

**WORKSHOP SESSION**

**CITY COUNCIL**

**APRIL 10, 2007**

**6:00 P.M.**

- 1 - PARKING DALE STREET / DIRECTOR RICHARDS
- 2 - REVIEW OF REGULAR MEETING AGENDA

**ADMINISTRATIVE AGENDA**

**CITY COUNCIL**

**CITY OF LONG BRANCH**

**APRIL 10, 2007**

**ROLL CALL:**

DR. MARY JANE CELLI, COUNCILWOMAN  
ANTHONY GIORDANO, COUNCILMAN  
BRIAN UNGER, COUNCILMAN  
DAVID G. BROWN, 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*

**PRESENTATIONS:**

MAYOR TO PRESENT A PROCLAMATION FOR ALCOHOL AWARENESS MONTH

**READING AND APPROVAL OF PREVIOUS MINUTES:**

MARCH 13, 2007 AND MARCH 27, 2007

**CONSIDERATION OF ORDINANCES:  
PUBLIC HEARING AND FINAL CONSIDERATION**

**#6-07** AN ORDINANCE DISCHARGING DRIVEWAY EASEMENTS AND COMMON ALLEYWAY BETWEEN BLOCK 294, LOT 11 - 13 ABBOTSFORD AVENUE AND BLOCK 294, LOT 12 - 11 ABBOTSFORD AVENUE (INTRODUCED: MARCH 27, 2007)

**#13-07** REFUNDING BOND ORDINANCE OF THE CITY OF LONG BRANCH IN THE COUNTY OF MONMOUTH, NEW JERSEY PROVIDING FOR THE REFUNDING OF A PORTION OF ITS OUTSTANDING GENERAL IMPROVEMENT BONDS, APPROPRIATING \$11,500,000 THEREFORE AND AUTHORIZING THE ISSUANCE OF \$11,500,000 REFUNDING BONDS OF THE CITY FOR FINANCING THE COST THEREOF (INTRODUCED: MARCH 13, 2007) (HELD OVER FROM MARCH 27, 2007)

**#16-07** AN ORDINANCE AMENDING AND SUPPLEMENTING SECTIONS 345-11 AND SECTION 345-101 THROUGH 345-121 OF THE ZONING ORDINANCE OF THE CITY OF LONG BRANCH (INTRODUCED: MARCH 27, 2007)

**#17-07** AN ORDINANCE AMENDING AND SUPPLEMENTING SECTIONS 345-55 AND 345-10 OF THE ZONING CODE OF THE CITY OF LONG BRANCH CONCERNING WATERFRONT MIX RESIDENTIAL USES AND FINISHED GRADE (INTRODUCED: MARCH 27, 2007)

**ORDINANCES FOR INTRODUCTION:**  
**PUBLIC HEARING SCHEDULED FOR APRIL 24, 2007**

**#18-07** AN ORDINANCE AMENDING AND SUPPLEMENTING AN ORDINANCE OF THE CITY OF LONG BRANCH IN THE COUNTY OF MONMOUTH AND STATE OF NEW JERSEY CHAPTER 116 BEACH FEES 2007

**#19-07** AN ORDINANCE VACATING ROADWAY RIGHTS OF THE CITY OF LONG BRANCH AS 47 LAIRD STREET, BLOCK 294, LOT 1

**#20-07** AN ORDINANCE AMENDING CHAPTER 103 "ALCOHOLIC BEVERAGES", CHAPTER 103-12 "EMPLOYEE REGULATIONS IDENTIFICATION CARDS; FEES"

**PUBLIC PARTICIPATION:**

**RESOLUTIONS:**

**R91-07** RESOLUTION APPROVING THE FEBRUARY 2007 RE-EXAMINATION OF THE 1988 MASTER PLAN OF THE CITY OF LONG BRANCH (HELD OVER FROM MARCH 27, 2007)

**R94-07** RESOLUTION TO REFUND OVERPAYMENT OF TAXES DUE TO A VETERAN DEDUCTION

**R95-07** RESOLUTION APPOINTING SPECIAL CLASS I OFFICERS FOR THE CITY OF LONG BRANCH FOR THE 2007 SEASON

**R96-07** RESOLUTION OF THE COUNCIL OF THE CITY OF LONG BRANCH AUTHORIZING THE CITY OF LONG BRANCH TO ENTER INTO A CONTRACT WITH WILLIAM ANTHONY RICHARDS

**R97-07** RESOLUTION AUTHORIZING THE CITY OF LONG BRANCH TO ENTER INTO AN AGREEMENT WITH NEW JERSEY TRANSIT CORPORATION FOR THE NEW JERSEY TRANSITS 2007 SUMMER SERVICES PROMOTION

**R98-07** RESOLUTION APPROVAL PAYMENT OF BILLS

**R99-07** RESOLUTION AMENDING RESOLUTION 433-04 (DISCHARGE OF MORTGAGE – HORN)

**R100-07** RESOLUTION OF NEED FROM MUNICIPALITY (GARFIELD COURT HOUSING PROJECT)

**R101-07** RESOLUTION TO APPLY FOR A GRANT FROM NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS (GARFIELD COURT HOUSING DEVELOPMENT)

**R102-07** RESOLUTION CHILD ABUSE PREVENTION MONTH – APRIL 2007

**APPLICATIONS:**

1. APPROVAL OF A RAFFLE LICENSE FOR MONMOUTH MEDICAL CENTER FOUNDATION
2. APPROVAL OF A RAFFLE LICENSE FOR HARLEY DAVIDSON OF LONG BRANCH

**REDEVELOPMENT:**

UPDATE – MR. AARON (TENTATIVE)

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

**ADJOURNMENT**

Ordinance No.

6-07

**ORDINANCE DISCHARGING DRIVEWAY EASEMENTS AND COMMON ALLEYWAY BETWEEN BLOCK 294, LOT 11, 13 ABBOTSFORD AVENUE AND BLOCK 294, LOT 12, 11 ABBOTSFORD AVENUE**

**WHEREAS**, on or about February 4, 2004, the City of Long Branch acquired real property located in the City of Long Branch referred to on its tax map as Block 294, Lot 11, 13 Abbotsford Avenue; and

**WHEREAS**, on or about February 17, 2003, the City of Long Branch acquired real property located in the City of Long Branch referred to its tax map as Block 294, Lot 12, 11 Abbotsford Avenue; and

**WHEREAS**, a search of title as to these two properties has revealed that there currently exists easements associated with each of these properties and recorded with the Monmouth County Clerk's Office in Book 2143, Page 338 on November 18, 1947 and in Book 1960, Page 345 for Lot 11, 13 Abbotsford Avenue and Lot 12, 11 Abbotsford Avenue, whereby each of these two lots pledged a portion of their property as a common driveway for use by the owners of these two properties; and

**WHEREAS**, there also exists a common alleyway of approximately six feet in width that runs between the two homes that are situated on Block 294, Lots 11 and 12, which is specifically referenced in the easements identified above; and

**WHEREAS**, due to the common ownership by the City of Long Branch as to each of these lots, the City of Long Branch wishes to discharge the easements and extinguish the common alleyway.

**NOW, THEREFORE BE IT ORDAINED** by the Council of the City of Long Branch that the City of Long Branch hereby discharges the easement as to Block 294, Lot 11, 13 Abbotsford Avenue, which was recorded with the Monmouth County Clerk's Office in Book 2143, Page 338 on November 18, 1947; and

**BE IT FURTHER ORDAINED** by the Council of the City of Long Branch that the City of Long Branch hereby discharges the easement as to Block 294,

Lot 12, 11 Abbotsford Avenue, which was recorded with the Monmouth County Clerk's Office in Book 1960, Page 345 on June 6, 1944; and

**BE IT FURTHER ORDAINED** that the City of Long Branch does hereby discharge and/or extinguish the common alleyway approximately six (6) feet in width that runs between Block 294, Lot 11, 13 Abbotsford Avenue and Block 294, Lot 12, 11 Abbotsford Avenue and is referred to in the two easement agreements identified herein.

INTRODUCED: 3-27-07

ADOPTED:

ATTEST:

CITY OF LONG BRANCH

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

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

ANSELL ZARO  
GRIMM & AARON  
A PROFESSIONAL CORPORATION  
COUNSELLORS AT LAW  
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# 13-07

**REFUNDING BOND ORDINANCE OF THE CITY OF LONG BRANCH, IN THE COUNTY OF MONMOUTH, NEW JERSEY, PROVIDING FOR THE REFUNDING OF A PORTION OF ITS OUTSTANDING GENERAL IMPROVEMENT BONDS, APPROPRIATING \$11,500,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$11,500,000 REFUNDING BONDS OF THE CITY FOR FINANCING THE COST THEREOF.**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LONG BRANCH, IN THE COUNTY OF MONMOUTH, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The City of Long Branch, New Jersey is hereby authorized to refund the callable portion of its outstanding bonds of the following bond issues being, \$6,120,000 General Improvement Bonds dated December 14, 2000, maturing on December 1 in the years 2011 to 2020, inclusive, and \$4,394,000 General Improvement Bonds dated December 13, 2001, maturing on December 1, in the years 2012 to 2021, inclusive (the "Prior Bonds").

Section 2. In order to finance the cost of the purpose described in Section 1 hereof, negotiable refunding bonds (the "Refunding Bonds") are hereby authorized to be issued in the aggregate principal amount not to exceed \$11,500,000 pursuant to the Local Bond Law of the State of New Jersey.

Section 3. An amount not exceeding \$165,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-51(b) has been included in the principal amount of Refunding Bonds authorized herein.

Section 4. The purpose of the refunding is to achieve present value savings.

Section 5. A certified copy of this refunding bond ordinance as adopted on first reading has been filed with the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey prior to final adoption.

Section 6. The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the City Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such Statement shows that, while the gross debt of the City as defined in the Local Bond Law is increased by \$11,500,000, the net debt is increased by \$986,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

Section 7. This refunding bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law, provided that the consent of the Local Finance Board has been endorsed upon a certified copy of this ordinance as adopted on first reading.

The foregoing refunding bond ordinance was introduced ~~and adopted~~ by the City Council on first reading at a meeting on March 13, 2007.

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IRENE JOLINE, Clerk

(SEAL)

Ordinance No. 16-07

**ORDINANCE AMENDING AND SUPPLEMENTING SECTIONS 345-11 AND SECTIONS 345-101 THROUGH 345-121 OF THE ZONING ORDINANCE OF THE CITY OF LONG BRANCH (ACCESSORY USES).**

**WHEREAS,** The Council of the City of Long Branch has received recommendations from its planner and from the Planning Board as to revisions to its zoning Ordinance; and

**WHEREAS,** the Council of the City of Long Branch's decision of accepting these recommendations and amending its zoning Ordinance accordingly.

**NOW THEREFORE, BE IT ORDAINED,** by the Council of the City of Long Branch that the City's zoning Ordinance §345-11 be and is hereby amended as follows:

1. §345-11P. shall read as follows:

"Any accessory structure or use attached to a principal building shall comply in all respects with the yard requirements of this chapter for the principal building. Detached accessory structures or uses shall be located in other than a front yard, and if located in a side yard area, shall conform to side yard requirements of the schedules (§345-102 et sq.) for the appropriate zone and shall observe a rear yard setback of not less than 10 feet, except where otherwise stated."

2. Subsection (1) of §345-11P. shall remain unchanged
3. Subsection (2) of §345-11P. shall be added and shall read as follows:

"On all properties located within the R-1 Residential Zone, which either meet or exceed the minimum lot frontage, lot depth, and lot area requirements for the R-1 Zone a minimum side and rear setback of 20' is required for any accessory structure or use."

4. Subsection (3) of §345-11P. shall be added and shall read as follows:

"Any accessory structure proposed within any residential zone district or for any residential use in any other district must conform to the following:

- a. Any proposed accessory structure must match as close as feasible the architectural styling/design as that of the principal structure located on the property (Exception: sheds of 100 sq. ft. or less)
- b. Any proposed accessory structure must use as close as is practicable the same exterior

architectural materials and colors as that which the principal structure is constructed. (Exception: sheds of 100 sq. ft. or less)

- c. The roof pitch of any accessory structure must match the roof pitch of the principal structure located on the property. This provision will allow an exception to the 15' maximum height for accessory structures provided that in no case shall an accessory structure be taller than 25; or higher than the principal structure located on the property, whichever is less. (Exception: sheds of 100 sq. ft. or less).
  - d. The increased attic area/volume created within accessory structures subject to the roof pitch/height allowance shall not be used for any use other than storage of personal items owned by the occupant residing in the principal structure on the property. The creation of any "finished" second floor room or use other than open lofted storage in any accessory structure is prohibited.
  - e. On properties where the principal structure contains a flat roof, all accessory structures may have a peaked roof provided that in no case shall an accessory structure contain a height of greater than 15'.
5. Subsection (4) of §345-11P. shall be added and shall read as follows:

"Sport courts-the minimum setback for any sport court located in all zone districts shall be 20'. Exception: Any basketball play area located upon a legal paved driveway is excepted from this requirement."

6. Subsection (5) of §345-11P. shall be added and shall read as follows:

"No detached accessory structure shall be converted to or used as habitable space or a habitable dwelling unit."

All references to permitted accessory use/height of accessory use in Section 345-102 through 345-111, 345-113, 345-115 and 345-119 of the zoning ordinance of the City of Long Branch shall be amended to read as follows:

"Accessory structures and uses -

1 ½ stories and/or 15' maximum, minimum setback 10'  
See section 345 section 345-11P. for other requirements  
See section 312 for tennis court requirements."

Each reference to "Accessory structures and uses" shall include the following language for the following sections of the zoning ordinance:

- a. Under section 345-113.C-2 Professional Office/Related Services Zone District "See section 345-31" shall be added.
- b. Under section 345-33.C-4 Resort Commercial District, "See Section 33" shall be added.

- c. Under section 345-119.5-1 Professional Office Zone District, "See Section 345-37" shall be added.

**BE IF FURTHER ORDAINED**, that subsection A. of section 312-4. of the Zoning Ordinances of the City of Long Branch shall be amended to read as follows:

- A. Setback lines. Tennis courts shall be located in the rear yard, except in the case of a corner lot. On a corner lot, the tennis court shall be located in the quadrant of the lot which is furthest removed from both street lines. Tennis courts shall be located at least 20 feet from each lot line and at least 10 feet from any structure on each lot.

**BE IT FURTHER ORDAINED**, that the provisions of this Ordinance shall be severable. In the event that any portion of this Ordinance is found to be invalid for any reason by any Court of competent jurisdiction, such judgment shall be limited in its effect only to the portion of the Ordinance actually adjudged invalid and shall not be deemed to affect the operation of any other portion thereof, which shall remain in full force and effect.

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

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

INTRODUCED: **March 27, 2007**

ADOPTED:

ATTEST:

CITY OF LONG BRANCH

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IRENE JOLINE, CITY CLERK

ADAM SCHNEIDER, MAYOR

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Ordinance No. 17-07

**ORDINANCE AMENDING AND SUPPLEMENTING SECTIONS 345-55 AND  
345-10 OF THE ZONING CODE OF CITY OF LONG BRANCH CONCERNING  
WATERFRONT MIX RESIDENTIAL USES AND FINISHED GRADE**

**WHEREAS**, the Council of the City of Long Branch has received recommendations from its planner and from the Planning Board as to revisions to its zoning Ordinance; and

**WHEREAS**, the Council of the City of Long Branch is desirous of amending Sections 345-55 and 345-10 of its Zoning Ordinance with regard to waterfront mix residential uses and finished grade.

**NOW THEREFORE BE IT ORDAINED** by the Council of the City of Long Branch that Section 345-55 of the Zoning Ordinance of the City of Long Branch be and is hereby amended to read as follows:

1. Subsection A.(2) shall read as follows:

"No section of a building in a waterfront mix residential complex shall be more than four stories high, except that when the four stories are built over one level of ground-level parking or a building lobby area, or required non-residential uses this parking level or building lobby area or required non-residential uses shall not be counted in the number of stories of said complex. Any underground parking level or non-residential floor area located below the ground floor of the building shall not be counted in the number of stories of said complex."

2. Subsection A.(17) shall read as follows:

"Any type of residential use shall be permitted; however, a minimum of 40% of the tract must be used for permitted uses other than residential (does not include parking requirements). Non-residential uses permitted in a waterfront mix residential development complex include beach clubs, neighborhood-oriented retail sales and services, eating and drinking establishments (but not including drive-in restaurants), barber shops, beauty salons, tanning salons,

health spas and gymnasiums, day spas, or any combination thereof. Parking requirements for the non-residential uses shall be the parking requirements for such uses or similar uses in other zones."

3. Subsection A.(19), shall be added and shall read as follows:

"Loading zones required for any non-residential development in a waterfront mix residential development complex shall be permitted within the front yard setback, provided it is located at the entrance to the main lobby to the building, and provided sufficient space is provided to allow vehicles to pass a vehicle in such loading zone."

**BE IT FURTHER ORDAINED** that the Council of the City of Long Branch that Section 345-10 of the Zoning Ordinance of the City of Long Branch be and is amended to read as follows:

1. A Subsection (1) shall be added and shall read as follows:

"Finished grade. In the event that a lot or lots are to be regraded in order to increase the lot height, and as a result building height shall be increased beyond the original allowable height and no other provision of this section requires the prior approval of the same, then in that event, a variance shall be required. It is the intent of this subsection to prohibit the increase of allowable building height by means of the use of mounding, terracing or other devices without the appropriate board reviewing and approving a variance for such proposed grade changes. However, such approval shall not be required for a single-family home with an increase of lot height of 18 inches or less measured at the average perimeter of the building."

2. A Subsection (2) shall be added and shall read as follows:

"In the case of existing grades with slopes the measurement for any allowed height and/or number of stories for any proposed structures along this slope shall be calculated along a line which runs parallel to the existing slope and is measured at each point along

this line. Provided that no increase in height and/or number of stories shall be allowed which is greater than what each zone or use allows at the highest point of the existing or finished grade whichever is less."

3. A Subsection (3) shall be added and shall read as follows:

"In no case shall any below grade level (basement, parking level, crawl space, etc.) be counted in the number of stories allowed on any site or for any use."

**BE IT FURTHER ORDAINED**, that the provisions of this Ordinance shall be severable. In the event that any portion of this Ordinance is found to be invalid for any reason by any Court of competent jurisdiction, such judgment shall be limited in its effect only to the portion of the Ordinance actually adjudged invalid and shall not be deemed to affect the operation of any other portion thereof, which shall remain in full force and effect.

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

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

INTRODUCED: **March 27, 2007**

ADOPTED:

ATTEST:

CITY OF LONG BRANCH

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IRENE JOLINE, CITY CLERK

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ADAM SCHNEIDER, MAYOR

18-07

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

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

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

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

- |                                |   |
|--------------------------------|---|
| 1. Children under 13           | : <i>Free Admission</i>                       |
| Person 13 years of age thru 17 | : <i>Thirty \$30.00 (Student ID Required)</i> |
| Person 18 years of age thru 61 | : <i>Thirty-five \$35.00</i>                  |
| Person 62 years of age & over  | : <i>Free Admission (ID Required)</i>         |

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

- |                                |   |
|--------------------------------|---|
| 1. Children under 13           | : <i>Free Admission</i>                     |
| Person 13 years of age thru 17 | : <i>Three \$3.00 (Student ID Required)</i> |
| Person 18 years of age thru 61 | : <i>Five \$5.00</i>                        |
| Person 62 years of age & over  | : <i>Free Admission (ID Required)</i>       |

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

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

SECTION II- Severability.

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

SECTION III

This Ordinance shall take effect after final passage and publication according to law.

19-07

Ordinance No.

**ORDINANCE VACATING ROADWAY RIGHTS OF THE CITY OF LONG BRANCH AS TO 47 LAIRD STREET, BLOCK 294, LOT 1.**

**WHEREAS**, on or about June 10, 2004, the City of Long Branch acquired real property located in the City of Long Branch known as 47 Laird Street and referred to on its tax map as Block 294, Lot 1 (the "Property"); and

**WHEREAS**, a search of title as to the Property has revealed that there currently exists roadway rights in favor of the City of Long Branch for the layout and widening of Abbotsford Avenue from Laird Street northwards to Broadway, which rights are contained in the Deed which was filed in the office of the Monmouth County Clerk on February 2, 1933 in Deed Book 1618 at Page 030; and

**WHEREAS**, the aforesaid roadway rights are no longer required due to the implementation of the City's Redevelopment Plan; and

**WHEREAS**, the aforementioned roadway rights are an encumbrance to the title to said Property property; and

**WHEREAS**, the City of Long Branch has heretofore entered into a Contract with Ocean Place Development, LLC, on December 29, 2006, whereby the City has agreed to sell the Property to Ocean Place Development, L.L.C., free and clear of all liens and encumbrances which are unacceptable to Ocean Place Development, L.L.C.; and

**WHEREAS** Ocean Place Development, LLC has requested that the City vacate said roadway rights in connection with the transfer of title to the Property; and

**WHEREAS** the City of Long Branch has agreed to vacate the roadway rights concerning the Property which was conveyed by the City of Long Branch to Ocean Place Development, L.L.C. on March 30, 2007;

**NOW, THEREFORE BE IT ORDAINED** by the Council of the City of Long Branch that the City of Long Branch hereby vacates the roadway rights in favor of the City of Long Branch heretofore obtained by the City in connection with the

property located at 47 Laird Street and known as Block 294, Lot 1 on the Tax Map of the City of Long Branch, which was recorded with the Monmouth County Clerk's Office on February 2, 1933 in Deed Book 1618, Page 030; and

**BE IT FURTHER ORDAINED** that the City of Long Branch shall execute and deliver an instrument (or instruments), in recordable form, to effectuate the vacating of said roadway rights in such form that is reasonably acceptable to the title insurer for Ocean Place Development, LLC; and

**BE IT FURTHER ORDAINED** that Mayor Adam Schneider is hereby authorized to execute same on behalf of the City of Long Branch.

INTRODUCED:

ADOPTED:

ATTEST:

CITY OF LONG BRANCH

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

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

20-07

Ordinance No.

ORDINANCE AMENDING CHAPTER 103 "ALCOHOLIC BEVERAGES",  
CHAPTER 103-12 "EMPLOYEE REGULATIONS;  
IDENTIFICATION CARDS; FEES."

WHEREAS, Chapter 103, section 103-12 of the Code of the City of Long Branch governs the types of employees of bars and establishments selling alcoholic beverages required to register with the police department; and

WHEREAS, to ensure the health, safety and welfare of patrons of bars and establishments selling alcoholic beverages, and residents of the City of Long Branch, the City wishes to amend this ordinance to ensure that all security personnel at all bars and establishments selling alcoholic beverages, including bouncers, identification and age checkers, doormen and any other security personnel are required to register with the police department pursuant to City Code section 103-12; and

WHEREAS, registration of these employees with the police department will ensure that bars and establishments selling alcoholic beverages employ individuals who do not pose a threat to the health, safety and welfare of bar patrons and residents of the City of Long Branch; and

WHEREAS, the Police Department of the City of Long Branch has recommended such an amendment to afford bars and establishments selling alcoholic beverages a measure of protection, as such amendment would ensure that employees of the establishment holding "security type" positions do not pose harm to anyone:

NOW THEREFORE, BE IT ORDAINED, by the Council of the City of Long Branch, that Chapter 103 "ALCOHOLIC BEVERAGES", section 103-12 "Employee regulations; identification cards; fees.", subsection B. "Registration

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GRIMM & AARON  
A PROFESSIONAL CORPORATION  
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17329 932-1000

with police", be and is hereby amended to read as follows:

- B. Registration with police. All persons who shall sell, solicit the sale of, mix, process or prepare any alcoholic beverage at or from any bar or establishment selling alcoholic beverages from the original package or container under a plenary retail assumption license or a plenary retail distribution license and all persons who are employed, including persons employed as bouncers, identification and age checkers, doormen or any other security personnel, shall register with the Police Department; provided, however, that this subsection shall not apply to:
- (1) Busboys or busgirls.
  - (2) Entertainers.
  - (3) Cooks.
  - (4) Kitchen help.
  - (5) Other persons performing strictly restaurant-related functions.
  - (6) Any person who individually or as a partnership or as an officer, director or holder of more than 10% of the stock of a corporation holding a plenary retail consumption license or any retail distribution license is required to execute a questionnaire in a form provided by the Director of the Division of Alcoholic Beverage Control and main such form upon the licensed premises.
  - (7) All persons who shall sell, solicit the sale of, process or prepare any alcoholic beverage at or from the original package or container under a club license ~~or~~ unless such person's employment exceeds 10 working days in any one calendar year, and/or said person receives regular recurring monetary remuneration in connection with said employment, who then shall register with the Police Department.

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

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

INTRODUCED:

ADOPTED:

ATTEST:

CITY OF LONG BRANCH

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

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

ANSELL ZARO  
GRIMM & AARON  
A PROFESSIONAL CORPORATION  
CONSULTANTS AT LAW  
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C.R. 7100  
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R# 91-07

**RESOLUTION APPROVING THE FEBRUARY 2007 RE-EXAMINATION OF THE  
1988 MASTER PLAN OF THE CITY OF LONG BRANCH**

**BE IT RESOLVED** by the Council of the City of Long Branch that pursuant to its obligation under N.J.S.A. 40:55D-89, it hereby approves the re-examination report as submitted and approves its findings.

**BE IT FURTHER RESOLVED** that the City Clerk be and is hereby authorized to forward copies of said report to all adjoining municipalities and the Monmouth County Planning Board.

MOVED:  
SECONDED:

AND ADOPTED UPON THE FOLLOWING ROLL CALL:

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, COMPLETE AND CORRECT COPY OF 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 \_\_\_\_\_, 20\_\_\_\_\_

\_\_\_\_\_  
CITY CLERK, R.M.C.

(Planning Board member) KEVIN HAYES offers the following resolution and moves its adoption:

**RESOLUTION FEBRUARY 21, 2007 RE-EXAMINATION OF 1988 MASTER PLAN**

BE IT RESOLVED by the Planning Board of the City of Long Branch that pursuant to its obligation under NJSA 40:55D-89 that it adopts the re-examination report as submitted and approves its findings; and

BE IT FURTHER RESOLVED that the City Clerk be and is hereby authorized to forward copies of said report to all adjoining municipalities and the Monmouth County Planning Board.

Seconded by BURTON MORACHUK and adopted upon the following roll call vote:

Ayes:  
Nays:  
Abstained:



Howard Marlin  
Howard Marlin/Chairman

EDWARD F. THORNTON, JR.

Kelly Kaumann  
Kelly Kaumann/Secretary

**CITY OF LONG BRANCH**  
**REPORT ON RE-EXAMINATION OF**  
**THE MASTER PLAN**  
JULY 2006  
*REVISED FEBRUARY 2007*

As part of the continuing growth and development of the City of Long Branch, the Master Plan Committee offers the following suggestions and updates to the City's Master Plan and Zoning Ordinance.

**MASTER PLAN**

**Create and Redefine Zones:**

Incorporate and encourage new use areas:

- Transit Village Area / Corridor (within ¼ mile of train station)
- Transit Overlay Areas (i.e. Chelsea Avenue)
- Senior Citizen Zones / Age Restrictive Areas (i.e. R-4/C-3 near Atlantic Avenue)
- Bed & Breakfast Areas (i.e. Cedar Avenue R-2 Zone / create new R-4A Zone)
- Mixed commercial/residential at all business districts
- Create "Live-Work" Zone – Broadway/Bath Office remove single families to encourage home/professional offices with residential (owner occupied)
- Medical Area (hospital expansion, parking in shared lots and/or parking garages, façade upgrades, maintenance association)
- Funeral Home locations
- Waterway Zones
- Mixed Riverfront Development
- Dormitory Zone in Transit Village and Campus areas

**Design Issues:**

Incorporate and encourage new and more restrictive design criteria and materials into building design and site development:

- Create a "Design Guideline" for materials, looks, architecture, waterway and historic characters
- Create an Architectural Review Board or Committee to "up the minimum" standards provided by the Ordinance
- Incorporate "Green Building" standards, design and materials
- Encourage LEED credits and certification and energy efficiency into building design and site development (i.e. LEEDS for Neighborhoods)
- Prevent grid townhouses to replace Victorian houses
- Create a density that works

**Open Space:**

- Incorporate "Pocket Parks" to City owned properties and acquire adjacent lots
- Encourage Green Acres funding and development (i.e. Takanassee Beach Club)
- Create community gardens and wetlands restorations
- Upgrade existing parks, maintain landscaping, add covered trash receptacles
- Encourage river walkways and connectivity between parks

**Historic Sites:**

- Create design Guidelines for historical retro-fitting
- Maintain Victorian / historic character through the Historical Committee
- Designate Historic Sites (i.e. Lifesaving Station, Seven Presidents)
- If a building is 100 years or older, incorporate a variance for demolition
- Consider saving older/historic homes in lieu of razing for subdivisions
- Preserve Takanassee Beach Club
- Utilize LEEDs criteria for Historic Structures

**Transportation and Access:**

**Traffic Circulation:**

- Revisit city-wide traffic patterns
- Reassess evacuation routes
- Work with NJDOT to widen Joline Avenue (Route 36)
- Create an Inter-City Inter-modal public transportation service:
  - Shuttle service (van, trolley, jitney) from train to beaches
  - Intercity bus route from parking areas to retail / businesses, from train to redevelopment areas / beaches, etc.
- Revisit circulation pattern of specific streets (i.e. close off or create S curve on Hoey St.)

**Public Access:**

- Revisit pedestrian and bicycle access and routes
- Create a continuous bikeway / walkway with additional bike racks
- Revisit beachfront access areas, river walkways, parking areas and drop-offs
- Revisit public Rights-of-Way
- Include a sidewalk repair/improvement program with city road improvement program
- Incorporate public access requirements from commercial areas to waterways

**Parking:**

- Pier Village: Incorporate free parking in the garage; add parking meters to street level parking spaces
- Revisit city-wide parking needs – current and future – and parking garage locations, in particular for BG / LBC / I Zones
- Consider seasonal parking on Ocean Boulevard
- Limit street parking of commercial vehicles by permit

**Signage:**

- Utilize Redevelopment Zone Façade Kit for any and all new applications/designs/uses
- Add signage for evacuation routes and parking lots, esp. Pier Village
- Create new sign requirements for Broadway / Bath areas

**Housing Authority:**

- Incorporate COAH requirements
- Determine policy and locations for interim relocations
- Review property adjacent to Shrewsbury River at northern end of Liberty Street
- Consider acquisition of new properties
- Convert vacant lots to pocket parks / open space / community gardens

**Environmental / Utility Issues and Suggestions:**

- Reactivate the Environmental and Shade Tree Commissions
- Determine if city's infrastructure, utilities and fire protection services are adequate for increased growth and development
- Establish a tight pollution standard and limit up lighting
- Evaluate use of commercial/mid-rises for development of an energy grid to supply own electricity or sell back to power companies
- Eliminate overhead wires with future construction
- Incorporate and/or review the following services and city-wide plans:
  - Recycling Plan
  - Sewer Master Plan
  - Fiber Optics
  - Superfund / Brownfields / Contaminated Sites
  - Wetlands Restorations / Stream Buffers
  - Energy Programs
  - Municipal Storm Water Management Plan of March 2006
- Incorporate LEEDs design / credits
- See "Open Space" above

**Community Issues:**

- Consolidate City facilities and share resources to create a community recreation center
- Revisit school areas / future uses / land swaps

**Uses and Census:**

- Encourage workshops to accommodate the large number of small, private businesses to consolidate scattered business into several "pockets", esp. along Myrtle Avenue, HTLI Zone, Joline from Conover/Edwards Ave to city limits
- Incorporate the most current census data

## **ZONING ORDINANCE**

### **Ordinance Descriptions / Definitions:**

Redefine the following in the Master Plan and Ordinance:

- "Live-Work"
- Home Occupation and Home Professional Office
- Bed & Breakfast
- Standards for 1 & 2 families
- Overlay areas
- School areas
- Waterways
- Beach access
- Public rights-of-way
- Pocket park / community gardens / green space
- Waterways
- Tiered towers, towers
- Age restricted / Adult Active Communities
- Wetlands Restorations
- Stream Buffers
- Mother/Daughter requirements
- Structure, coverage, impervious
- Kitchens
- Bedrooms / Maids room
- Define why bedroom/maids room not permitted in basement
- Sport Courts – incl. general info, basketball courts, lighting requirements (see Tennis courts under ordinance updates below)
- Trailers/RVs: weights, locations permitted, setbacks, sizes, parking requirements, # permitted on each lot
- Accessory structures
- Gazebos (landscape feature or accessory)
- Pools: grading, backwash, filter/equipment/concrete pad locations/setbacks/requirements
- Fees: Revise fees for Permits and/or escrows
- Delete and add items to zone lists for uses / conditional uses plus revisit structure for:
  - Garage uses
  - Storage area requirements for mercantile (10% accessory storage)
  - Signage – special uses and temporary balloons
  - Distances between same uses
  - Conditional Uses:
    - Check cashing
    - Flooring companies
    - Adult communities
    - Home office / home occupation / personal services / # of employees
  - Loading / unloading in residential zones

**Ordinance Design Criteria:**

Incorporate Design Guidelines for the following:

- Garages:
  - Detached garage to meet architectural proportions and style to existing home. Height exemption / slope to meet existing home. Add minimum and maximum dimensions
  - All new homes required to have garage with storage
  - Guidelines for converting garages into living space and/or Mother/daughter
- Lighting:
  - aesthetics, pole, spillage, cut-offs
  - Landscape lighting, screening, and uplighting criteria
  - Add "any illumination used shall be so designed, shielded and directed as to prevent any direct rays of light and any glare from reaching any portion of neighboring properties" (for site plans only right now)
- Architectural material, look-a-likes, proportions, etc.
- LEED credits / Green Building criteria
- Maintaining Victorian character, especially with multi-units
- Heights:
  - Height variation: increase height maximum for better aesthetics
  - Unlimited height for parking structures in C-3 Zone
- Corner lot – fences, front yards, etc.
- NJDEP/CAFRA/Environmental Permits – add section on what is required for Zoning Permit to be issued

**Ordinance Updates:**

- Add resolution compliance checklist to ordinance
- Add sign section to ordinance; Add MB section for signs; Add Façade kit as required
- Add sign section for mixed residential/office areas
- Define:
  - Minimum and Maximum heights and stories
  - Tiered towers, towers
  - Age Restricted / Adult Active Communities
  - Wetlands Restorations / Stream Buffers
  - Mother/Daughter requirements
  - Tennis Courts – define perimeter and fencing locations; Add section 312 to 345.
  - Section 345-10A heights
- Revise Permit and/or Escrow Fees
- Regulate satellite dishes
- Redefine fence requirements for gates and one driveway with one entrance to home
- Add outdoor dining/decking; incorporate no smoking rules
- Add requirements for location of A/C units, generators, chimneys
- Maximum decibel levels for generators
- Redefine setbacks for overhangs
- Add architectural look-a-like laws, provisions, and requirements
- Fix lot area typo for R-4 Zone (5,750 not 5,760)

**Ordinance Zones:**

Incorporate the following in the Master Plan and Ordinance:

- Define:
  - Transit Village Area / Corridor
  - Overlay Areas
  - Senior Citizen areas
  - Pocket Park / Community Gardens
  - Waterways
- Eliminate R-8, S-1, garden apartments
- Subdivisions – use R-3 as minimum requirements i.e. R-3 and higher Zones use R-3 standards, R-1 use R-1 standards, R-2 use R-2 standards
- Townhouses – always a conditional use
- Redefine:
  - C-4 Zone – Takanassee Beach Club & Life Saving Station
  - RC-2 Zone – Pleasure Bay Apartment area
  - RC-1 Zone – Atlantic Avenue commercial to Seven President's Park
  - Medical – remove S-1, add Heliport, combine parking areas, parking decks, facades
  - MB – eliminate manufacturing -- change to Business only
- Create New Zones:
  - R-3W, R-7W – Waterways, public ROWs, higher design standards
  - R-5A – remove garden apartments
  - R-4A - Bed & Breakfast Zone, live-work
  - R-6 – 1 & 2 family, 10u/a townhouses, professional office

**Planning and Zoning Board / Applications:**

Consider the following items:

- Incorporate a TRC (Technical Review Committee) for Planning and/or Zoning Boards
- Developers to:
  - Pay into the city drainage Master plan & upgrades
  - additional fees for parking variances per space
- Add Penalty Section to Ordinance:
  - Determine the number of times an application can be adjourned and postponed
  - Extension of time requirements
  - Violation enforcement criteria
  - Final Site Plan turnaround time limits
  - Charges/Fees for re-reviewing, especially if time elapses
- Incorporate the following to “subject to”s:
  - Subject to the approval of the Design Committee
  - Subject to being constructed as per the Board approved plans, requirements and recommendations. If construction deters from Board approvals, the structure may be required to be removed and/or the applicant may be penalized and/or permits revoked.

**Other City Ordinances:**

- Vehicles parking on DRIVEWAYS / paved surfaces
- Mileage reimbursement for non-union employees – update to current federal reimbursement level (currently at 18 cents per mile where federal is close to 40 cents).

- Section 265-2: revise 10-day notice to 20 or 30 days

**Zoning Map (Chapter 269, Appendix A and other areas)**

- Update with new Zones; add to website; include reduced size in ordinance
- Add Flood Zone?
- Add CAFRA limit lines?
- Add DEP HUC-14 area?
- Add floodplains?
- Website to reference [njgin.nj.gov](http://njgin.nj.gov) website for DEP mapping

R# 94-07

RESOLUTION TO REFUND  
OVERPAYMENT OF TAXES DUE TO  
A VETERAN DEDUCTION

BE IT RESOLVED, by the City Council of the City of Long Branch, that upon the recommendation of the Tax Collector, a refund be made to the taxpayer(s) shown below due to an overpayment of 2006 taxes. The overpayment is the result of an error in the fourth (4th) quarter tax payment by the taxpayer on property which was granted a veteran deduction for 2006.

NOW THEREFORE BE IT RESOLVED, that the Finance Office is hereby authorized to issue an individual check to the taxpayer(s) shown below in the total amount of \$250.00.

BLOCK	LOT	NAME	AMOUNT
452	19	Westbrook, John Jr. & Etha	250.00
29 Patten Lane		29 Patten Lane Long Branch, NJ 07740	

R# 95-07

**RESOLUTION APPOINTING  
SPECIAL CLASS I OFFICERS FOR THE CITY  
OF LONG BRANCH FOR THE 2007 SEASON**

**BE IT RESOLVED** by the City Council of the City of Long Branch that they hereby appoint the following individuals as Special Police Officers Class I for the City of Long Branch for the 2007 summer season:

Derek Myers  
Joe Conway  
Mark Anthony Halen  
Joseph Francis Flaherty III  
Matthew Colonna  
Julius DeRosa  
Jeremy Drewry  
Victor Coleman  
Phillip Anastasio  
Dustin Scholl  
William Beckenstein  
Joseph DeFilippis  
Brian Dinero  
Christopher Guy  
Daniel Petrucelli  
Michelle Rezende

**MOVED:  
SECONDED:**

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

R# 96-07

**RESOLUTION OF THE COUNCIL OF THE CITY OF LONG BRANCH  
AUTHORIZING THE CITY OF LONG BRANCH TO ENTER INTO A CONTRACT  
WITH WILLIAM ANTHONY RICHARDS**

**WHEREAS**, the Council of the City of Long Branch has determined that it is necessary to enter into a contract with William Anthony Richards who has served as the Public Safety Director for the City of Long Branch; and

**WHEREAS**, said contract is necessary in recognition of Richards' services to the City of Long branch in the past and to solidify and provide continuity of services in the future; and

**WHEREAS**, the Council of the City of Long Branch has determined that such contract and the maintaining high level of services which has been and continues to be provided by Richards' to the City of Long Branch, in the future, is in the best interest of the health, safety and welfare of the citizens of the City of Long Branch.

**NOW THEREFORE BE IT RESOLVED** that the City Council of the City of Long Branch authorizes the Mayor of the City of Long Branch to enter into a contract of employment with Richards in the form annexed hereto as Exhibit A.

**MOVED:**

**SECONDED:**

**AYES:**

**NAYES:**

**ABSENT:**

**ABSTAIN:**

## AGREEMENT

THIS AGREEMENT made this        day of March, 2007, by and between the CITY OF LONG BRANCH, County of Monmouth, a municipal corporation of the State of New Jersey, whose principal offices are located at 344 Broadway, Long Branch, New Jersey 07740 (hereinafter referred to as "City") and WILLIAM ANTHONY RICHARDS, Director of Public Safety for the City of Long Branch (hereinafter referred to as "Director Richards")

### ARTICLE I

Director Richards is hereby appointed Director of Public Safety for the City and shall be responsible for those departments/divisions within the City pursuant to the City Code, ordinances and/or other applicable laws which govern said position, including the duties/responsibilities inherent in being the Director of Public Safety. Director Richards shall serve in said position and at the pleasure of the Mayor pursuant to the provisions of N.J.S.A. 40:69A-1 et seq. and applicable City ordinances.

### ARTICLE II

Commencing January 1, 2006, Director Richards shall receive an annual base salary of \$140,921 ("Base Salary") of which \$5,000 will be paid in one lump sum on the 1st of November in each year. Unless otherwise agreed to in writing by the parties hereto, Director Richards' Annual Base Salary shall be increased on January 1 of each subsequent year by a percentage rate of increase equal to not less than that awarded to a Police Captain. Said compensation shall be paid bi-weekly.

In the event this contract is terminated prior to November 30 of any year, Director Richards shall be entitled to a pro rata portion of the "November 1<sup>st</sup>" payment on the basis of one-twelfth of his total lump sum payment for each month or part of a month during which Director Richards is employed as Director of Public Safety.

In addition to the Annual Base Salary calculated as set forth herein, Director Richards shall be paid the same percentage longevity increment rate he received while Police Captain as of December 31, 2002 (\$3,000), which shall be paid bi-weekly along with his Annual Base Salary. Director Richards' bi-weekly salary to be calculated at base salary plus longevity less \$5,000 (lump sum November 1st payment) divided by 26 equal payments.

### **ARTICLE III**

Effective with the signing of this Agreement, Director Richards shall work a five (5) day, forty (40) hour per week work schedule, as determined between the Mayor or designee and Director Richards, and shall work any and all hours in addition to those 40 hours which are required to perform the requirements of his position. Director Richards shall not be eligible for overtime. Director Richards will retain the accrued compensatory time which he had accumulated as of December 31, 2002, and shall be eligible to be reimbursed for said accrued time consistent with the Fair Labor Standards Act, but shall accrue no additional compensatory time while he serves in the position of Director of Public Safety.

### **ARTICLE IV**

1. Director Richards shall receive the same number of vacation days he received as Captain as of December 31, 2002 during his tenure as Director. He shall be governed by the

same vacation policy which applied while he served as a Captain (including reimbursement for any accrued vacation time). Pursuant to that policy, Richards shall be permitted to accumulate (for purposes of reimbursement for accrued days) a total of 75 vacation days.

2. Director Richards shall receive the same number of sick days he received as Captain as of December 31, 2002 during his tenure as Director. The same provisions shall apply to terminal leave. In either case, Director Richards shall be governed by the same policies/procedures on these issues which applied while he served as a Captain (including eligibility for reimbursement of up to 260 sick days upon retirement).

3. Director Richards shall receive all medical and health insurance benefits provided to other Police Department personnel which he received while he served as a Captain (as of December 31, 2002), subject to any change in carriers/conditions payment procedures which are put in place in the future for other Long Branch police officers.

4. Where the issue of hourly rate is applicable, Director Richards' hourly rate shall be computed as follows:

$$\text{SALARY AND LONGEVITY}/2080 = \text{HOURLY RATE} \times 8 = \text{DAILY RATE}$$

5. Should Director Richards die prior to his leaving the employment of the City of Long Branch, any monetary benefits to which he would be entitled were he to retire from his City employment shall be payable to Richards' heirs.

6. Director Richards will be provided with the use of a City-owned automobile, which the Director, in recognition of his being "on call" 24 hours per day, may take home with him.



By: \_\_\_\_\_

By: \_\_\_\_\_  
William Anthony Richards

/s:\cap\long branch city\agreement between city and richards.doc

R # 97-07

**RESOLUTION AUTHORIZING THE CITY OF LONG BRANCH TO ENTER INTO AN AGREEMENT WITH NEW JERSEY TRANSIT CORPORATION FOR THE NEW JERSEY TRANSITS 2007 SUMMER SERVICES PROMOTION**

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

**WHEREAS**, an agreement is hereby necessary between the New Jersey Transit Corporation and the City of Long Branch to enable the City of Long Branch to participate in New Jersey Transit's 2006 Summer Services Promotion; and

**WHEREAS**, the summer services promotion is fully described in a letter agreement dated March 16, 2007, which includes a round trip train transportation and a special beach package. The participant, the City of Long Branch agrees to an adult admission fee of \$5.00 for individuals age 12 or over to participate in this program and \$3.00 for students; the balance of the program is detailed in the March 20, 2006 agreement; and

**WHEREAS**, the City of Branch has been asked to execute a copy of the March 16, 2007 correspondence of the New Jersey Transit, as an agreement, which the City of Long Branch believes that it is in the best interest of the citizens of the City of Long Branch; and

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

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

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Long Branch that the Mayor of the City of Long Branch be and the same is hereby authorized to execute the March 16, 2007 letter agreement with New Jersey Transit for the New Jersey Transit's 2007 Summer Services Promotion.

**MOVED:**

**SECONDED:**

**AYES:**

**NAYS:**

**ABSENT:**

**ABSTAIN:**

Jon S. Corzine  
Governor

Kris Kolluri, Esq.  
Board Chairman

George D. Warrington  
Executive Director



**Agreement #**  
**07-33**

March 16, 2007

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

Re: NJ TRANSIT 2007 Summer Beach Promotion

Dear Mr. Schneider:

This letter will serve as an agreement between New Jersey Transit Corporation (NJ TRANSIT) and the City of Long Branch with regard to the NJ TRANSIT's 2007 Beach Services Promotion pursuant to the following terms and conditions.

1. The City of Long Branch agrees to a daily adult admission fee of \$5.00 and \$3.00 for students for the 2007 beach season.
2. The City of Long Branch agrees to collect and honor NJ TRANSIT special beach tickets in even exchange for admission to the beach and to allow free admission for up to and including two (2) children eleven (11) years or less when they are accompanied by an adult offering NJ TRANSIT beach ticket for admission.
3. The City of Long Branch agrees to provide NJ TRANSIT with the number of beach tickets redeemed at intervals during the summer season. **Reporting of beach ticket redemptions is due June 15, July 13 and August 10, 2007.**
4. The City of Long Branch agrees to post the NJ TRANSIT logo and/or transportation information with a hyperlink to njtransit.com, from the City of Long Branch website ([www.visitlongbranch.com](http://www.visitlongbranch.com)).
5. The City of Long Branch agrees to submit the collected beach admission tickets together with an invoice, to NJ TRANSIT; Marketing – Laura B. Pomeisl; One Penn Plaza East; Newark, NJ 07105-2246 for reimbursement by NJ TRANSIT at the end of the promotional campaign.
6. NJ TRANSIT agrees to promote the special beach package valid Friday, May 25, 2007 through Monday, September 3, 2007. This special beach package will include round-trip train transportation and a special beach admission ticket. Promotion of the beach package will comprise the following advertising mix:
  - **Website:** NJ TRANSIT agrees to provide beach information and a hypertext link to the City of Long Branch web site ([www.visitlongbranch.com](http://www.visitlongbranch.com)).
  - **Cross Linkage:** NJ TRANSIT will provide cross linkage to the City of Long Branch website ([www.visitlongbranch.com](http://www.visitlongbranch.com)) from njtransit.com
  - **On-Hold Message:** NJ TRANSIT will air a 10 second message to be heard on NJ TRANSIT's Transit Information Center line – 1-800-772-2222 for the duration of this agreement.
  - **Press Release:** NJ TRANSIT will include the City of Long Branch in a press release promoting the special beach package and express rail service to the Jersey Shore.



R# 98-07

RESOLUTION  
APPROVAL PAYMENT OF BILLS

WHEREAS, the City Council of the City of Long Branch have examined the bills and the vouchers therefore that are contained on the attached list.

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Long Branch that the payment of bills set forth on the attached list are hereby approved.

MOVED:

SECONDED:

AYES:

NAYES:

ABSENT:

ABSTAIN:

I hereby certify the foregoing to be a true copy of a resolution adopted by the City Council at their Regular meeting held on April 10, 2007

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Long Branch, Monmouth County, New Jersey this \_\_\_\_\_ day of \_\_\_\_\_, 2007

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

**PUBLIC NOTICE**

Notice is hereby given that the following bills will be submitted for payment approval as of April 10, 2007. The original bills are on file in the Office of the Director of Finance of the City of Long Branch between the hours of 8:30 and 4:30 P.M. Monday through Friday.

4 Connections	Monthly Lease of Dark Fiber - March & April 2007 - IT/Administration	3,000.00	
A & L Auto Repair	Towing - 3/8/2007 - Vehicle #50 - DPW	30.00	
A T & T	Utilities - Telephone - 2/28/2007 - Various Locations	1,092.29	*
A.M./P.M. Services	Registration - Comprehensive Licensing Seminar - 3/21/07 - Irene Joline - City Clerk	99.00	
Absolute Fire Protection Co.	Misc. Parts for Truck #25-4-90 & #25-8-85 - Fire Dept.	1,455.00	
ACS Government Systems	Software Modular Support Contract Renewal - Fire Dept.	660.00	
Amway Grand Plaza Hotel	Combating Major Crimes Conference - 4/2-4/6/2007 - Det. Verdadeiro - Police Dept.	322.12	*
Apruzzese, McDermott, Mastro & Murphy	Legal Services Rendered - General Labor Matters - February 2007	5,736.30	
Atlantic Detroit Diesel	Repair Truck #25-6-90 - Fire Dept.	537.68	
Atlantic Plumbing Supply Corp.	Plumbing Materials for Municipal Garage & Manahasset Creek Park	4,433.05	
Auto Parts	Misc. Automotive Parts - January 2007 - Fire Dept. / DPW	112.64	
AW Direct	Cable Tensioner for Lo-Boy Trailer - DPW	83.99	
B. Keith Controls	Lights for Annex Building - DPW	288.00	
Be Our Guest Entertainment c/o Mel Witschi	Entertainment for Dance - 3/27/2007 - Senior Affairs	250.00	
Best Trophies & Awards	Trophies for Basketball Program - Recreation Dept.	603.00	
Bette White Fernandez	Tap Dance Instruction - 3/9, 3/23 & 3/30/2007 - Senior Affairs	102.00	
Beverly Baxter	Ceramic Instruction - 2/6-3/15/2007 - Senior Affairs	1,637.50	
Big A Trucking	Repair Tire on Truck #25-7-75 - Fire Dept.	75.00	
Bob's Uniform Shop	(4) Uniform Pants for Fire Inspectors - Fire Prevention	188.00	
Boro Printing	Printing of Summer Events Flyers - Administration	120.00	
Bottom Line	Ribbon Cassettes for Printer - Municipal Court	295.07	
Centrastate Medical Center	Prevention of Substance Abuse Program - 3/26-3/27/2007 - Coastal Monmouth Alliance	378.00	
City of Long Branch Clearing Account	Reimburse Clearing Account	357,654.61	*
City of Long Branch Clearing Account	Reimburse Clearing Account	908,681.38	*
City of Long Branch Clearing Account	Reimburse Clearing Account	185,944.91	*
City of Long Branch Clearing Account	Reimburse Clearing Account	64,107.52	*
City of Long Branch Clearing Account	Reimburse Clearing Account	336,011.08	*
City of Long Branch Current Account	Transfer of Funds	2,000,000.00	*
City of Long Branch Payroll Agency	Payroll Dated 3/23/2007	30,347.34	*

\* DENOTES PREPAY

\*\* SUBJECT TO COMPLETION OF PAYMENT PACKAGE

Pymt #2

City of Long Branch Payroll Agency	Payroll Dated 3/23/2007								
3MF	Copier/Computer Paper - Municipal Court								878,334.04
	Municipal Clerks' Desk Reference Guide - City Clerk								601.20
	Internet Provider Services - 3/15-4/14/2007 - City Network								130.00
	Fire/Sprinkler Inspection & Fire Alarm Monitoring - Senior Center - 3/1/07-2/29/08 DPW								169.95
	Administrative Fees - April 2007								757.88
	Lighting Equipment - Fire Dept.								76.76
	Dental/Vision - April 2007								724.29
	Reimbursement - Memory Card for Camera - Health Dept.								5,700.00
	Yoga Instruction - 3/15, 3/22 & 3/29/2007 - Senior Affairs								42.79
	NJ UFC Annual Subscription - Kevin Hayes - Fire Prevention								138.00
	Service Call - Telephone line - Recreation Office								30.00
	Donuts/Coffee - City Business Meeting - 3/21/2007 - UEZ								170.00
	Ammunition & Targets - Police Dept.								56.97
	Freezer & Refrigerator for Evidence Storage - Police Dept.								14,095.00
	Tires - Various Vehicles - DPW								506.00
	Soccer Equipment - Recreation								588.94
	Misc. Supplies for Various Police Vehicles								300.00
	Fax Toner for Central Switchboard								3,588.37
	Food for Various Events - Senior Affairs								260.03
	Lighting Equipment for HAZMAT Trailer - OEM								291.80
	Remove & Clean Carburetor - Traffic #59 - DPW								1,512.35
	Life Insurance - April 2007								194.00
	LaserFiche Training - 4/11-4/13/2007 - P.O. Vogler - Police Dept.								1,298.26
	Trophies & Plaques for All Star Basketball Program - Recreation Dept.								336.00
	Appraisal Services - 2006 Tax Appeals - February 2007								499.00
	Computer Software - Purchasing Dept.								1,380.00
	Janitorial Supplies for Library & Senior Center - DPW								Pymt #1
	Various Computer Supplies - Various Depts.								43.03
	Misc. Equipment - DPW								107.30
	Legal Services Rendered - General Development - December 2006								601.99
	Health Benefits - April 2007								523.70
	Integrated Pest Control - March 2007 - Health Dept.								5,593.00
	Health Benefits - April 2007								Pymt #6
	Dental Benefits - April 2007								92,046.16
	Reimbursement - Redevelopment Lunch - 3/9/2007 - Administration								345.00
	Hose Assembly - Public Works Vehicle #211								217,909.83
									16,139.25
									43.12
									62.95

\* DENOTES PREPAY

\*\* SUBJECT TO COMPLETION OF PAYMENT PACKAGE

Intelligent Traffic Supply Products									
Jersey Central Power & Light									
Jersey Elevator									
Jersey Rebuilding Service									
Johnstone Supply									
Kepwel Water									
Kleeners Warehouse									
Lanigan Assoc.									
Lee Battery Service									
Long Branch Animal Hospital									
Lowell's Credit Services									
Martin A. McGann, Esq.									
Matthew Bender & Co.									
Miami Systems Corp.									
Micro Systems-NJ.com									
Willbrook Power & Marine Equipment									
Monmouth Cnty Treasurer - Finance Dept.									
Monmouth County Board of Taxation									
Moore Medical Corp.									
Moore North America									
Motorola C & E Inc.									
Municipal Inspection Corp.									
NATW									
Naylor's Auto Parts									
New Jersey American Water									
New Jersey Natural Gas									
NJ Planning Officials									
NJ State League of Municipalities									
NJ State Triad Assoc.									
Office Depot									
P L Custom									
Perry's Trophy Co.									
Petroleum Traders Corp.									
PMK Group									
PMK Group									
Prevention First									
Annual Software Support - 1/1-12/31/2007 - Fire Dept.									
Controller Traffic Signals - Traffic Dept.									
Utilities - Electric - 12/29/06-3/6/2007 - Various Locations									
Elevator Maintenance & Inspection - March 2007 - DPW									
Rebuild Starter - Public Works Vehicle #111									
Supplies for Heater at DPW									
Monthly Cooler Rental - February 2007 - Administration									
Janitorial Supplies for City Hall Building - DPW									
(12) Police Vests - Various Officers - Police Dept.									
Batteries for Truck #25-4-75 - Fire Dept.									
Veterinary Services for P.O. Cistaro & P.O. Wettermark's K-9's - Police Dept.									
Various Building Materials - Various Depts.									
Settlement									
NJ Admin Code Title 4A - Howard Woolley Jr. - Administration									
Traffic Summons & Special Complaint Forms - Municipal Court									
2007 Software Maintenance - Tax Assessor's Office									
(2) Saws Repaired - Fire Dept.									
Tipping Fees & Various Taxes - 2/16-2/27/2007 - DPW									
Notification Assessment Cards - Tax Assessor's Office									
Supplies for Records/Forensics Lab - Police Dept.									
Safety Paper for Certified Copies - Health Dept.									
(15) Batteries - Fire Dept.									
Elevator Sub Code Official									
Promotional Items for National Lights Out 2007 - Police Dept.									
Brake Hardware Kit - Truck #25-71 - Fire Dept.									
Utilities - Water - 2/5-3/8/2007 - Various Locations									
Utilities - Gas - 1/30-3/3/2007 - Various Locations									
2007 Three Way Membership Dues - Kelly Kaufmann - Governing Body/Planning/Zoning									
(2) Legislative Rosters & Municipal Directory - H. Woolley Jr. & M. Muscillo - Administration									
2007 Membership Renewal - Lt. Weiner - Cpl. Condane - Cpl. Ketch - Police Dept.									
Misc. Office Supplies - Various Depts.									
Door Handle - Truck #25-4-75 - Fire Dept.									
Trophies for Travel Soccer Team & Ribbons for Trout Tournament - Recreation Dept.									
Unleaded Gasoline & Underground Storage Tank Tax - 2/27/2007 - DPW									
Professional Services Rendered - American Movers - Feb. 2007									
Professional Services Rendered - Monmouth Rubber Plastics - Feb. 2007									
Registration - Various Seminars - Shannon Berry - Human Services									

\* DENOTES PREPAY

\*\* SUBJECT TO COMPLETION OF PAYMENT PACKAGE

Professional Government Educators	Registration - Tax Calculations Seminar - 3/28/2007 - E. Mazzacco - Tax Collector's Office	90.00
Quality Communications	Repair Radio in Vehicle - Police Dept.	275.00
R & R Radar	Repair / Replace Antenna Cables - Police Dept.	225.00
Ralph K. Badmann Corp.	Hoses/Fittings - DPW & Sanitation Stock	613.71
Red The Uniform Tailor	Boots & Jacket for OEM Director & Personnel	390.90
Rittenhouse-Kerr Ford	Misc. Automotive Parts - FP #25-30 & #25-36 - DPW	644.75
Rotary Club of Long Branch	2007 Membership Dues - 1/1-6/31/2007 - Howard Woolley Jr. - Administration	75.00
Rutgers University - Center-Govt. Services	Registration - Spring Course - 3/14-3/31/2007 - R. Honymar - Planning Board	253.00
Rutgers University - Cook College/OCCPE	Registration - Baseball Seminar - 3/14/07 - Armstrong - Ravaschiere - Wood - DPW	405.00
Saker Shoprites	Food for Birthday Celebration & St. Patrick's Day Party - 3/14/2007 - Senior Affairs	554.36
Sandy Sasso	Entertainment for St. Patrick's Day Party - 3/14/2007 - Senior Affairs	495.00
Satellite Self Storage	Storage Fees - Delores Smith - April 2007 - School Project - Community Dev.	478.50
Scientific Devices Dist.	Ink Cartridges - Health Dept. / DPW	467.08
Sea Breeze Ford	Heater Tube - SC #4 - DPW	171.14
Seaboard Welding Supply	Refill Industrial Gases - DPW	189.71
Sunrise Suites Hotel	Temporary Housing - Delores Smith - 3/9-3/15/2007 - School Project - Community Dev.	297.50
Tanner North Jersey	(2) File Cabinets - Fire Prevention	382.00
Tele-Lite	Mounting Brackets - Fire Dept.	70.00
Thompson Design Group	Urban Design & Planning Services - General Matters - January & February 2007	13,780.00
Thompson Design Group	Urban Design & Planning Services - Broadway Sector/Gateway - Jan. & Feb. 2007	13,830.00
Total System Applications Group	2006/2007 Computer Maintenance & Support Services - Police Dept.	3,750.00
Township of Woodbridge	Registration - Records Mgmt. Seminar - Mazzacco & Martin - Tax Collector/Comptroller	20.00
Troil Enterprises	Maintenance Supplies - Fire Dept.	177.42
United Parcel Service	Ground Transportation - Various Depts.	97.12
United States Postal Service c/o CMRS-PB	Postage for Meter - Tax Collector's Office	10,000.00
Verizon	Utilities - Telephone - 3/1-3/11/2007 - Various Locations	10,639.86
Vision Service Plan	Vision - April 2007	1,329.90
W.B. Mason	Various Office Supplies - Various Depts.	826.25
Warner Communications	Batteries for Radios - DPW	993.84
Warnock Dodge	Misc. Automotive Parts - Various Vehicles - Police Dept.	6,541.30

**TOTAL CURRENT**

**5,333,294.49**

Basile, Baumann, Prost & Assoc. Professional Services Rendered - Hotel Campus/Abbottsford Ave. - Jan. & Feb. 2007 7,645.00 Pymt #1-2  
City of Long Branch Clearing Account Reimburse Clearing Account 5,258.50 \*

\* DENOTES PREPAY

\*\* SUBJECT TO COMPLETION OF PAYMENT PACKAGE

City of Long Branch Clearing Account	Reimburse Clearing Account	*	96,756.17
City of Long Branch Clearing Account	Reimburse Clearing Account	*	382,797.50
Greenbaum, Rowe, Smith & Davis	Legal Services Rendered - Hotel Campus - December 2006		15,929.00
Satellite Self Storage	Storage Fees - Delores Smith - April 2007 - School Project - Community Dev.		478.50
Specialty Systems	Life Scan Interface Computer Software - Police Dept.		8,680.00
Sunrise Suites Hotel	Temporary Housing - Delores Smith - 3/9-3/15/2007 - School Project - Community Dev.	*	297.50
Thompson Design Group	Urban Design & Planning Services - Hotel Campus/Abbottsford - Jan. / Feb. 2007	*	48,127.50
			Pymt #2-3

**TOTAL CAPITAL**

565,969.67

City of Long Branch Clearing Account	Reimburse Clearing Account	*	2,423.73
City of Long Branch Clearing Account	Reimburse Clearing Account	*	4,507.11
City of Long Branch Clearing Account	Reimburse Clearing Account	*	2,600.00
City of Long Branch Clearing Account	Reimburse Clearing Account	*	1,896.33
City of Long Branch Payroll Agency	Payroll Dated 3/23/2007	*	321.27
City of Long Branch Payroll Agency	Payroll Dated 3/23/2007	*	4,185.84
Fort Dearborn Life Insurance	Life Insurance - April 2007	*	2.94
Health Net of New Jersey	Health Benefits - April 2007	*	1,157.99
Horizon Blue Cross Blue Shield	Health Benefits - April 2007	*	526.00
Horizon Blue Cross Blue Shield	Dental Benefits - April 2007	*	177.94
Vision Service Plan	Vision - April 2007	*	31.46

**TOTAL DOG**

17,830.61

Albert Chuderski	Tai Chi Instruction - 3/5, 3/26 & 3/19/2007 - Senior Affairs / Community Dev.		150.00
Barbara Heggie	Choral Instruction - 3/12 & 3/14/2007 - Senior Affairs / Community Dev.		50.00
Barco Products Co.	(9) Outdoor Benches - Slocum Park - Community Dev.		6,442.00
City of Long Branch Clearing Account	Reimburse Clearing Account	*	1,249.53
City of Long Branch Clearing Account	Reimburse Clearing Account	*	1,675.07
City of Long Branch Clearing Account	Reimburse Clearing Account	*	1,406.70
City of Long Branch Clearing Account	Reimburse Clearing Account	*	1,249.53
City of Long Branch Payroll Agency	Payroll Dated 3/23/2007	*	119.44
City of Long Branch Payroll Agency	Payroll Dated 3/23/2007	*	1,555.63

\* DENOTES PREPAY

\*\* SUBJECT TO COMPLETION OF PAYMENT PACKAGE

Fort Dearborn Life Insurance	Life Insurance - April 2007	*	4.90
Health Net of New Jersey	Health Benefits - April 2007	*	1,157.99
Horizon Blue Cross Blue Shield	Dental Benefits - April 2007	*	73.88
Skip's Sports	(20) Basketballs - All Star Basketball Game - Community Dev.		310.00
Vision Service Plan	Vision - April 2007	*	12.76

**TOTAL HUD**

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**15,457.43**

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Ace Fingerprint Equipment Labs	Supplies for Forensics Lab - Police Dept.		773.30
Birdsall Engineering	Engineering Services Rendered - 12/12/2006 - Planning Board		169.25
City of Long Branch Clearing Account	Reimburse Clearing Account	*	15,792.09
City of Long Branch Clearing Account	Reimburse Clearing Account	*	11,757.75
City of Long Branch Clearing Account	Reimburse Clearing Account	*	30,882.41
City of Long Branch Payroll Agency	Reimburse Clearing Account	*	53,178.66
City of Long Branch Payroll Agency	Payroll Dated 3/23/2007	*	439.11
City of Long Branch Payroll Agency	Payroll Dated 3/23/2007	*	11,318.64
Fort Dearborn Life Insurance	Unemployment - March 2007	*	1,395.85
Health Net of New Jersey	Life Insurance - April 2007	*	5.88
Home Depot Credit Services	Health Benefits - April 2007	*	1,637.47
Horizon Blue Cross Blue Shield	Materials for Library - DPW		173.05
Horizon Blue Cross Blue Shield	Health Benefits - April 2007	*	1,362.03
Intelligent Traffic Supply Products	Dental Benefits - April 2007	*	147.76
Joy Anderson, Esq.	Controller Traffic Signals - Traffic Dept.		652.27
Mark R. Aikins	Assigned Counsel - State vs. Frank Deisler - 3/2/2007 - Municipal Court		200.00
Martin J. Arbus	Legal Services Rendered - Beachfront South - February 2007		429.00
Ray Allen Manufacturing Co.	Legal Services Rendered - 9/27/2006 - Planning Board		300.00
Siperstein's	Narcotics Safe for K-9 Training - Police Dept.		359.90
Thompson Design Group	Paint for Library - DPW		40.13
Thompson Design Group	Urban Design & Planning Services - Beachfront South - January & February 2007		1,820.00
Thompson Design Group	Urban Design & Planning Services - Broadway Arts Center - January & Feb. 2007		19,290.00
Thompson Design Group	Urban Design & Planning Services - Pier Village II - January & February 2007		10,590.00
Vision Service Plan	Vision - April 2007	*	25.52
Warnock Dodge	Install Speaker - Vehicle #25-10 - Police Dept.		126.26

\* DENOTES PREPAY

\*\* SUBJECT TO COMPLETION OF PAYMENT PACKAGE

NOTAL TRUST OTHER

162,866.33

\* DENOTES PREPAY

\*\* SUBJECT TO COMPLETION OF PAYMENT PACKAGE

R# 99-07

RESOLUTION AMENDING RESOLUTION 433-04

WHEREAS, the Mayor of the City of Long Branch was authorized to execute, by Resolution 433-04, a Discharge of Mortgage for 522 Springdale Avenue, owned by Theodore J. Horn; and

WHEREAS, the information provided to the Mayor and Council in Resolution 433-04 did not indicate that there was a mortgage modification; and

WHEREAS, a mortgage modification was made on March 9, 1999 in the amount of \$6,535.00 and recorded on April 16, 1999 in Book MB-6761, Page 590; and

WHEREAS, Resolution 433-04 indicated that a copy of the transmittal be sent to Iris Del Valle at 394 Park Place, Long Branch, New Jersey; and

WHEREAS, a copy of the transmittal should be sent to Theodore J. Horn at 522 Springdale Avenue, Long Branch, New Jersey.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Long Branch that the Mayor of the City of Long Branch be and the same hereby is authorized to execute the corrected Discharge of Mortgage for the premises known as 522 Springdale Avenue, owned by Theodore J. Horn in the form annexed hereto and made a part hereof.

MOVED:  
SECONDED:

AND ADOPTED UPON THE FOLLOWING ROLE CALL:

AYES:  
NAYES:  
ABSENT:  
ABSTAIN:

ANSELL ZARO  
GRIMM & AARON  
A PROFESSIONAL CORPORATION  
CONSULTORS AT LAW  
1500 LAWRENCE AVENUE  
CN 7807  
OCEAN, N.J. 07712  
17321 917-1900

\\azgadc\Shared\USERS\jr\Long Branch\Discharge of Mortgages\Horn\Form Amended Dis. of Mort.Horn.doc

R# 100-07

RESOLUTION

WHEREAS, the City of Long Branch desires to apply for and obtain a grant from the New Jersey Department of Community Affairs, Neighborhood Preservation Balanced Housing Program for an amount not to exceed the maximum amount allowed in accordance with N.J.A.C. 5:14 for the purpose of the rehabilitation and new construction of affordable rental housing for families as part of the Garfield Court housing development to be developed by Pennrose Properties, LLC;

BE IT THEREFORE RESOLVED, that the City of Long Branch does hereby authorize the application for and the execution of a contract for the receipt of such a grant from the New Jersey Department of Community Affairs and the New Jersey Housing and Mortgage Finance Agency and does further, upon the execution of such a contract, authorize the expenditure of such funds pursuant to the terms of said contract between the City of Long Branch and the New Jersey Department of Community Affairs/New Jersey Housing and Mortgage Finance Agency.

BE IT FURTHER RESOLVED that the City of Long Branch does hereby commit to this project a Payment In Lieu of Taxes Agreement and a waiver of building permit fees for the Garfield Court Project. The Payment in Lieu of Taxes Agreement may be pursuant to the Long Term Tax Exemption Law, N.J.S.A. 40A:20-1, et seq., or Section 37 of the New Jersey Housing and Mortgage Finance Agency Law of 1983 (N.J.S.A. 55:14K-1 et seq.), such determination to be made by the authorized officers of the City of Long Branch, provided, however, that the City of Long Branch shall be authorized to enter into Payment in Lieu of Taxes Agreements with Pennrose Properties, LLC, the developer of the Project, or its nominee, under both programs if such officers so decide.

BE IT FURTHER RESOLVED that the persons whose names, titles, and signatures appear below are authorized to sign the application and that they or their successors in said titles are authorized to sign all contracts, applications and any other documents necessary in connection therewith:

SIGNED _____	SIGNED _____
(Name)	(Name)
_____	_____
(Title)	(Title)

ANSELL ZARO  
GRIMM & AARON  
A PROFESSIONAL CORPORATION  
CORPENTERS AT LAW  
1500 LAWRENCE AVENUE  
P.O. BOX 7807  
OCEAN, N.J. 07712  
732-982-1000

PHI 316176584v1

APPLICATION FOR LONG-TERM TAX ABATEMENT  
PURSUANT TO THE LONG TERM TAX EXEMPTION LAW,  
N.J.S.A. 40A:20-1 et seq

GARFIELD COURT HOUSING URBAN RENEWAL ASSOCIATES, L.L.C., a New Jersey limited liability company, hereby applies for a Long-Term Tax Abatement pursuant to the New Jersey Long Term Tax Exemption Law provided at 40A:20-1 et. seq. with respect to the development known as GARFIELD COURT.

SECTION I. DEVELOPER INFORMATION

Name of Developer: Garfield Court Housing Urban Renewal Associates, L.L.C.

Address of Developer: c/o Pennrose Properties, LLC, One Brewery Park, 1301 North 31<sup>st</sup> Street, Philadelphia, PA 19121

Telephone Number: (267) 386-8600 Fax Number (267) 386-8650

Type of Organization \_\_\_\_\_ Non-profit  
\_\_\_\_\_ For-profit  
X \_\_\_\_\_ Urban Renewal Limited Liability Company

Garfield Court Housing Urban Renewal Associates, L.L.C. was approved as an "urban renewal" entity under the Long Term Tax Exemption Law by the New Jersey Department of Community Affairs on \_\_\_\_\_, 2007.

SECTION II. PROJECT-RELATED INFORMATION

Address of Project: Rockwell Avenue and Central Avenue  
Long Branch, Monmouth County, New Jersey 07740

Block Number: \_\_\_\_\_ Lot Numbers: \_\_\_\_\_  
314 4

Type of Construction

X \_\_\_\_\_ New Construction Anticipated Start Date: January, 2008  
\_\_\_\_\_ Substantial Rehabilitation Anticipated Date of  
\_\_\_\_\_ Conversion Completion: January, 2009  
\_\_\_\_\_ Other \_\_\_\_\_

SECTION III – Requirements of Application: N.J.S.A. 40A:20-8.

I. General statement of the nature of the proposed project:

Garfield Court will be comprised of 67 rental units to be developed utilizing Low Income Housing Tax Credits. The unit mix includes a variety of bedroom rental units to be constructed on the site of an existing public housing development owned and operated by the City of Long Branch Housing Authority. The project site is located within the north central portion of the City of Long Branch. The 65 rental units will be constructed in thirteen (13) buildings. The 65 rental units will be leased exclusively to tenants whose incomes are at or below eighty percent (80%) of the area median income, and so qualifies as a "low and moderate income housing project" under the provisions of the New Jersey Long Term Tax Exemption Act.

The existing Garfield Court, which will be demolished in order to make way for the new construction project, is a 134-unit public housing development.

The Garfield Court redevelopment is part of a greater effort to dramatically improve the surrounding neighborhood. For over 60 years, Garfield Court sat within a neighborhood of other public housing interspersed with private homes. Though some of the owner-occupied housing is well-maintained and stable, the neighborhood reflects the distress of many units that are not.

Garfield Court represents a key third phase of the City of Long Branch Housing Authority's revitalization initiative that is being undertaken by the City of Long Branch Housing Authority together with its chosen developer, Pennrose Properties, LLC. The Garfield Court redevelopment follows the Seaview Manor and Grant Court developments and is part of a proposed multi-phase unit revitalization project to include four affordable rental developments plus homeownership units which will be made available to households earning up to eighty percent (80%) of the area median income, as well as proposed market-rate homeownership units.

The Garfield Court site is currently owned by the City of Long Branch Housing Authority. It will be ground leased to Garfield Court Housing Urban Renewal Associates, L.L.C., a New Jersey limited liability company that was formed by Pennrose Properties, LLC, and which will own the units. Garfield Court Housing Urban Renewal Associates, L.L.C. was qualified as an "urban renewal" entity under the Long Term Tax Exemption Law on \_\_\_\_\_, 2007. The managing member of Garfield Court Housing Urban Renewal Associates, L.L.C. is Pennrose GP, LLC, an affiliate of Pennrose Properties, LLC. Garfield Court Housing Urban Renewal Associates, L.L.C. will admit investor non-managing member entities owned by CharterMac Capital, LLC in connection with the Low Income Housing Tax Credit syndication of Garfield Court Housing Urban Renewal Associates, L.L.C. Site control will be held by Garfield Court Housing Urban Renewal Associates, L.L.C. under a long-term ground lease with a ninety-year term with the City of Long Branch Housing Authority as the lessor. Pennrose Properties, LLC will act as the developer of the sixty-seven (67) rental units and Wallace Roberts & Todd (WRT) will serve as the project's architect. The development team boasts a group of seasoned professionals with a breadth and depth of experience in the highest-quality affordable housing development.

II. Statement that the Project Conforms to Applicable Municipal Ordinances

Garfield Court is being constructed according to the applicable ordinances of the City of Long Branch, New Jersey. The City of Long Branch has previously determined that, due to the fact that the project site is currently and will be owned in fee simple title by the City of Long Branch Housing Authority, no City site plan approval is required for the redevelopment of Garfield Court.

See copy of letter from City Planning Director attached as Exhibit 1.

III. Statement that the Project Accords with the Redevelopment Plan of the Municipality

Garfield Court will be a low and moderate income housing project under the Long Term Tax Exemption Law and so under that statute does not have to be located within a redevelopment area to qualify for the Tax Abatement.

IV. If the Project is a Relocation Housing Project, the project must provide for the relocation of residents displaced or to be displaced.

The existing Garfield Court apartments consist of 134 rental units owned and is operated by the City of Long Branch Housing Authority. The City of Long Branch Housing Authority is in the process of relocating all of the former residents of the Garfield Court apartments pursuant to a Relocation Plan that was reviewed and approved by the United States Department of Housing and Urban Development. Relocation of the former Garfield Court residents is expected to be completed by the City of Long Branch Housing Authority by December, 2007.

V. If the Project is a Low and Moderate Income Housing Project, the housing units must be restricted to occupation by low and moderate income households.

The sixty-seven (67) new rental units at Garfield Court will be leased exclusively to tenants whose annual income is at or below eighty percent (80%) of the area median income.

VI. A Description of the Proposed Project outlining the area included and a description of each unit and setting forth architectural and site plans.

Garfield Court will be constructed upon the site of the former Garfield Court apartments public housing development in Long Branch, New Jersey. It is located along Rockwell Avenue and Central Avenue in the City of Long Branch and consists of Block 314, Lot 4, as shown on the tax maps of the City of Long Branch.

See copy of tax map(s) showing the project's location as Exhibit 2.

The rental units in Garfield Court will be a combination of bedroom sizes.

See copy of architectural and site plans for the project as Exhibit 3.

VII. A Cost Statement prepared by an Architect or Engineer, including the cost of each Unit.

See attached cost statement as Exhibit 4.

VIII. The Sources, Methods and Amount of Money Subscribed through Private Capital and the Consideration Received for that Capital.

Garfield Court's proposed costs and funding sources are as follows:

<u>DEVELOPMENT BUDGET</u>		<u>FUNDING SOURCES</u>	
Land/Building Cost	\$ <u>227,500</u>	LIHTC Equity	\$ <u>13,283,700</u>
Construction Cost	\$ <u>16,741,725</u>	Home Express/NJHMFA	\$ <u>2,768,700</u>
Professional Fees	\$ <u>2,651,927</u>	LBHA Loan	\$ <u>4,137,851</u>
Carrying Costs/Fees	\$ <u>449,099</u>		\$ _____
Marketing/ Advertising	\$ <u>120,000</u>		\$ _____
TOTAL DEVELOPMENT COSTS	\$ <u>20,190,251</u>	TOTAL FUNDING SOURCES	\$ <u>20,190,251</u>

Low Income Housing Tax Credit equity will be obtained through a syndication of 99.99% of the membership interests of Garfield Court Housing Urban Renewal Associates, L.L.C. to affiliates of CharterMac Capital, LLC. In return, CharterMac Capital, LLC and its affiliates will be making a series of equity contributions to Garfield Court Housing Urban Renewal Associates, L.L.C. that will total \$13,283,700.

IX. A Fiscal Plan for the Project, setting out Annual Gross Revenue, Expenditures for Operation and Maintenance, Interest, Amortization of Debts and Reserves and Payments to the Municipality under the Finance Agreement.

A. ANNUAL INCOME & OPERATING SCHEDULES

Type of Units	Number of Units	Square Footage	Utility Allowance	Monthly Rent	Annual Rent
1 BR	5	756-877	106	192	\$11,520
1 BR	1	756-877	106	815	\$9,780
2 BR	26	1074-1479	147	151	\$47,112
2 BR	3	1074-1479	147	958	\$34,488
3 BR	26	1277-1389	179	119	\$35,700
3 BR	3	1277-1389	179	1099	\$39,564
4 BR	2	1489	211	87	\$2,088
4 BR	1	1489	211	1214	\$14,568
<b>Total</b>	<b>67*</b>				<b>\$194,820</b>

EXPENSES	
Administrative	23,265
Salaries	87,000
Maintenance & Repairs	11,280
Maintenance Contracts	45,420
Property Management	35,100
Real Estate Taxes	11,623
Insurance	33,253
Utilities	26,500
Social Service Provider	15,000
Reserves	22,050
Other	
<b>TOTAL EXPENSES</b>	<b>\$ 310,491</b>

\* Please note that though there are 29 three-bedroom units, one will be reserved for a superintendent and will, therefore, not be an income-producing unit.

B. ESTIMATED ANNUAL SERVICE CHARGE CALCULATION

a. Annual Revenue	\$ <u>194,820</u>
b. Less: Vacancy Factor Amount (a * 5%)	\$ <u>9,741</u>
c. Equals: Net Income (a-b)	\$ <u>185,079</u>
d. Annual Abatement Percentage Required (cannot exceed 15%)	x <u>6.28%</u>
e. Annual Amount of Payment in Lieu of Taxes (c * d)	\$ <u>11,623</u>
Term of abatement requested (cannot exceed 30 years):	<u>30 years</u>

The annual abatement percentage is 6.28% as this is what is required by the New Jersey Housing and Mortgage Finance Agency under its rules for the Low Income Housing Tax Credit program.

X. Form of Proposed Tax Abatement Agreement

Attached is a form of proposed Tax Abatement Agreement that has been utilized by Pennrose Properties, LLC in numerous developments throughout New Jersey and is substantially the same as the one Pennrose Properties, LLC used and was approved by the City of Long Branch for the Seaview Manor and Grant Court redevelopment.

See attached proposed form of Tax Abatement Agreement as Exhibit 5.

SECTION V. DEVELOPER CERTIFICATION

I certify that the proposed development conforms or will conform to all applicable municipal ordinances, and that the project accords with the redevelopment plan and master plan of the municipality (if applicable) or otherwise that the housing units are restricted to occupation by low and moderate income households. I further certify that the foregoing information is true. I am aware that if any of the information provided by me is willfully false, I will be penalized.

GARFIELD COURT HOUSING URBAN RENEWAL  
ASSOCIATES, L.L.C.,  
a New Jersey limited liability company

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

\_\_\_\_\_, 2007  
Date:

Timothy I. Henkel  
Print Name

Vice-President, Pennrose GP, L.L.C., Managing Member  
Title

Exhibits

- Exhibit 1 - Letter from City Planning Director
- Exhibit 2 - Tax Maps of the Project Site
- Exhibit 3 - Architectural and Site Plans
- Exhibit 4 - Architect or Engineer Cost Statement
- Exhibit 5 - Form of Proposed Tax Abatement Agreement

R# 100-07

**RESOLUTION**

WHEREAS, the City of Long Branch desires to apply for and obtain a grant from the New Jersey Department of Community Affairs, Neighborhood Preservation Balanced Housing Program for an amount not to exceed the maximum amount allowed in accordance with N.J.A.C. 5:14 for the purpose of the rehabilitation and new construction of affordable rental housing for families as part of the Garfield Court housing development to be developed by Pennrose Properties, LLC;

**BE IT THEREFORE RESOLVED**, that the City of Long Branch does hereby authorize the application for and the execution of a contract for the receipt of such a grant from the New Jersey Department of Community Affairs and the New Jersey Housing and Mortgage Finance Agency and does further, upon the execution of such a contract, authorize the expenditure of such funds pursuant to the terms of said contract between the City of Long Branch and the New Jersey Department of Community Affairs/New Jersey Housing and Mortgage Finance Agency.

**BE IT FURTHER RESOLVED** that the City of Long Branch does hereby commit to this project a Payment In Lieu of Taxes Agreement and a waiver of building permit fees for the Garfield Court Project. The Payment in Lieu of Taxes Agreement may be pursuant to the Long Term Tax Exemption Law, N.J.S.A. 40A:20-1, et seq., or Section 37 of the New Jersey Housing and Mortgage Finance Agency Law of 1983 (N.J.S.A. 55:14K-1 et seq.), such determination to be made by the authorized officers of the City of Long Branch, provided, however, that the City of Long Branch shall be authorized to enter into Payment in Lieu of Taxes Agreements with Pennrose Properties, LLC, the developer of the Project, or its nominee, under both programs if such officers so decide.

**BE IT FURTHER RESOLVED** that the persons whose names, titles, and signatures appear below are authorized to sign the application and that they or their successors in said titles are authorized to sign all contracts, applications and any other documents necessary in connection therewith:

SIGNED _____	SIGNED _____
(Name)	(Name)
_____	_____
(Title)	(Title)

ANSELL ZARO  
GRIMM & AARON  
A PROFESSIONAL CORPORATION  
COMMERCIAL REAL ESTATE  
1500 LAWRENCE AVENUE  
CN 7807  
OCEAN, N.J. 07712  
17321 822-1000

APPLICATION FOR LONG-TERM TAX ABATEMENT  
PURSUANT TO THE LONG TERM TAX EXEMPTION LAW,  
N.J.S.A. 40A:20-1 et seq

GARFIELD COURT HOUSING URBAN RENEWAL ASSOCIATES, L.L.C., a New Jersey limited liability company, hereby applies for a Long-Term Tax Abatement pursuant to the New Jersey Long Term Tax Exemption Law provided at 40A:20-1 et. seq. with respect to the development known as GARFIELD COURT.

SECTION I. DEVELOPER INFORMATION

Name of Developer: Garfield Court Housing Urban Renewal Associates, L.L.C.

Address of Developer: c/o Pennrose Properties, LLC; One Brewery Park, 1301 North 31<sup>st</sup> Street, Philadelphia, PA 19121

Telephone Number: (267) 386-8600 Fax Number (267) 386-8650

Type of Organization \_\_\_\_\_ Non-profit  
\_\_\_\_\_ For-profit  
X \_\_\_\_\_ Urban Renewal Limited Liability Company

Garfield Court Housing Urban Renewal Associates, L.L.C. was approved as an "urban renewal" entity under the Long Term Tax Exemption Law by the New Jersey Department of Community Affairs on \_\_\_\_\_, 2007.

SECTION II. PROJECT-RELATED INFORMATION

Address of Project: Rockwell Avenue and Central Avenue  
Long Branch, Monmouth County, New Jersey 07740

Block Number: \_\_\_\_\_ Lot Numbers: \_\_\_\_\_  
314 4

Type of Construction

X \_\_\_\_\_ New Construction Anticipated Start Date: January, 2008  
\_\_\_\_\_ Substantial Rehabilitation Anticipated Date of  
\_\_\_\_\_ Conversion Completion: January, 2009  
\_\_\_\_\_ Other \_\_\_\_\_

SECTION III – Requirements of Application: N.J.S.A. 40A:20-8.

I. General statement of the nature of the proposed project:

Garfield Court will be comprised of 67 rental units to be developed utilizing Low Income Housing Tax Credits. The unit mix includes a variety of bedroom rental units to be constructed on the site of an existing public housing development owned and operated by the City of Long Branch Housing Authority. The project site is located within the north central portion of the City of Long Branch. The 65 rental units will be constructed in thirteen (13) buildings. The 65 rental units will be leased exclusively to tenants whose incomes are at or below eighty percent (80%) of the area median income, and so qualifies as a "low and moderate income housing project" under the provisions of the New Jersey Long Term Tax Exemption Act.

The existing Garfield Court, which will be demolished in order to make way for the new construction project, is a 134-unit public housing development.

The Garfield Court redevelopment is part of a greater effort to dramatically improve the surrounding neighborhood. For over 60 years, Garfield Court sat within a neighborhood of other public housing interspersed with private homes. Though some of the owner-occupied housing is well-maintained and stable, the neighborhood reflects the distress of many units that are not.

Garfield Court represents a key third phase of the City of Long Branch Housing Authority's revitalization initiative that is being undertaken by the City of Long Branch Housing Authority together with its chosen developer, Pennrose Properties, LLC. The Garfield Court redevelopment follows the Seaview Manor and Grant Court developments and is part of a proposed multi-phase unit revitalization project to include four affordable rental developments plus homeownership units which will be made available to households earning up to eighty percent (80%) of the area median income, as well as proposed market-rate homeownership units.

The Garfield Court site is currently owned by the City of Long Branch Housing Authority. It will be ground leased to Garfield Court Housing Urban Renewal Associates, L.L.C., a New Jersey limited liability company that was formed by Pennrose Properties, LLC, and which will own the units. Garfield Court Housing Urban Renewal Associates, L.L.C. was qualified as an "urban renewal" entity under the Long Term Tax Exemption Law on \_\_\_\_\_, 2007. The managing member of Garfield Court Housing Urban Renewal Associates, L.L.C. is Pennrose GP, LLC, an affiliate of Pennrose Properties, LLC. Garfield Court Housing Urban Renewal Associates, L.L.C. will admit investor non-managing member entities owned by CharterMac Capital, LLC in connection with the Low Income Housing Tax Credit syndication of Garfield Court Housing Urban Renewal Associates, L.L.C. Site control will be held by Garfield Court Housing Urban Renewal Associates, L.L.C. under a long-term ground lease with a ninety-year term with the City of Long Branch Housing Authority as the lessor. Pennrose Properties, LLC will act as the developer of the sixty-seven (67) rental units and Wallace Roberts & Todd (WRT) will serve as the project's architect. The development team boasts a group of seasoned professionals with a breadth and depth of experience in the highest-quality affordable housing development.

II. Statement that the Project Conforms to Applicable Municipal Ordinances

Garfield Court is being constructed according to the applicable ordinances of the City of Long Branch, New Jersey. The City of Long Branch has previously determined that, due to the fact that the project site is currently and will be owned in fee simple title by the City of Long Branch Housing Authority, no City site plan approval is required for the redevelopment of Garfield Court.

See copy of letter from City Planning Director attached as Exhibit 1.

III. Statement that the Project Accords with the Redevelopment Plan of the Municipality

Garfield Court will be a low and moderate income housing project under the Long Term Tax Exemption Law and so under that statute does not have to be located within a redevelopment area to qualify for the Tax Abatement.

IV. If the Project is a Relocation Housing Project, the project must provide for the relocation of residents displaced or to be displaced.

The existing Garfield Court apartments consist of 134 rental units owned and is operated by the City of Long Branch Housing Authority. The City of Long Branch Housing Authority is in the process of relocating all of the former residents of the Garfield Court apartments pursuant to a Relocation Plan that was reviewed and approved by the United States Department of Housing and Urban Development. Relocation of the former Garfield Court residents is expected to be completed by the City of Long Branch Housing Authority by December, 2007.

V. If the Project is a Low and Moderate Income Housing Project, the housing units must be restricted to occupation by low and moderate income households.

The sixty-seven (67) new rental units at Garfield Court will be leased exclusively to tenants whose annual income is at or below eighty percent (80%) of the area median income.

VI. A Description of the Proposed Project outlining the area included and a description of each unit and setting forth architectural and site plans.

Garfield Court will be constructed upon the site of the former Garfield Court apartments public housing development in Long Branch, New Jersey. It is located along Rockwell Avenue and Central Avenue in the City of Long Branch and consists of Block 314, Lot 4, as shown on the tax maps of the City of Long Branch.

See copy of tax map(s) showing the project's location as Exhibit 2.

The rental units in Garfield Court will be a combination of bedroom sizes.

See copy of architectural and site plans for the project as Exhibit 3.

VII. A Cost Statement prepared by an Architect or Engineer, including the cost of each Unit.

See attached cost statement as Exhibit 4.

VIII. The Sources, Methods and Amount of Money Subscribed through Private Capital and the Consideration Received for that Capital.

Garfield Court's proposed costs and funding sources are as follows:

<u>DEVELOPMENT BUDGET</u>		<u>FUNDING SOURCES</u>	
Land/Building Cost	\$ <u>227,500</u>	LIHTC Equity	\$ <u>13,283,700</u>
Construction Cost	\$ <u>16,741,725</u>	Home Express/NJHMFA	\$ <u>2,768,700</u>
Professional Fees	\$ <u>2,651,927</u>	LBHA Loan	\$ <u>4,137,851</u>
Carrying Costs/Fees	\$ <u>449,099</u>		\$ _____
Marketing/ Advertising	\$ <u>120,000</u>		\$ _____
TOTAL DEVELOPMENT COSTS	\$ <u>20,190,251</u>	TOTAL FUNDING SOURCES	\$ <u>20,190,251</u>

Low Income Housing Tax Credit equity will be obtained through a syndication of 99.99% of the membership interests of Garfield Court Housing Urban Renewal Associates, L.L.C. to affiliates of CharterMac Capital, LLC. In return, CharterMac Capital, LLC and its affiliates will be making a series of equity contributions to Garfield Court Housing Urban Renewal Associates, L.L.C. that will total \$13,283,700.

IX. A Fiscal Plan for the Project, setting out Annual Gross Revenue, Expenditures for Operation and Maintenance, Interest, Amortization of Debts and Reserves and Payments to the Municipality under the Finance Agreement.

A. ANNUAL INCOME & OPERATING SCHEDULES

Type of Units	Number of Units	Square Footage	Utility Allowance	Monthly Rent	Annual Rent
1 BR	5	756-877	106	192	\$11,520
1 BR	1	756-877	106	815	\$9,780
2 BR	26	1074-1479	147	151	\$47,112
2 BR	3	1074-1479	147	958	\$34,488
3 BR	26	1277-1389	179	119	\$35,700
3 BR	3	1277-1389	179	1099	\$39,564
4 BR	2	1489	211	87	\$2,088
4 BR	1	1489	211	1214	\$14,568
Total	67*				\$194,820

EXPENSES	
Administrative	23,265
Salaries	87,000
Maintenance & Repairs	11,280
Maintenance Contracts	45,420
Property Management	35,100
Real Estate Taxes	11,623
Insurance	33,253
Utilities	26,500
Social Service Provider	15,000
Reserves	22,050
Other	
<b>TOTAL EXPENSES</b>	<b>\$ 310,491</b>

\* Please note that though there are 29 three-bedroom units, one will be reserved for a superintendent and will, therefore, not be an income-producing unit.

B. ESTIMATED ANNUAL SERVICE CHARGE CALCULATION

a. Annual Revenue	\$ <u>194,820</u>
b. Less: Vacancy Factor Amount (a * 5%)	\$ <u>9,741</u>
c. Equals: Net Income (a-b)	\$ <u>185,079</u>
d. Annual Abatement Percentage Required (cannot exceed 15%)	x <u>6.28%</u>
e. Annual Amount of Payment in Lieu of Taxes (c * d)	\$ <u>11,623</u>

Term of abatement requested (cannot exceed 30 years): 30 years

The annual abatement percentage is 6.28% as this is what is required by the New Jersey Housing and Mortgage Finance Agency under its rules for the Low Income Housing Tax Credit program.

X. Form of Proposed Tax Abatement Agreement

Attached is a form of proposed Tax Abatement Agreement that has been utilized by Pennrose Properties, LLC in numerous developments throughout New Jersey and is substantially the same as the one Pennrose Properties, LLC used and was approved by the City of Long Branch for the Seaview Manor and Grant Court redevelopment.

See attached proposed form of Tax Abatement Agreement as Exhibit 5.

SECTION V. DEVELOPER CERTIFICATION

I certify that the proposed development conforms or will conform to all applicable municipal ordinances, and that the project accords with the redevelopment plan and master plan of the municipality (if applicable) or otherwise that the housing units are restricted to occupation by low and moderate income households. I further certify that the foregoing information is true. I am aware that if any of the information provided by me is willfully false, I will be penalized.

GARFIELD COURT HOUSING URBAN RENEWAL  
ASSOCIATES, L.L.C.,  
a New Jersey limited liability company

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

\_\_\_\_\_, 2007  
Date:

Timothy I. Henkel  
Print Name

Vice-President, Pennrose GP, L.L.C., Managing Member  
Title

Exhibits

- Exhibit 1 - Letter from City Planning Director
- Exhibit 2 - Tax Maps of the Project Site
- Exhibit 3 - Architectural and Site Plans
- Exhibit 4 - Architect or Engineer Cost Statement
- Exhibit 5 - Form of Proposed Tax Abatement Agreement

R# 101-01

RESOLUTION OF NEED FROM MUNICIPALITY

WHEREAS, Pennrose Properties, LLC (hereinafter referred to as the "Sponsor") proposes to construct a sixty-seven (67) unit affordable housing project (hereinafter referred to as the "project") pursuant to the provisions of the New Jersey Housing and Mortgage Finance Agency Law of 1983, as amended (N.J.S.A. 55:14K-1 et seq.), the rules promulgated thereunder at N.J.A.C. 5:80-1.1 et seq., and all applicable guidelines promulgated thereunder (the foregoing hereinafter collectively referred to as the "HMFA Requirements") within the City of Long Branch (hereinafter referred to as the "Municipality") on a site described as Lot 4, Block 314 as shown on the Official Assessment Map of the City of Long Branch, Monmouth County and commonly known as Garfield Court, New Jersey; and

WHEREAS, the Project will be subject to the HMFA Requirements and the mortgage and other loan documents executed between the Sponsor and the New Jersey Housing and Mortgage Finance Agency (hereinafter referred to as the "Agency"); and

WHEREAS, pursuant to the HMFA Requirements, the governing body of the Municipality hereby determines that there is a need for this housing project in the Municipality.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Long Branch (the "Council") that:

- (1) The Council finds and determines that the Garfield Court 67 unit affordable rental Project proposed by the Sponsor meets or will meet an existing housing need;
- (2) The Council does hereby adopt the within Resolution and makes the determination and findings herein contained by virtue of, pursuant to, and in conformity with the provisions of the HMFA Law to enable the Agency to process the Sponsor's application for Agency funding to finance the Project.

THIS RESOLUTION IS ADOPTED AS OF THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2007 by the Council of the City of Long Branch, New Jersey.

ANSELL ZARO  
GRIMM & AARON  
A PROFESSIONAL CORPORATION  
ATTORNEYS AT LAW  
1500 LAWRENCE AVENUE  
CM 7807  
OCEAN NJ 07712  
(732) 327-1000

\_\_\_\_\_

FINANCIAL AGREEMENT PURSUANT TO THE LONG  
TERM TAX EXEMPTION LAW,  
N.J.S.A. 40a:20-1, et seq.  
BETWEEN THE CITY OF LONG BRANCH AND  
GARFIELD COURT HOUSING URBAN RENEWAL ASSOCIATES, L.L.C.

THIS FINANCIAL AGREEMENT (hereinafter, the "Agreement"), is made as of this day of \_\_\_\_\_ 2007, between GARFIELD COURT HOUSING URBAN RENEWAL ASSOCIATES, L.L.C., an urban renewal limited liability company of the State of New Jersey, having its principal office at c/o Pennrose Properties, LLC, 230 Wyoming Avenue, Kingston, PA 18704, herein designated as the "Entity," and the CITY OF LONG BRANCH, a municipal corporation in the County of Long Branch and the State of New Jersey, hereinafter designated as the "City."

WITNESSETH:

In consideration of the mutual covenants herein contained and for other good and valuable consideration, it is mutually covenanted and agreed as follows:

1. This Agreement shall be governed by the provisions of the Long Term Tax Exemption Law, as amended and supplemented, N.J.S.A. 40A:20-1, et seq. (the "Law"). It is expressly understood and agreed that the City relies upon the facts, data, and representations contained in the Application of the Entity project for Tax Abatement pursuant to the Long Term Tax Exemption Law, 40A:20-1, et seq., (hereinafter, the "Application") attached hereto as Exhibit "1." The Entity shall at all times prior to the expiration or other termination of this Agreement remain bound by the provisions of the Law. Operation under this Agreement shall be terminable by the Entity in the manner provided by the Law.

2. The City has granted and does hereby grant its approval for an urban renewal project, the nature, magnitude and description of which is disclosed below and in the accompanying Application, to be built under the provisions of the Law on the land described in said Application located at Block 314, Lot 4 in the City of Long Branch, New Jersey (hereinafter, the "Project"). The City finds that the redevelopment of the Project creates a substantial benefit to the City when compared to costs, if any, associated with the tax exemption granted herein and, further finds that such tax exemption is of significant importance in obtaining the development of the Project and in influencing the locational decisions of probable occupants of the Project. A summary of the Project follows:

(a) The Project is a sixty-three (63) rental unit Low Income Housing Tax Credit project, comprised of a mix of one, two, three, and four bedroom rental units located on the former site of a public housing development owned and operated by the City of Long Branch Housing Authority. The Project site is located within the north central portion of the City of Long Branch. The 63 rental units will be located in \_\_\_\_\_ buildings that will be a mixture of duplexes, townhouses, and flat style dwellings. The 63 rental units will be leased exclusively to tenants whose incomes are at or below eighty percent (80%) of the area median income, and so qualifies as a "low and moderate income housing project" under the provisions of the New Jersey Long Term Tax Exemption Act and will be maintained as a low and moderate income housing project for a period of thirty (30) years from the completion of construction.

(b) The Project is part of a greater effort to dramatically improve the surrounding neighborhood. For 60 years, Garfield Court sat within a neighborhood of other public housing mixed-in with private homes. Though some of the owner-occupied housing is well-maintained and stable, the neighborhood reflects the distress of those units that are not. The

Project represents the third step in the described community revitalization that is being undertaken by the City of Long Branch Housing Authority together with its chosen developer, Pennrose Properties, LLC. The Project is a key component of a proposed 141 unit revitalization project to include other affordable rental and homeownership units to be made available only to households earning up to eighty percent (80%) of the area median income.

(c) The Garfield Court site is currently owned by the City of Long Branch Housing Authority. It will be ground leased to the Entity, which is a New Jersey limited liability company that was formed by Pennrose Properties, LLC, and which will own the 63 rental units. The Entity was qualified as an "urban renewal" entity under the Law in \_\_\_\_\_, 2007. The managing member of the Entity is Pennrose GP, LLC, an affiliate of Pennrose Properties, LLC. The Entity will admit investor non-managing member entities owned by CharterMac Capital, LLC in connection with the Low Income Housing Tax Credit syndication of the Entity and Project. The ground lease will be for a ninety year term. Pennrose Properties, LLC will act as the developer of the 63 rental units and Wallace Roberts & Todd will serve as the project's architect. The development team boasts a group of seasoned professionals with a breadth and depth of experience in the highest-quality affordable housing development.

(d) The Project's proposed sources and uses is set forth on Exhibit "A" attached hereto and incorporated herein.

(e) The Project's proposed operating expenses are set forth on Exhibit "B" attached hereto and incorporated herein.

3. Approval hereunder is granted to the Entity for the undertaking of the Project on the lands referred to above, which shall in all respects comply and conform to all applicable statutes and municipal ordinances, and the lawful regulations made pursuant thereto, governing

land, building(s) and the use thereof, and which Project is more particularly described herein and in the accompanying Application.

4. The Project to be constructed by the Entity shall be exempt from taxation on its improvements in accordance with the provisions of the Law and in the manner provided by this Agreement for a term of thirty (30) years from the completion of the entire Project but not more than thirty-five (35) years from the execution of this Agreement, and only so long as the Entity and the Project remain subject to the provisions of the Law and complies with this Agreement.

5. In consideration of the aforesaid exemption from taxation on improvement(s), the Entity, its successors and assigns shall make payment to the City of an annual service charge of a sum equal to six and 28/100 percent (6.28%) for municipal services supplied to the Project (hereinafter the "Annual Service Charge") of the annual gross revenue determined pursuant to N.J.S.A. 40A:20-1, et seq. calculated from the first day of the month following the substantial completion of the Project. There is hereby established a schedule of Annual Service Charges to be paid over the term of the thirty (30) year exemption period which shall be in stages as follows:

(a) For the first stage of the exemption period, commencing upon substantial completion of the Project and for the fifteen (15) years thereafter (the "Commencement Date"), the Entity shall pay the City an Annual Service Charge equal to six and 28/100 percent (6.28%) of the annual gross revenue.

For the remainder of the period of the exemption, the Annual Service Charge shall be determined as follows:

(b) For the second stage of the exemption period, which shall be for years sixteen (16) through twenty (20) of the exemption period, the Entity shall pay the City an amount equal to either the amount determined pursuant to Paragraph 5(a) of this Agreement or twenty

percent (20%) of the amount of taxes otherwise due on the value of the land and improvements, whichever shall be greater;

(c) For the third stage of the exemption period, which shall be for years twenty-one (21) through twenty-five (25) of the exemption period, the Entity shall pay the City an amount equal to either the amount determined pursuant to Paragraph 5(a) of this Agreement or forty percent (40%) of the amount of taxes otherwise due on the value of the land and improvements, whichever shall be greater;

(d) For the fourth stage of the exemption period, which shall be for years twenty-six (26) through twenty-eight (28) of the exemption period, the Entity shall pay the City an amount equal to either the amount determined pursuant to Paragraph 5(a) of this Agreement or sixty percent (60%) of the amount of taxes otherwise due on the value of the land and improvements, whichever shall be greater;

(e) For the final stage of the exemption period, which shall be for years twenty-nine (29) through thirty (30) of the exemption period, the Entity shall pay the City an amount equal to either the amount determined pursuant to Paragraph 5(a) of this Agreement or eighty percent (80%) of the amount of taxes otherwise due on the value of the land and improvements, whichever shall be greater.

The Annual Service Charge shall be paid to the City on a quarterly basis in a manner consistent with the City's tax collection schedule.

Against the Annual Service Charge the Entity shall be entitled to credit for the amount, without interest, of the real estate taxes on the Project's land paid or that would have been due by it or by the owner of the Project's land in the last four (4) preceding quarterly installments. Notwithstanding the provisions of this section of the Agreement, the minimum Annual Service

Charge shall be the amount of the total taxes levied against all the real property covered by the Project in the last full tax year in which the area was subject to taxation, and the minimum Annual Service Charge shall be paid in each year in which the Annual Service Charge calculated pursuant to this section of the Agreement would be less than the minimum Annual Service Charge. Prior to the Commencement Date, the Entity shall pay real estate taxes based on the assessed value of the Project as of the date of this Agreement. The calculation of the proposed Annual Service Charge is set forth on Exhibit "C" attached hereto and incorporated herein.

6. The Annual Service Charge payments for the first year of tax exemption shall be made on a pro rata basis, from the date of commencement of the exemption to the close of that calendar year, and, for the last calendar year of the tax exemption, from the first day of the calendar year to the date of termination of the exemption. Upon the termination of the exemption granted pursuant to the provision of the Law, the Project and all improvements made thereto shall be assessed and subject to taxation as are other taxable properties in the City. After the date of termination, all restrictions and limitations upon the Entity shall terminate and be at an end upon the Entity's rendering its final accounting to and with the City.

7. In the event of a breach of the Agreement by either of the parties hereto, or a dispute arising between the parties in reference to the terms and provisions as set forth herein, either party may, pursuant to N.J.S.A. 40A:20-9f, to the rules of the American Arbitration Association for resolution by arbitration (the "AAA Rules"). The arbitration shall be before one neutral arbitrator to be selected in accordance with the AAA Rules and whose decision shall be rendered in writing. The results of the arbitration shall be final and binding upon the parties, with each party paying its own costs of the arbitration and 50% of the costs of the neutral arbitrator, and judgment on the award may be entered in any court having jurisdiction thereof. In

rendering the award, the arbitrator shall determine the rights and obligations of the parties according to the substantive and procedural laws of the State of New Jersey. The arbitration shall be held in Long Branch, New Jersey, or at such other place as may be selected by mutual agreement of the parties. The arbitrator shall have no authority to award punitive damages or any other damages not measured by the prevailing party's actual damages, and may not, in any event, make any ruling, finding or award that does not conform to the terms and conditions of this Agreement.

In the event of a default on the part of the Entity pursuant to its obligation to pay the Annual Service Charge as defined in Paragraphs 5 and 6 above, the City may terminate the tax abatement if the default is not remedied within ninety (90) days of the due date of the Annual Service Charge or in the alternative it reserves the right to proceed against the Entity's Project that is the subject of this Agreement, in the manner provided by N.J.S.A. 54:5-1 to 54:5-129 and any act supplementary or amendatory thereof, it being understood and agreed by the parties hereto that throughout N.J.S.A. 54:5-1 to 54:5-129 and any act supplementary or amendatory thereof, whenever the word "taxes" appears, or is applied, directly or impliedly to mean taxes or municipal liens on land, such statutory provision shall be read, as far as is pertinent to this Agreement, as if the Annual Service Charge were taxes or municipal liens on land. In any event, however, the Entity does not waive any defense it may have to contest the right of the City to proceed in the above-mentioned manner by conventional or in rem tax foreclosure.

8. It is agreed between the parties that the Entity, at any time after the expiration of one (1) year from the completion of the Project, may notify the City Council of the City that, as of a certain date designated in the notice, it relinquishes its status under the Law, and that the entity has obtained the consent of the Commissioner of the Department of Community Affairs to

such a relinquishment. As of that date, the tax exemption, the service charges, and the profit and dividend restrictions for the Entity shall terminate. The date of termination of tax exemption, whether by relinquishment by the Entity or by terms of this Agreement, shall be deemed to be the close of the fiscal year of the Entity. Within ninety (90) days of that date, the Entity shall pay to the City the amount of reserve, if any, maintained pursuant to section 15 or 16 of the Law, as well as the excess net profits, if any, payable as of that date.

9. The Entity shall be subject, during the period of this Agreement and tax exemption under the Law, to a limitation of its profits and in addition, in the case of a corporation, of the dividends payable by it. Whenever the net profits of the Entity for the period, taken as one accounting period, commencing on the date on which the construction of the Project is completed and terminating at the end of the last full fiscal year, shall exceed the allowable net profits for the period, the Entity shall, within ninety (90) days of the close of the fiscal year, pay the excess net profits to the City as an additional service charge. The Entity may maintain during the term of this Agreement a reserve for unpaid rentals, reasonable contingencies and/or vacancies in an amount not exceeding seven percent (7%) of the gross annual revenues of the Entity for the fiscal year preceding the year in which a determination is being made with respect to permitted net profits as provided in N.J.S.A. 40A:20-15. This seven percent (7%) reserve is established as required by the Low Income Housing Tax Credit regulations of the New Jersey Housing and Mortgage Finance Agency.

10. Within ninety (90) days after the date of such termination, the Entity shall pay the City a sum equal to the amount of the reserve, if any, maintained pursuant to N.J.S.A. 40A:20-15 and 40A:20-16, as well as the excess net profits, if any, payable as of that date.

11. The Entity shall submit annually, within ninety (90) days after the close of each of its fiscal years, its auditor's reports of income and expenses related to the Project to the Mayor and Municipal Council of the City and to the Director of Local Government Services in the Department of Community Affairs having a mailing address of CN-805, Trenton, NJ 08625-0805.

12. The Entity shall, upon request, permit inspection of the Project, equipment, buildings and other facilities of the Entity by authorized representatives of the City or the State of New Jersey. The Entity shall also permit examination and audit of its books, contracts, records, documents and papers by authorized representatives of the City or the State at the Entity's expense. Such inspection or examination shall be made during the reasonable hours of the business day, in the presence of an officer or agent of the Entity.

13. After examination of the books, contracts, etc. as set forth in Paragraph 12, the City, in its reasonable discretion, may, within ninety (90) days after the close of any fiscal or calendar year (depending on the Entity's accounting basis) in which this Agreement remains in effect, require the Entity to submit an auditor's report for the preceding fiscal or calendar year, certified by a certified public accountant, to the Mayor, the City Council, the Finance Director and the Clerk of the City. Said auditor's report shall include, but not be limited to, such details as may relate to the Project's cost and to the financial affairs of the Entity and to its operation and performance hereunder, pursuant to the Law, as amended and supplemented, and this Agreement, and shall be prepared in a manner consistent with the current standards of the Financial Accounting Standards Board. Said auditor's report shall be submitted to the representatives of the City mentioned above within 90 days of receipt by the Entity of the City's request for said auditor's report.

14. The failure on the part of the Entity to make timely payment of all municipal obligations, taxes, fees and charges arising out of this Agreement or in any way arising out of the affected Project, its land and/or improvements, or failure on the part of the Entity to comply with the requirements of the aforementioned audit, or with any other substantive condition of this Agreement shall permit the City to exercise such remedies as may be provided by the Law or this Agreement, provided that this Entity shall have received from the City a Notice of Default and Intent to Terminate, in which case the Entity shall have ninety (90) days in which to cure any default and avoid such termination.

15. Any notice required hereunder to be sent by either party to the other, shall be sent by certified mail, return receipt requested, or by a nationally recognized overnight delivery service, addressed as follows:

(a) When sent by the City to the Entity it shall be addressed to: Entity, c/o Pennrose Properties, LLC, One Brewery Park, 1301 North 31<sup>st</sup> Street, Philadelphia, Pennsylvania 19121, unless prior to giving such notice the Entity shall have notified the City otherwise in writing.

(b) When sent by the Entity to the City, it shall be addressed to the City Clerk, 344 Broadway, Long Branch, New Jersey 07740, unless prior to giving such notice the City shall have notified the Entity otherwise in writing.

16. It is understood and agreed that in the event the City shall be named as a party defendant in any action brought against the Entity by reason of any breach, default, or a violation of any of the provisions of this Agreement and/or the provisions of N.J.S.A. 40A:20-1, et seq., the Entity shall indemnify and hold the City harmless and shall further defend any such action at its own expense. Notwithstanding anything in the Agreement to the contrary, the Entity's

liability under this Agreement shall be limited to its interest in the Project. However, the City maintains the right to intervene as a party thereto, to which intervention the Entity consents, the expense thereof to be borne by the City.

17. The Entity shall have and may exercise such of the powers conferred by law on limited liability companies as shall be necessary for the operation of the business of the Entity and as shall be consistent with the provisions of the Law, and, in addition shall have and may exercise the powers set forth in the Law, but only so long as this Agreement, together with any amendments thereto, is in effect with the City pursuant to the Law.

18. The City consents to a sale of the Project by the Entity to another urban renewal entity organized pursuant to the Law, their successors, assigns, all owning no other project at the time of the transfer and that, upon assumption by the transferee urban renewal entity of the transferor's then remaining obligations under this Agreement, the tax exemption of the improvements of the Project shall continue and inure to the transferee urban renewal entity, its respective successors or assigns.

However, any change made in the ownership of the Project which, as determined by the City in its reasonable discretion, would materially affect the terms of this Agreement, shall render this Agreement voidable unless approved by the City Council by resolution. It is understood and agreed that the City may, on written application by the Entity, consent to a sale of the Project and the transfer of the Agreement to an urban renewal corporation or association eligible to function under the Law provided the Entity is not in default as respects any performance required of it hereunder and full compliance with the terms and conditions of N.J.S.A. 40A:20-1, et seq. has occurred and the Entity's obligation under this Agreement with the City is assumed by the transferee.

If the Entity has, with the consent of the City, transferred its Project to another urban renewal entity which has assumed the then remaining contractual obligations of the Entity with the City, the Entity shall be discharged from any further obligation under this Agreement, and shall be qualified to undertake another project with the same or a different municipality.

The City recognizes and acknowledges that the Entity is a New Jersey limited liability company and as such intends to sell membership interests in the Entity through syndication. The City specifically recognizes and consents to such syndication and sale or resale of membership interests in the Entity.

19. Where approval or consent of the City is sought for an assignment of the Agreement, either the Entity or its assignee shall be required to pay to the City a reasonable fee for the legal services of the City's Law Department, as determined by the Director of Law of the City, related to the review, preparation, and/or submission of papers to the City Council for its appropriate action on the request assignment.

20. Reference to the Long Term Exemption Law shall mean N.J.S.A. 40A:20-1, et seq., as amended and supplemented.

21. The Entity shall, from the time the Annual Service Charge becomes effective, and on the same due dates as scheduled for the payment of land taxes, pay the City the estimated 1/4 of the Annual Service Charge on the Project's improvements until the correct amount due from the Entity as the Annual Service Charge on the Project's improvements is determined after any review and examination by the City of the Entity's books and records and for submission to City of any auditor's reports pursuant to Paragraphs 12 and 13 above.

Within 90 days after the correct amount due from the Entity as the Annual Service Charge on the Project's improvements has been determined by the City's Finance Director and

notice of same given to the Entity, the City and the Entity will adjust and pay any over or under payment so made, or needed to be made.

22. All conditions in the Ordinance of the City Council approving this Agreement are hereby incorporated in this Agreement and made a part hereof.

[remainder of page intentionally left blank]

IN WITNESS WHEREOF, the parties have caused these presents to be executed the date and year first above written.

ATTEST/WITNESS:

GARFIELD COURT HOUSING URBAN  
RENEWAL ASSOCIATES, L.L.C.,  
a New Jersey limited liability company

By: Pennrose GP, LLC,  
a Pennsylvania limited liability company,  
as Managing Member

\_\_\_\_\_  
Name:

By: \_\_\_\_\_  
Name: Timothy I. Henkel  
Title: Vice President

ATTEST:

CITY OF LONG BRANCH,  
a New Jersey Municipal Corporation

\_\_\_\_\_  
Name:

By: \_\_\_\_\_  
Name:  
Title:

Exhibit "1"

Application

Exhibit "A"

Project Sources and Uses (Projected)

Garfield Court's proposed costs and funding sources are as follows:

<u>DEVELOPMENT BUDGET</u>		<u>FUNDING SOURCES</u>	
Land/Building Cost	\$ _____	LIHTC Equity	\$ _____
Construction Cost	\$ _____	Home Express/NJHMFA	\$ _____
Professional Fees	\$ _____	LBHA Loans	\$ _____
Carrying Costs/Fees	\$ _____	FHLB AHP	\$ _____
Marketing/ Advertising	\$ _____	_____	\$ _____
TOTAL DEVELOPMENT COSTS	\$ _____	TOTAL FUNDING SOURCES	\$ _____

Low Income Housing Tax Credit equity will be obtained through a syndication of 99.99% of the membership interests of Garfield Court Housing Urban Renewal Associates, L.L.C. to affiliates of CharterMac Capital, LLC (formerly known as Related Capital Company). In return, CharterMac Capital, LLC and its affiliates will be making a series of equity contributions to Garfield Court Housing Urban Renewal Associates, L.L.C. that will total \$ \_\_\_\_\_.

Exhibit "B"

Project Rental Income and Operating Expenses (Projected)

Type of Units	Number of Units	Square Footage	Utility Allowance	Monthly Rent	Annual Rent
1 BR					
2 BR					
3 BR					
4 BR					
<b>Total</b>					

EXPENSES	
Administrative	
Salaries	
Maintenance & Repairs	
Maintenance Contracts	
Property Management	
Real Estate Taxes	
Insurance	
Utilities	
Social Service Provider	
Reserves	
Debt Service Payment	
Other	
<b>TOTAL EXPENSES</b>	

Exhibit "C"

Calculation of Annual Service Charge

a. Annual Revenue	\$
b. Less: Vacancy Factor Amount (a * 5%)	- \$
c. Equals: Net Income (a-b)	\$
d. Annual Abatement Percentage Required (cannot exceed 15%)	x <u>6.28%</u>
e. Annual Amount of Payment in Lieu of Taxes (c * d)	\$

Term of abatement requested (cannot exceed 30 years): 30 years

The annual abatement percentage is 6.28% as this is what is required by the New Jersey Housing and Mortgage Finance Agency under its rules for the Low Income Housing Tax Credit program.

R# 102-07

**RESOLUTION CHILD ABUSE PREVENTION  
MONTH - APRIL 2007**

**WHEREAS**, approximately 3 million children are reported abused and neglected in this country each year; including over 40,000 referrals for protective services to DYFS in New Jersey; and

**WHEREAS**, the effects of child abuse are both inhumane and costly, involving the mental health system, juvenile justice system, law enforcement agencies, criminal and civil courts, and health care and educational institutions; and

**WHEREAS**, the 'Winds of Change' are coming to our community, bringing with them the notion that effective child abuse prevention efforts succeed because of partnerships created among social service agencies, schools, faith communities, civic organizations, law enforcement agencies, and the business community; and

**WHEREAS**, the majority of child maltreatment cases stem from situations and conditions that are preventable in an engaged and supportive community and child abuse and neglect can be reduced by making sure each family has the support they need to raise their children in a healthy environment; and

**WHEREAS**, there are effective strategies to meet this goal available to families and communities in New Jersey.

**NOW THEREFORE BE IT RESOLVED** that the Mayor and Council hereby proclaim April as Child Abuse Prevention Month in the City of Long Branch and call upon all citizens, community agencies, religious organizations, medical facilities, and businesses to become a powerful friend to children and parents by supporting the families in your community with friendship, information and participation in efforts to prevent child abuse, and strengthen our communities and Families.

**MOVED:**

**SECONDED:**

**AYES:**

**NAYES:**

**ABSENT:**

**ABSTAIN:**