, Jr.
Business Administrator

TO: Council Members

FROM: Howard H. Woolley, Jr.
Business Administrator 

RE: Contract for Urban Development Financial & Economic Consultant
Services

DATE: July 9, 2009

After examining the proposals submitted to the City of Long Branch for Urban Development Financial & Economic Consultant Services, it is the recommendation of the Mayor and Business Administrator to award Basile Baumann Prost & Associates, Inc., a contract for services for the term of July 1, 2009 through June 30, 2010.

Based upon prior history, the City of Long Branch has determined that Basile Baumann Prost & Associates, Inc., have the experience, expertise and resources to provide the services required by the City of Long Branch.

HHW/gsw



recycled paper

Bid: Urban Development Consultant
 F&O #015-09
 Date: June 24, 2009

CITY OF LONG BRANCH
Bid Tally Form

Attended: Schmeiz/Mellaci

Documents	Bidder #		Bidder #
	NW Financial Group LLC	Basile Baumann Prost & Assoc	
Bid Security-Bond/Cert. Check			
Consent of Surety			
Non-Collusion Affidavit	X	X	
Corp. Declaration	X	X	
Business Registration	X		
Affirmative Action	X	X	
Insurance	--	X	
Qualifications Response	X	X	
Description			
Fees-Per Hour:			
Principal, President Mgr. Director	\$190-195	\$225.00	
Principal	\$185.00		
Vice President, Sr. VP	\$170-180		
Asst. VP	\$165.00		
Sr. Associate	\$150.00	\$150.00	
Associate		\$125.00	
Tech Support, Analyst Administrative	\$140.00	\$75-100	
TOTAL BID PRICE	See additional fees in proposal	See additional fees in proposal	
Remarks:			
	Jersey City, NJ	Annapolis, MD	

R # 196-09

**RESOLUTION AUTHORIZING ANNUAL CONTRACT
FOR LEGAL SERVICES RELATIVE TO
REDEVELOPMENT CONDEMNATION MATTERS**

WHEREAS, the City of Long Branch has the need to retain a firm to provide legal services relative to property condemnation proceedings as a result of developer agreements in designated redevelopment areas, to be funded through Developer Escrow Trust Funds provided by developers of specific redevelopment projects; and

WHEREAS, the City, through a Fair and Open Process, has advertised on its website the solicitation of proposals for said services (Fair and Open Notice #009-09), received and opened in public on June 22, 2009, and proposals were received from **Bowe & Fernicola, LLC and Parker McCay PA**; and

WHEREAS, the firm of Bowe & Fernicola, LLC has extensive experience in the area of property condemnation/ eminent domain litigation, and has provided these legal services to the City of Long Branch for more than seven years, and has the expertise and resources to provide the level of services required by the City; and it is the recommendation of the Mayor and Business Administrator that it is in the best interest of the City to award an annual contract to this firm for services as required for various developer projects; and

WHEREAS, all contractors awarded professional service contracts are required to comply with City Ordinance #18-05, and execution of the contract documents and Political Contribution Affidavit, annexed hereto, will serve as acknowledgement by Bowe & Fernicola that it complies with the Ordinance, and has not made any political contributions that would bar it from being awarded a contract with the City of Long Branch; and

WHEREAS, this contract is issued as an open-ended contract with certification of funds provided during the contract year by issuance of a Purchase Order at the time of need for legal services for each matter, and posting of adequate Developer Escrow Trust Funds by developers of specific redevelopment projects.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Long Branch hereby authorizes a contract with **Bowe & Fernicola, LLC** for legal services relative to redevelopment condemnation matters, in accordance with the Request for Qualifications and proposal annexed hereto, for the term of July 1, 2009 through June 30, 2010.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to execute any and all necessary documents pursuant to said contract, and, based upon request of the Department of Administration and availability of funds, the Purchasing Agent is authorized to issue purchase orders for the various matters covered under this contract.



CITY OF LONG BRANCH, MUNICIPAL BUILDING, 344 BROADWAY, LONG BRANCH, N.J. 07740 (732) 571-5645

Howard H. Woolley, Jr.
Business Administrator

TO: Council Members

FROM: Howard H. Woolley, Jr.
Business Administrator 

RE: Contract for Legal Counsel Services

DATE: July 9, 2009

After examining the proposals submitted to the City of Long Branch for Legal Counsel Services relative to Redevelopment Condemnation matters, it is the recommendation of the Mayor and Business Administrator to award Bowe & Fernicola, LLC a contract for services for the term of July 1, 2009 through June 30, 2010.

Based upon prior history, the City of Long Branch has determined that Bowe & Fernicola, LLC have the experience, expertise and resources to provide the services required by the City of Long Branch.

HHW/gsw



recycled paper

Bid: Redevelopment Condemnations
 F&O #009-09
 Date: June 22, 2009

CITY OF LONG BRANCH
Bid Tally Form

Attended: Joline/Mellaci

Documents	Bidder #	Bidder #	Bidder #
Bid Security-Bond/Cert. Check			
Consent of Surety			
Non-Collusion Affidavit	X		
Corp. Declaration	X		
Business Registration	X		
Affirmative Action	X		
Insurance	X		
Qualifications Response	X		
Description	Rate	Rate	Rate
Fees-Per Hour:			
Attorneys	\$250.00		
Legal Assistant	\$175.00		
TOTAL BID PRICE			
Remarks:	Red Bank, NJ 07701		

R# 197-09

**RESOLUTION AUTHORIZING CONTRACT FOR
LEGAL SERVICES AS LABOR ATTORNEY**

WHEREAS, the City of Long Branch has the need to retain a firm to provide legal services as Labor Attorney for the 2009-2010 contract year; and

WHEREAS, the City, through a Fair and Open Process, has advertised on its website the solicitation for proposals for said services (Fair and Open #006-09), received and opened in public on June 22, 2009, and proposals were received from the following firms:

Apruzzese, McDermott, Mastro & Murphy, PC
Warren, NJ
Schwartz simon Edelstein Celso & Zotomer LLC
Morristown, NJ

WHEREAS, the firm of Apruzzese, McDermott, Mastro & Murphy has extensive experience in public sector labor relations, and has provided legal services to the City of Long Branch relative to labor matters for more than nine years, and the firm has the expertise and resources to provide the level of services required by the City; and

WHEREAS, it is the recommendation of the Mayor and Business Administrator that it is in the best interest of the City to award a contract to this firm for services as required by the City; and

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

WHEREAS, the Chief Financial Officer of the City of Long Branch has certified, in accordance with the Certification of Funds Form attached hereto, that funds are available for this contract in the **2009 Budget, Office of the City Attorney, Misc. Other Expense, Appropriation #9-01-014-502, in the amount of \$50,000, with continuation of this contract contingent upon provision of additional funds through appropriation transfer, emergency appropriation, and/or provision of adequate funds in the 2010 budget.**

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Long Branch hereby authorizes an annual contract with **Apruzzese, McDermott, Mastro & Murphy, PC**, for legal services as labor attorney, in accordance with the contract documents annexed hereto, for the term of July 1, 2009 through June 30, 2010, for an amount not to exceed \$100,000.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to execute any and all necessary document pursuant to said agreement and, based upon request of the Department of Administration and contingent upon availability of funds, the Purchasing Agent is authorized to issue purchase orders for the various matters as may be assigned under this contract.

**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:

**2009-2010 ANNUAL CONTRACT FOR LEGAL SERVICES
AS LABOR COUNSEL**

Said contract being made as follows:

APRUZZESE MCDERMOTT MASTRO & MURPHY \$100,000

Said funds being available in the form of:

2009 BUDGET

OFFICE OF CITY ATTORNEY

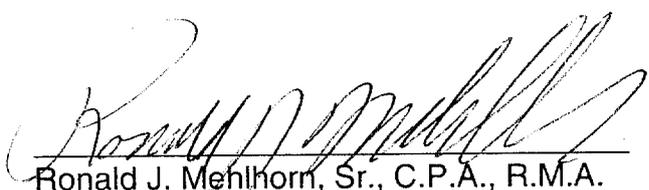
MISC. OTHER EXPENSE

LABOR ATTORNEY

APPRO. #9-01-014-502

\$50,000 *

***CONTINUATION OF THIS CONTRACT IS CONTINGENT UPON PROVISION
OF ADDITIONAL FUNDS THROUGH APPROPRIATION TRANSFER, EMERGENCY
APPROPRIATION, AND/OR PROVISION OF ADEQUATE FUNDS IN THE 2010 BUDGET.**


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

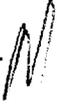

Date



CITY OF LONG BRANCH, MUNICIPAL BUILDING, 344 BROADWAY, LONG BRANCH, N.J. 07740 (732) 571-5645

Howard H. Woolley, Jr.
Business Administrator

TO: Council Members

FROM: Howard H. Woolley, Jr. 
Business Administrator

RE: Contract for Legal Counsel Services

DATE: July 9, 2009

After examining the proposals submitted to the City of Long Branch for Legal Services as Labor Attorney, it is the recommendation of the Mayor and Business Administrator to award Apruzzese McDermott Mastro & Murphy, PC a contract for services for the term of July 1, 2009 through June 30, 2010.

Based upon prior history, the City of Long Branch has determined that Apruzzese McDermott Mastro & Murphy, PC have the experience, expertise and resources to provide the services required by the City of Long Branch.

HHW/gsw



recycled paper

R# 198-09

**RESOLUTION AUTHORIZING CONTRACT FOR
LEGAL SERVICES AS BOND COUNSEL**

WHEREAS, the City of Long Branch has the need to retain a firm to provide legal services as Bond Counsel for the 2009-2010 contract year; and

WHEREAS, the City, through Fair and Open Process #007-09, has advertised on its website the solicitation for proposals for said services, received and opened in public on June 22, 2009, and proposals were received from the following firms:

Lomurro, Davison, Eastman & Munoz, PA, Freehold, NJ
Parker McCay, Marlton, NJ
McManimon & Scotland, LLC, Newark, NJ

WHEREAS, John L. Kraft, of the firm of Lomurro, Davison, Eastman & Munoz has forty years experience as Bond Counsel, and having served as Bond Counsel for eighteen New Jersey counties and hundreds of municipalities; his experience and reputation are renowned throughout the state, and Mr. Kraft has served as Bond Counsel to the City of Long Branch for more than 14 years; and

WHEREAS, it is the recommendation of the Mayor and Business Administrator that it is in the best interest of the City to award a contract to John L. Kraft for services as Bond Counsel through June 30, 2010; and

WHEREAS, all contractors awarded professional service contracts are required to comply with City Ordinance #18-05, and execution of the contract documents and the Political Contribution Affidavit, annexed hereto, will serve as acknowledgement by Lomurro, Davison, Eastman & Munoz that they comply with the Ordinance, and have not made any political contributions that would bar them from being awarded a contract with the City of Long Branch; and

WHEREAS, this contract is being issued as an open-ended contract, with certification of funds being provided during the contract year by issuance of a Purchase Order at the time of need for legal services, and based upon availability of funds.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Long Branch hereby authorizes an open-ended contract to John L. Kraft, Esq., of the firm of **Lomurro, Davison, Eastman & Munoz** for legal services as bond counsel, in accordance with the contract annexed hereto, for the term of July 1, 2009 through June 30, 2010.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to execute any and all necessary document pursuant to said agreement and, based upon request of the Department of Administration, the Purchasing Agent is authorized, contingent upon availability of funds, to issue purchase orders for the various matters covered under this contract.



CITY OF LONG BRANCH, MUNICIPAL BUILDING, 344 BROADWAY, LONG BRANCH, N.J. 07740 (732) 571-5645

Howard H. Woolley, Jr.
Business Administrator

TO: Council Members

FROM: Howard H. Woolley, Jr.
Business Administrator 

RE: Contract for Legal Services as Bond Counsel

DATE: July 9, 2009

After examining the proposals submitted to the City of Long Branch for Legal Services as Bond Counsel, it is the recommendation of the Mayor and Business Administrator to award Lomurro, Davison, Eastman & Munoz a contract for services for the term of July 1, 2009 through June 30, 2010.

Based upon prior history, the City of Long Branch has determined that Lomurro, Davison, Eastman & Munoz have the experience, expertise and resources to provide the services required by the City of Long Branch.

HHW/gsw



recycled paper

Bid: Bond Counsel
 F&O #007-09
 Date: June 22, 2009

CITY OF LONG BRANCH
Bid Tally Form

Attended: Joline/Mellaci

Documents	Bidder #	Bidder #	Bidder #
	Lomurro Davison Eastmen & Munzo	Parker McCay, PA	McManiman & Scotland LLC
Bid Security-Bond/Cert. Check			
Consent of Surety			
Non-Collusion Affidavit	X	X	X
Corp. Declaration	X	X	X
Business Registration		X	X
Affirmative Action	X	X	X
Insurance	X	X	X
Qualifications Response	X	X	X
Description	Rate	Rate	Rate
Fees-Per Hour:			
Attorneys	\$325.00	\$235-250 Shareholders \$190-230 Sr. Assoc/Counsel	\$215.00 (Blended Rate)
Legal Assistant	\$110.00	\$150-\$185	\$135.00
Paralegal		\$95.00	
Additional fees per bond issuance, refunding bond ordinance, etc.	see fee schedule	see fee schedule	see fee schedule
TOTAL BID PRICE			
Remarks:	Freehold, NJ 07728	Marlton, NJ 08053	Newark, NJ 07102

R# 199-09

**RESOLUTION AUTHORIZING CONTRACT FOR
LOBBYING CONSULTANT SERVICES**

WHEREAS, the City of Long Branch has the need to retain the services of a firm to provide lobbying services to aid the City in obtaining County, State, and Federal Grants, low interest loans, and provide lobbying activity in support of City ordinances and resolutions concerning general City welfare and redevelopment; and

WHEREAS, the City, through a Fair and Open Process, advertised on its website the solicitation of proposals for said services (Fair & Open #012-09), received and opened in public on June 24, 2009, and proposals were received from:

Public Strategies Impact, LLC (Proposal noted out of pocket allowance not to exceed \$5,000)	\$30,000 *Plus expenses
Dilworth Paxson, LLP (Proposal noted fee as negotiable)	\$60,000 *Plus Expenses

WHEREAS, Public Strategies Impact, LLC has the experience, expertise and resources to provide the services required by the City, has provided these services to the City for the past five years, and it is the recommendation of the Mayor and Business Administrator that it is in the best interest of the City to award a contract to this firm for services through June 30, 2010; and

WHEREAS, based upon prior history, the City has determined that it would be appropriate to reduce the out of pocket allowance to a not to exceed of \$2,000, and Public Strategies Impact has agreed to same; and

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

WHEREAS, the Chief Financial Officer of the City of Long Branch has certified, in accordance with the Certification of Funds Form attached hereto, that funds are available for this contract in the **2008 Budget, Office of Mayor, Appropriation #9-01-011-586, in the amount of \$17,000, with continuation of this contract contingent upon provision of additional funds in the 2010 budget.**

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Long Branch hereby authorizes a contract with **Public Strategies Impact, LLC** for lobbying consultant services for the term of July 1, 2009 through June 30, 2010, in accordance with the contract document annexed hereto, **for an annual retainer of \$30,000, and not to exceed amount for reimbursable expenses of \$2,000, for a total contract amount not to exceed \$32,000.**

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

**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:

**ANNUAL CONTRACT FOR LOBBYING CONSULTANT SERVICES
July 1, 2009 – June 30, 2010**

Said contract being made as follows:

PUBLIC STRATEGIES IMPACT, LLC	\$32,000
--------------------------------------	-----------------

Said funds being available in the form of:

2009 BUDGET

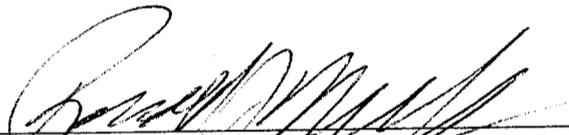
OFFICE OF THE MAYOR

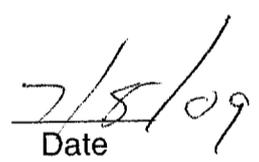
MISCELLANEOUS OTHER EXPENSE

APPRO #8-01-011-586

\$17,000*

***Continuation of this contract is contingent upon provision of adequate funds in the 2010 budget.**


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


Date



CITY OF LONG BRANCH, MUNICIPAL BUILDING, 344 BROADWAY, LONG BRANCH, N.J. 07740 (732) 571-5645

Howard H. Woolley, Jr.
Business Administrator

TO: Council Members

FROM: Howard H. Woolley, Jr.
Business Administrator 

RE: Contract for Lobbying Consultant Services

DATE: July 9, 2009

After examining the proposals submitted to the City of Long Branch for Lobbying Consultant Services, it is the recommendation of the Mayor and Business Administrator to award Public Strategies Impact, LLC a contract for services for the term of July 1, 2009 through June 30, 2010.

Based upon prior history, the City of Long Branch has determined that Public Strategies Impact, LLC has the experience, expertise and resources to provide the services required by the City of Long Branch.

HHW/gsw



recycled paper

R# 200-09

RESOLUTION AUTHORIZING CHANGE ORDER NO. 3 TO D.W. SMITH
ASSOCIATES, LLC IN CONNECTION WITH THE
MANAHASSET CREEK PARK PROJECT

WHEREAS, D.W. Smith Associates, LLC has submitted a request to the City of Long Branch for change order no. 3 representing additional work items required for the Manahasset Creek Park Project in the City of Long Branch, based on a proposal prepared by Precise Construction, Inc.

WHEREAS, D.W. Smith Associates, LLC has reviewed the additional work proposals provided by Precise Construction, Inc. for necessity, project phasing and price accuracy to determine the practicality of bidding these additional items separate; and

WHEREAS, after reviewing these items, D.W. Smith Associates, LLC has determined that because of project construction sequence, and given the fact that the prices quoted are accurate for the current market rates, they are recommending that Precise Construction, Inc. be given approval for the work; and

WHEREAS, the specific work to be performed is the furnishing of labor and materials to construct the base preparation required under the new poured-in-place rubber surfacing in the amount of \$1,751.10, according to the proposal of Precise Construction, Inc.; and

WHEREAS, the necessity of this particular work arose through site meetings between the City of Long Branch Building Department, Marturano Recreation Company and D.W. Smith Associates, LLC, whereby the poured-in-place rubber surface was determined to be the best solution for the surfacing of the playground use area as well as an accessible path leading from the park to the playground equipment; and

WHEREAS, the amount of the change order takes into account a deduction for the wood fiber surface that was originally bid for this area; and

WHEREAS, it is not practicable to bid this item separately and install this item after completion of the project, since it must be installed prior to the poured-in-place rubber:

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Long Branch, that change order no. 3 be and is hereby approved in favor of D.W. Smith Associates, LLC based on the proposal prepared by Precise Construction, Inc., in connection with the Manahasset Creek Park Project in the City of Long Branch for the furnishing of labor and material to construct the base preparation required under the new poured-in-place rubber surfacing;

BE IT FURTHER RESOLVED that the Mayor of the City of Long Branch be and is hereby authorized to execute any and all documents necessary to effectuate change order no. 3.

MOVED:

SECONDED:

AND ADOPTED UPON THE FOLLOWING ROLE CALL:

AYES:

NAYES:

ABSENT:

ANSELL ZARO
GRIMM & AARON
A PROFESSIONAL CORPORATION
CONSULTORS AT LAW
1500 LAWRENCE AVENUE
CN 7807
OCEAN, N.J. 07712
1732 922-1600

**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:

**CHANGE ORDER #3 TO DEVELOPMENT OF
MANAHASSETT CREEK PARK**

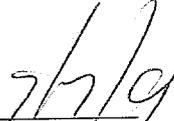
Said contract being made as follows:

PRECISE CONSTRUCTION	\$1,751.10
-----------------------------	-------------------

Said funds being available in the form of:

COMMUNITY DEVELOPMENT BLOCK GRANT THIRTY-THIRD YEAR APPRO. LINE ITEM #H-02-033-305	\$ 1,751.10
---	--------------------


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


Date

CITY OF LONG BRANCH
COUNTY OF MONMOUTH

CONTRACT: MANAHASSETT CREEK PARK
CONTRACTOR: PRECISE CONSTRUCTION INCORPORATED
1016 HIGHWAY 33
FREEHOLD, NJ 07728

Gentlemen:

In accordance with the provisions of Section 7.2 of the General Conditions of the Specifications for the above Contract, you are hereby advised of the following changes in the Contract:

• **Final As-Built Quantities**

This will result in the following additional Contract quantities:

Playground Area - Base Preparation for Poured-in-Place Rubber Surfacing:

<u>Description</u>	<u>Quantity</u>	<u>Unit</u>	<u>Unit Price</u>	<u>Amount</u>
ADD Gravel Base under proposed rubber surfacing area	4,490 SF	LS	\$ 5,612.50	\$ 5,612.50
DELETE Wood Fiber at playground path and equipment play area	-4,490 SF	LS	\$ 3,861.40	\$ -3,861.40
Total Increase				\$ 1,751.10

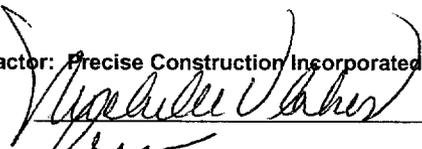
Change Order #3 Total Increase \$ 1,751.10

Summary:

Original Contract Amount	\$3,975,830.00
Change Order No. 1 (Net Increase)	\$ 110,040.00
Amount of Contract as modified by Change Order No. 1	\$4,085,870.00
Change Order No. 2 (Net Increase)	\$ 229,098.50
Amount of Contract as modified by Change Order No. 2	\$4,314,968.50
Change Order No. 3 (Net Increase)	\$ 1,751.10
Amount of Contract as modified by Change Order No. 3	\$4,316,719.60

Accepted:

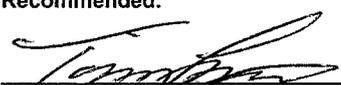
Contractor: Precise Construction Incorporated

By: 

Title: Pres

Date: 7/1/09

Recommended:

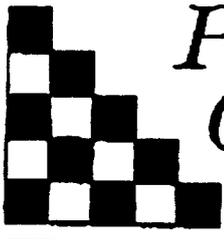

D.W. SMITH ASSOCIATES, LLC
Timothy P. Lurie, P.E., P.P.
Director of Engineering/Principal

Approved: City of Long Branch

By: _____

Title: _____

Date: _____



PRECISE
CONSTRUCTION
INCORPORATED

1016 Highway 33, Freehold, N.J. 07728 • (732) 683-1166 • Fax (732) 683-1177

June 17, 2009

Mr. Jason Burneyko
D.W. Smith Associates, LLC
149 Yellowbrook Road, Suite 101
Farmingdale, New Jersey 07727

Dear Jason:

We are pleased to provide you with a proposal for the playground surfacing at Manahasset Creek Park. Our price will include all labor and material to complete the following.

Option #1 - Add			
Gravel base for rubber surfacing - 4490 SF	\$	5,612.50	*
Option #2 - Add			
Install wood fiber at perimeter		N/C	*
Option #3 - Add			
Install topsoil and sod at perimeter - 2714 SF @ 1.25 per SF	\$	3,392.50	N/A
Option #4 - Add			
Install synthetic turf @ perimeter w/ gravel base - 2714 SF @ 6.50 per SF	\$	17,641.00	N/A
Alternate #1 - Deduct			
Wood fiber at seating area	\$	6,200.00	N/A
Alternate #2 - Deduct			
Wood fiber at rubber surfacing only	\$	3,861.40	*

If you require any additional information, please do not hesitate to contact our office.

Very truly yours,
PRECISE CONSTRUCTION, INC.

Antonio Vlahos
Antonio Vlahos



DW SMITH
ASSOCIATES, LLC
Greengineering®

Jennifer N. Nevins
Timothy P. Lurie
Thomas J. Murphy

July 1, 2009

Syed B. Husain
Kevin J. Murphy

Howard Woolley, Jr.
Business Administrator
City of Long Branch
Long Branch Municipal Building
344 Broadway
Long Branch, NJ 07740

Donald W. Smith

**Professional
Consulting
Services**

RE: Manahasset Creek Park
Change Order #3
City of Long Branch
Monmouth County, NJ
Our Reference No. 04-517.00

**Civil
Engineering**

Dear Mr. Woolley:

Land Planning

Attached is a proposal prepared by Precise Construction, Inc., for additional work items required for the Manahasset Creek Park project in Long Branch, New Jersey. These items have been requested by the City of Long Branch as a result of regularly scheduled site construction meetings held with the City, design associates, the contractor Precise Construction Inc., and the engineer D.W. Smith Associates.

Land Surveying

**Landscape
Design**

We have reviewed the additional work proposals provided by Precise Construction, Inc., for necessity, project phasing and price accuracy, to determine the practicality of bidding these additional items separately.

**Environmental
Services**

After reviewing these items, because of proper project construction sequence, and given the fact that the prices quoted are accurate for the current market rates, we are hereby recommending Precise Construction, Inc., be given approval for the work for all items in the proposal at this current time based on the specific reasons indicated below.

**Site
Remediation**

**Geographic
Information
Systems**

**Information
Technologies**

“DESIGNING SPECIAL PLACES”

149 Yellowbrook Road, Suite 101, Farmingdale, NJ 07727
p. 732.363.5850 • f. 732.905.8669 • www.dwsmith.com



Manahasset Creek Park – Long Branch, NJ
Mr. Howard Woolley
Our reference No. 04-517.00
July 1, 2009
Page 2 of 2

Item 1. Furnish labor and material to construct the base preparation required under the new poured-in-place rubber surfacing

\$1,751.10

D.W. Smith Associates has determined that this estimated cost is comparable to the current market price rate for this work. The specifics of the actual work involved in this item arose through site meetings with the City of Long Branch Building Department, Marturano Recreation Company, and D.W. Smith Associates, whereby the poured-in-place rubber surface was determined to be the best solution for the surfacing of the playground use area as well as an accessible path leading from the park to the playground equipment. This particular change-order item is required to prepare the base on which the poured-in-place rubber will be installed. This price also includes a deduction of the wood fiber surface that was originally bid for this area.

It is not practicable to bid this item separately and install this item after completion of the project, as it must be installed prior to the poured-in-place rubber. The base preparation must be installed at this time to fit into the project's sequence of construction.

Therefore, it is our recommendation that this additional work item be approved at this current time for Precise Construction, Inc., to provide and construct the base preparation.

If you should have any questions or require any additional information, please do not hesitate to contact this office.

Very truly yours,

D.W. SMITH ASSOCIATES, LLC

A handwritten signature in black ink, appearing to read 'Timothy P. Lurie'.

TIMOTHY P. LURIE, P.E., P.P.
Director of Engineering

TPL/ms

cc: City Clerk's Office, City of Long Branch
Purchasing Department, City of Long Branch

R# 201-09

**RESOLUTION AWARDING TWO YEAR CONTRACT
FOR DISPOSAL OF LEAVES**

WHEREAS, the City has the need to contract for transport and recycling/disposal of leaves collected as part of its residential curbside collection program; and

WHEREAS, the City, through a Fair and Open Process, has advertised on its website for receipt of proposals for a two year contract, F&O #005-09, opened and read on June 22, 2009, and the following proposals were received:

Pumpkin Fields, LLC Flemington, NJ	\$5.44 cy, 2009-10 contract year \$6.24 cy, 2010-11 contract year
Britton Industries, Inc. Lawrenceville, NJ	\$6.65 cy
Reliable Wood/Natures Choice Union, NJ	\$7.90cy

WHEREAS, the proposals were reviewed and found to be in order, and it is the recommendation of the Public Works Director that the City enter into a two year contract with Pumpkin Fields, LLC, in accordance with their proposal annexed hereto; and

WHEREAS, this contract is being awarded on an open-ended basis, contingent upon availability of funds, and with the provision of certification of funds provided by issuance of a Purchase Order for each budget year during the life of the contract.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Long Branch, that a two year open-ended contract be awarded to **Pumpkin Fields, LLC**, in accordance with the Request for Proposal and proposal submission annexed hereto, for transport and disposal of up to 15,000 cubic yards of leaves.

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

Pumpkin Fields LLC
203 Main Street #184
Flemington, NJ 08822
Tel. 732-433-1995
Fax. 888-277-8163
Zan895@gmail.com

Carol Mellaci
City of Long Branch
344 Broadway
Long Branch, NJ 07740

Dear Carol Mellaci:

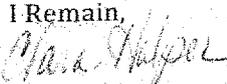
I am writing in response to your inquiries regarding the two-year leaf disposal bid for 2009- 2010 for the City of Long Branch, NJ. Pumpkin Fields LLC owns and operates two trucks with 100 cu. Yd. walking floor trailers with additional access to two more trucks by an outside contractor, Rufus Demolition, having the capacity to carry 100 cubic yards of material and 80 cubic yards of material.

Under another company name, Cornell Farms, based out of Piscataway, NJ, our company performed similar leaf disposal contracts with the cities of Plainfield, Green Brook, and Westfield. In fact Norman Halper, the company's founder, was one of the first in the state of New Jersey to compost leaves dating back to the 1960's.

Enclosed you will find a letter from the property owner of 7 Dutch Hill Road Hampton Borough, NJ, granting Pumpkin Fields LLC and its associates permission to use the DEP exempted subject property for leaf disposal. In addition, the agents who will be handling the Long Branch leaf disposal contract will be Larry Halper, who can be reached at 732-433-1912, and Zachary Halper, who can be contacted at 732-433-2700.

In addition, as requested, the Tax ID number for Pumpkin Fields LLC is 270373358.

We look forward to doing business with the City of Long Branch. If you have any questions you can get in touch with either Larry or Zac by way of their cell phones listed above. Also, you can email us at zan895@gmail.com. Thank you.

I Remain,

Clara Halper

alice shane
c o m m u n i c a t i o n s

City of Long Branch
344 Broadway
Long Branch, N.J. 07740

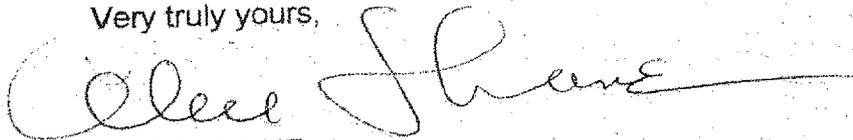
June 2, 2009

RE: 7 DUTCH HILL ROAD
HAMPTON, NJ
BLOCK: 21; LOT 1

To Whom It May Concern:

This is to confirm that Pumpkin Fields, LLC is permitted to place leaves only on the above farm property for the purpose of composting.

Very truly yours,



ALICE SHANE,
Owner of farm on 7 Dutch Hill Road

11 ASHLAND ROAD / SUMMIT, NJ 07901 / 908-273-3761
SHANECOM@AOL.COM
WWW.ALICESHANECOM

From: FAXmaker To: 18882778163 Page: 1/2 Date: 7/2/2009 12:39:20 PM
 Policy Number:

Date Entered: 7/2/2009

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
 7/2/2009

PRODUCER Family Financial Group 5 Walter Foran Blvd Suite 2010 Flemington, NJ 08822 Phone: (908) 782-4028 Fax: (908) 782-5203	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 PUMPKIN FIELDS LLC 203 MAIN ST #184 FLEMINGTON, NJ 08822-1680	<table border="1"> <tr> <th>INSURERS AFFORDING COVERAGE</th> <th>NAIC #</th> </tr> <tr> <td>INSURER A Farm Family Casualty Insurance Company</td> <td></td> </tr> <tr> <td>INSURER B</td> <td></td> </tr> <tr> <td>INSURER C</td> <td></td> </tr> <tr> <td>INSURER D</td> <td></td> </tr> <tr> <td>INSURER E</td> <td></td> </tr> </table>	INSURERS AFFORDING COVERAGE	NAIC #	INSURER A Farm Family Casualty Insurance Company		INSURER B		INSURER C		INSURER D		INSURER E	
INSURERS AFFORDING COVERAGE	NAIC #												
INSURER A Farm Family Casualty Insurance Company													
INSURER B													
INSURER C													
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 ADD'L LTR	INSRD	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YYYY)	POLICY EXPIRATION DATE (MM/DD/YYYY)	LIMITS	
		GENERAL LIABILITY <input type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS MADE <input type="checkbox"/> OCCUR <input type="checkbox"/> GEN'L AGGREGATE LIMIT APPLIES PER <input type="checkbox"/> POLICY <input type="checkbox"/> PER OCCUR				EACH OCCURRENCE \$ DAMAGE TO RENTED PREMISES (EA OCCURRENCE) \$ MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ GENERAL AGGREGATE \$ PRODUCTS - COMP/OP AGG \$	
A		AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input checked="" type="checkbox"/> ALL OWNED AUTOS <input checked="" type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS	2912C0653	5/10/2009	5/10/2010	COMBINED SINGLE LIMIT (EA accident) \$1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$	
		GARAGE LIABILITY <input type="checkbox"/> ANY AUTO				AUTO ONLY - EA ACCIDENT \$ OTHER THAN AUTO ONLY EAACC AGG \$	
		EXCESS / UMBRELLA LIABILITY <input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS MADE <input type="checkbox"/> DEDUCTIBLE RETENTION \$				EACH OCCURRENCE \$ AGGREGATE \$ \$ \$	
		WORKERS COMPENSATION AND EMPLOYERS' LIABILITY AD / PROPRIETOR / PARTNER / EXECUTIVE OFFICER / MEMBER EXCLUDED? <input type="checkbox"/> Y / N (Mandatory in NH) (If yes, describe under SPECIAL PROVISIONS below)				<input type="checkbox"/> WC STATUTORY LIMITS <input type="checkbox"/> OTHER EL EACH ACCIDENT \$ EL DISEASE - EA EMPLOYEE \$ EL DISEASE - POLICY LIMIT \$	
		OTHER					

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

CERTIFICATE OF INSURANCE

CERTIFICATE HOLDER

CLARA HALPER

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 30 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

Di Joseph

ACORD 25 (2009/01)

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Carol Mellaci

From: "Zachary Halper" <zan895@gmail.com>
To: "Carol Mellaci" <cmellaci@ci.long-branch.nj.us>
Sent: Tuesday, June 30, 2009 11:14 AM
Attach: LongBranchLeaves.jpg
Subject: Re: Long Branch Leaf Disposal

Please see attached. Thank you.

On Thu, Jun 25, 2009 at 4:44 PM, Carol Mellaci <cmellaci@ci.long-branch.nj.us> wrote:

Zach--
Per our conversation, please provide the following information.

1. Confirm by return email the following information, which we discussed by phone today:

Equipment to perform this contract: Pumpkin Farms owns 2 trucks, and will have access to 2 additional trucks from an outside contractor
Prior to award of the contract, you will provide to the City a copy of Insurance Certificates for Auto Liability and Worker's Comp Insurance in amounts specified in the RFP document. Insurance must be in the name of Pumpkin Farms.

Prior Experience: Under another Corporate Name, you performed similar leaf disposal contracts with Plainfield, Westfield, and Greenbrook, NJ.

2. You need to provide a copy of the contract or lease between Pumpkin Farms and the owner of the property at 7 Dutch Hill Road, Hampton Borough, which tax records indicate is Alice Shane.

3. Since the only name on all our documents relating to Pumpkin Farms is C. Halper, if someone else, such as you, will be the contact for this contract, please provide a brief memo/letter from Mrs. Halper naming the person who will act as her agent relative to Pumpkin Farms as it relates to this contract.

4. Please provide the Tax ID number (TIN#) for Pumpkin Farms LLC. We need it to set you up in our computer.

This contract is tentatively scheduled for award at the July 14th Council Meeting. Please confirm the above information, and get me copy of the lease and insurance certificates and other documents mentioned above ASAP.

Any questions, please contact me.

Carol Mellaci
City of Long Branch
344 Broadway
Long Branch, NJ 07740

732-571-5656
Fax: 732-222-1516

FAX COVER SHEET

TO	Carol Mellaci
COMPANY	City of Long Branch
FAX NUMBER	17322221516
FROM	C Halper
DATE	2009-06-30 15:30:39 GMT
RE	Leaves

COVER MESSAGE

Carol,
Here is most of the information that you requested. The rest will follow. Thank you for your patience.
Have a great day.
Clara



STATE OF NEW JERSEY BUSINESS REGISTRATION CERTIFICATE

Taxpayer Name:	PUMPKIN FIELDS LIMITED LIABILITY COMPANY
Trade Name:	
Address:	203 MAIN STREET #184 FLEMINGTON, NJ 08822-0882
Certificate Number:	1494243
Effective Date:	June 18, 2009
Date of Issuance:	June 30, 2009

For Office Use Only:
20090630121409285

Pumpkins Farm LLC

CITY OF LONG BRANCH

PROPOSAL FORM

DISPOSAL OF LEAVES

Company Name Pumpkin Fields

Address 203 Main St
#184
Flemington, NJ 08822

Address ~~42 ~~St~~~~ 203 Main St
#184
Flemington, NJ 08822

Phone number, Cell Number, Fax Number

Phone 732-433-1912
cell 732-433-2700
Fax 1-888-277-8163

Site of disposal of leaves (If more than one site, please indicate additional locations and distances from the City.)

7 Dutch Hill Road
Hampton Borough, NJ

DEP exempt NJAC 7.26A -1.4 (#3, 15, 12)

If you have any questions regarding exemption, contact
Ross Hall, Bureau of Recycling & Planning for NJDEP at
(609) 984-5936

Description of equipment to be utilized to pick-up and transport leaves, including size of containers.

3 - 100 yd walking floor trailers

1 - 80 yd trailer

Price per cubic yard for pick-up and disposal of

clean leaves from the City DPW Atlantic Ave. Yard

	2009	2010
\$	5.44	6.24

Price per cubic yard

Price per cubic yard in words

Five dollars forty four cents ~~for~~ 2009 year.

Six dollars and twenty four cents ~~for~~ 2010 year.

Submitted by:

C. Halper 6.19.09

Signature Date

C. Halper Director

Name (Print) Title

CITY OF LONG BRANCH

DOCUMENT SUBMISSION CHECKLIST

REQUIRED READ, SIGNED & SUBMITTED

- Yes PROPOSAL AS REQUIRED IN RFQ
- Yes STOCKHOLDER DISCLOSURE CERTIFICATION
- Yes NON-COLLUSION AFFIDAVIT
- Yes AFFIRMATIVE ACTION QUESTIONNAIRE

REVIEWED

- Yes MANDATORY AFFIRMATIVE ACTION LANGUAGE
- Yes AMERICANS WITH DISABILITIES ACT OF 1990
- Yes N. J. BUSINESS REGISTRATION REQUIREMENTS

NON-COLLUSION AFFIDAVIT

Clear

STATE OF NEW JERSEY

COUNTY OF Hunterdon

I, C Halper residing in Readington
(name of municipality)

in the County of Hunterdon and State of New Jersey of full age,

being duly sworn according to law on my oath dispose and say that:

I, am Director of the firm of Pumpkin fields,
(title or position) (name of firm)

the bidder making this Proposal for the bid proposal entitled Disposal of leaves
(title of bid proposal)

_____ and that I executed the said 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 Pumpkin fields.
(name of firm)

C. Halper

Subscribed and sworn to (signature of affiant)

before me this day
JUNE 19, 2009

Thomas J. Burns

(signature of notary)

THOMAS J. BURNS
NOTARY PUBLIC
STATE OF NEW JERSEY
MY COMMISSION EXPIRES MARCH 11, 2012

My Commission expires:

STOCKHOLDER DISCLOSURE CERTIFICATION

If bidder is a **Sole Proprietorship**, check here _____

And do not complete this statement.

The UNDERSIGNED, as bidder, in accordance with P.L. 1977, Chapter 33, of the State of New Jersey, declares and submits this Statement of Ownership.

Bidder is:

Partnership () Limited Partnership () Corporation () Limited Liability Corporation () Limited Liability Partnership () Sub-Chapter S Corporation () Corporation-Other ()

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. (Use additional sheets in this format if necessary.)

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

Stockholder/Partner

Name C. Helper

Home Address 1/2 203 Main St. #104

Flemington, NJ 08822

Name _____

Home Address _____

Name _____

Home Address _____

Name _____

Home Address _____

Name _____

Name _____

Home Address _____

Home Address _____

(If a corporation or partnership is shown as an owner of 10% or more stock, you must attach a Stockholder Disclosure form for that corporation/partnership.)

THIS FORM MUST BE INCLUDED WITH BID SUBMISSION.

Subscribed and sworn

C. Halper

Before me this day

(Signature of Officer/Owner)

JUNE 19, 2009

C. Halper Director

(Name and Title)

Thomas J. Burns

THOMAS J. BURNS
NOTARY PUBLIC
STATE OF NEW JERSEY
MY COMMISSION EXPIRES MARCH 11, 2012

Notary Public

My commission expires: (CORPORATE SEAL)

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 No If yes, please submit copy of such approval.

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

Yes No ^{N/A} 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.

COMPANY: Pumpkin Fields

SIGNATURE: C. Halper

TITLE: Director

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.

CONTRACT LANGUAGE FOR BUSINESS REGISTRATION CERTIFICATE COMPLIANCE

For Procurement (Goods and Services) Contracts

(including Purchase Orders)

N.J.S.A. 52:32-44 imposes the following requirements on contractors and all subcontractors that **knowingly** provide goods or perform services for a contractor fulfilling this contract: 1) the contractor shall provide written notice to its subcontractors to submit proof of business registration to the contractor; 2) prior to receipt of final payment from the contracting agency, a contractor must submit to the contracting agency an accurate list of all subcontractors or attest that none was used; 3) during the term of this contract, the contractor and its affiliates shall collect and remit, and shall notify all subcontractors and their affiliates that they must collect and remit to the Director, New Jersey Division of Taxation, the use tax due pursuant to the Sales and Use Tax Act, (N.J.S.A. 54:32B-1 et seq.) on all sales of tangible personal property delivered into this State.

A contractor, subcontractor or supplier who fails to provide proof of business registration or provides false business registration information shall be liable to a penalty or \$25 for each day of violation, not to exceed \$50,000 for each business registration not properly provided or maintained under a contract with the contracting agency. Information of the law and its requirements is available by calling (609)292-9292.

For Construction Contracts

N.J.S.A. 52:32-44 imposes the following requirements on contractors and all subcontractors that **knowingly** provide goods or perform services for a contractor fulfilling this contract:

1. The contractor shall provide written notice to its subcontractors and suppliers to submit proof of business registration to the contractor;
2. Subcontractors through all tiers of a project must provide written notice to their subcontractors and suppliers to submit proof of business registration and subcontractors shall collect proofs of business registration and maintain them on file;
3. Prior to receipt of final payment from a contracting agency, a contractor must submit to the contracting agency an accurate list of all subcontractors and suppliers or attest that none was used; and,
4. During the term of this contract, the contractor and its affiliates shall collect and remit, and shall notify all subcontractors and their affiliates that they must collect and remit, to the Director, New Jersey Division of Taxation, the use tax due pursuant to the Sales and Use Tax Act, (N.J.S.A. 52:32B-1 et seq.) on all sales of tangible personal property delivered into this State.

A contractor, subcontractor or supplier who fails to provide proof of business registration or provides false business

registration information shall be liable to a penalty of \$25 for each day of violation, not to exceed \$50,000 for each business registration not properly provided or maintained under a contract with the contracting agency. Information of the law and its requirements is available by calling (609)292-9292.

For more information, or to register online, go to <http://www.nj.gov/treasury/revenue/taxreg.htm>

AMERICANS WITH DISABILITIES ACT OF 1990

Equal Opportunity for Individuals with Disability

The CONTRACTOR and the OWNER do hereby agree that the provisions of Title II of the American With Disabilities Act of 1990 (the "ACT") (42 U.S.C. S12101 et seq.), which prohibits discrimination on the basis of disability by public entities in all services, programs, and activities provided or made available by public entities, and the rules and regulations promulgated pursuant thereunto, are made a part of this contract. In providing any aid, benefit, or service on behalf of the OWNER pursuant to this contract, the CONTRACTOR agrees that the performance shall be in strict compliance with the Act. In the event that the Contractor, its agents, servants, employees, or subcontractors violate or are alleged to have violated the Act during the performance of this contract, the CONTRACTOR shall defend the OWNER in any action or administrative proceeding commenced pursuant to this Act. The Contractor shall indemnify, protect, and save harmless the OWNER, its agents, servants, and employees from and against any and all suits, claims, losses, demands, or damages, of whatever kind or nature arising out of or claimed to arise out of the alleged violation. The CONTRACTOR shall, at its own expense, appear, defend, and pay any and all charges for legal services and any and all costs and other expenses arising from such action or administrative proceeding or incurred in connection therewith. In any and all complaints brought pursuant to the OWNER grievance procedure, the CONTRACTOR agrees to abide by any decision of the OWNER which is rendered pursuant to said grievance procedure. If any action or administrative proceeding results in an award of damages against the OWNER or if the

OWNER incurs any expense to cure a violation of the ADA which has been brought pursuant to its grievance procedure, the CONTRACTOR shall satisfy and discharge the same at its own expense.

The OWNER shall, as soon as practicable after a claim has been made against it, give written notice thereof to the CONTRACTOR along with full and complete particulars of the claim. If any action or administrative proceedings is brought against the OWNER or any of its agents, servants, and employees, the OWNER shall expeditiously forward or have forwarded to the CONTRACTOR every demand, complaint, notice, summons, pleading, or other process received by the OWNER or its representatives.

It is expressly agreed and understood that any approval by the OWNER of the services provided by the CONTRACTOR pursuant to this contract will not relieve the CONTRACTOR of the obligation to comply with the Act and to defend, indemnify, protect, and save harmless the OWNER pursuant to this paragraph.

It is further agreed and understood that the OWNER assumes no obligation to indemnify or save harmless the CONTRACTOR, its agents, servants, employees and subcontractors for any claim which may arise out of their performance of this Agreement. Furthermore, the CONTRACTOR expressly understands and agrees that the provisions of this indemnification clause shall in no way limit the CONTRACTOR'S obligations assumed in this Agreement, nor shall they be construed to relieve the CONTRACTOR from any liability, nor preclude the OWNER from taking any other actions available to it under any other provisions of the Agreement or otherwise at law.

EXHIBIT A

MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE

N.J.S.A. 10:5-31 et seq. (P.L. 1975, C. 127)

N.J.A.C. 17:27

(REVISED 10/08)

GOODS, PROFESSIONAL SERVICE AND GENERAL SERVICE CONTRACTS

During the performance of this contract, the contractor agrees 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, gender identity or expression, disability, nationality or sex. Except with respect to affectional or sexual orientation and gender identity or expression, the contractor will ensure that equal employment opportunity is afforded to such applicants in recruitment and employment, and that employees are treated during employment, without regard to their age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Such equal employment opportunity 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 nondiscrimination 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 age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex.

The contractor or subcontractor, where applicable, will send to each labor union or representative or 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 contractor's 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 N.J.S.A. 10:5-31 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 afford equal employment opportunities to minority and women workers consistent with Good faith efforts to meet targeted county employment goals established in accordance with N.J.A.C. 17:27-5.2, or Good faith efforts to meet targeted county employment goals determined by the Division, pursuant to N.J.A.C. 17:27-5.2.

NEW JERSEY DEPARTMENT OF TREASURY
DIVISION OF REVENUE

CERTIFICATE OF FORMATION

PUMPKIN FIELDS LIMITED LIABILITY COMPANY

0400292376

The above-named DOMESTIC LIMITED LIABILITY COMPANY was duly filed in accordance with New Jersey state law on 06/16/2009 and was assigned identification number 0400292376. Following are the articles that constitute its original certificate.

1. Name:

PUMPKIN FIELDS LIMITED LIABILITY COMPANY

2. Registered Agent:

C. HALPER

3. Registered Office:

203 MAIN STREET
184
FLEMINGTON, NJ 08822 0882

4. Business Purpose:

AGRICULTURE

5. Members/Managers:

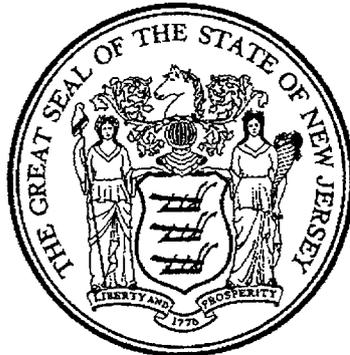
C. HALPER
203 MAIN STREET 184
FLEMINGTON, NJ 08822 0882

6. Main Business Address:

203 MAIN STREET
184
FLEMINGTON, NJ 08822 0882

Signatures:

C. HALPER
AUTHORIZED REPRESENTATIVE



*IN TESTIMONY WHEREOF, I have
hereunto set my hand and affixed my
Official Seal at Trenton, this
16th day of June, 2009*

A handwritten signature in cursive script, appearing to read "R. David Rousseau".

R. David Rousseau
State Treasurer

Certification# 114631817

Verify this certificate at
https://www1.state.nj.us/TYTR_StandingCert/JSP/Verify_Cert.jsp



STATE OF NEW JERSEY BUSINESS REGISTRATION CERTIFICATE

Taxpayer Name: PUMPKIN FIELDS LIMITED LIABILITY COMPANY

Trade Name:

Address: 203 MAIN STREET #184
FLEMINGTON, NJ 08822-0882

Certificate Number: 1494243

Effective Date: June 18, 2009

Date of Issuance: June 18, 2009

For Office Use Only:
20090618143611413



C. Halper <pumpkinfields@gmail.com>

Fwd: Exemption Notification (Pumpkin Fields)

1 message

c Halper <maizemaze@gmail.com>
To: pumpkinfields@gmail.com, zan895@gmail.com

Thu, Jun 18, 2009 at 11:00 AM

----- Forwarded message -----

From: **Ross Hull** <Ross.Hull@dep.state.nj.us>

Date: Wed, Jun 17, 2009 at 1:31 PM

Subject: Exemption Notification (Pumpkin Fields)

To: ajohnson@co.hunterdon.nj.us, chobbs@co.hunterdon.nj.us, Brian Petitt <Brian.Petitt@dep.state.nj.us>, John Castner <John.Castner@dep.state.nj.us>, Rai Belonzi <Rai.Belonzi@dep.state.nj.us>

Cc: MaizeMaze@gmail.com

All, I have received the below noted Notification of Exempt Recycling Activities.

Pumpkin Fields to operate pursuant to N.J.A.C. 7:26A-1.4(a)3, 12, and 18 on Block 21, Lot 1 at 7 Dutch Hill Road in the Borough of Hampton (Hunterdon County).

The contact person for the operations is Hal Danielson, Owner of the property. He can be reached at (732) 433-1912.

The start date for the operations was given on the Notification as September 1, 2009.

If you have any questions, please do not hesitate to contact me.

Ross

C. Halper
Pumpkin Fields
203 Main Street #184
Flemington, N.J. 08822
Tel. 732.433.2700
Fax 888.277.8163
Email pumpkinfields@gmail.com

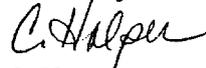
U. S. Department of Labor
ESA - OFCCP
District Director
Vincent Whipple
200 Sheffield Street, Room 102
Mountainside, N.J. 07092
Tel. 908.317.6969
Fax 908.317.6962
June 19, 2009

Dear Mr. Whipple:

Pursuant to New Jersey regulations Pumpkin Fields is not required to have an affirmative action plan at this time. Pumpkin Fields currently has no employees. In the event that Pumpkin Fields is awarded a government bid contract(s) we will have as many as three employees on the payroll which would still give the company exempt status from having an affirmative action plan.

Please make note of this for your records as I am bidding on a government contract that requires me to have an affirmative action plan. Kindly send me confirmation stating that I am exempt from having the aforementioned plan. I would appreciate it if you would fax this confirmation to 888.277.8163 or email me at pumpkinfields@gmail.com . Thank you.

Cordially,


C. Halper

Fax
Fedex Grd.

R# 202-09

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 July 14, 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.

279 Broadway Associates	Rent for Municipal Court & Drug Office - June 2009	*	10,450.00
279 Broadway Associates	Rent for Municipal Court & Drug Office - July 2009	*	10,450.00
A.C. Moore	Supplies for Various Events in June 2009 - Senior Affairs		125.00
Absolute Fire Protection Co.	Misc. Parts - Truck #25-4-90 - Fire Dept.		429.38
Action Flag	Various Flags for Beaches - Recreation Dept.		320.25
Action Office Supplies	Various Office Supplies - Recreation Dept.		97.95
AICPA	Membership Dues - 8/1/2009-7/31/2010 - Finance Director	*	345.00
Alfred T. Sico	2nd. Assistant Fire Chief Honorarium - Fire Dept.		1,000.00
All Shore Services	Service Call - To Repair Garage Door at OEM Building - DPW		125.00
Allied Building Products	Roofing Materials for West End Concession Stand - DPW		1,500.10
Ambassador Medical Services	Drug Testing - May 2009 - Human Services		6,478.40
AT&T	Utilities - Telephone - 6/9/2009 - Various Locations	*	38.91
AT&T	Utilities - Telephone - 6/16/2009 - Various Locations	*	32.35
AT&T	Utilities - Telephone - 6/21/2009 - Various Locations	*	153.69
AT&T	Glass for Pressure Gauge - Truck #25-76 - Fire Dept.		10.00
Atlantic Glass Co.	Plumbing Materials for West End Beach - DPW		527.33
Atlantic Plumbing Supply	Musical Performance - Philadelphia Funk Authority - 6/28/2009 - Administration	*	1,250.00
Authority Entertainment	Misc. Automotive Parts - 3/30-5/1/2009 - DPW		4,855.16
Auto Zone	Tap Dance Instruction - 6/5-6/19/2009 - Senior Affairs		69.00
Bette White Fernandez	Ceramic Instruction - May 2009 - Senior Affairs		1,193.75
Beverly Baxter	Engineering Services Rendered - Municipal Stormwater Permitting - April / May 2009		5,668.75
Birdsall Engineering	Engineering Services Rendered - Truax Park Project - May 2009		244.34
Birdsall Engineering	Engineering Services Rendered - Meetings & Reports - May 2009		250.00
Birdsall Engineering	Engineering Services Rendered - General - May 2009		2,885.30
Birdsall Engineering	Envelopes for Public Safety Director - Police Dept.		132.00
Boro Printing	Registration for 2009 Summer Girls Basketball League - Recreation Dept.		650.00
Borough Of Belmar	Relocate Car Lift to New Building - Traffic Dept. / Police Dept.		500.00
Bow Sales	Musical Performance - The Grease Band - 7/02/2009 - UEZ	*	3,500.00
Brothers Management Associates	Lumber for Street Signs on Beachfront - DPW		285.63
Builders' General Supply	Misc. Keys/Locks - May 2009 - Various Depts.		419.45
Bullet Lock & Safe	Monthly Lease of Dark Fiber - June 2009 - IT-Administration		1,500.00
Cablevision Lighthouse Inc.			

* DENOTES PREPAY

** SUBJECT TO COMPLETION OF PAYMENT PACKAGE

Charles E. Lambert	Musical Performance - Chucklet Lambert Band - 6/21/2009 - Administration	*	700.00
Cherry Valley Tractor Sales	Misc. Parts for (Beach Rake) R-21 - DPW	*	470.36
City of Long Branch Clearing Account	Reimburse Clearing Account	*	84,410.86
City of Long Branch Clearing Account	Reimburse Clearing Account	*	424,313.73
City of Long Branch Clearing Account	Reimburse Clearing Account	*	247,904.75
City of Long Branch Clearing Account	Reimburse Clearing Account	*	878,652.62
City of Long Branch Payroll Agency	Reimburse Clearing Account	*	123,526.04
City of Long Branch Payroll Agency	Payroll Dated 6/26/2009	*	36,274.85
Clayton Block Co.	Payroll Dated 6/26/2009	*	842,377.77
Coast Hardware	Consumable Supplies - DPW		50.00
Comcast Online	Misc. Hardware - May 2009 - Various Depts.	*	1,000.02
Comfort Inn & Suites	Internet Provider Services - 6/16-7/15/2009 - IT-Administration / Police Dept.	*	244.85
Comfort Inn & Suites	Temporary Housing - Delores Smith - 6/1-6/4/2009 - School Project - Community Dev.	*	170.00
Conte's Car Wash	Temporary Housing - Delores Smith - 6/5-6/18/2009 - School Project - Community Dev.	*	595.00
Creative Product Sourcing	Motorcycle / Car Wash Contract - June 2009		1,188.50
Crucial Technology	D.A.R.E. Give Aways for Oceanfest - Police Dept.		1,473.15
CWA Local 1034, Branch 4	Computer Supplies - Police Dept.	*	85.98
Danielle Golba & Associates	Dental/Vision - July 2009	*	5,800.00
Danielle Golba & Associates	Professional Services Rendered - December 2008 - Planning Board	*	65.00 Pymt #9
Davis Equipment Sales	Professional Services Rendered - November 2008 - Zoning Board	*	80.00 Pymt #14
Donald Pingitore	Misc. Parts for (Beach Rake) R #211 & #221 - DPW		2,038.07
Douglas Gotfredsen	Fire Chief's Honorarium - Fire Dept.		3,500.00
Edward Mazzacco	Reimbursement for Expenses Incurred - Child Abduction Class - 3/30-4/3/09 - Police Dept.		164.00
Edward's Tire Co.	Reimbursement for Expenses Incurred - (3) Seminars in April & May 2009 - Tax Collector's Office		216.10
Efinger Sporting Goods	(8) Tires for Sanitation - DPW		2,478.00
F & C Automotive Supply	Equipment for Exercise Programs - Recreation Dept.		1,059.95
Fine Fare	Misc. Automotive Parts - Various Vehicles - DPW / Fire Dept.		3,225.46
Fisher's Repair	Food/Beverages for Various Events in June 2009 - Senior Affairs		256.08
Ford Motor Credit	Various Equipment for Beachfront - DPW	*	692.00
Ford Motor Credit	(7) Lease/Purchase Vehicles - July 2009	*	4,624.71
Foremost Promotions	(7) Lease/Purchase Vehicles - August 2009	*	4,624.71
Fort Dearborn Life Insurance	Promotional Items for Crime Prevention Program - Police Dept.	*	187.07
Frank Morey	Life Insurance - July 2009		1,346.47
Fred Migliaccio	Fuel Reimbursement - Motorcycle Training - Police Dept.		72.30
Freehold Ford	Reimbursement for Fire #25-89 (Jetski) - Fire Dept.		28.88
Freehold Township Health Dept.	Misc. Parts - PD #8 & Health #3 - DPW		2,445.18
Gannett Satellite Information Network	Professional Services Rendered - Lead Inspector - January / March 2009		1,195.10 Pymt #1
Garden State Highway Products	Legal Ads - May 2009 - City Clerk's Office		5,765.20
	Various Traffic Signs & Materials - Police Dept./Traffic Dept.		1,008.00

* DENOTES PREPAY

** SUBJECT TO COMPLETION OF PAYMENT PACKAGE

Miami Systems Corp.	Uniform Traffic Tickets - Municipal Court		1,086.50
Michael A. Irene Jr.	Legal Services Rendered - February & May 2009 - Zoning Board	*	420.00 Pymt #1-2
Michael A. Irene Jr.	Legal Services Rendered - Retainer - April / June 2009 - Zoning Board	*	2,000.00 Pymt #4-6
Michael Kowal	Mileage Reimbursement for Use of Personal Vehicle - May 2009 - Health Dept.		24.75
Mid-Atlantic Truck Center	Misc. Parts - PW #117 - DPW		256.64
Monmouth Council Boy Scouts	2009 Charter Fees for Explorers - Fire Dept.		207.00
Monmouth County American Legion Baseball	Registration Fee for Youth Baseball Team - Recreation Dept.		1,625.00
Monmouth County Police Academy	Registration - Various Courses & Various Officers - April / June 2009 - Police Dept.		70.00
MPA & Associates	Professional Services Rendered - IT Consultant - June 2009		294.00 Pymt #4
Mr. John	(8) Port-A-John's - April / June 2009 - Various Locations	*	631.48
Music Men Productions	Sound for Thursdays By The Sea - 7/09/2009 - Administration	*	400.00
New Jersey American Water	Utilities - Water - 5/5-6/9/2009 - Various Locations	*	4,415.10
New Jersey American Water	Utilities - Water - 5/22-6/9/2009 - Various Locations	*	38.91
New Jersey Law Journal	2009 NJ Tax Handbook - Finance Director	*	57.95
New Jersey Motor Vehicle Commission	Commercial Fees - DPW	*	135.00
New Jersey Natural Gas	Utilities - Gas - 5/12-6/10/2009 - Various Locations	*	610.91
New Jersey Natural Gas	Utilities - Gas - 5/14-6/22/2009 - Various Locations	*	348.72
New Jersey Natural Gas	2009 Fitzgerald's NJ Legislative Manual - Howard H. Woolley Jr. - Administration		71.00
NJ Legislative Manual	Registration - Grant Writing Seminar - 5/19/09 - Finance Director	*	125.00
NJ State League of Municipalities	General Permit Registration for Boilers at City Hall Building - DPW	*	500.00
NJDEP Air Quality Permitting	General Permit Registration for Emergency Generator at City Hall Building - DPW	*	500.00
NJDEP Air Quality Permitting	General Permit Registration for Emergency Generator at DPW	*	500.00
NJDEP Air Quality Permitting	Membership Dues - Carl F. Jennings - 7/1/09-6/30/10 - Recreation Dept.		200.00
NJRPA	Service Call on A/C Unit at City Hall - 4/28/2009 - DPW		127.50
Northwind Mechanical Systems	Install Air Conditioning System in Radio Room/Police Dept - DPW		4,239.00
Oceanside Service	Ink Cartridges - Various Depts.		880.09
Office Needs	(3) Nameplates - DSGT. D. Gotfredsen/Sgt. J. Bard/Det. S. Balmer - Police Dept.		36.00
Perry's Trophy Co.	Unleaded Gasoline & Underground Storage Tank Tax - 6/1/2009 - DPW		17,219.30
Petroleum Traders Corp.	(10) Radio Holders - Police Dept.		362.00
Quality Communications	Registration for 2009 Summer Boys Basketball League - Recreation Dept.		650.00
Rebounds	Musical Performance - The Gas House Gorillas - 7/05/2009 - Administration	*	650.00
Richard J. Fink Jr.	Custom Banners for UEZ		2,820.00
Rileighs Outdoor Décor	Registration - Public Purchasing Conference - 5/13-5/14/09 - Purchasing Dept.		325.00
Rutgers University	Food for Various Events in June & July 2009 - Recreation Dept. / Senior Affairs		435.51
Saker Shoprites	Janitorial Supplies for Beachfront & Police Dept.		781.60
Scoles Floorshine Industries	Kitchen Fire Safety Inspection at West End Concession Stand - DPW		202.50
Seaboard Fire & Safety	Materials for Beachfront Signs - DPW		231.60
Seaboard Fire & Safety	Welding Supplies & Industrial Gases for Municipal Garage - May 2009 - DPW		282.80
Seaboard Welding Supply	Rental of Equipment - To be Used at Ocean & Lincoln Avenue - DPW		530.08
Semcor Equipment & Manufacturing Corp.			

* DENOTES PREPAY

** SUBJECT TO COMPLETION OF PAYMENT PACKAGE

Allstate Office Interiors	Track Mounts for Police Dept.		2,982.86	
Atlantic Plumbing Supply	Plumbing Materials for West End Trailer & Morris Avenue		4,828.76	
Atlantic Security & Fire	Access Control System - Addition of 2 Doors in Police Dept. - IT Dept.	*	2,720.00	
Avalon Carpet Tile & Flooring	Tile Trim for Morris Avenue Comfort Station		21.20	
Birdsall Engineering	Engineering Services Rendered - Third Avenue Phase III - April 2009		670.50	Pymt #8
Birdsall Engineering	Engineering Services Rendered - Third Avenue Phase II - April 2009		372.50	Pymt #7
Birdsall Engineering	Engineering Services Rendered - Municipal Court Improvements - May 2009		3,626.20	Pymt #3
Birdsall Engineering	Engineering Services Rendered - 2007 Road Program - Third Avenue - April 2009		7,694.50	Pymt #17
Builders' General Supply	Materials for West End Steps	*	464.58	
City of Long Branch Clearing Account	Reimburse Clearing Account	*	170.00	
City of Long Branch Clearing Account	Reimburse Clearing Account	*	595.00	
City of Long Branch Clearing Account	Reimburse Clearing Account	*	66,453.59	
City of Long Branch Clearing Account	Reimburse Clearing Account	*	2,720.00	
Coast Hardware	Reimburse Clearing Account	*	201.22	
Comfort Inn & Suites	Misc. Hardware for West End Steps & Morris Avenue	*	170.00	
Comfort Inn & Suites	Temporary Housing - Delores Smith - 6/1-6/4/2009 - School Project - Community Dev.	*	595.00	
D.W. Smith Associates	Temporary Housing - Delores Smith - 6/5-6/18/2009 - School Project - Community Dev.	*	3,704.00	Pymt #3
Gelco Woodcraft	Engineering Services Rendered - Manahassett Park Environ. Oversight - May / June 2009		819.96	
General Recreation	Table & Benches for West End		3,949.00	
Graybar	Mobile Roll Out Mat for Morris Avenue		284.96	
Home Depot Credit Services	Electrical Materials for West End Trailer		223.86	
Kimball Int'l Marketing	Materials for West End Steps		963.60	
Lucas Brothers	Chair for Watch Commander / Police Dept.		125,411.93	Pymt #3
Modulex Partition Corp.	2008 Road Program - Third Avenue - May / June 2009		8,300.00	
Office Business Systems	Restroom Partitions & Vanities for Morris Avenue Comfort Station		2,500.00	
Precise Construction	Support for Network Configurations with L.B. School District - Radio Upgrade Project		519,747.90	Pymt #12
Russell Reid Waste Hauling & Disposal	Construction of Manahassett Creek Park - May / June 2009		27,500.00	
Train's Towers	Restroom Trailer for Beachfront		34,378.00	
	Upgrade Equipment on Police Dept. Radio Tower			

TOTAL CAPITAL

822,069.12

City of Long Branch Clearing Account	Reimburse Clearing Account	*	3,784.92
City of Long Branch Clearing Account	Reimburse Clearing Account	*	3,605.00
City of Long Branch Clearing Account	Reimburse Clearing Account	*	7,181.91
City of Long Branch Clearing Account	Reimburse Clearing Account	*	116.76
City of Long Branch Payroll Agency	Payroll Dated 6/26/2009	*	513.36

* DENOTES PREPAY

** SUBJECT TO COMPLETION OF PAYMENT PACKAGE

City of Long Branch Payroll Agency
 Conte's Car Wash
 Fort Dearborn Life Insurance
 Geese Chasers
 Health Net of New Jersey
 Horizon Blue Cross Blue Shield
 Horizon Blue Cross Blue Shield
 Long Branch Animal Hospital
 NJ Dept. of Health & Senior Services
 Verizon Wireless
 Vision Service Plan

Payroll Dated 6/26/2009
 Car Wash Contract - June 2009
 Life Insurance - July 2009
 Geese Maintenance Control - June 2009
 Health Benefits - July 2009
 Health Benefits - July 2009
 Dental Benefits - July 2009
 Veterinary Services - June 2009
 Dog Report - May 2009
 Cell Phone Service - 6/16/2009 - Animal Control
 Vision - July 2009

* 6,668.55
 * 46.26
 * 2.94
 * 1,079.00
 * 1,368.29
 * 2,115.57
 * 188.06
 * 990.00 Pymt #5
 * 78.60
 * 116.76
 * 31.46

TOTAL DOG

27,887.44

Birdsall Engineering
 City of Long Branch Clearing Account
 City of Long Branch Clearing Account
 City of Long Branch Clearing Account
 City of Long Branch Payroll Agency
 City of Long Branch Payroll Agency
 City of Long Branch Payroll Agency
 CMX Inc.
 Coast Hardware
 Conte's Car Wash
 Dunkin Donuts/Baskin Robbins
 Fort Dearborn Life Insurance
 Friendship Train Foundation
 General Recreation
 Health Net of New Jersey
 Horizon Blue Cross Blue Shield
 Horizon Blue Cross Blue Shield
 Jamn Printing
 Maaco Auto Painting & Body Works Center
 Screen Styles
 Vision Service Plan

Engineering Services Rendered - Cherry Street Park Oversight - May 2009
 Reimburse Clearing Account
 Reimburse Clearing Account
 Reimburse Clearing Account
 Payroll Dated 6/26/2009
 Payroll Dated 6/26/2009
 Professional Services Rendered - Jerry Morgan Park - January & February 2009
 Misc. Hardware - May & June 2009 - Community Dev.
 Car Wash Contract - June 2009
 Refreshments for Greater Long Branch Area Business Meeting - 6/17/09 - Comm. Dev.
 Life Insurance - July 2009
 Community Gardens Improvements - June 2009
 Mobile Roll Out Mat for Great Lawn
 Health Benefits - July 2009
 Health Benefits - July 2009
 Dental Benefits - July 2009
 Various Printed Forms - Community Dev.
 Paint 2001 Ford Taurus - Community Dev.
 T-Shirts for Urban Arts Festival - 6/16-6/21/2009 - Community Dev.
 Vision - July 2009

* 150.00 Pymt #8
 * 3,242.75
 * 73,387.06
 * 3,770.24
 * 271.87
 * 3,498.37
 * 5,768.50 Pymt #1-2
 * 802.94
 * 77.10
 * 37.98
 * 9.80
 * 400.00 Pymt #4-5
 * 3,949.00
 * 1,368.29
 * 1,682.98
 * 156.16
 * 540.00
 * 610.00
 * 702.50
 * 25.52

TOTAL HUD

100,451.06

* DENOTES PREPAY

** SUBJECT TO COMPLETION OF PAYMENT PACKAGE

Alonzo Rawls	DJ Performance for Beach Party at Laird Street Beach - 6/27/2009 - Recreation Dept.		350.00
Birdsall Engineering	Professional Services Rendered - September 2008 / March 2009 - Planning / Zoning	*	11,465.00
City of Long Branch Clearing Account	Reimburse Clearing Account	*	10,000.00
City of Long Branch Clearing Account	Reimburse Clearing Account	*	2,057.62
City of Long Branch Clearing Account	Reimburse Clearing Account	*	1,172.98
City of Long Branch Clearing Account	Reimburse Clearing Account	*	16,610.51
City of Long Branch Payroll Agency	Reimburse Clearing Account	*	1,089.99
City of Long Branch Payroll Agency	Payroll Dated 6/26/2009	*	458.83
City of Long Branch Payroll Agency	Payroll Dated 6/26/2009	*	16,151.68
CMX Inc.	Unemployment - June 2009	*	672.65
Comforts of Home Services	Professional Services Rendered - Inspection Fees - January / April 2009	*	12,782.75
Danielle Golba & Associates	Return of Bid Deposit	*	10,000.00
Fort Dearborn Life Insurance	Professional Services Rendered - November & December 2008 - Planning/Zoning	*	989.99
Health Net of New Jersey	Life Insurance - July 2009	*	0.98
Henkels & McCoy's	Health Benefits - July 2009	*	1,965.80
Horizon Blue Cross Blue Shield	Outside Police Overtime	*	881.20
J. Fletcher Creamer & Son	Dental Benefits - July 2009	*	78.08
Lexis-Nexis Risk & Information	Outside Police Overtime	*	13,631.36
The Approved Realty Group	User Fee for Software License - May 2009	*	50.00
Vision Service Plan	Tax Sale Premium	*	100.00
Walter Zwiirlz	Vision - July 2009	*	12.76
	Work Cost Estimate - 274 Rockwell Avenue - RCA Housing Rehab - Community Dev.	*	250.00
			Pyrm #10

TOTAL TRUST OTHER

100,772.18

* DENOTES PREPAY

** SUBJECT TO COMPLETION OF PAYMENT PACKAGE

R# 203-09

RESOLUTION APPROVING THE LIQUOR LICENSE
HELD BY LLOYDS RESTAURANT AND LOUNGE INC.
STATE LICENSE # 1325-33-043-010

BE IT RESOLVED by the City Council of the City of Long Branch that they hereby approve the inactive license of Lloyds Restaurant and Lounge Inc., 100 Brighton Avenue, Long Branch, NJ for the 2008/2009 and 2009/2010 license term as a result of clearance being issued from the Division of Taxation.

MOVED:
SECONDED:

AYES:
NAYES:
ABSENT:
ABSTAIN:

LLOYDS RESTAURANT & LOUNGE

100 BRIGHTON AVENUE

LLOYDS RESTAURANT & LOUNGE, INC.

OWNERS:

PERSAUD ROOKMATIE

STATE LICENSE #:

1325-33-043-010

TRANSFERRED ON:

JUNE 13, 2006

STATUS:

INACTIVE - LAST DAY USED WAS 4/17/05

R # 204-09

EXTRACT from the minutes of a regular meeting of the City Council of
the City of Long Branch, in the County of Monmouth, New Jersey, on _____,
2009 at _____ p.m.

PRESENT:

ABSENT:

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

**RESOLUTION AUTHORIZING THE ISSUANCE OF
\$375,000 SPECIAL EMERGENCY NOTES OF THE CITY
OF LONG BRANCH, IN THE COUNTY OF MONMOUTH,
NEW JERSEY.**

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

Section 1. Pursuant to the Local Budget Law of New Jersey, Special
Emergency Notes in the aggregate principal amount of \$375,000 of the City is hereby
authorized to be issued under ordinance number 13-09 of the City finally adopted July
14, 2009.

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

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

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

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

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

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

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

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

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

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

Section 8. This resolution shall take effect immediately.

The foregoing resolution was adopted by the following vote:

AYES:

NAYES:

CERTIFICATE

I, IRENE A. JOLINE, Clerk of the City of Long Branch, in the County of Monmouth, State of New Jersey, HEREBY CERTIFY that the foregoing resolution has been adopted by the City on _____, 2009.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City this ____ day of _____, 2009.

IRENE A. JOLINE, Clerk

(SEAL)

R # 205-09

**RESOLUTION RE-APPOINTING
GEORGE CIERI AS MUNICIPAL
COURT JUDGE FOR THE CITY
OF LONG BRANCH**

BE IT RESOLVED, by the City Council of the City of Long Branch that they hereby give their advice and consent to the appointment of George Cieri by Mayor Adam Schneider, as Municipal Court Judge for the City of Long Branch for a three-year term. Said term to commence on August 1, 2009 and expire on July 31, 2012.

MOVED:
SECONDED:

AYES:
NAYES:
ABSENT:
ABSTAIN:



CITY OF LONG BRANCH, MUNICIPAL BUILDING, 344 BROADWAY, LONG BRANCH, N.J. 07740 (732) 571-5640

ADAM SCHNEIDER
MAYOR

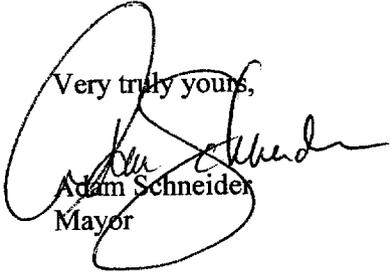
July 1, 2009

Long Branch City Council
c/o Mrs. Irene A. Joline, City Clerk
344 Broadway
Long Branch, NJ 07740

Dear Mrs. Joline,

I hereby reappoint George Cieri as the Municipal Judge to the Municipal Court of the City of Long Branch. His term of office is effective from August 1, 2009 until July 31, 2012. Please make arrangements for Judge Cieri to be sworn in.

Very truly yours,


Adam Schneider
Mayor

AS/gsw

cc: George Cieri



recycled paper

R# 206-09

**RESOLUTION SETTING FORTH THE
RATE OF INTEREST TO BE CHARGED
ON DELINQUENT TAXES AND THE EXTENSION
OF THE GRACE PERIOD FOR ONLY THE
THIRD TAX QUARTER OF 2009**

WHEREAS, the State of New Jersey adopted a state budget late and the County may not supply a tax rate to the City of Long Branch until mid-July or later which **may** delay the mailing of the 2009 tax bills until late July or early August and,

NOW THEREFORE BE IT RESOLVED, an interest free period authorized pursuant to RS 54:4-67, (PL 1994 Chapter 72) or the twenty-fifth calendar day after the date that the tax bills for the third installment are mailed. If payment for the third installment 2009 tax quarter is received after the twenty-fifth calendar day beyond the mailing date of the final 2009 tax bills, interest at the rate of eight (8%) percent per annum will be charged on the first \$1,500.00 of the delinquency and eighteen (18%) percent per annum on any amount in excess of \$1,500.00 from August 1, 2009 to the date of payment and,

NOW THEREFORE BE IT FURTHER RESOLVED, that this resolution is to be effective for the third installment of 2009 tax quarter and does not affect past or future tax quarters and **shall** apply only if tax bills are mailed out late.

R# 207-09

**RESOLUTION APPROVING 2009/2010
LIQUOR LICENSE RENEWALS**

BE IT RESOLVED by the City Council of the City of Long Branch that they hereby approve the renewal of the below listed liquor licenses for the 2009/2010 license term:

Brighton Bar
Melao

1325-33-026-005
1325-33-013-006

MOVED:
SECONDED:

AYES:
NAYES:
ABSENT:
ABSTAIN:
DATED:

R# 208-09

**RESOLUTION APPROVING 2008 / 09 AND 2009/2010
LIQUOR LICENSE RENEWAL OF DATRE INCORPORATED
1325-33-054-011**

BE IT RESOLVED by the City Council of the City of Long Branch that they hereby approve the renewal of the inactive license held Datre Incorporated for the 08/09 and 09/10 license terms as a result of the Division of Taxation clearance.

**MOVED:
SECONDED:**

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

R# 209-09

RESOLUTION RELEASING GUARANTEES

PROJECT: Charles Kushner
BLOCK: 59
LOT: 2

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

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

WHEREAS the City Planner has recommended the release of this escrow balance.

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

Application Escrow \$ 46.03

BE IT FURTHER RESOLVED that said refund be sent to:

Charles Kushner
30 Fawn Drive
Livingston, NJ 07039

BE IT FURTHER RESOLVED that a certified copy of this resolution be sent to Asset Management Consultants, 12841 Fitzwater Dr., Nokesville, VA 20181-2734

R# 210-09

**RESOLUTION
SPECIAL ITEM OF REVENUE
STATE OF NEW JERSEY
SOLID WASTE ADMINISTRATION
CLEAN COMMUNITIES GRANT
\$50,253.59**

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

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

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Long Branch hereby requests the Director of the Division of Local Government Services to approve the Insertion of a special item of revenue in the budget for the year 2009 in the amount of \$50,253.59, which item is now available from the State of New Jersey, Solid Waste Administration, Clean Communities Program, and,

BE IT FURTHER RESOLVED that a like sum of \$50,253.59 be, and the same is, hereby appropriated under the caption of:

State of New Jersey	
Clean Communities Grant	\$50,253.59

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

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

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

I hereby certify the City of Long Branch has realized or is in receipt of written notification of the state or federal monies cited in the following resolution, which meets all statutory requirements and will be included in the 2009 municipal budget
Name of Municipality Year


Signature, Chief Financial Officer

Resolution Number: _____

Date of Adoption: July 14, 2009

Revenue Title: State of New Jersey, Solid Waste Admin, Clean Communities Amount: \$ 50,253.59

Appropriation Title: State of New Jersey, Solid Waste Admin, Clean Communities Amount: \$ 50,253.59

Local Match - Source: _____ Amount: \$ _____

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

For Director, Division of Local Government Services

by: _____ Duly Appointed Designee Date Certified _____

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

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

REMITTANCE ADVICE

ORGANIZATION NAME PAYMENT FOR	TELEPHONE #	DOCUMENT #	ACCOUNT NUMBER	AMOUNT
SOLID WASTE ADMINISTRATION FY2009 CLEAN COMMUNITIES GR	609-984-7744	4900CC12131	4900-765-042-4900-004-V42Y-6020	5025359

QUESTIONS SHOULD BE DIRECTED TO APPROPRIATE STATE ORGANIZATION LISTED ABOVE. TOTAL 5025359

CHECK NUMBER **0T0001053760** DATE **04/28/09** PAYEE **21600080600** **LONG BRANCH CITY**
OMB022 (REV. 01/30/2006) DETACH BEFORE CASHING CHECK AND RETAIN AS EVIDENCE OF PAYMENT

REMOVE DOCUMENT ALONG WITH PAYMENT

THIS CHECK IS THE PROPERTY OF THE STATE OF NEW JERSEY. IT IS LOANED TO YOU BY THE STATE OF NEW JERSEY. IT IS TO BE USED ONLY FOR THE PURPOSES SPECIFIED ON THE CHECK.



Department Of The Treasury
STATE OF NEW JERSEY
Trenton, New Jersey 08625-0221
CLEAN COMMUNITIES ACCOUNT FD

CHECK NUMBER
T 0001053760
DATE: APRIL 28, 2009
VOID 180 Days After This Date

PAY *Fifty Thousand Two Hundred Fifty Three and 59/100 Dollars*

2000031126744
WACHOVIA BANK

To The
Order Of: **LONG BRANCH CITY**
344 BROADWAY
CITY HALL
LONG BRANCH NJ 07740

\$ *****50,253.59
Audited, Allowed and Payment Warranted
Charles M. Hofbauer
DIRECTOR
Payment Director
STATE TREASURER

⑈000 1053760⑈ ⑆021200025⑆ 2000031126744⑈

R# 211-09

**RESOLUTION – SPECIAL ITEM OF REVENUE
STATE OF NEW JERSEY
URBAN ENTERPRISE ZONE AUTHORITY
DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT
UEZA ADMINISTRATIVE BUDGET 2009-2010
\$60,000.00**

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

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

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Long Branch hereby requests the Director of the Division of Local Government Services to approve the insertion of a special item of revenue in the budget for the year 2009 in the amount of \$60,000.00 which item is now available from the State of New Jersey, Urban Enterprise Zone Authority, Department of Commerce and Economic Development.

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

State of New Jersey
Urban Enterprise Zone Authority
Department of Commerce and Economic Development
UEZA Administrative Budget 2009-2010 \$60,000.00

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



State of New Jersey
URBAN ENTERPRISE ZONE AUTHORITY
650 SOUTH BROAD STREET
PO BOX 822
3RD FLOOR
TRENTON, NJ 08625-0822

JON S. CORZINE
Governor

JOSEPH V. DORIA, JR.
Commissioner

June 29, 2009

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

RE: SFY 2010 Urban Enterprise Zone Administrative Budget

Dear Mayor Schneider:

On behalf of Governor Jon S. Corzine, and the Urban Enterprise Zone Authority ("UEZA"), I am pleased to inform you that the City of Long Branch ("Municipality") has been approved to receive an award of \$60,000.00 from the Urban Enterprise Zone Program. This funding shall be used for the expenses related to the administration of the Municipality's Urban Enterprise Zone ("UEZ").

Once the Municipality has satisfied all the requirements of the UEZA criteria for approval of annual UEZ administrative budgets, you will enter into a Grant Agreement with the Urban Enterprise Zone Authority and the above funds will be provided for this project.

Your award is subject to the execution of appropriate grant agreements, and related documents with the UEZA and compliance with the terms, conditions and requirements set forth therein. In addition, the Municipality must comply with all local, federal, and State laws, regulation, and ordinances as a prerequisite to receiving any of the above funding. If you have any questions regarding this funding, please do not hesitate to contact me at 609-292-1912.

I am delighted that the UEZA is able to provide assistance for this most worthwhile program and extend my best wishes for success.

Sincerely,

Kathleen Kube
Acting Executive Director

C: UEZ Coordinator



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

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

governing body of- City of Long Branch Clerk's Signature _____

Name of Municipality

I hereby certify the City of Long Branch

Name of Municipality

has realized or is in receipt of written notification of the state or federal monies cited in the following resolution, which meets all statutory

requirements and will be included in the 2009 municipal budget.

Year


Signature, Chief Financial Officer

Resolution Number: _____

Date of Adoption: July 14, 2009

Revenue Title: State of New Jersey, UEZ Admin, UEZ Admin 09-10 Amount: \$ 60,000.00

Appropriation Title: State of New Jersey, UEZ Admin, UEZ Admin 09-10 Amount: \$ 60,000.00

Local Match - Source: _____ Amount: \$ _____

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

For Director, Division of Local Government Services

by: _____ Duly Appointed Designee Date Certified _____

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

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



State of New Jersey
URBAN ENTERPRISE ZONE AUTHORITY
650 SOUTH BROAD STREET
PO BOX 822
3RD FLOOR
TRENTON, NJ 08625-0822

JOSEPH V. DORIA, JR.
Commissioner

JON S. CORZINE
Governor

July 6, 2009

Honorable Adam Schneider
Mayor
344 Broadway
Long Branch, NJ 07740

RE: UEZA 09-49

Dear Mayor Schneider:

The New Jersey Urban Enterprise Zone Authority at its June 10, 2009 meeting approved your request for additional funding for UEZA 09-49, the UEZ Marketing and Business Development 2009, in the amount of \$13,000, increasing the project from \$230,000 to \$243,000. Please note that this approval is subject to the availability of funds for the project. This action is the result of submission of Attachments G and H dated May 22, 2009 under the Zone Assistance Guidelines.

Sincerely,

Caren Franzini, Chair
NJ Urban Enterprise Zone Authority

CF:lm

c: Jacob Jones, UEZ Coordinator
Ron Mehlhorn, Director of Finance
Flynn Fleming, Accountant
Linda Lenox, Technical Assistant

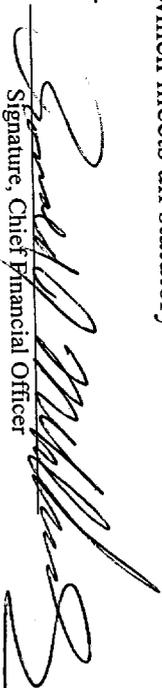


STATE OF NEW JERSEY
DEPARTMENT OF COMMUNITY AFFAIRS
DIVISION OF LOCAL GOVERNMENT SERVICES

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

governing body of- City of Long Branch _____
Name of Municipality Clerk's Signature

I hereby certify the City of Long Branch _____
Name of Municipality has realized or is in receipt of written notification of the state or federal monies cited in the following resolution, which meets all statutory requirements and will be included in the 2009 _____
Year municipal budget.


Signature, Chief Financial Officer

Resolution Number: _____

Date of Adoption: July 14, 2009 _____

Revenue Title: State of New Jersey, UEZA, Marketing & Business Dev. _____ Amount: \$ 13,000.00 _____

Appropriation Title: State of New Jersey, UEZA, Marketing & Business Dev. _____ Amount: \$ 13,000.00 _____

Local Match - Source: _____ Amount: \$ _____

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

For Director, Division of Local Government Services

by: _____
Duly Appointed Designee Date Certified

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

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

R# 213-09

**RESOLUTION RESCINDING RESOLUTION R98-09
ADOPTED APRIL 14, 2009 REGARDING CENTRAL
JERSEY COUNCIL ON GOVERNMENTS**

WHEREAS on April 14, 2009 the City Council of the City of Long Branch adopted R98-09 which authorized the City of Long Branch to participate in the Central Jersey Council of Governments; and

WHEREAS, the City Council of the City of Long Branch is rescinding said resolution to participate in SHARE (Sharing Available Resources Efficiently) which requires no expenditures of monies.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Long Branch that they hereby rescind R98-09 adopted April 14, 2009.

**MOVED:
SECONDED:**

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

CITY OF LONG BRANCH
RESOLUTION NO. _____

FOR A REGIONAL FEASIBILITY STUDY GRANT

WHEREAS, the Governing Body of the Township of Marlboro as Lead Municipality and the Township of Aberdeen, City of Asbury Park, Borough of Atlantic Highlands, Borough of Bradley Beach, Township of Colts Neck, Borough of Eatontown, Borough of Englishtown, Borough of Freehold, Township of Freehold, Township of Hazlet, Borough of Highlands, Township of Holmdel, Borough of Keyport, Borough of Lake Como, Borough of Little Silver, Township of Manalapan, Borough of Matawan, Township of Middletown, Borough of Monmouth Beach, Borough of Neptune City, Township of Ocean, Borough of Oceanport, Borough of Roosevelt, Borough of Sea Bright, Borough of Sea Girt, Borough of Shrewsbury, Township of Shrewsbury, Borough of Spring Lake Heights, Borough of Tinton Falls, Borough of Union Beach, and the Township of Wall, have agreed to apply for a *SHARE* (Sharing Available Resources Efficiently) Regional Feasibility Grant through the State of New Jersey Local *SHARE* Program in the amount of \$417,831.00; and,

WHEREAS, Township of Marlboro has agreed to be the lead agency in this endeavor; and

WHEREAS, the Governing Body of the Township of Marlboro is acknowledging and accepting the responsibility of acting as applicant for this grant on behalf of the Township of Aberdeen, City of Asbury Park, Borough of Atlantic Highlands, Borough of Bradley Beach, Township of Colts Neck, Borough of Eatontown, Borough of Englishtown, Borough of Freehold, Township of Freehold, Township of Hazlet, Borough of Highlands, Township of Holmdel, Borough of Keyport, Borough of Lake Como, Borough of Little Silver, City of Long Branch, Township of Manalapan, Borough of Matawan, Township of Middletown, Borough of Monmouth Beach, Borough of Neptune City, Township of Ocean, Borough of Oceanport, Borough of Roosevelt, Borough of Sea Bright, Borough of Sea Girt, Borough of Shrewsbury, Township of Shrewsbury, Borough of Spring Lake Heights, Borough of Tinton Falls, Borough of Union Beach, and the Township of Wall, and

WHEREAS, the State of New Jersey has made *SHARE* grants available to assist local units study, develop and implement new shared and regional services; and

WHEREAS, the purpose of this grant is to promote shared services between our local units through the sharing of solid waste and recycling collection services that would be beneficial to all local units. This would include things such as technological advances, different methods of solid waste removal, waste flow analysis and data retrieval.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the City of Long Branch, that the City of Long Branch does hereby join with the Township of Aberdeen, City of Asbury Park, Borough of Atlantic Highlands, Borough of Bradley

Beach, Township of Colts Neck, Borough of Eatontown, Borough of Englishtown, Borough of Freehold, Township of Freehold, Township of Hazlet, Borough of Highlands, Township of Holmdel, Borough of Keyport, Borough of Lake Como, Borough of Little Silver, Township of Manalapan, Township of Marlboro as Lead Municipality, Borough of Matawan, Township of Middletown, Borough of Monmouth Beach, Borough of Neptune City, Township of Ocean, Borough of Oceanport, Borough of Roosevelt, Borough of Sea Bright, Borough of Sea Girt, Borough of Shrewsbury, Township of Shrewsbury, Borough of Spring Lake Heights, Borough of Tinton Falls, Borough of Union Beach, and the Township of Wall, in applying for a grant for the purpose of a feasibility study.

CERTIFICATION



CENTRAL JERSEY COUNCIL OF GOVERNMENTS

TO: Municipal Clerk & Administrator
FROM: Central Jersey Council of Governments
DATE: 30 June 2009
RE: **REGIONAL SOLID WASTE STUDY
RESOLUTION TO BE ADOPTED BY 31 JULY 2009**

As you know, your municipality has opted to participate in the Central Jersey Council of Governments Regional Solid Waste Feasibility Study. When awarded, this study will be paid for in its entirety by a NJ SHARE grant. In any event, **there will be NO COST to your municipality for participating in this study.**

As explained in previous correspondence, your municipality must adopt the enclosed resolution and return it to AVR Resource Group no later than 31 July 2009¹. This resolution will replace any other resolutions your town may or may not have previously adopted. The attached resolution contains the names of the other municipalities that are definitely participating in this grant application and feasibility study.

Upon adoption on or before 31 July 2009, please send a fully certified copy to:

AVR RESOURCE GROUP
3223 ROUTE 38 WEST
SUITE 201
MOUNT LAUREL NJ 08054

Questions may be referred to CJCOG Shared Services Advisor Brian Valentino of Patriot Consulting Group, Inc. via email at brian_valentino@patriotconsulting.us or telephone at 800-404-1241.

¹ If you are unable to adopt this resolution by 31 July 2009 please contact Brian Valentino at 800-404-1241 to make alternate arrangements.

C. Woolley



CITY OF LONG BRANCH, MUNICIPAL BUILDING, 344 BROADWAY, LONG BRANCH, N.J. 07740 (732) 571-5645

Howard H. Woolley, Jr.
Business Administrator

TO: Irene Joline
City Clerk

FROM: Howard H. Woolley, Jr.
Business Administrator

RE: Regional Solid Waste Study Resolution To Be Adopted by July 31, 2009

DATE: July 3, 2008

Please put the attached resolution on the agenda for the July 14th Council meeting. It is a different resolution that the Central Jersey Council of Governments wants adopted since they do not need the funds for the feasibility study. It will be paid for by a NJ Share grant at no cost to the City.

Thank you.

HHW:gb
Attachment



recycled paper

R# 214-09

**RESOLUTION APPROVING LIQUOR LICENSE OF
JULIO & V CORP FOR THE 2009-2010 LICENSE TERM**

BE IT RESOLVED by the City Council of the City of Long Branch that they hereby approve the renewal of the liquor license held by Julio & V Corp, state license # 1325-32-008-007 for the 2009-2010 license term.

**MOVED:
SECONDED:**

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

R# 215-09

**RESOLUTION AWARDING CONTRACT FOR
PURCHASE AND INSTALLATION OF PLAYGROUND SAFETY SURFACE
FOR MANHASSETT CREEK PARK**

WHEREAS, the City of Long Branch has the need to contract for purchase and installation of a playground safety surface for Manahasset Creek Park; and

WHEREAS, in accordance with NJSA 40A:11-12, the City may award a contract without publicly advertising for bids when purchasing under any contract entered into on behalf of the State of New Jersey by the Division of Purchase and Property in the Department of Treasury; and

WHEREAS, there exist New Jersey State Contracts for several types of safety surface, and it is the recommendation of D.W. Smith Associates, LLC, Project Engineers, and the City Business Administrator, that the product offered by Rubbercycle, LLC, will meet the City's need to provide a superior ADA compliant safety surface, as well as advance its Green Initiatives goals by purchase of a product manufactured of 100% recycled rubber (tires); and

WHEREAS, the Chief Financial Officer of the City of Long Branch has certified, in accordance with the Certification of Funds Form attached hereto, that funds are available for this purchase from the Capital Budget, Ord#7-06 and 37-07, Appropriation Line Item **#C-04-088-601, in the amount of \$35,768.31**, and Community Development Block Grant, Thirty-third Year, Public Facilities, Parks Development, Appropriation Line Item **#H-02-033-305, in the amount of \$6,841.69**.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Long Branch that a contract be awarded to **Rubbercycle, LLC**, for purchase and installation of Playsafer Playground Safety Surface, as detailed the proposal annexed hereto, in accordance with the terms and conditions of State Contract #59079, **for a sum not to exceed \$42,610**.

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

**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:

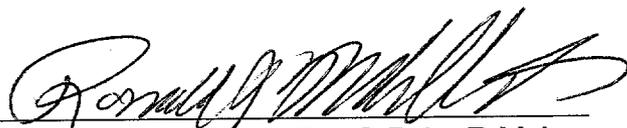
**PURCHASE AND INSTALLATION OF PLAYGROUND
SAFETY SURFACE FOR MANHASSETT CREEK PARK**

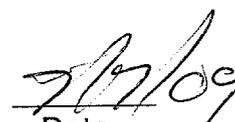
Said contract being made as follows:

RUBBERCYCLE, LLC	\$42,610
-------------------------	-----------------

Said funds being available in the form of:

CAPITAL BUDGET	
ORD. #07-06 AND #37-07	
PARKS DEVELOPMENT	
APPRO. LINE ITEM #C-04-088-601	\$35,768.31
COMMUNITY DEVELOPMENT BLOCK GRANT	
THIRTY-THIRD YEAR	
APPRO. LINE ITEM #H-02-033-305	\$ 6,841.69


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


Date



1985 Rutgers University Blvd. • Lakewood, NJ 08701 • 732.363.0600 • 888.436.6846 • Fax: 732.370.4247 • www.playsafer.com

PROJECT INFORMATION:

Name: City of Long Branch
Address: 344 Broadway
City/State/Zip: Long Branch, NJ 07740
Contact Name: Kevin Hayes
Contact Phone:
Contact Fax:
Contact E-mail:

CONTACT INFORMATION: (if different)

Company:
Name:
Phone:
Fax:
E-mail:
Cell Phone:
2nd Contact:

PROJECT: MANHASSETT CREEK, LONG BRANCH NJ

Site Names	Total Square Footage	Thickness	Color	Surfacig Type	OPTION Pricing
OPT 1 Pathway & Use Area	4,490	4"	TBD	P.B.R.	\$42,610.00

NJ State Contract # A59079.

Sub base Install: _____
Excavation: _____
Security: **To be provided by Owner/Township/School for 24-48 hours upon completion of each phase.**
Wear mats: N/A
Playsafer Rubber Curbs (Borders): 6' x 6" _____ 6' x 8" _____ (Please specify only one size)
Playsafer Spikes or standard rebar for curbs/borders: _____
Estimated Installation Date: TBD

COLOR SELECTION: (Circle choice) BLUE, GREEN, TERRA COTTA, BEIGE, AND BLACK.

IF AREA HAS MORE THAN ONE COLOR, PLEASE DESIGNATE ON A SEPARATE DRAWING TO THE APPROPRIATE SCALE.

NOTES:

TOTAL PRICE: \$42,610.00

PAYMENT METHOD: 50/50 DEPOSIT AT TIME OF ORDER. (Municipal and School purchase orders are accepted. All other deviations are subject to credit approval)

PREPARED BY: M.Nowak/dz QUOTE IS VALID UNTIL: 7/15/09



Customer is responsible for keeping area secure, closed and safe, during the 24 hour curing process for each phase. There may be slight color variations during the curing process that will blend in a short period of time depending on weather conditions. "Day Seams" may be necessary and visible due to the size of the project and if weather conditions require the process to be suspended. Any damage incurred during curing will be repaired at the customer's expense. Variations in texture may be visible due to temperature fluctuations.

TERMS AND CONDITIONS: Poured Rubber Safety Surfaces: The Rubberecycle Quote is based on the information provided and is subject to change based on review of complete plans and site location, including final installation unless indicated above. Sub-base materials and work provided by others and must meet PBR specifications and appropriate grade elevations; and is the responsibility of the owner. Rubberecycle's Standard insurance does not include "additional insured", subrogation, or primary / non contributing wording. In the event that a change in color, color percentage, thickness, or square footage is required, a revised proposal and/or purchase order will be required before installation can begin.

GENERAL LABOR All work and materials will be as specified. All labor will be performed in a workmanlike fashion. Any unforeseen/unknown sub surface utilities/substructures damaged during the work are not the company responsibility; and may incur additional costs, charges or fees. Owner will be responsible for maintenance and surfacing upkeep in strict accordance with the manufacturer's specifications. All changes to this contract shall be made in writing, and not valid until signed by the company. Changes may be subject to additional fees. All schedules and agreements are subject to labor strikes, unusual weather, transportation availability and delays, manufacturing and supply and other delays beyond our control. Owner of project to carry fire, property and casualty, and other applicable insurance. Company workers are covered under statutory workman's compensation insurance.

APPLICABLE LAW: The validity, construction and interpretation of these terms and conditions shall be governed by and construed in accordance with the laws of the State of New Jersey, excluding that body of law applicable to choice of law. This agreement has been entered into in New Jersey and Buyer agrees that it is subject to the inpersonam jurisdiction of the State and Federal Courts of New Jersey. Venue is designated in Ocean County New Jersey or the Federal District court in Essex County, New Jersey. Buyer hereby waives any and all rights to seek a change of venue based upon forum non conveniens or any other procedural theory. If any of these terms and conditions are declared either void, or unenforceable, such provision shall be severed from these terms and conditions and the remaining terms and conditions shall otherwise remain in full force and effect. 2.5 CONSEQUENTIAL DAMAGES WAIVER

Buyer agrees to indemnify, defend and hold Rubberecycle™ harmless of and free from any liability which may be asserted against Rubberecycle™ by virtue of any suit or claim of any kind, arising out of, connected with, or resulting from the purchase, sale, use, installation or consumption of the goods by Buyer, or any subsequent user of the goods. Buyer shall pay Rubberecycle™ within ten (10) days after any judgments rendered against Rubberecycle™ as a result of the foregoing and shall pay all costs and expenses incurred by Rubberecycle™ in defending any action brought against Rubberecycle™ as a result thereof, including reasonable attorney fees, court costs, expert witness fees and expenses.

IN NO EVENT WILL RUBBERECYCLE™ BE RESPONSIBLE FOR ANY DIRECT LOSS OR DAMAGE, INCLUDING WITHOUT LIMITATION COST AND EXPENSES, IN EXCESS OF THE AMOUNTS PAID BY BUYER FOR THE MATERIALS SUPPLIED. RUBBERECYCLE™ WILL NOT BE RESPONSIBLE OR LIABLE FOR ANY TYPE OF INCIDENTAL, SPECIAL, EXEMPLARY, PUNITIVE, INDIRECT OR CONSEQUENTIAL DAMAGES, INCLUDING BUT NOT LIMITED TO, DIRECT LOSS OR DAMAGE, LOST REVENUE OR PROFITS, REPLACEMENT GOODS, LOSS OR INTRRUPTION OF USE, EVEN IF RUBBERECYCLE WAS ADVISED OF THE POSSIBILITY OF SUCH DAMAGES, AND WHETHER ARISING UNDER A THEORY OF CONTRACT, TORT, STRICT LIABILITY OR OTHERWISE.

ACCEPTANCE OF PROPOSAL:- The above pricing, schedule and payment, terms and conditions detailed in this quote are also agreed to and accepted. By signing this agreement below, you are authorizing us to do the specified work detailed in this quotation.

SIGNATURE: _____ **DATE:** _____

WITNESS: _____ **DATE:** _____

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State of New Jersey Division of Purchase and Property

The Department of the Treasury Treasury Home | DPP Home | Contact DPP

[Vendor Information](#) | [Agency Information](#) | [Cooperative Purchasing](#) | [Public Information](#) | [Distribution & Support Services](#)

↳ Notice of Award
T-0103

PARK AND PLAYGROUND EQUIPMENT & PARTS

- [Vendor Information](#)
- [By Vendor](#)
- [NOA Text](#) Adobe PDF (610 kb)
- [State Contract Manager](#) Adobe PDF (45 kb)
- [List of Contractors by Category](#)
- [Park & Playground Email List](#) Adobe PDF (30 kb)
- [Park & Playground Equipment Standard Terms & Conditions X-36386](#) Adobe PDF (83 kb)
- [Amendment #1 - Price Increase](#) Adobe PDF (44 kb)
- [Amendment #2 - Contract Assignment](#) Adobe PDF (42 kb)
- [Amendment #3 - Price List](#) Adobe PDF (34 kb)
- [Amendment #4 - Amended Award](#) Adobe PDF (81 kb)
- [Amendment #5-Contract Price Line Changes](#) Adobe PDF (1.3 mb)
- [Amendment #6 - Price Line Reversion](#) Adobe PDF (46 kb)
- [Amendment #7 - Price List Updates and Line Item Cancellations](#) Adobe PDF (60 kb)
- [Amendment #8 Contract Extension/Price Decrease](#) Adobe PDF (77 kb)
- [Amendment #9 - Contract Extension to 06/09/08](#) Adobe PDF (49 kb)
- [Amendment #10 - Price List Updates & Line Item Cancellations \(invalid as of 4/22/08\)](#) Adobe PDF (102 kb)
- [Amendment #11 Price List Update \(invalid as of 4/22/08\)](#) Adobe PDF (59 kb)
- [Amendment #12 Price List Updates & Line Item Cancellations](#) Adobe PDF (102 kb)
- [Amendment #13 Price List Updates](#) Adobe PDF (59 kb)
- [Amendment #14 Contract Extension/Price Decrease](#) Adobe PDF (69 kb)
- [Amendment #15 Contract Extension # 3 to 6/9/09](#) Adobe PDF (63 kb)
- [Amendment #16 Contract Extension # 4 to 6/9/09](#) Adobe PDF (51 kb)
- [Amendment #17 - Price List Updates](#) Adobe PDF (80 kb)
- [Amendment #18 Price Decrease](#) Adobe PDF (47 kb)
- [Amendment # 19 Contract Extension # 5 to 12/9/09](#) Adobe PDF (33 kb)
- [Amendment #20 Contract Extension #6 to 12/09/09](#) Adobe PDF (24 kb)
- [Email to BEVERLY SPECK](#)

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STATE OF NEW JERSEY
DEPARTMENT OF TREASURY
DIVISION OF PURCHASE AND PROPERTY
PURCHASE BUREAU

INDEX #: T-0103

NOTIFICATION OF AWARD - TERM CONTRACT(S)

CONTRACT TITLE: PARK AND PLAYGROUND EQUIPMENT & PARTS CONTRACT # VARIOUS



CONTRACT PERIOD: APPLICABLE TO:
FROM: 06/10/04 TO: 12/09/09 ALL STATE AGENCIES
POLITICAL SUBDIVISIONS*

VENDOR NAME & ADDRESS: FOR PURCHASE BUREAU USE
SEE ATTACHED VENDOR INFORMATION SHEET(S) Solicitation #: 36386
Bid Open Date : 02/18/04
CID # : 1027802
Commodity Code: 650-38
Set-Aside : NONE

C-04-077-601 35768.31
17-02-033-305

ORDER FAX # : 570-836-6597

INDEX NO: T0103
PAGE NO: 6

VENDOR INFORMATION SHEET
COOP

VENDOR NAME AND ADDRESS	SBE/MBE/WBE/PURCH	
MID ATLANTIC PRODUCTS INC 7328 CHRUCH HILL RD CHESTERTOWN, MD 21620	NO /NO /NO /YES	CONTRACT #: 59071 EXPIRATION DATE: 12/09/09 TERMS: NONE DELIVERY: 60 DAYS ARO
CONTACT PERSON: JOSEPH J FASANELLA		CONTACT PHONE: 410-778-1110 ORDER FAX # : 410-778-3420
RECREATION RESOURCE INC PO BOX 371 KENNETT SQUARE, PA 19348	NO /NO /NO /YES	CONTRACT #: 59069 EXPIRATION DATE: 12/09/09 TERMS: NONE DELIVERY: 60 DAYS ARO
CONTACT PERSON: SAMUEL M MUCH		CONTACT PHONE: 800-220-4402 ORDER FAX # : 610-444-3359
ROBERTS BROTHERS LLC 5115 ROUTE 38 PENNSAUKEN, NJ 08109	YES/NO /NO /YES	CONTRACT #: 59062 EXPIRATION DATE: 12/09/09 TERMS: NONE DELIVERY: 60 DAYS ARO
CONTACT PERSON: JAMES R ROBERTS		CONTACT PHONE: 800-662-5295 ORDER FAX # : 856-662-1421
→ RUBBERCYCLE LLC 1985 RUTGERS UNIV BLVD LAKEWOOD, NJ 08701	NO /NO /NO /YES	CONTRACT #: 59079 EXPIRATION DATE: 12/09/09 TERMS: NONE DELIVERY: 30 DAYS ARO
CONTACT PERSON: SANDY GARTNER		CONTACT PHONE: 888-436-6846 ORDER FAX # : 732-370-4247

INDEX NO: T0103
PAGE NO: 7

VENDOR INFORMATION SHEET
COOP

VENDOR NAME AND ADDRESS	SBE/MBE/WBE/PURCH	
SAFE T SITE LLC 123 BRISCOE DR TOMS RIVER, NJ 08753	NO /NO /NO /YES	CONTRACT #: 59055 EXPIRATION DATE: 12/09/09 TERMS: NONE DELIVERY: 60 DAYS ARO
CONTACT PERSON: SONNY GROSSO		CONTACT PHONE: 732-288-0727 ORDER FAX # : 732-288-0727
SOPSURFACES INC 4393 DISCOVERY LINE PETROLIA ONTARIO CANADA N0N 1R0,	NO /NO /NO /YES	CONTRACT #: 59082 EXPIRATION DATE: 12/09/09 TERMS: 1% 20 NET 30 DELIVERY: 3 WEEKS ARO
CONTACT PERSON: BRAD GOSS		CONTACT PHONE: 800-263-2363 ORDER FAX # : 519-882-2697
SPOHN RANCH INC 15131 CLARK AVE CTY OF INDUSTRY, CA 91745	NO /NO /NO /YES	CONTRACT #: 59078 EXPIRATION DATE: 12/09/09 TERMS: NONE

10,11,12 (GRAY HIGHLIGHT)

00021 COMM CODE: 650-38-054801 1.000 EACH 15.00% N/A
 GOAL, TENNIS & VOLLEYBALL POSTS & NETS
 BRAND: BISON
 DELIVERY: 60 DAYS ARO
 PL#: INSTITUTIONAL 2006, DATE: 1/1/06
 CATALOG#: PARK EQUIP 2004, DATE: 1/1/04
 STATEWIDE

EFFECTIVE 3/1/07: 2007 BISON
 INSTITUTIONAL PRICE LIST DATE: 1/1/07

EFFECTIVE 3/1/08: 2008 BISON INC
 INSTITUTIONAL PRICE LIST DATE: 1/1/08

EFFECTIVE 3/1/09: 2009 BISON INC &
 INSTITUTIONAL PRICE LIST DATE: 1/1/09

00022 COMM CODE: 650-38-054801 1.000 EACH 39.00% N/A
 GOAL, TENNIS & VOLLEYBALL POSTS & NETS MARKUP
 BRAND: J.A. CISSELL
 DELIVERY: 60 DAYS ARO
 P/L#: DISTRIBUTOR, DATE: 1/1/06

INDEX NO: T0103
 PAGE NO: 124

CONTRACT ITEMS/SERVICES
 BY VENDOR

VNDR: ROBERTS BROTHERS LLC

CNTRCT #: 59062

LINE#	DESCRIPTION/MFGR/BRAND	EST QUANTITY	UNIT	% DISCOUNT	UNIT PRICE
00022	CONTINUED.....				
	CATALOG#: CURRENT, DATE: 2/1/04				
	STATEWIDE				

EFFECTIVE 3/1/07: J.A. CISSEL PRICE LIST
 DATE: 2/1/07

EFFECTIVE 3/1/08: J.A. CISSEL PRICE LIST
 DATE: 2/1/08

EFFECTIVE 3/1/09: J.A. CISSEL PRICE LIST
 DATE: 2/1/09

00023 COMM CODE: 650-38-054802 1.000 EACH 3.00% N/A
 GAME & PHYSICAL FITNESS COURSES
 BRAND: CHILDREN'S FACTORY
 DELIVERY: 60 DAYS ARO
 P/L#: 2006, DATE: 3/1/06
 CATALOG#: 2005, DATE: 2005
 STATEWIDE

EFFECTIVE 3/1/07: 2006 CHILDREN'S
 FACTORY, P/L DATE: 1/1/07

EFFECTIVE 3/1/08: 2008 CHILDREN'S
 FACTORY, P/L DATE: 2/25/08

00024	COMM CODE: 650-38-054803	1.000	EACH	3.00%	N/A
	PLAYGROUND EQUIPMENT (2-5 YEARS)				
	BRAND: CHILDREN'S FACTORY				
	DELIVERY: 60 DAYS ARO				
	P/L#: 2006, DATE: 3/1/06				
	CATALOG#: 2005, DATE: 2005				
	STATEWIDE				

EFFECTIVE 3/1/07: 2006 CHILDREN'S
 FACTORY, P/L DATE: 1/1/07

EFFECTIVE 3/1/08: 2008 CHILDREN'S
 FACTORY, P/L DATE: 2/25/08



VNDR: RUBBERCYCLE LLC

CNTRCT #: 59079

↳ LINE# DESCRIPTION/MFGR/BRAND EST QUANTITY UNIT % DISCOUNT UNIT PRICE
 00018 COMM CODE: 650-38-054808 1.000 EACH NET N/A
 SAFETY SURFACING
 BRAND: PLAYSAFER
 MODEL: 100% RECYCLED TIRES
 DELIVERY: 30 DAYS ARO

INDEX NO: T0103
 PAGE NO: 125

CONTRACT ITEMS/SERVICES
 BY VENDOR

VNDR: RUBBERCYCLE LLC CNTRCT #: 59079

↳ LINE# DESCRIPTION/MFGR/BRAND EST QUANTITY UNIT % DISCOUNT UNIT PRICE
 00018 CONTINUED.....
 P/L#: 2005, DATE: 3/4/05
 CATALOG#: 2005, DATE: 3/4/05

EFFECTIVE 3/1/08: PLAYSAFER 2008 P/L
 DATE: 1/1/08

STATEWIDE

VNDR: SAFE T SITE LLC CNTRCT #: 59055

LINE# DESCRIPTION/MFGR/BRAND EST QUANTITY UNIT % DISCOUNT UNIT PRICE
 00001 COMM CODE: 650-38-054791 1.000 EACH 20.00% N/A
 BASEBALL BACKSTOPS AND DUGOUTS
 BRAND: RECREATION CREATIONS
 DELIVERY: 60 DAYS ARO
 P/L#: 2004, DATE: 1/04
 CATALOG#: 2004, DATE: 1/04

EFFECTIVE 3/1/08: 2008 RECREATION
 CREATIONS CATALOG. P/L DATE: 1/16/08

STATEWIDE

00002 COMM CODE: 650-38-054792 1.000 EACH 20.00% N/A
 BASKETBALL BACKBOARDS
 BRAND: RECREATION CREATIONS
 DELIVERY: 60 DAYS ARO
 P/L#: 2004, DATE: 1/04
 CATALOG#: 2004, DATE: 1/04

EFFECTIVE 3/1/08: 2008 RECREATION
 CREATIONS CATALOG. P/L DATE: 1/16/08

STATEWIDE

00003 COMM CODE: 650-38-054793 1.000 EACH 20.00% N/A
 PARK TABLES & SEATING FURNITURE
 BRAND: THOMAS STEELE
 DELIVERY: 60 DAYS ARO

INDEX NO: T0103
 PAGE NO: 126

CONTRACT ITEMS/SERVICES
 BY VENDOR

VNDR: SAFE T SITE LLC CNTRCT #: 59055

↳ LINE# DESCRIPTION/MFGR/BRAND EST QUANTITY UNIT % DISCOUNT UNIT PRICE
 00003 CONTINUED.....
 P/L#: 2004, DATE: 1/04
 CATALOG#: 2004, DATE: 1/04

EFFECTIVE 3/1/08: 2007 THOMAS STEELE
 CATALOG

STATEWIDE

00004 COMM CODE: 650-38-054794 1.000 EACH 15.00% N/A



STATE OF NEW JERSEY BUSINESS REGISTRATION CERTIFICATE

Taxpayer Name: RUBBERCYCLE, L.L.C.
Trade Name:
Address: 1985 RUTGERS UNIVERSTY BLVD
LAKEWOOD, NJ 08701-2570
Certificate Number: 0695110
Effective Date: July 31, 1997
Date of Issuance: July 07, 2009

For Office Use Only:
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