

RESOLUTIONS ADOPTED BY CITY COUNCIL 12-27-11

R336-11 RESOLUTION SCHEDULING OF CITY COUNCIL MEETINGS FOR 2012

R337-11 RESOLUTION AUTHORIZING THE CITY OF LONG BRANCH TO ENTER INTO A LEASE FOR USE OF BLOCK 124, LOT 3, FORMERLY KNOWN AS LOTS 7 & 8, FOR PUBLIC PARKING

R338-11 RESOLUTION APPOINTING MICHAEL BLAND AS AN ALTERNATE #1 MEMBER OF THE LONG BRANCH BOARD OF ADJUSTMENT

R339-11 RESOLUTION DESIGNATING PUBLIC AGENCY COMPLIANCE OFFICER FOR THE YEAR 2012 (HOWARD WOOLLEY)

R340-11 RESOLUTION APPROVING AND AUTHORIZING FIREWORK DISPLAYS THROUGH THE 2012 CALENDAR YEAR

R341-11 RESOLUTION TO APPROVE SHARED SERVICES AGREEMENT WITH MONMOUTH COUNTY

R342-11 RESOLUTION APPROVING THE LIQUOR LICENSE HELD BY JRIB ASSOCIATES INC. FOR THE 2010/2011 LICENSE TERM

R343-11 RESOLUTION APPROVING THE LIQUOR LICENSE HELD BY JRIB ASSOCIATES INC. FOR THE 2011/2012 LICENSE TERM

R344-11 RESOLUTION AUTHORIZING THE CITY TO REDEEM TAX LIEN ON 162 BROADWAY

R345-11 RESOLUTION AUTHORIZING REFUND OF ANNUAL FIRE REGISTRATION FEE

R346-11 RESOLUTION RELEASING ESCROW DEPOSIT (BLOCK 467 LOT 28)

R347-11 RESOLUTION RELEASING GUARANTEES (BLOCK 153 LOTS 2.03, 3.02 & 4

R348-11 RESOLUTION AUTHORIZING THE DIRECTOR OF FINANCE TO CANCEL GRANT APPROPRIATION RESERVES AGAINST GRANTS RECEIVABLE, SURPLUS AND SUCH OTHER ACCOUNTS AS APPROPRIATE

R349-11 RESOLUTION 2011 BUDGET APPROPRIATION TRANSFERS

R350-11 RESOLUTION APPROVAL PAYMENT OF BILLS

R351-11 RESOLUTION TO REFUND OVERPAYMENT OF TAXES DUE TO A TAX COURT OF NEW JERSEY JUDGMENT (VARIOUS)

- R352-11** RESOLUTION TO REFUND OVERPAYMENT OF TAXES DUE TO PROPERTY TAX DEDUCTION (VARIOUS)
- R353-11** RESOLUTION AUTHORIZING THE CANCELLATION OF TAX OVERPAYMENTS OR DELINQUENT AMOUNTS LESS THAN \$10.00
- R354-11** RESOLUTION AUTHORIZING CITY OF LONG BRANCH TO CHARGE FEE FOR A DUPLICATE TAX SALE CERTIFICATE
- R355-11** RESOLUTION SETTING FORTH RATE OF INTEREST TO BE CHARGED ON DELINQUENT TAXES FOR 2012
- R356-11** RESOLUTION ESTABLISHING A YEAR END PENALTY OF SIX (6%) PER CENT TO BE CHARGED ON DECEMBER 31 OF EACH YEAR ON DELINQUENCIES IN EXCESS OF \$10,000.00
- R357-11** RESOLUTION ESTABLISHING A YEAR END PENALTY OF SIX (6%) PER CENT TO BE CHARGED ON THIRD PARTY LIENS ON DECEMBER 31 OF EACH YEAR WHEN THE AMOUNT PAID BY THE LIEN HOLDER IS IN EXCESS OF \$10,000.00
- R358-11** RESOLUTION AUTHORIZING CITY OF LONG BRANCH TO CHARGE A FEE FOR RETURNED CHECKS
- R359-11** RESOLUTION TO APPOINT TAX SEARCH OFFICER FOR 2012 (CARLA TOMAS)
- R360-11** RESOLUTION AUTHORIZING CITY OF LONG BRANCH TO CHARGE A FIVE DOLLAR FEE FOR TAX SALE ADVERTISING
- R361-11** RESOLUTION AUTHORIZING THE TAX COLLECTOR TO CONDUCT A TAX LIEN SALE
- R362-11** RESOLUTION SUPPORTING MEMBERSHIP IN THE WHALE POND BROOK WATERSHED ASSOCIATION
- R363-11** RESOLUTION AWARDED BID FOR DEMOLITION OF 162 BROADWAY, LONG BRANCH, NJ (MAZZA & SONS)
- R364-11** RESOLUTION AUTHORIZING THE EXECUTION OF A SETTLEMENT AGREEMENT BETWEEN OCEAN PLACE DEVELOPMENT, LLC AND THE CITY OF LONG BRANCH
- R365-11** RESOLUTION MEMORIALIZING A CONTRACT BETWEEN THE CITY OF LONG BRANCH AND HUTCHINSON PLUMBING, HEATING & COOLING, LLC FOR THE INSTALLATION OF ENERGY EFFICIENT LIGHTING IN CITY BUILDINGS

RESOLUTION SCHEDULING OF CITY COUNCIL MEETINGS FOR 2012

BE IT RESOLVED by the City Council of the City of Long Branch that they will hold their Council Meetings for the year 2012 as follows:

- January 1st Special Meeting – 10:30 a.m.
- January 10th and 24th
- February 14th and 28th
- March 13th and 27th
- April 10th and 24th
- May 8th and 22nd
- June 12th and 26th
- July 10th and 24th
- August 14th and 28th
- September 11th and 25th
- October 9th and 23rd
- November 13th and 27th
- December 11th and 27th

Workshop & Regular Meetings will be held on the 2nd and 4th Tuesday of each month unless otherwise noted / advertised. Workshop Sessions begin at 6:00 p.m. – the public is invited to attend. Executive Session will immediately follow Workshop Sessions.

The regular Meeting will begin at 7:30 p.m. There is a public portion at this meeting.

Special meetings will be sent to the newspapers and posted on the City's website and bulletin boards for the public's information.

BE IT FURTHER RESOLVED that the above meetings will be held at Long Branch City Hall, 344 Broadway, second floor, Long Branch, NJ 07740.

MOVED: *Pallone*

SECONDED: *Billings*

AYES: 5

NAYES: 0

ABSENT: 0

ABSTAIN: 0

STATE OF NEW JERSEY
 COUNTY OF MONMOUTH
 CITY OF LONG BRANCH
 I, DEBORAH L. TALERICO, DEPUTY MUNICIPAL 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 *December 21, 2011*
 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 *21st* DAY OF *December 2011*
Deborah L. Talericu
 DEPUTY MUNICIPAL CLERK, R.M.C.

R# 337-11

**A RESOLUTION AUTHORIZING THE CITY OF LONG BRANCH TO ENTER INTO
A LEASE FOR USE OF BLOCK 124, LOT 3, FORMERLY KNOWN AS LOTS 7
AND 8, FOR PUBLIC PARKING**

WHEREAS, the City of Long Branch has been able to obtain a Lease for Block 124, Lot 3, formerly known as Lots 7 and 8, in the City of Long Branch for the term of one year for the purpose of general public parking; and

WHEREAS, said Lease would be in the best interests of the citizens of the City of Long Branch as there is a significant public parking problem in the West End section of the City; and

WHEREAS, said Lease is a continuation of prior Leases for the same property and for the same uses for the past several years.

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 is hereby authorized to execute the Lease annexed hereto and made a part hereof.

MOVED: Pallone

SECONDED: Billings

AND ADOPTED UPON THE FOLLOWING ROLL CALL:

AYES: 5

NAYES: 0

ABSENT: 0

Abstain: 0

STATE OF NEW JERSEY
CITY OF MONMOUTH
CITY OF LONG BRANCH
TERESA L. TALERICO, DEPUTY MUNICIPAL CLERK OF THE CITY OF
LONG BRANCH, DO HEREBY CERTIFY THE FOREGOING
TO BE A TRUE, COMPLETE AND CORRECT COPY OF
A RESOLUTION ADOPTED BY THE CITY COUNCIL AT A
REGULAR MEETING HELD ON December 21, 2011
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 21st DAY OF December, 2011
Teresa L. Talerico
DEPUTY MUNICIPAL CLERK, R.M.C.

CITY OF LONG BRANCH
344 BROADWAY
LONG BRANCH, NEW JERSEY 07740
DEPARTMENT OF FINANCE
OFFICE OF THE DIRECTOR

CERTIFICATION OF FUNDS

12/19/2011

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

Lease of property Block 124, Lot 3 (rear of Movie Theatre building and known as West End Parking Lot	\$1.00
--	--------

Said award is to be made to the following Agency / Vendor, in the following amount

Ocean Avenue Partners, LLC	\$1.00
----------------------------	--------

Said funds being available in the form of:

2011 Current Budget Appropriations Office of the Chief Administrative Officer (Business Administrator) Other Expenses 1-01-012-231	\$1.00
	<u>\$1.00</u>


Ronald J. Mehlhorn Sr., C.P.A., R.M.A.
Director of Finance (C.F.O.)

R# 338-11

**RESOLUTION APPOINTING MICHAEL BLAND
AS AN ALTERNATE #1 MEMBER OF THE LONG BRANCH
ZONING BOARD OF ADJUSTMENT**

BE IT RESOLVED by the City Council of the City of Long Branch that they hereby appoint Michael Bland as an Alternate #1 member of the Long Branch Zoning Board of Adjustment for a 2 year term to become effective January 1, 2012 and to expire on December 31, 2013.

MOVED: *Pallone*
SECONDED: *Billings*

AYES: *5*
NAYES: *0*
ABSENT: *0*
ABSTAIN: *0*

STATE OF NEW JERSEY
COUNTY OF MONMOUTH
CITY OF LONG BRANCH
I, DEBORAH L. TALERICO, DEPUTY MUNICIPAL 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 *December 21, 2011*
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 *21st* DAY OF *December*,
Deborah L. Taleric
DEPUTY MUNICIPAL CLERK, R.M.C.

R# 339-11

**RESOLUTION DESIGNATING PUBLIC
AGENCY COMPLIANCE OFFICER FOR
THE YEAR 2012**

WHEREAS, pursuant to the requirements of PL 1975 Chapter 17 (NJAC 17:27), all public agencies shall by January 10th of each year, designate an employee or official, to serve as its Public Agency Compliance Officer, (P.A.C.O.) and notify the State of New Jersey, Department of Treasury of said action; and

WHEREAS, the function of the Public Agency Compliance Officer is to maintain liaison with and assist the State Treasurer in the implementation of PL 1975, Chapter 127; and

WHEREAS, it would be in the City's best interest to designate the Business Administrator to act as the Public Agency Compliance Officer.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Long Branch that Howard Woolley, Business Administrator is hereby designated as the City of Long Branch Public Agency Compliance Officer for a term to commence on January 1, 2012 and expire on December 31, 2012.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Affirmative Action Office of the State of New Jersey, Department of Treasury.

MOVED: Pallone
SECONDED: Billings

AYES: 5
NAYES: 0
ABSENT: 0
ABSTAIN: 0

STATE OF NEW JERSEY
COUNTY OF MONMOUTH
CITY OF LONG BRANCH
I, DEBORAH L. TALERICO, DEPUTY MUNICIPAL 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 December 27, 2011
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 28th DAY OF December 2011
Deborah L. Taleric
DEPUTY MUNICIPAL CLERK, R.M.C.

R# 340-11

**RESOLUTION APPROVING AND AUTHORIZING FIREWORK DISPLAYS
THROUGH THE 2012 CALENDAR YEAR**

WHEREAS, certain groups and entities request permission for firework displays throughout the calendar year; and

WHEREAS, the City Council of the City of Long Branch routinely approves such requests, so long as certain safety precautions and approvals are obtained from the Fire Official of the City; and

WHEREAS, the Council of the City of Long Branch has determined that a blanket approval for firework requests, pending review and approval of the Fire Official, is appropriate.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Long Branch that firework displays may take place through the 2012 calendar year, provided that requests for such displays are made to the Fire Official, Kevin J. Hayes, Sr., and that said requests comply with all safety and other requirements as set forth by law and as required by the Fire Official including proof of proper insurance coverage by the requesting organization or group or individual.

MOVED: Pallone
SECONDED: Billings

AYES: 5
NAYS: 0
ABSENT: 0
ABSTAIN: 0

STATE OF NEW JERSEY
COUNTY OF MONMOUTH
CITY OF LONG BRANCH
I, DEBORAH L. TALERICO, DEPUTY MUNICIPAL 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 December 21, 2011
IN WITNESS WHEREOF, I HAVE HEREBY SET MY HAND AND AFFIXED THE OFFICIAL SEAL OF THE CITY OF LONG BRANCH, MONMOUTH COUNTY, NEW JERSEY THIS 21st DAY OF December, 2011
Deborah L. Talerico
DEPUTY MUNICIPAL CLERK, R.M.C.

RESOLUTION # 341-11
A RESOLUTION TO APPROVE
SHARED SERVICES AGREEMENT WITH MONMOUTH COUNTY

WHEREAS, The State of New Jersey has mandated the use of the MODIV Property Assessment Computer System for all New Jersey Municipalities; and,

WHEREAS, The Board of Chosen Freeholders of the County of Monmouth, in conjunction with the County Board of Taxation, is offering the County's MOD IV Property Assessment Computer System services to the municipalities; and,

WHEREAS, A Shared Services Agreement has been proposed for this purpose, pursuant to N.J.S.A. 40A:65-1 et seq.; and,

WHEREAS, It is in the best interest of the City of Long Branch to enter into such an Agreement;

NOW, THEREFORE, BE IT RESOLVED, By the City Council of the City of Long Branch, that the agreement entitled, "Agreement Between the County of Monmouth and the City of Long Branch for MODIV Property Assessment Computer Services", a copy of which is attached hereto, be approved for the First of January, 2012 through December 31, 2021; and,

BE IT FURTHER RESOLVED, That the Mayor and Clerk be and are hereby authorized and directed to execute the contract agreement.

Moved: Pallone
Seconded: Billings
AYES: 5
NAYES: 0
ABSENT: 0
ABSTAIN: 0

STATE OF NEW JERSEY
COUNTY OF MONMOUTH
CITY OF LONG BRANCH
I, DEBORAH L. VALERICO, DEPUTY MUNICIPAL 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 December 27, 2011
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 28th DAY OF December 2011
Deborah L. Valerico
DEPUTY MUNICIPAL CLERK, R.M.C.

SHARED SERVICES AGREEMENT

Agreement Between the County of Monmouth and the City of Long Branch for MODIV Property Assessment Computer Services

WHEREAS, rules and regulations of the State of New Jersey, Department of Treasury, Division of Taxation, provide for a uniform system of maintaining and reporting tax information as to real estate throughout the State of New Jersey by municipalities and counties, which is commonly known as MODIV Property Assessment Computer System; and

WHEREAS, the County of Monmouth has the facilities to provide the computer services necessary in order to comply with the aforesaid rules and regulations; and

WHEREAS, the Shared Services Act and Consolidation Act, namely C. 40A:65-1, provides a mechanism through which counties and municipalities may enter into agreements for the provision of services for each other.

NOW, THEREFORE, IN CONSIDERATION of the mutual promises and other conditions, covenants, and obligations made and agreed to by and between the County of Monmouth (hereinafter referred to as "County"), and the City of Long Branch (hereinafter referred to as "Municipality"), it is hereby agreed as follows:

MODIV PROPERTY ASSESSMENT COMPUTER SERVICES

1. The County will provide MODIV Property Assessment Computer Services to the Municipal Assessor and/or Municipal Tax Collector, including Master File Maintenance, Printing of the Proof Book, Tax Duplicate, Field Book, Tax List and Extended Tax Duplicate, Printing of Notification of Assessment Cards, Post Tax Year Statements, Farmland Assessment Applications, Income and Expense Statements, Initial and Further Statements and Tenant Rebate Forms, Printing of Added/Omitted Assessment Proof Books and three copies of the Added/Omitted Assessment Tax List, Tax Year Consolidation, and a copy of the Master Computer File for the Municipality, upon request, for submission to the State of New Jersey, Division of Taxation.
2. In the case of new MODIV Agreements, the Municipality will make available to the County a copy of the Municipality's current computer data file up to the effective date of the within agreement. Thereafter, the Municipality will provide to the

- County, via internet connection, computerized transaction files reflecting changes in property data, which will be processed by the County. The County will process the data and cause the tax record changes to be incorporated in the Municipality's Master File. This will be an ongoing service throughout the tax year. The Municipality will pick up the hard copies of all reports and other documents being supplied to the Municipality by the County.
3. In the case of existing MODIV Agreements, the Municipality will provide to the County, via internet connection, computerized transaction files reflecting changes in property data, which will be processed by the County. The County will process the data and cause the tax record changes to be incorporated in the Municipality's Master File. This will be an ongoing service throughout the tax year. The Municipality will pick up the hard copies of all reports and other documents being supplied to the Municipality by the County.
 4. The Municipality will adhere to the schedule of submission of data as prescribed by the Director of the New Jersey State Division of Taxation and or the Monmouth County Board of Taxation, which schedule is sent to the Municipality by the Monmouth County Tax Administrator annually.
 5. The County will provide to the Municipality a report as to all transactions submitted by the Municipality to the County, indicating which data was accepted or rejected. It will be the responsibility of the Municipality to check the Transaction List and make corrections as necessary, so that the County may update the Municipality's Master File accordingly.
 6. The County will supply the Municipality with all materials and supplies necessary in order to carry out the intent of this agreement at no additional cost, except as set forth below.

GENERAL CONDITIONS

7. The within agreement shall be effective January 1, 2012 or as soon thereafter as the Municipality commences use of the County's services.
8. This Agreement shall end, if not sooner terminated or extended, on December 31, 2021.
9. Either party to this agreement has the right to terminate this agreement upon ninety (90) days' written notice to the other.

10. The Municipality agrees that any liability for damages which it has or may have against the County for non-performance or negligent performance of the Property Assessment Computer Services described herein shall be limited to the amount paid by the Municipality to the County for the year in which the error(s) occur(s). The County shall not otherwise be liable to the Municipality for damages of any kind, including special, consequential, or punitive damages.
11. In the event that performance by the County of Monmouth under this agreement is delayed or prevented due to weather conditions, labor disputes affecting the County or any of the County's suppliers of materials or labor, natural acts, acts of war, emergency proclamations, governmental regulations or for any reason whatsoever beyond the County's control, any performance dates by the County will be extended for the period of time equal to the time lost by reason of any of these causes. If any of the foregoing causes make the performance of this agreement by the County impossible in the County's sole judgment, then this agreement may be immediately terminated by the County, whereupon the Municipality and the County will be released from all obligations under this agreement, subject to an equitable adjustment of costs and fees earned or paid prior to termination.
12. The within agreement is a New Jersey contract and shall be governed by the laws of the State of New Jersey.
13. The County makes no warranties, either express or implied. No representation or statement not expressly contained in the within agreement or incorporated herein by reference shall be binding on the County as a warranty.

COSTS AND FEES

14. The County shall supply the basic Property Assessment Computer Services as set forth hereinbefore at a cost to the Municipality of THIRTY-SEVEN CENTS (\$0.37) per line item per year. Further, there will be a minimum Annual District Processing Charge of FIVE HUNDRED DOLLARS (\$500.00).
15. The County shall supply to the Municipality, at the request of the Municipality, the following additional services at the following additional costs:
 - Notification of Assessment Cards - Mailed \$0.22 per card
 - Post Tax Year Statements - Mailed \$0.22 per statement
 - Farmland Applications - Mailed \$0.22 per statement
 - Initial & Further Statements - Mailed \$0.22 per statement
 - Regular Tax Bills - Printed \$0.13 per line Item
 - Regular Tax Bills - Mailed \$0.22 per bill

Added/Omitted Tax Bills - Printed \$0.13 per bill
Added/Omitted Tax Bills - Mailed \$0.22 per bill
Mailing Labels - \$0.03 per label

Additional report requests:

Tax List with Street and Owners Index (11x15) - \$ 125.00 per district
Street Index only (11x15) - \$50.00 per district
Owners Index only (11x15) - \$50.00 per district
Tax List with Street and Owners Index (8.5x11) - \$ 75.00 per district
Street Index only (8.5x11) - \$30.00 per district
Owners Index only (8.5x11) - \$30.00 per district
Personalized Reports – Cost subject to mutual agreement

16. The parties further agree that the Municipality will be required to independently purchase all required report binders. The tax billing and label services are at the discretion of the County.
17. The County will bill the Municipality for the basic Property Assessment Computer Services and minimum Annual District Processing Charge after the submission of the Added/Omitted Assessment List to the Municipality.
18. The County will bill the Municipality for “additional services” and for “additional report requests” upon completion of that work.
19. The County reserves the right to modify the costs and fees for service from time to time, upon reasonable advance notice to the Municipality.
20. If this agreement is in effect for less than a full calendar year during the year of its inception or termination, the costs to the Municipality for the services provided during that year will be adjusted on an equitable basis.

IN WITNESS WHEREOF, the parties have hereunto placed their hands and seals.

ATTEST:

COUNTY OF MONMOUTH

MARION MASNICK
Clerk of the Board

BY: _____
ROBERT D. CLIFTON
Freeholder Director

ATTEST : City of Long Branch

By: _____
Adam Schneider, Mayor

Kathy L. Schmelz, RMC
City Clerk

MONMOUTH COUNTY BOARD OF CHOSEN FREEHOLDERS

Freeholder Meeting Venue:

Date: Jul 28, 2011 - 7:00 PM

Location: Rumson Municipal Building
 Charles S. Callman Courtroom
 80 East River Road
 Rumson, NJ 07760

Agenda: Resolution authorizing Shared Service Agreements with County Municipalities to provide MOD IV Tax System Services.

Official Document #	Res# 2011-0610						
Meeting Date	07/28/2011						
Introduced Date	07/28/2011						
Adopted Date	07/28/2011						
Agenda Item	10						
FREEHOLDER	PRES.	ABS.	MOVIE	SEC	AYE	NAY	ABST.
Mallet	✓		✓		✓		
Arnone	✓				✓		
Burry	✓			✓	✓		
Curley	✓				✓		
Clifton	✓				✓		

CERTIFICATION

I HEREBY CERTIFY THE ABOVE TO BE A TRUE COPY OF A RESOLUTION ADOPTED BY THE BOARD OF CHOSEN FREEHOLDERS OF THE COUNTY OF MONMOUTH AT A MEETING HELD

July 28, 20 11
Maureen Masnick
 CLERK

County Counsel

RESOLUTION AUTHORIZING
SHARED SERVICE AGREEMENTS WITH
COUNTY MUNICIPALITIES TO PROVIDE
MOD IV TAX SYSTEM SERVICES

WHEREAS, the New Jersey Division of Taxation prescribes a uniform system of maintaining and reporting real estate tax information for municipalities and counties throughout the State, commonly known as the MOD IV Tax System; and

WHEREAS, under the New Jersey Uniform Shared Services and Consolidation Act, namely C. 40A:65-1, et seq., local units, such as the County, may enter into Shared Service Agreements with other local units, such as the municipalities within Monmouth County, for a term of up to ten (10) years; and

WHEREAS, Monmouth County has the facilities to provide MOD IV Tax System Services to the municipalities within Monmouth County, in compliance with the requirements established by the New Jersey Division of Taxation; and

WHEREAS, the County has existing Interlocal Service Agreements with most Monmouth County municipalities to provide MOD IV Tax System Services; and

WHEREAS, these existing Interlocal Service Agreements expire on December 31, 2011.

NOW, THEREFORE, BE IT RESOLVED by the Board of Chosen Freeholders of the County of Monmouth that the County Tax Administrator be and he is are hereby authorized on behalf of the County to execute Shared Service Agreements with Monmouth County municipalities, whereby the County will provide MOD IV Tax System Services to the participating municipalities for a term of ten (10) years, commencing January 1, 2012.

Introduced on: July 28, 2011
Adopted on: July 28, 2011
Official Resolution#: 2011-0610

BE IT FURTHER RESOLVED that the form of the new Shared Service Agreements shall be substantially similar to the existing Interlocal Service Agreements, subject to the approval of County Counsel, in consultation with the County Tax Administrator.

BE IT FURTHER RESOLVED that the Clerk of the Board forward a certified copy of this resolution to Matthew S. Clark, County Tax Administrator.

Introduced on: July 28, 2011
Adopted on: July 28, 2011
Official Resolution#: 2011-0610

SHARED SERVICES AGREEMENT

**Agreement Between the
County of Monmouth and the
_____ of _____ for
MODIV Property Assessment Computer Services**

WHEREAS, rules and regulations of the State of New Jersey, Department of Treasury, Division of Taxation, provide for a uniform system of maintaining and reporting tax information as to real estate throughout the State of New Jersey by municipalities and counties, which is commonly known as MODIV Property Assessment Computer System; and

WHEREAS, the County of Monmouth has the facilities to provide the computer services necessary in order to comply with the aforesaid rules and regulations; and

WHEREAS, the Shared Services Act and Consolidation Act, namely C. 40A:65-1, provides a mechanism through which counties and municipalities may enter into agreements for the provision of services for each other.

NOW, THEREFORE, IN CONSIDERATION of the mutual promises and other conditions, covenants, and obligations made and agreed to by and between the County of Monmouth (hereinafter referred to as "County"), and the _____ of _____ (hereinafter referred to as "Municipality"), it is hereby agreed as follows:

MODIV PROPERTY ASSESSMENT COMPUTER SERVICES

1. The County will provide MODIV Property Assessment Computer Services to the Municipal Assessor and/or Municipal Tax Collector, including Master File Maintenance, Printing of the Proof Book, Tax Duplicate, Field Book, Tax List and Extended Tax Duplicate, Printing of Notification of Assessment Cards, Post Tax Year Statements, Farmland Assessment Applications, Income and Expense Statements, Initial and Further Statements and Tenant Rebate Forms, Printing of Added/Omitted Assessment Proof Books and three copies of the Added/Omitted Assessment Tax List, Tax Year Consolidation, and a copy of the Master Computer File for the Municipality, upon request, for submission to the State of New Jersey, Division of Taxation.
2. In the case of new MODIV Agreements, the Municipality will make available to the County a copy of the Municipality's current computer data file up to the effective date of the within agreement. Thereafter, the Municipality will provide to the County, via internet connection, computerized transaction files reflecting changes in property data, which will be processed by the County. The County will process the data and cause the tax record changes to be incorporated in the Municipality's Master File. This will be an ongoing service throughout the tax year. The Municipality

will pick up the hard copies of all reports and other documents being supplied to the Municipality by the County.

3. In the case of existing MODIV Agreements, the Municipality will provide to the County, via internet connection, computerized transaction files reflecting changes in property data, which will be processed by the County. The County will process the data and cause the tax record changes to be incorporated in the Municipality's Master File. This will be an ongoing service throughout the tax year. The Municipality will pick up the hard copies of all reports and other documents being supplied to the Municipality by the County.
4. The Municipality will adhere to the schedule of submission of data as prescribed by the Director of the New Jersey State Division of Taxation and or the Monmouth County Board of Taxation, which schedule is sent to the Municipality by the Monmouth County Tax Administrator annually.
5. The County will provide to the Municipality a report as to all transactions submitted by the Municipality to the County, indicating which data was accepted or rejected. It will be the responsibility of the Municipality to check the Transaction List and make corrections as necessary, so that the County may update the Municipality's Master File accordingly.
6. The County will supply the Municipality with all materials and supplies necessary in order to carry out the intent of this agreement at no additional cost, except as set forth below.

GENERAL CONDITIONS

7. The within agreement shall be effective January 1, 2012 or as soon thereafter as the Municipality commences use of the County's services.
8. This Agreement shall end, if not sooner terminated or extended, on December 31, 2021.
9. Either party to this agreement has the right to terminate this agreement upon ninety (90) days' written notice to the other.
10. The Municipality agrees that any liability for damages which it has or may have against the County for non-performance or negligent performance of the Property Assessment Computer Services described herein shall be limited to the amount paid by the Municipality to the County for the year in which the error(s) occur(s). The County shall not otherwise be liable to the Municipality for damages of any kind, including special, consequential, or punitive damages.
11. In the event that performance by the County of Monmouth under this agreement is delayed or prevented due to weather conditions, labor disputes affecting the County or any of the County's suppliers of materials or labor, natural acts, acts of war, emergency proclamations, governmental regulations or for any reason whatsoever beyond the County's control, any performance dates by the County will be extended for the period of time equal to the time lost by reason of any of these

causes. If any of the foregoing causes make the performance of this agreement by the County impossible in the County's sole judgment, then this agreement may be immediately terminated by the County, whereupon the Municipality and the County will be released from all obligations under this agreement, subject to an equitable adjustment of costs and fees earned or paid prior to termination.

12. The within agreement is a New Jersey contract and shall be governed by the laws of the State of New Jersey.
13. The County makes no warranties, either express or implied. No representation or statement not expressly contained in the within agreement or incorporated herein by reference shall be binding on the County as a warranty.

COSTS AND FEES

14. The County shall supply the basic Property Assessment Computer Services as set forth hereinbefore at a cost to the Municipality of THIRTY-SEVEN CENTS (\$0.37) per line item per year. Further, there will be a minimum Annual District Processing Charge of FIVE HUNDRED DOLLARS (\$500.00).
15. The County shall supply to the Municipality, at the request of the Municipality, the following additional services at the following additional costs:

Notification of Assessment Cards - Mailed \$0.22 per card
Post Tax Year Statements - Mailed \$0.22 per statement
Farmland Applications - Mailed \$0.22 per statement
Initial & Further Statements - Mailed \$0.22 per statement
Regular Tax Bills - Printed \$0.13 per line Item
Regular Tax Bills - Mailed \$0.22 per bill
Added/Omitted Tax Bills - Printed \$0.13 per bill
Added/Omitted Tax Bills - Mailed \$0.22 per bill
Mailing Labels - \$0.03 per label

Additional report requests:

Tax List with Street and Owners Index (11x15) - \$ 125.00 per district
Street Index only (11x15) - \$50.00 per district
Owners Index only (11x15) - \$50.00 per district
Tax List with Street and Owners Index (8.5x11) - \$ 75.00 per district
Street Index only (8.5x11) - \$30.00 per district
Owners Index only (8.5x11) - \$30.00 per district
Personalized Reports – Cost subject to mutual agreement

16. The parties further agree that the Municipality will be required to independently purchase all required report binders. The tax billing and label services are at the discretion of the County.
17. The County will bill the Municipality for the basic Property Assessment Computer Services and minimum Annual District Processing Charge after the submission of the Added/Omitted Assessment List to the Municipality.
18. The County will bill the Municipality for "additional services" and for "additional report requests" upon completion of that work.
19. The County reserves the right to modify the costs and fees for service from time to time, upon reasonable advance notice to the Municipality.
20. If this agreement is in effect for less than a full calendar year during the year of its inception or termination, the costs to the Municipality for the services provided during that year will be adjusted on an equitable basis.

IN WITNESS WHEREOF, the parties have hereunto placed their hands and seals.

ATTEST:

COUNTY OF MONMOUTH

 MARION MASNICK
 Clerk of the Board

By: _____
 ROBERT D. CLIFTON
 Freeholder Director

ATTEST:

_____ OF _____

 _____ Clerk

By: _____

R# 342-11

**RESOLUTION APPROVING THE LIQUOR LICENSE
HELD BY JRIB ASSOCIATES INC. FOR
THE 2010/2011 LICENSE TERM**

WHEREAS, JRIB Associates, Inc. filed a verified petition to the Director of the Division of ABC asking for a special ruling to be issued to allow the City to renew their license for the 2010/2011 license term; and

WHEREAS, the ruling determined that good cause exists for the City to consider the application; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Long Branch that they hereby approve the license held JRIB Associates, Inc. state license #1325-33-024-002 for the 2010/2011 license term.

MOVED: *Pallone*
SECOND: *Billings*

AYES: 5
NAYES: 0
ABSENT: 0
ABSTAIN: 0

STATE OF NEW JERSEY
COUNTY OF MONMOUTH
CITY OF LONG BRANCH
I, DEBORAH L. TALERICO, DEPUTY MUNICIPAL 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 *December 27, 2011*
IN WITNESS WHEREOF, I HAVE HERETOFORE SET
MY HAND AND AFFIXED THE OFFICIAL SEAL OF THE
CITY OF LONG BRANCH, MONMOUTH COUNTY, NEW
JERSEY THIS *27th* DAY OF *December*, 2011
Deborah L. Talerico
DEPUTY MUNICIPAL CLERK, N.J.S.

R# 343-11

**RESOLUTION APPROVING THE LIQUOR LICENSE
HELD BY JRIB ASSOCIATES INC. FOR
THE 2011/2012 LICENSE TERM**

WHEREAS, JRIB Associates, Inc. filed a verified petition to the Director of the Division of ABC asking for a special ruling to be issued to allow the City to renew their license for the 2011/2012 license term; and

WHEREAS, the ruling determined that good cause exists for the City to consider the application; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Long Branch that they hereby approve the license held JRIB Associates, Inc. state license #1325-33-024-002 for the 2011/2012 license term.

MOVED: Pallone
SECOND: Billings

AYES: 5
NAYES: 0
ABSENT: 0
ABSTAIN: 0

STATE OF NEW JERSEY
COUNTY OF MONMOUTH
CITY OF LONG BRANCH
I, DEBORAH L. TALERICO, DEPUTY MUNICIPAL 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 December 27, 2011
IN WITNESS WHEREOF, I HAVE HEREBY SET
MY HAND AND AFFIXED THE OFFICIAL SEAL OF THE
CITY OF LONG BRANCH, MONMOUTH COUNTY, NEW
JERSEY THIS 28th DAY OF December 2011
Deborah L. Talerico
DEPUTY MUNICIPAL CLERK, R.M.C.

R# 344-11

**RESOLUTION TO REDEEM
BY THE CITY OF LONG BRANCH
TAX SALE CERTIFICATE 11-00185
SOLD TO US BANK CUST EMPIRE CAP ONE
ON SEPTEMBER 27, 2011**

BE IT RESOLVED, that on September 27, 2011, Tax Sale Certificate 11-00185 was sold in error while the status and ownership of the property was in pending litigation and,

BE IT FURTHER RESOLVED, by the City Council of the City of Long Branch, that, upon the request of the lien holder, the city redeem tax sale certificate 11-00185 sold on September 27, 2011 to US Bank Cust Empire Cap One, that the Tax Collector carry the 2010 unpaid taxes as an open item until an agreement is reached,

NOW THEREFORE BE IT RESOLVED, that the Finance Office is hereby authorized to issue an individual check to the lienholder US Bank Cust Empire Cap One in the total amount of \$18,930.48 to redeem tax sale certificate 11-00185 and,

NOW THEREFORE BE IT FURTHER RESOLVED, that the Finance Office charge 2010 taxes in the amount of \$6,762.17, 2010 interest in the amount of \$1,169.15, 2010 sewer and interest charges collected in 2011 in the amount of \$930.00 2011 taxes in the amount of \$9,469.29 and the 2011 budget account of interest in the amount of \$599.87.

OFFERED: Pallone
SECOND: Billings
AYES: 5
NAYES: 0
ABSENT: 0
ABSTAIN: 0

STATE OF NEW JERSEY
COUNTY OF MONMOUTH
CITY OF LONG BRANCH
I, DEBORAH L. TALERICO, DEPUTY MUNICIPAL 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 December 27, 2011
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 28th DAY OF December 2011
Deborah L. Talerico
DEPUTY MUNICIPAL CLERK, R.M.C.

R# 345-11

RESOLUTION AUTHORIZING REFUND
OF ANNUAL FIRE REGISTRATION FEE

WHEREAS a \$25.00 fee was paid twice, by Harold Chalkin for the property at 16 Coral Pl., Long Branch, NJ 07740, and,

WHEREAS the Director of Building and Development has recommended the refund of said duplicate fee, to be charged against GL revenue account.

NOW THEREFORE BE IT RESOLVED by the Council of the City of Long Branch that the Director of Finance is hereby authorized to issue a refund of said \$25.00 fee to:

Harold Chalkin
22 Tiffany Dr.
Livingston, NJ 07039

OFFERED: Pallone
SECOND: Billings
AYES: 5
NAYES: 0
ABSENT: 0
ABSTAIN: 0

STATE OF NEW JERSEY
COUNTY OF MONMOUTH
CITY OF LONG BRANCH

I, DEBORAH L. TALERICO, DEPUTY MUNICIPAL 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 December 27, 2011

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 28th DAY OF December 2011

Deborah L. Talerico
DEPUTY MUNICIPAL CLERK, R.M.C.

RESOLUTION RELEASING ESCROW DEPOSIT

PROJECT: Shannon Baillie
BLOCK: 467
LOT: 28

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

WHEREAS the application is complete.

WHEREAS the applicant has request the return of any escrow deposits; and

WHEREAS the Planning Division has reviewed said request and has recommended release of the following guarantees:

Application Escrow \$658.15

NOW THEREFORE BE IT RESOLVED by the Council of the City of Long Branch, County of Monmouth, that the Finance Director is hereby authorized to refund the application escrow funds in the amount of \$658.15, plus accrued interest if applicable, to

Shannon Baillie
83 Hennessey Street
Long Branch, NJ 07740

OFFERED: Pallone
SECOND: Billings
AYES: 5
NAYES: 0
ABSENT: 0
ABSTAIN: 0

STATE OF NEW JERSEY
COUNTY OF MONMOUTH
CITY OF LONG BRANCH
I, DEBORAH L. TALERICO, DEPUTY MUNICIPAL 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 December 27, 2011
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 28th DAY OF December 2011
Deborah L. Talerico
DEPUTY MUNICIPAL CLERK, R.M.C.

R# 347-11

RESOLUTION RELEASING GUARANTEES

PROJECT: The Shores
BLOCK: 153
LOT: 2.03, 3.02 and 4

WHEREAS a maintenance guarantee has been posted for the above referenced project, and,

WHEREAS the project is complete and the maintenance period has run.

WHEREAS the applicant has request the release of said guarantee, and,

WHEREAS the two years Maintenance Guaranty period has expired.

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

Application Escrow	\$ 306.74
Engineering Inspection	\$ 570.44
Maintenance	\$ 8.40

in the total amount of \$885.58, plus accrued interest if applicable, to:

The Shores of Long Branch
c/o CJS Investments, Inc.
238 Neptune Boulevard, Suite 301
Neptune, NJ 07753

BE IT FURHTER RESOLVED by the Council of the City of Long Branch, County of Monmouth, that the Bond Safeguard Insurance Company Maintenance Surety Bond Number 5023503, dated September 26, 2007, in the amount of \$80,275.00, is hereby released.

BE IT FURTHER RESOLVED that a certified copy of this resolution be sent to the above referenced address.

OFFERED: Pallone
SECOND: Billings
AYES: 5
NAYES: 0
ABSENT: 0
ABSTAIN: 0

STATE OF NEW JERSEY
COUNTY OF MONMOUTH
CITY OF LONG BRANCH
I, DEBORAH L. TALERICO, DEPUTY MUNICIPAL 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 December 21, 2011
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 21st DAY OF December, 2011
Deborah L. Talerico
DEPUTY MUNICIPAL CLERK, R.M.C.

R# 348-11

**RESOLUTION
AUTHORIZING THE DIRECTOR OF FINANCE TO CANCEL
GRANT APPROPRIATION RESERVES AGAINST GRANTS RECEIVABLE,
SURPLUS AND SUCH OTHER ACCOUNTS AS APPROPRIATE**

WHEREAS, the Director of Finance has informed the City Council of the need to cancel grant appropriations and grants receivable prior to year end, and

WHEREAS, the following grants are complete and the appropriation balances no longer needed to be maintained on the books and records of the City of Long Branch, and,

WHEREAS, the Director of Finance recommends that the following adjustments to the books and records of the City be made.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Long Branch, that the adjustments, appearing on the attached page, being a permanent part hereto, are hereby made.

OFFERED: Pallone
SECOND: Billings
AYES: 5
NAYES: 0
ABSENT: 0
ABSTAIN: 0

STATE OF NEW JERSEY
COUNTY OF MONMOUTH
CITY OF LONG BRANCH
I, DEBORAH L. TALERICO, DEPUTY MUNICIPAL 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 December 27, 2011
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 28th DAY OF December 2011
Deborah L. Taleric
DEPUTY MUNICIPAL CLERK, R.M.C.

CANCEL GRANTS 2011

	APPROPRIATE BALANCE	CANCEL APPROP.	RECEIVABLE BALANCE	CANCEL RECEIVABLE	RECEIVABLE BALANCE AFTER CANCEL	DR / (CR) RESULTS OF OPERATIONS	G.L. ACCOUNT
09	54 COPS IN SHOPS	2,000.00	2,000.00	2,000.00	0.00	0.00	1247
09	81 OVER THE LIMIT UNDER ARREST	18.18	18.18	18.18	0.00	0.00	1247
10	25 SENIOR CITIZENS	10,596.10	10,596.10	0.00	0.00	10,596.10	1252
10	31 ALCOHOL & DRUG ABUSE	314.20	314.20	309.56	0.00	4.64	1264
10	44 UEZ ADMIN	16,635.66	16,635.66	16,635.66	0.00	0.00	1350 AA
			29,564.14	18,963.40		10,600.74	

R# 349-11

RESOLUTION
2011 BUDGET APPROPRIATION TRANSFERS

WHEREAS N.J.S.A. 40A: 4-58 states "Should it become necessary, during the last 2 months of the fiscal year, to expend for any of the purposes specified in the budget an Amount in excess of the respective sums appropriated therefor and there shall be an excess in any appropriations over and above the amount deemed to be necessary to fulfill the purpose of such appropriation, the governing body may, by resolution setting forth the facts, adopted by not less than 2/3 vote of the full membership thereof, transfer the amount of such excess to those appropriations deemed to be insufficient"; and,

WHEREAS the Director of Finance has recommended that the following transfers, being in compliance with N.J.S.A. 40A: 4-58, be made.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Long Branch, County of Monmouth, (not less than 2/3 of the full membership concurring affirmatively), that the budget transfers, attached and made a permanent part of this resolution, are hereby made and approved.

OFFERED: Pallone
SECOND: Billings
AYES: 5
NAYES: 0
ABSENT: 0
ABSTAIN: 0

STATE OF NEW JERSEY
COUNTY OF MONMOUTH
CITY OF LONG BRANCH
I, DEBORAH L. TALERICO, DEPUTY MUNICIPAL 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 December 21 2011
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 28th DAY OF Jan 20 11
Deborah L. Talerico
DEPUTY MUNICIPAL CLERK, R.M.C.

Budget Appropriations 2011	TRANSFERS 12/27/2011

Transfers "To"

a) Operations - within "CAPS"

Office of the City Attorney Other Expenses	10,000.00
Insurance Employee Group Health	25,000.00
Workers Compensation	235,000.00
Department of Public Works Office of the Director Other Expenses	1,000.00
Department of Public Safety Office of the Director Salaries and Wages	1.00
Department of Health Office of the Director Salaries and Wages	5,000.00
Bureau of Recreation Salaries and Wages	1,000.00
Long Branch Parking Authority Other Expenses	3,000.00
Total Transfers "To"	280,001.00

Budget Appropriations 2011	
	TRANSFERS 12/27/2011

Transfers "From"

Office of the Chief Administrator Miscellaneous Other Expense (IT Services)	(18,000.00)
Office of the City Attorney Misc. Other Expense (Labor Attorney)	(10,544.00)
Division of Street Construction & Maintenance Salaries and Wages	(25,000.00)
Office of City Engineer Other Expenses	(20,000.00)
Municipal Garage Salaries and Wages	(5,000.00)
Division of Parks Salaries and Wages	(6,000.00)
Division of Public Facilities Salaries and Wages	(35,000.00)
Division of Solid Waste / Recycling Salaries and Wages	(20,000.00)
Police Dispatch Salaries and Wages	(5,000.00)
Traffic Control Salaries and Wages	(4,000.00)
Division of Fire Uniform Fire Safety (Chapter 383, P.L. 1983) Other Expenses	(4,600.00)
Miscellaneous Other Expense	(30,000.00)

Budget Appropriations 2011	
	TRANSFERS 12/27/2011
Department of Recreation	
Office of the Director	
Salaries and Wages	(3,000.00)
Long Branch Arts Council	
Other Expenses	(5,000.00)
Urban Enterprize Zone	
Salaries and Wages	(10,000.00)
Other Expenses	
Department of Building & Development	
Office of the Director	
Other Expenses	(4,600.00)
Office of the Construction Code Official	
Salaries and Wages	(950.00)
Other Expenses	(10,000.00)
Miscellaneous Other Expense	
Office of Planning	
Miscellaneous-Other Expenses (Redevelopment)	(40,000.00)
Miscellaneous-Other Expenses (Master Plan)	(18,000.00)
Municipal Court	
Other Expenses	(5,307.00)
Total Transfers "From"	(280,001.00)

R# 350-11

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: Pallone

SECONDED: Billings

AYES: 5

NAYES: 0

ABSENT: 0

ABSTAIN: 0

I hereby certify the foregoing to be a true copy of a resolution adopted by the City Council at their Regular meeting held on December 27, 2011

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 28th day of December, 2011

Kathy L. Schmelz

Kathy L. Schmelz, RMC
City Clerk

Deputy Clerk

PUBLIC NOTICE

Notice is hereby given that the following bills will be submitted for payment approval as of December 27, 2011. The original bills are on file in the Office of the Director of Finance of the City of Long Branch between the hours of 8:30 and 4:30 P.M. Monday through Friday.

A T & T	Utilities - Telephone - Bill Dated 11/30/11 - Various Locations	1,318.16	*
A T & T	Utilities - Telephone - Bills Dated 10/21-11/16/11 - Various Locations	293.76	*
A.C. Moore	Supplies for Various Events in November & December 2011 - Senior Affairs	344.62	
	Radio Equipment - DPW	398.28	
A.R. Communications	Evidence Grade Media - Police Dept.	2,135.05	
Adams Evidence Grade Technology, Inc.	Mileage Reimbursement - Court Training - November 2011 - Municipal Court	210.96	
Aline Kim	Installation of Radio - Truck #25-2-75 - Fire Dept.	2,260.00	
Allcomm Technologies, Inc.	Registration - Luncheon Meeting - 11/16/11 - J. Butow - Tax Assessor	55.00	
AMANUJ	Pre-Employment Drug Testing - May / August 2011 - Human Services	488.50	
Ambassador Medical Services	Misc. Parts - PW #104 - DPW	830.00	
American Hose & Hydraulics Co.	Legal Services Rendered - Retainer - November 2011	2,500.00	*
Ansell, Zaro, Grimm & Aaron	Legal Services Rendered - General/Litigation/Tax Appeals - November 2011	9,513.67	*
Ansell, Zaro, Grimm & Aaron	Legal Services Rendered - Hotel Campus - November 2011	814.00	*
Ansell, Zaro, Grimm & Aaron	Legal Services Rendered - Labor Attorney - November 2011	5,433.75	Pymt #5
Apruzzese, McDermott, Mastro & Murphy	Plumbing Materials for City Hall Building - DPW	36.78	
Atlantic Plumbing Supply Corp.	Plumbing Materials for City Hall Building - DPW	90.00	
Atlantic Security & Fire, Inc.	Maintenance on Elevator at City Hall - DPW	7,557.45	
Auto Parts	Misc. Automotive Parts - October / December 2011 - DPW	6,608.74	
Auto Zone	Misc. Automotive Parts - August / October 2011 - DPW	500.52	
B & H Photo	Camera Equipment - IT-Administration	250.00	
B C M Irrigation	Maintenance on Sprinkler System at Manahassett Creek Park - DPW	99.00	
B. Keith Controls, Inc.	Light Bulbs - Fire Dept.	38,108.01	*
Bathgate, Wegener & Wolf, PC	Attorneys Fees - Estate of A. Viviano	436.79	
Blaze Emergency Equipment, LLC.	Misc. Parts - Truck #25-6-90 - Fire Dept.	29.28	
Buhler Dodge	Misc. Parts - Rec #25 - DPW	2,117.51	
Builders' General Supply Co.	Lumber & Materials for Bath Avenue Comfort Station - DPW	211.00	
Bullet Lock & Safe Co.	Misc. Keys/Locks - October & November 2011 - Traffic Dept. / DPW	1,500.00	
Cablevision Lightpath, Inc.	Monthly Lease of Dark Fiber - December 2011 - IT-Administration	120.00	
Carl F. Jennings	Cell Phone Allowance - October / December 2011 - Recreation Dept.	145.00	
Central Jersey Starter & Alternator, Inc.	Rebuild Alternator - Sanitation #10 - DPW	1,237.50	
Central Towing & Recovery, Inc.	Towing - 11/15/11 - DPW	1,135.83	
Century Office Products, Inc.	Copier Maintenance - November 2011 / February 2012 - Various Depts.	77,264.92	*
City of Long Branch Clearing Account	Reimburse Clearing Account	88,905.20	*
City of Long Branch Clearing Account	Reimburse Clearing Account	85,573.72	*
City of Long Branch Clearing Account	Reimburse Clearing Account		

* DENOTES PREPAY

** SUBJECT TO COMPLETION OF PAYMENT PACKAGE

City of Long Branch Clearing Account
 City of Long Branch Payroll Agency
 City of Long Branch Payroll Agency
 Complete Security Systems, Inc.
 Conte's Car Wash, Inc.
 Continental Fire & Safety
 Craft Oil Corp.
 Craney Fence, Inc.
 D M S & D Assoc.
 David Roach
 Dell Computer Corp.
 Depot International
 Dunkin Donuts
 Eagle Point Gun
 Edwards Tire Co.
 Elberon Engine Co.
 Evident Crime Scene Products
 F & C Automotive Supply
 F & S Tire Corp.
 Fastenal Co.
 Fax Express
 Fire One
 Flowers By Van Brunt
 Gabriel's Towing
 Gagliano Appraisal, LLC.
 Garden State Highway Products, Inc.
 Garden State Laboratories
 General Code Publishers
 General Linen & Paper Supply
 Global Gov't./Education Solutions, Inc.
 Greenbaum, Rowe, Smith & Davis
 Hilsen Termite & Pest Control, Inc.
 Institute for Professional Development
 Janusz Potyra
 Jennifer Muh
 Jeremy Spates Wrestling Camps
 Jersey Central Power & Light
 Jersey Central Power & Light
 Jersey Shore Youth Wrestling League

Reimburse Clearing Account				*	894,749.33
Payroll Dated 12/09/11				*	35,064.26
Payroll Dated 12/09/11				*	859,685.07
Central Station Monitoring - 85 Second Avenue - 11-1-11 / 1/31/12 - DPW					63.00
Odor Rid for Unit #25-36 - Fire Prevention					29.95
Safety Equipment - Fire Dept.					1,160.00
Motor Oil - DPW					4,578.39
Install Double Gate at OEM Building - DPW					595.00
Consumable Supplies - DPW					640.00
Cell Phone Allowance - October / December 2011 - Health Dept.					120.00
Laptop for OEM					1,883.99
Computer Equipment - Police Dept. / Comptroller's Office					529.34
Coffee & Donuts for Crossing Guard Meeting & Training - 9/2 & 11/12/11 - Police Dept. / Fire Dept.					129.91
Ammunition for October Qualifications - Police Dept.					10,304.43
Tires - Various Vehicles - DPW					4,258.57
Rental of Polling Place for 2011 Elections - City Clerk's Office					400.00
Crime Scene Supplies - Police Dept.					192.50
Misc. Parts - Sanitation #60 & Military Vehicles - DPW					1,988.44
Re-Tread Tires - DPW					2,285.92
Misc. Parts - PW #939 - DPW					500.00
Fax Machine & Maintenance Agreement - Police Dept.					1,185.00
Aerial Device Performance Testing of Ladder on Truck #25-6-90 - Fire Dept.					625.00
Flowers for Veteran's Day - Recreation Dept. / Administration					766.00
Towing - 11/25/11 - DPW					35.00
Tax Appeals - November 2011					1,290.00 Pymt #7
Traffic Materials - Traffic Dept.					152.00
Food Samples Analyzed - Health Dept.					275.00
Supplement #42 Code Update - City Clerk's Office					3,218.10
Janitorial Supplies - Various Depts.					174.45
Computer Equipment - Various Depts.					1,620.87
Legal Services Rendered - Hotel Campus - November 2011					3,616.00 Pymt #5
Legal Services Rendered - Coah - November 2011					3,108.00 Pymt #3
Legal Services Rendered - General Redevelopment - November 2011					105.00 Pymt #5
Legal Services Rendered - West of Pier - November 2011					22,043.00 Pymt #5
Integrated Pest Control - November & December 2011 - Various Locations - Health Dept.					770.00
Registration - Contract Laws Seminar - 10/7/11 - M. Hrbek - Purchasing Dept.					99.00
Mileage Reimbursement - Psychological First Aid Class - 12/3/11 - Health Dept.					17.21
Mileage Reimbursement for Use of Personal Vehicle - October / December 2011 - Health Dept.					115.44
Fall Wrestling Camp for Wrestling Program - 11/25/11 - Recreation Dept.					500.00
Utilities - Electric (Street Lighting Included) - 10/18-12/2/11 - Various Locations				*	42,310.81
Utilities - Electric - Bills Dated 8/26-12/1/11 - Various Locations				*	19,255.82
Dues for 2011/2012 Jersey Shore Jr. Wrestling League & 6th Grade & Under - Recreation Dept.				*	1,760.00

* DENOTES PREPAY

** SUBJECT TO COMPLETION OF PAYMENT PACKAGE

Jesco, Inc.
 JJ Hoops c/o John Rodgers
 John Butow
 John Guire Co.
 John's Auto & Truck Repair
 Joseph Fazio - Wall, LLC.
 Kepwel Water
 Lanigan Assoc.
 Lawyers Diary & Manual
 Lee Battery Service, Inc.
 Liberty Paper & Janitorial Supply
 Long Branch High School Football Team, Fund #158
 Lou's Uniforms
 Maaco Auto Painting & Body Works Centers
 Mazza & Sons, Inc.
 MCANJ c/o Jane L. Gillespie
 Memphis Equipment
 Michael Rafferty
 Monmouth County Board of Taxation
 Monmouth County Police Academy
 Monmouth County Treasurer - Finance Dept.
 Mr. John
 Neptune Fire House
 New Jersey American Water Co.
 New Jersey American Water Co.
 New Jersey Motor Vehicle Commission
 New Jersey Turfgrass Assoc.
 NJLM Educational Foundation
 Office Max, Inc.
 Office Needs, Inc.
 Oliver Byron Engine Co.
 Party Fair
 Photo Center of Brick
 Provantage Corp.
 Pumpkin Fields
 Red Bank Recycling & Auto Wreckers
 Redwood Biotech, Inc.
 Reliable Wood Products, LLC.
 Riggins, Inc.
 Saker Shoprites, Inc.
 Scoles Floorshine Industries
 Seaboard Welding Supply, Inc.

Misc. Parts - PW #1 & #104 - DPW	2,172.07
Basketball Clinic for Basketball Program - 12/3-12/4/11 - Recreation Dept.	500.00
Reimbursement for Mileage & Course - November & December 2011 - Tax Assessor	354.40
Top Soil - DPW	48.79
Rebuild Carburetor on Fire Van #25-99 - Fire Dept.	568.10
Misc. Parts for Snow Plows - DPW	1,453.20
Monthly Cooler Rental - November 2011	14.00 Pymt #5
Uniform for Dispatcher G. Vecchioni - Police Dept.	299.00
2012 Lawyers Diary & Manual - Municipal Court	356.00
Batteries for City Hall & Fire Headquarters - DPW	478.16
Janitorial Supplies for City Hall Building - DPW	223.60
Full Page Ad in Program for L.B.H.S. Football Banquet - Mayor's Office	60.00
Uniform for Dispatcher H. White & Chief's/Ex Chief's Badges - Police Dept. / Fire Dept.	1,016.87
Paint PW Vehicle - DPW	1,800.00
Disposal of Concrete & Bulky Waste / Recycling of Tires - October & November 2011 - DPW	27,245.63
Registration for Fall Conference - 10/25/11 - K. Schmeltz - City Clerk's Office	15.00
Misc. Parts for DPW Stock	940.06
Videography & Editing for Tree Lighting Ceremony - 11/27/11 - L.B. Cable Commission	600.00
Computer Services for 2011 Tax System - Tax Assessor's Office	3,613.04
Registration - Gang Awareness Seminar - 10/27/11 - (3) Police Officers - Police Dept.	30.00
Tipping Fees - October & November 2011 - DPW	156,719.92
Port-A-John - Atlantic Avenue - October 2011 - Recreation Dept.	51.00
Rental of Polling Place for 2011 Elections - City Clerk's Office	400.00
Utilities - Water (Hydrants Included) - Bills Dated 10/25-11/23/11 - Various Locations	16,304.75
Utilities - Water - 11/2-12/6/11 - Various Locations	999.21
(12) Motor Vehicle Tires - DPW	36.00
Registration - Green Expo - 12/6-12/8/11 - F. Ravaschiere & H. Van Note - DPW	250.00
Registration for Awards Luncheon - 11/15/11 - J. Bastelli & M. Bernich - City Council/Planning	70.00
Copier Paper - Central Supply / Police Dept.	3,679.60
Printer Cartridges - Various Depts.	194.85
Rental of Polling Place for 2011 Elections - City Clerk's Office	400.00
Supplies for Various Events in November 2011 - Senior Affairs	348.93
Camera - IT-Administration	799.99
Computer Equipment - Police Dept.	599.20
Disposal of Leaves - November & December 2011	11,424.00
Used Door for PW Vehicle - DPW	150.00
Drug Tests - Human Services	867.93
Brush Grinding - October / November 2011	14,280.00 Pymt #3
Unleaded Gasoline & Diesel Fuel - Delivered on 11/4 & 11/21/11 - DPW	69,324.19
Food for Various Events in November & December 2011 - Senior Affairs	1,269.71
Janitorial Supplies - DPW	759.00
Welding Supplies & Industrial Gases - November 2011 - DPW	1,069.35

* DENOTES PREPAY

** SUBJECT TO COMPLETION OF PAYMENT PACKAGE

Select Trans Equipment Co.
 Shared Technologies
 Sharp Electronics Corp.
 Shore Awning Co.
 Sickles Market
 Siperstein's
 Skylands Area Fire Equipment & Training, LLC.
 Standard Roofings, Inc.
 Stavola Asphalt Co.
 Stavola Contracting Co.
 T & M Assoc.
 Terri L. Turner
 Triumph Wrestling Club
 Trius, Inc.
 Trump Taj Mahal Casino Resort
 United Parcel Service
 United Rentals
 United States Postal Service
 Verizon
 Verizon
 Virtual F/X, LLC.
 W.B. Mason Co.
 W.W. Grainger, Inc.
 West End Engine Co.
 Zaf's Service Center, Inc.

Repairs to Waste Oil Heater - DPW 426.86
 Telephone Maintenance at City Hall & Senior Center - October 2011 / January 2012 3,348.37
 Copier Lease - November 2011 - Recreation Dept. 175.60
 Tarp for OEM Vehicle - DPW 1,500.00
 Food for Various Events in December 2011 - Senior Affairs 534.78
 Paint/Materials - October & November 2011 - DPW 235.31
 Turnout Gear - Fire Dept. 5,384.95
 Materials for Bath Avenue Comfort Station Renovations - DPW 335.00
 Road Materials to Repair Pot Holes - DPW 1,191.89
 Disposal of Asphalt - DPW 862.50
 Engineering Services Rendered - 2011 Refuse Contract - October / November 2011 154.00 Pymt #6
 Reimbursement for Mileage & Fees Paid for MCAA Meeting - November & Dec. 2011 - Municipal Court 152.96
 Training Sessions for L.B. Wrestling Program - 11/26/11 - Recreation Dept. 500.00
 Misc. Parts for Plows & Spreaders - DPW 3,955.18
 Reservation - Green Expo - 12/6-12/7/11 - F. Ravaschiere - DPW 74.00
 Ground Shipping - Health Dept. 11.40
 Concrete Blade - DPW 275.00
 Postage for Meter - Tax Collector's Office 30,000.00
 Utilities - Telephone - Bill Dated 11/11/11 - Various Locations 211.12
 Utilities - Telephone - Bills Dated 12/1/11 - Various Locations 10,945.54
 Lettering on OEM Vehicles - DPW 860.00
 Office Supplies - Various Depts. 366.88
 Misc. Equipment - DPW 227.21
 Rental of Polling Place for 2011 Elections - City Clerk's Office 400.00
 Gasoline for Police Motorcycles - June / October 2011 - DPW 177.29

TOTAL CURRENT

2,644,814.19

BBP, LLC.
 City of Long Branch Clearing Account
 City of Long Branch Clearing Account
 City of Long Branch Clearing Account
 D.W. Smith Assoc.
 Greenbaum, Rowe, Smith & Davis
 Leon S. Avakian, Inc.
 McCauley Construction Co.
 Pin Point Geo Tech, LLC.

Professional Services Rendered - Pier Project Management - November 2011 14,488.79 Pymt #5
 Reimburse Clearing Account 6,124.13
 Reimburse Clearing Account 85,838.20
 Reimburse Clearing Account 11,498.75
 Reimburse Clearing Account 3,749.25 Pymt #6
 Professional Services Rendered - MCP Phase II Oversight - October / November 2011 5,993.20 Pymt #4
 Legal Services Rendered - Pier Design - October 2011 11,498.75
 Engineering Services Rendered - Bath Avenue I & II - August / November 2011 85,838.20 Pymt #3
 City Hall Improvements - November 2011
 Hand Held Data Collection System for DPW 30,700.00

* DENOTES PREPAY

** SUBJECT TO COMPLETION OF PAYMENT PACKAGE

TOTAL CAPITAL

Auto Parts
 City of Long Branch Clearing Account
 City of Long Branch Clearing Account
 City of Long Branch Payroll Agency
 City of Long Branch Payroll Agency
 Long Branch Animal Hospital
 Monmouth County SPCA
 NJ Dept of Health & Senior Services

TOTAL DOG

A T & T
 ACCC Electrical
 Auto Parts
 Auto Zone
 Beverly Baxter
 Bullet Lock & Safe Co.
 Century Office Products, Inc.
 City of Long Branch Clearing Account
 City of Long Branch Clearing Account
 City of Long Branch Clearing Account
 City of Long Branch Payroll Agency
 City of Long Branch Payroll Agency
 City of Long Branch Payroll Agency
 Crestline Co.
 Fine Fare
 Jacob L. Jones
 Jersey Central Power & Light
 Jofa Construction, LLC.
 Mr. John
 Myron Manufacturing Corp.
 Oceanport Landing, Inc.

TOTAL HUD

Misc. Automotive Parts - November & December 2011 - Animal Control
 Reimburse Clearing Account
 Reimburse Clearing Account
 Payroll Dated 12/09/11
 Payroll Dated 12/09/11
 Veterinary Services - November 2011
 Animal Shelter Services - November 2011
 Dog Report - November 2011

Utilities - Telephone - Bills Dated 10/21-11/16/11 - UEZ
 Electrical Service for Booth Display at 2011 NJLM Conference - Community Dev.
 Misc. Automotive Parts - October / December 2011 - Community Dev.
 Misc. Automotive Parts - September 2011 - Community Dev.
 Ceramic Instruction - September & October 2011 - Community Dev. / Senior Affairs
 Misc. Keys/Locks - November 2011 - Community Dev.
 Copier Maintenance - November 2011 / February 2012 - UEZ
 Reimburse Clearing Account
 Reimburse Clearing Account
 Reimburse Clearing Account
 Payroll Dated 12/09/11
 Payroll Dated 12/09/11
 Promotional Items (Manicure Kits & Umbrellas) for Community Dev.
 Refreshments for UEZ Meeting - 11/30/11 - Community Dev.
 Cell Phone Allowance - Fourth Qtr. 2011 & Reimb. for Expenses Incurred in Nov. 2011 - Comm. Dev.
 Utilities - Electric - Bills Dated 8/26-12/1/11 - UEZ
 Remove & Replace Sidewalk at 279 Broadway - Community Dev.
 (2) Port-A-Johns - Seventh Avenue & Manahasset Park - October & November 2011 - Comm. Dev.
 Promotional Items (Calendars) for 2011 NJLM Conference - Community Dev.
 Shrink Wrap for City Stage to Store During Winter Season - Community Dev.

255,729.27

14,919.79

54,780.44

* DENOTES PREPAY

** SUBJECT TO COMPLETION OF PAYMENT PACKAGE

A T & T									
Ansell, Zaro, Grimm & Aaron		Utilities - Telephone - Bills Dated 10/21-11/16/11 - UEZ							158.63
Ansell, Zaro, Grimm & Aaron		Legal Services Rendered - Beachfront North II - November 2011	*						440.00
Ansell, Zaro, Grimm & Aaron		Legal Services Rendered - Pier Village II - November 2011	*						33.00
Ansell, Zaro, Grimm & Aaron		Legal Services Rendered - Pier Village III - November 2011	*						33.00
APS Contracting, Inc.		Refund of Outside Police Overtime							537.80
B & H Photo		Camera Equipment - Fire Prevention							99.73
Carol Sutton		Refund of Outside Police Overtime							303.76
City of Long Branch Clearing Account		Reimburse Clearing Account	*						100.00
City of Long Branch Clearing Account		Reimburse Clearing Account	*						8,493.38
City of Long Branch Clearing Account		Reimburse Clearing Account	*						98,823.36
City of Long Branch Clearing Account		Reimburse Clearing Account	*						1,162.30
City of Long Branch Clearing Account		Reimburse Clearing Account	*						11,380.70
City of Long Branch Current Account		Reimburse Clearing Account	*						98,158.73
City of Long Branch Payroll Agency		Realization of UEZ Grant from Trust Fund	*						261.44
City of Long Branch Payroll Agency		Payroll Dated 12/09/11	*						11,119.26
City of Long Branch Payroll Agency		Payroll Dated 12/09/11	*						3,823.39
Collision Repair By Damiano		Repair of PD #2 - Police Dept.							420.00
Diane Stern		Refund of Outside Police Overtime							4,488.00
E.M. Waterbury & Assoc.		Engineering Services Rendered - January / November 2011 - Zoning Board							272.25
Frieda Chera		Refund of Outside Police Overtime							148.79
Harry Adjimi		Refund of Outside Police Overtime							2,116.80
Kaldor		Emergency Lights - Police Dept.							125.80
Ken Cayre		Refund of Outside Police Overtime	*						1,162.30
Long Branch American Youth Football		Signs at Manahassett Park - Recreation Dept.							10,522.50
Maser Consulting, P.A.		Engineering Services Rendered - Beachfront North II - September / November 2011							1,330.00
Maser Consulting, P.A.		Engineering Services Rendered - Pier Village II - August 2011							497.50
Maser Consulting, P.A.		Engineering Services Rendered - Stella Maris Phase II - July / September 2011							2,621.24
Michael A. Irene, Jr. Esq.		Legal Services Rendered - June / November 2011 - Zoning Board							471.20
Monmouth Medical Center		Refund of Outside Police Overtime							344.48
National Multiple Sclerosis		Refund of Outside Police Overtime							520.40
Nicole B. Brown		Refund of Outside Police Overtime							197.82
Ocean Mews Condo Assoc.		Refund of Outside Police Overtime							1,268.94
Por Do Sol		Refund of Outside Police Overtime							967.50
Skip's Sports		T-Shirts & Shorts for Wrestling Program - Recreation Dept.							86.12
St. Michaels Church		Refund of Outside Police Overtime							199.28
Tequipment.net		Refund of Outside Police Overtime							3,248.82
US Road & Entertainment of NJ		Refund of Outside Police Overtime							24.64
W.B. Mason Co.		Office Supplies - Community Dev.							

TOTAL TRUST OTHER

265,962.86

* DENOTES PREPAY

** SUBJECT TO COMPLETION OF PAYMENT PACKAGE

R# 351-11

**RESOLUTION TO REFUND OVERPAYMENT
OF TAXES DUE TO A
TAX COURT OF NEW JERSEY JUDGMENT**

WHEREAS, the City of Long Branch has received from the Tax Court of New Jersey judgment(s) reducing the assessment on certain property for the years indicated and,

WHEREAS, the taxes on the certain property for the years indicated are overpaid and,

WHEREAS, in most of the cases a stipulation having been filed with the judgment indicating that relief from the same be made by way of credit to the taxpayer's account and,

BE IT RESOLVED, that the City of Long Branch refund to the taxpayer(s) shown on the attached sheet the amount of the tax overpaid and,

NOW THEREFORE BE IT RESOLVED, that the Finance Department is hereby authorized to issue an individual check(s) to the taxpayer(s) or to the City of Long Branch, where a credit is to be given rather than a refund, as shown on the attached sheet charging taxes for the years indicated in the amount of \$23,195.36.

OFFERED: Pallone
SECOND: Billings
AYES: 5
NAYES: 0
ABSENT: 0
ABSTAIN: 0

STATE OF NEW JERSEY
COUNTY OF MONMOUTH
CITY OF LONG BRANCH
I, DEBORAH L. TALERICO, DEPUTY MUNICIPAL 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 December 11, 2011
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 11th DAY OF December, 2011
Deborah L. Talero
DEPUTY MUNICIPAL CLERK, R.M.C.

BLOCK	LOT	NAME	YEAR	AMOUNT
124	1.01	City of Long Branch Account of: LABB Realty Co.	2009	3,576.44
142	3.110	City of Long Branch Account of: Audate, E. & Allen, D.	2010	375.40
158	23	City of Long Branch Account of: West Street Storage	2009 2010 2011	4,582.50 7,297.78 2,593.66
123	3	City of Long Branch Account of: 180 Brighton Ave Associates	2009	2,561.55
238.01	16	City of Long Branch Account of: 882 Broadway Associates	2009	2,208.03

R# 352-11

**RESOLUTION TO REFUND
OVERPAYMENT OF TAXES DUE TO
PROPERTY TAX 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 taxpayers shown below due to an overpayment of 2011 taxes. The overpayment is the result of an error in the fourth (4th) quarter tax payment by the taxpayer on properties which were granted the property tax deduction indicated for 2011.

NOW THEREFORE BE IT RESOLVED, that the Finance Office is hereby authorized to issue an individual check(s) to the taxpayer(s) shown below in the total amount of \$1,000.00.

BLOCK	LOT	OWNER	DEDUCTION	AMOUNT
85	15.16	Lorraine Motto 705 Greens Avenue, Unit 16 Long Branch, NJ 07740	Widow Ded.	250.00
140	5.21	Eleanor Edwards 510 Ocean Avenue, Unit 21 Long Branch, NJ 7740	Senior Ded.	250.00
212	9	Harold Zotti 68 Dunbar Avenue Long Branch, NJ 07740	Veteran Ded.	250.00
394	7	Kara Douglas 175 Elmwood Avenue Long Branch, NJ 07740	Veteran Ded.	250.00

OFFERED: Pallone
SECOND: Billings
AYES: 5
NAYES: 0
ABSENT: 0
ABSTAIN: 0

STATE OF NEW JERSEY
COUNTY OF MONMOUTH
CITY OF LONG BRANCH
I, DEBORAH L. TALERICO, DEPUTY MUNICIPAL 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 December 21 2011
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 21st DAY OF December 2011
Deborah L. Talerico
DEPUTY MUNICIPAL CLERK, R.M.C.

R# 353-11

**RESOLUTION AUTHORIZING
THE CANCELATION OF TAX OVERPAYMENTS
OR DELINQUENT AMOUNTS LESS THAN \$10.00**

WHEREAS, NJSA 40A:5-17 permits the cancellation of property tax overpayments or delinquencies in the amounts of less than \$10.00; and,

WHEREAS, the City Council of the City of Long Branch may authorize the Tax Collector to process, without further action on their part, any cancellation of property tax overpayments or delinquencies of less than \$10.00.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Long Branch, County of Monmouth, State of New Jersey, that the Tax Collector has the authority to cancel said tax amounts as deemed necessary.

D: Pallone
A: Billings
S: 5
N: 0
Y: 0
N: 0

STATE OF NEW JERSEY
COUNTY OF MONMOUTH
CITY OF LONG BRANCH
I, DEBORAH L. TALERICO, DEPUTY MUNICIPAL 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 December 27, 2011

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 28th DAY OF December, 2011
Deborah L. Talerico
DEPUTY MUNICIPAL CLERK, R.M.C.

R# 354-11

**RESOLUTION AUTHORIZING
CITY OF LONG BRANCH
TO CHARGE FEE FOR A
DUPLICATE TAX SALE CERTIFICATE**

BE IT RESOLVED, by the City Council of the City of Long Branch that pursuant to NJS 54:5-52.1 a service charge of \$100.00 be charged for each duplicate tax sale certificate that has been either destroyed or lost and to be effective January 1, 2012.

OFFERED: Pallone
SECOND: Billings
AYES: 5
NAYES: 0
ABSENT: 0
ABSTAIN: 0

STATE OF NEW JERSEY
COUNTY OF MONMOUTH
CITY OF LONG BRANCH
I, DEBORAH L. TALERICO, DEPUTY MUNICIPAL 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 December 27, 2011
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 28th DAY OF December 2011
Deborah L. Taleric
DEPUTY MUNICIPAL CLERK, R.M.C.

R# 355-11

**RESOLUTION SETTING FORTH
RATE OF INTEREST TO BE
CHARGED ON DELINQUENT TAXES FOR 2012**

WHEREAS, NJSA 54:4-66 & 67 provide that taxes for municipalities operating under the calendar fiscal year shall be payable the first installment as hereinafter provided on February 1, the second installment on May 1, the third installment on August 1, and the fourth installment on November 1, after which dates if unpaid, they shall become delinquent and remain delinquent until such time as all unpaid taxes, including taxes and other liens subsequently due and unpaid, together with interest have been fully paid and satisfied, and,

WHEREAS, NJSA 54:4-67 provides that no interest shall be charged if payment of any installment is made within the tenth calendar day following the date upon which the same became payable, and,

WHEREAS, NJSA 54:4-67 provides that "Delinquency" means the sum of all taxes and municipal charges due on a given parcel of property covering any number of quarters or years, and,

WHEREAS, NJSA 54:5-6 provides that taxes are a **continuous** lien and all subsequent taxes, interest, penalties and costs of collection which are imposed or accrue are added to the lien and become part of it, and,

NOW THEREFORE BE IT RESOLVED, that upon the recommendation of the City of Long Branch, Tax Collector, Carla Tomas, interest at the rate of 8% per annum be charged on the first \$1,500.00 of the delinquency and 18% per annum on any amount in excess of \$1,500.00 be charged, to be calculated from the date the tax was payable until the date that actual payment to the tax collector is made and,

BE IT FURTHER RESOLVED, that in addition to the interest provided above, on all delinquencies in excess of \$10,000.00 and which are not paid prior to the end of the fiscal year, the Tax Collector shall fix a 6% year end penalty, to become effective January 1, 2012.

OFFERED: Pallone
SECOND: Billings
AYES: 5
NAYES: 0
ABSENT: 0
ABSTAIN: 0

STATE OF NEW JERSEY
COUNTY OF MONMOUTH
CITY OF LONG BRANCH
I, DEBORAH L. TALENICO, DEPUTY MUNICIPAL 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 December 27, 2011
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 28th DAY OF December, 2011
Deborah L. Talenico
DEPUTY MUNICIPAL CLERK, R.M.C.

R# 356-11

**RESOLUTION ESTABLISHING A YEAR END
PENALTY OF SIX (6%) PER CENT TO
BE CHARGED ON DECEMBER 31 OF EACH YEAR
ON DELINQUENCIES IN EXCESS OF \$10,000.00**

WHEREAS, NJSA 54:4-67 permits the governing body of each municipality to fix the rate of interest to be charged for non-payment of taxes or assessments subject to any abatement of discount for the late payment of taxes as provided by law; and

WHEREAS, NJSA 54:4-67 permits the governing body to fix a penalty of 6% to be charged to a taxpayer with a delinquency in excess of \$10,000.00 who fails to pay that delinquency prior to the end of the fiscal year. The penalty so fixed shall not exceed 6% of the amount of the delinquency with respect to each most recent fiscal year only.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Long Branch that the Tax Collector has the authority to fix a 6% year end penalty to all delinquencies in excess of \$10,000.00 that have not been paid prior to the end of the fiscal year and, to become effective immediately.

OFFERED: Pallone
SECOND: Billings
AYES: 5
NAYES: 0
ABSENT: 0
ABSTAIN: 0

STATE OF NEW JERSEY
COUNTY OF MONMOUTH
CITY OF LONG BRANCH

I, DEBORAH L. TALERICO, DEPUTY MUNICIPAL 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 December 27, 2011

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 27th DAY OF December 2011

Deborah L. Taleric
DEPUTY MUNICIPAL CLERK, R.M.C.

R# 357-11

**RESOLUTION ESTABLISHING A YEAR END
PENALTY OF SIX (6%) PER CENT TO
BE CHARGED ON THIRD PARTY LIENS
ON DECEMBER 31 OF EACH YEAR
WHEN THE AMOUNT PAID BY THE LIEN HOLDER
IS IN EXCESS OF \$10,000.00**

WHEREAS, NJSA 54:4-67 permits the governing body of each municipality to fix the rate of interest to be charged for non-payment of taxes or assessments subject to any abatement of discount for the late payment of taxes as provided by law; and

WHEREAS, NJSA 54:4-67 has been amended to permit the fixing of said rate of 8% per annum on the first \$1,500.00 of the delinquency and 18% per annum on any amount in excess of \$1,500.00 and allows an additional penalty of 6% to be collected against a delinquency in excess of \$10,000.00 on property that fails to pay the delinquency prior to the end of the calendar year.

WHEREAS, NJSA 54:4-67 permits the governing body to fix a penalty of 6% to be charged to a taxpayer with a delinquency in excess of \$10,000.00 who fails to pay that delinquency prior to the end of the fiscal year. If any fiscal year delinquency in excess of \$10,000.00 is paid by the third party lien holder of an outstanding tax sale certificate the holder or purchaser shall be entitled to receive the amount of the penalty as part of the amount required to redeem such certificate of sale providing the payment is made by the tax lien holder prior to the end of the fiscal year. If the holder of the outstanding tax sale certificate does not make the payment in full prior to the end of the fiscal year, then the holder or purchaser shall be entitled to a pro rata share of the delinquency penalty upon redemption and the balance of the penalty shall inure to the benefit of the municipality. The penalty so fixed shall not exceed 6% of the amount of the delinquency with respect to each most recent fiscal year only.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Long Branch that the Tax Collector has the authority to fix a 6% year end penalty to all third party tax sale certificates in excess of \$10,000.00 that have been paid in full by the lien holder prior to the end of the fiscal year and if not paid in full the lien holder shall be entitled to a pro rata share of the delinquency penalty upon redemption and the balance of the penalty shall be inure to the benefit of the municipality for the 2012 tax year and to become effective on January 1, 2012.

OFFERED: Pallone
SECOND: Billings
AYES: 5
NAYES: 0
ABSENT: 0
ABSTAIN: 0

STATE OF NEW JERSEY
COUNTY OF MONMOUTH
CITY OF LONG BRANCH
I, DEBORAH L. TALERICO, DEPUTY MUNICIPAL 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 December 21, 2011
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 28th DAY OF December, 2011
Deborah L. Talerico
DEPUTY MUNICIPAL CLERK, R.M.C.

R# 358-11

**RESOLUTION AUTHORIZING
CITY OF LONG BRANCH
TO CHARGE A FEE
FOR RETURNED CHECKS**

BE IT RESOLVED, by the City Council of the City of Long Branch that pursuant to NJS 40:5-18 a service charge of \$20.00 be charged for each returned check, used to make any payment to the City of Long Branch, for insufficient funds and to become effective January 1, 2012.

OFFERED: Pallone
SECOND: Billings
AYES: 5
NAYES: 0
ABSENT: 0
ABSTAIN: 0

STATE OF NEW JERSEY
COUNTY OF MONMOUTH
CITY OF LONG BRANCH
I, DEBORAH L. TALERICO, DEPUTY MUNICIPAL 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 December 21, 2011
IN WITNESS WHEREOF, I HAVE HEREONTO SET MY HAND AND AFFIXED THE OFFICIAL SEAL OF THE CITY OF LONG BRANCH, MONMOUTH COUNTY, NEW JERSEY THIS 28th DAY OF December 2011
Deborah L. Talero
DEPUTY MUNICIPAL CLERK, R.M.C.

R# 359-11

**RESOLUTION TO APPOINT
TAX SEARCH OFFICER
FOR 2012**

BE IT RESOLVED, by the City Council of the City of Long Branch, that Carla Tomas, the Tax Collector of the City of Long Branch, be and hereby is designated as the Tax Search Officer of the City to make and certify Certificates of Searches of the Municipal Liens, as may be required under and by virtue of NJSA 54:5-11 and to make and certify Certificates of Searches of the Municipal Improvements, as may be required under and by virtue of NJSA 54:5-18.1 et. seq. and to become effective January 1, 2012.

OFFERED: Pallone
SECOND: Billings
AYES: 5
NAYES: 0
ABSENT: 0
ABSTAIN: 0

STATE OF NEW JERSEY
COUNTY OF MONMOUTH
CITY OF LONG BRANCH
I, DEBORAH L. TALERICO, DEPUTY MUNICIPAL 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 December 17, 2011
IN WITNESS WHEREOF, I HAVE HEREBY SET MY HAND AND AFFIXED THE OFFICIAL SEAL OF THE CITY OF LONG BRANCH, MONMOUTH COUNTY, NEW JERSEY THIS 28th DAY OF December 2011
Deborah L. Talerico
DEPUTY MUNICIPAL CLERK, R.M.C.

R# 360-11

**RESOLUTION AUTHORIZING
CITY OF LONG BRANCH
TO CHARGE A FIVE DOLLAR FEE
FOR TAX SALE ADVERTISING**

BE IT RESOLVED, by the City Council of the City of Long Branch to authorize the Tax Collector's Office to charge an advertising cost fee of five (\$5.00) dollars for each tax sale item that appears in the newspaper. The fee applies to only tax sale items that are paid in full prior to the tax sale. All items that go directly to tax sale will be charged as per statute and to become effective January 1, 2012.

OFFERED: Pallone
SECOND: Billings
YES: 5
NAYES: 0
ABSENT: 0
ABSTAIN: 0

STATE OF NEW JERSEY
COUNTY OF MONMOUTH
CITY OF LONG BRANCH
I, DEBORAH L. TALERICO, DEPUTY MUNICIPAL 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 December 21, 2011
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 28th DAY OF December, 2011
Deborah L. Talerico
DEPUTY MUNICIPAL CLERK, R.M.C.

R# 361-11

**RESOLUTION AUTHORIZING
THE TAX COLLECTOR TO
CONDUCT A TAX LIEN SALE**

WHEREAS, there remains on the records of the City of Long Branch delinquent taxes, sewer service charges and other municipal charges owing as of December 31, 2011 and,

WHEREAS, the statutes of the State of New Jersey, expressly NJSA 54:5 et seq., provide for the enforcement and collection of such delinquencies through a tax lien sale and,

WHEREAS, the Tax Collector is empowered by statute to conduct and preside over the sale of liens and,

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Long Branch, a Municipal Corporation of the State of New Jersey, that the Tax Collector is authorized to conduct a tax lien sale for 2011 delinquent taxes, sewer service charges and other municipal charges on or before December 31, 2012 and to become effective January 1, 2012.

OFFERED: Pallone
SECONDE: Bulloughs
AYES: 5
NAYES: 0
ABSENT: 0
ABSTAIN: 0

STATE OF NEW JERSEY
COUNTY OF MONMOUTH
CITY OF LONG BRANCH
I, DEBORAH L. TALERICO, DEPUTY MUNICIPAL 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 December 21, 2011
IN WITNESS WHEREOF, I HAVE HERETO SET MY HAND AND AFFIXED THE OFFICIAL SEAL OF THE CITY OF LONG BRANCH, MONMOUTH COUNTY, NEW JERSEY THIS 28th DAY OF December 2011
Deborah L. Taleric
DEPUTY MUNICIPAL CLERK, R.M.C.

362-11

Resolution Supporting Membership in the Whale Pond Brook Watershed Association

WHEREAS, it is the desire of the Mayor and Council of Long Branch to promote matters which benefit the health, welfare, comfort and safety of the citizens of the community, and

WHEREAS, the Whale Pond Brook Watershed is a water body that begins in Tinton Falls and continues to the Atlantic Ocean through Eatontown, Ocean Township, West Long Branch and Long Branch; and

WHEREAS, volunteers from Tinton Falls, Eatontown, Ocean Township, West Long Branch and Long Branch have been working together to help restore and enhance the Whale Pond Brook watershed, including Takanassee Lake; and

WHEREAS, Long Branch city staff, officials, Environmental Commissioners and Green Committee members have been working to enhance the watershed along with the aforementioned volunteers; and

WHEREAS the Whale Pond Brook Watershed Association has a vision to restore the eroded banks and improve water quality in the Whale Pond Brook watershed and be able to walk along a greenway from its source to the ocean. The greenway and water body would become an attraction for residents and tourists alike with its beautiful hike from the Whale Pond preserve to the ocean and include historic sites like the 100-year-old year old Ross Island cottage, the old Brinley grist mill site, the Woodrow Wilson Hall at Monmouth University and beautiful Takanassee Lake; and

WHEREAS, a Whale Pond Brook Watershed Association was duly incorporated in NJ on July 21, 2011 to improve, restore and enhance the watershed and requests all the aforementioned municipal stakeholders join as formally supporting members so that the Association's efforts are unified and formalized over the entire watershed; and

WHEREAS, an approach to improve, restore and enhance the entire watershed is encouraged by grantors such as the EPA and NJDEP; and

WHEREAS the Whale Pond Brook Watershed Association believes it can make this dream possible through various grants but they require that a partnership be formed. Such grants are exemplified through the EPA 2011 Urban Small Waters Grant:

Partnerships should include organizations that have the skills, expertise and networks related to environmental justice, community revitalization and other local priorities. Some examples of key partners include local residents, industry businesses, academic institutions, non-profit organizations, communities surrounding the urban water body, and other suitable partners to work on urban water issues. If a working partnership already exists or is under development, the proposal should identify all parties involved,

as well as provide a clear description of the roles of each partner in the projects, components/tasks and how each partner will contribute to the success of the project.

NOW, THEREFORE BE IT RESOLVED by the City of Long Branch that we hereby approve membership in the Whale Pond Brook Watershed Association to assist and support its watershed restoration efforts.

MOVED: Pallone
SECOND: Billings

AYES: 4
NAYES: 1 - Celli
ABSENT: 0
ABSTAIN: 0

STATE OF NEW JERSEY
COUNTY OF MONMOUTH
CITY OF LONG BRANCH

I, DEBORAH L. TALERICO, DEPUTY MUNICIPAL 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 December 27, 2011

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 28th DAY OF December 2011

Deborah L. Taleric
DEPUTY MUNICIPAL CLERK, R.M.C.

**RESOLUTION AWARDING BID FOR DEMOLITION
OF 162 BROADWAY, LONG BRANCH, NJ**

WHEREAS, the City of Long Branch advertised to receive bids on October 18, 2011 for demolition of 162 Broadway, Long Branch, NJ and the following bids were received:

Mazza & Sons Demolition	\$37,000.00
Rosario Contracting	\$49,450.00
Rich-Mark Contracting	\$74,249.00
Mixalia Enterprises LLC	\$96,000.00
Two Brothers Contracting	\$142,800.00

WHEREAS, bid documents were reviewed by the Purchasing Agent and found to be in order, and it is the recommendation of the City that the bid be awarded to Mazza & Sons Demolition; and

WHEREAS, the Chief Financial Officer of the City of Long Branch has certified, in accordance with the Certification of Funds Form attached hereto, that funds are available for this contract in Appropriation # H-02-037-204 for a total amount not to exceed \$37,000.00.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Long Branch that the bid for demolition of 162 Broadway, Long Branch, NJ be awarded to Mazza & Sons Demolition in accordance with the bid specifications and proposal, for an amount not to exceed \$37,000.00.

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

MOVED: Pallone
SECONDED: Billings

AYES: 5
NAYES: 0
ABSENT: 0
ABSTAIN: 0

STATE OF NEW JERSEY
COUNTY OF MONMOUTH
CITY OF LONG BRANCH
I, DEBORAH L. TALERICO, DEPUTY MUNICIPAL 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 December 27, 2011

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 28th DAY OF December 2011

Deborah L. Talerico
DEPUTY MUNICIPAL CLERK, R.M.C.

CITY OF LONG BRANCH
344 BROADWAY
LONG BRANCH, NEW JERSEY 07740
DEPARTMENT OF FINANCE
OFFICE OF THE DIRECTOR

CERTIFICATION OF FUNDS

12/21/2011

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

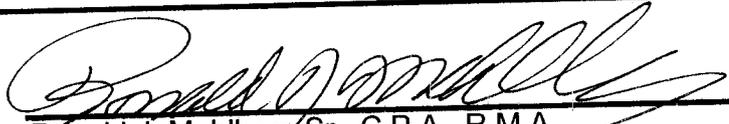
Demolition of Building	
Block Lot	
162 Broadway	\$37,000.00

Said award is to be made to the following Agency / Vendor, in the following amount

Mazza & Sons	\$37,000.00
--------------	-------------

Said funds being available in the form of:

Community Development Block Grant	
H- 02- 037- 204	\$37,000.00
	<u>\$37,000.00</u>


Ronald J. Mehlhorn Sr., C.P.A., R.M.A.
Director of Finance (C.F.O.)

CITY OF LONG BRANCH
PROPOSAL FORM

Mazza + Sons, Inc.
Bidder's Name

Bid Price for demolition of building at
164 Broadway, Long Branch, N.J. 07740
(Block 283, Lot 9), in accordance with bid specifications:

\$ 37,000.00

thirty seven thousand dollars and zero cents
Bid Price in Words

STOCKHOLDER DISCLOSURE CERTIFICATION

If bidder is a Sole Proprietorship, check here _____
And do not complete this statement.

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

Bidder is:

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

I certify that the list below contains the names and home addresses of all stockholders holding 10% or more of the issued and outstanding stock of the undersigned. (Use additional sheets in this format if necessary.)

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

Stockholder/Partner

Name Dominick J. Mazza
Home Address 74 Rivers Edge Dr
Little Silver, NJ 07739

Name James F. Mazza
Home Address 221 Cedar Ave
Long Branch, NJ 07740

Name _____

Name _____

Home Address _____

Home Address _____

Name _____

Name _____

Home Address _____

Home Address _____

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

THIS FORM MUST BE INCLUDED WITH BID SUBMISSION.

Subscribed and sworn
Before me this day

10/17/11

Peter A. Dellera, Jr.

Notary Public NS

My commission expires:

[Signature]

(Signature of Officer/Owner)

Dominick J. Mazza, President

(Name and Title)

(CORPORATE SEAL)

PETER A. DELLERA, JR.
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires Aug. 16, 2012

NON-COLLUSION AFFIDAVIT

STATE OF NEW JERSEY
COUNTY OF Monmouth

I, Dominick J. Mazza residing in Little Silver
(name of municipality)

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

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

I, am President of the firm of Mazza + Sons, Inc.
(title or position) (name of firm)

the bidder making this Proposal for the bid proposal entitled B-2011-09 Demolition of Building
at 162 Broadway, in the City of Long Branch and that I executed the said proposal with full authority to do so,
(title of bid proposal)

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

I further warrant that no person or selling agency has been employed or retained to solicit or secure such contract upon an agreement or understanding for a commission, percentage, brokerage, or contingent fee, except bona fide employees or bona fide established commercial or selling agencies maintained by Mazza + Sons, Inc.
(name of firm)

Subscribed and sworn to before me this day 10/17/11

Peter A. Dellera, Jr.

Dominick J. Mazza

(signature of affiant) Dominick J. Mazza, President

Peter A. Dellera, Jr.

(signature of notary)

My Commission expires:

PETER A. DELLERA, JR.
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires Aug. 16, 2012

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

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

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

OR

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

OR

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

OR

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

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

The following questions must be answered by all bidders:

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

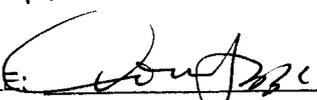
Yes No If yes, please submit copy of such approval.

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

Yes No If yes, please submit copy of such certificate.

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

COMPANY: Mazza + Sons, Inc.

SIGNATURE: 

TITLE: Dominick J. Mazza, President

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

**ACKNOWLEDGMENT OF SURETY
(Attorney-in-Fact)**

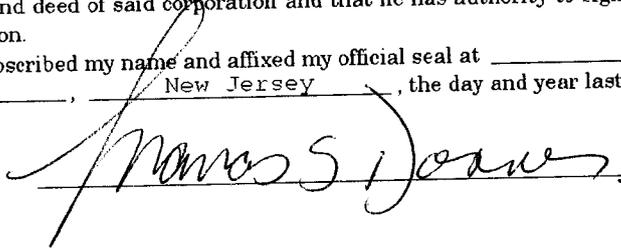
STATE OF New Jersey
COUNTY OF Monmouth } ss

Bond No. 71182061

On this 14 day of October, _____, before me, a notary public in and for said County, personally appeared ROSALIND C MESKIN to me personally known and being by me duly sworn, did say, that he is the Attorney-in-Fact of WESTERN SURETY COMPANY, a corporation of Sioux Falls, South Dakota, created, organized and existing under and by virtue of the laws of the State of South Dakota, that the said instrument was executed on behalf of the said corporation by authority of its Board of Directors and that the said ROSALIND C MESKIN acknowledges said instrument to be the free act and deed of said corporation and that he has authority to sign said instrument without affixing the corporate seal of said corporation.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal at Eatontown, New Jersey, the day and year last above written.

My comm. **FRANCES S. DONNER**
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires April 25, 2012



Notary Public

Sincerely,

James J. Fruscione

James J. Fruscione
Director
New Jersey Division of Revenue

STATE OF NEW JERSEY
BUSINESS REGISTRATION CERTIFICATE

DEPARTMENT OF TREASURY/
DIVISION OF REVENUE
P.O. BOX 252
TRENTON, N.J. 08646-0252

TAXPAYER NAME:
MAZZA & SONS, INC.

ADDRESS:
**3230 SHAFTO ROAD
TINTON FALLS NJ 07555**

EFFECTIVE DATE:
03/20/06

TRADE NAME:

SEQUENCE NUMBER:
0102793

ISSUANCE DATE:
10/04/07

James J. Fruscione
Acting Director
New Jersey Division of Revenue

FORM REVISED 08-04-04 This certificate is not assignable or transferable. It must be conspicuously displayed at the address

Certificate Number
603779

Registration Date: 08/17/2011
Expiration Date: 08/16/2013



State of New Jersey

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

Public Works Contractor Registration Act

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

2011
Mazza & Sons Inc.

Responsible Representative(s):
Dominick J. Mazza, President
James F. Mazza, Vice-President

Responsible Representative(s):

Harold J. Wirths

Harold J. Wirths, Commissioner
Department of Labor and Workforce Development

NON TRANSFERABLE

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

Certification 18302

**CERTIFICATE OF EMPLOYEE INFORMATION REPORT
RENEWAL**

This is to certify that the contractor listed below has submitted an Employee Information Report pursuant to N.J.A.C. 17:27-1.1 et. seq. and the State Treasurer has approved said report. This approval will remain in effect for the period of **15-FEB-2009** to **15-FEB-2016**



MAZZA & SONS/RECYCLING TECHNOLOGY CENTER, INC.

3230 SHAFTO RD

TINTON FALLS

NJ 07732

State Treasurer



CERTIFICATE OF LIABILITY INSURANCE

KOSU

DATE (MM/DD/YYYY)

1/11/2011

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER The Graham Company The Graham Building 1 Penn Square West Philadelphia, PA 19102	(215) 567-6300	CONTACT NAME: Kevin D. Connelly	FAX (A/C, No): 1-215-526-0235
		PHONE (A/C, No, Ext): 1-215-701-5376	
		E-MAIL ADDRESS: Connelly_Unit@grahamco.com	
		PRODUCER CUSTOMER ID #: MAZZ&SO-01	
		INSURER(S) AFFORDING COVERAGE	NAIC #
INSURED Mazza & Sons, Inc. 3230 Shafto Road Tinton Falls, NJ 07753-7503		INSURER A: Steadfast Insurance Co.	26387
		INSURER B: Zurich-American Insurance Company	16535
		INSURER C:	
		INSURER D:	
		INSURER E:	
		INSURER F:	

COVERAGES CERTIFICATE NUMBER: REVISION NUMBER:

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

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY			EZL594657602	12/28/2010	12/28/2011	EACH OCCURRENCE \$ 1,000,000
	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY						DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000
	CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR						MED EXP (Any one person) \$ 5,000
							PERSONAL & ADV INJURY \$ 1,000,000
							GENERAL AGGREGATE \$ 2,000,000
							PRODUCTS - COMPROP AGG \$ 2,000,000
							\$
B	AUTOMOBILE LIABILITY			BAP943478702	12/28/2010	12/28/2011	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000
	<input checked="" type="checkbox"/> ANY AUTO						BODILY INJURY (Per person) \$
	ALL OWNED AUTOS						BODILY INJURY (Per accident) \$
	SCHEDULED AUTOS						PROPERTY DAMAGE (Per accident) \$
	HIRED AUTOS						\$
	NON-OWNED AUTOS						\$
A	UMBRELLA LIAB			SEO594657002	12/28/2010	12/28/2011	EACH OCCURRENCE \$
	EXCESS LIAB						AGGREGATE \$ 10,000,000
	DEDUCTIBLE						\$
	RETENTION \$						\$
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY			WC943478702	12/28/2010	12/28/2011	<input checked="" type="checkbox"/> WC STATUTORY LIMITS <input type="checkbox"/> OTHER
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)	Y/N	N/A				E.L. EACH ACCIDENT \$ 1,000,000
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE \$ 1,000,000
							E.L. DISEASE - POLICY LIMIT \$ 1,000,000
B	Property			CPP943301102	12/28/2010	12/28/2011	Limit: \$4,983,745
B	Contractor's Equipment			CPP943301102	12/28/2010	12/28/2011	

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

CERTIFICATE HOLDER	EVIDENCE of INSURANCE	CANCELLATION
		SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
		AUTHORIZED REPRESENTATIVE

© 1988-2009 ACORD CORPORATION. All rights reserved.

ACORD 25 (2009/09)

The ACORD name and logo are registered marks of ACORD

Western Surety Company

POWER OF ATTORNEY - CERTIFIED COPY

Bond No. 71182061

Know All Men By These Presents, that WESTERN SURETY COMPANY, a corporation duly organized and existing under the laws of the State of South Dakota, and having its principal office in Sioux Falls, South Dakota (the "Company"), does by these presents make, constitute and appoint ROSALIND C MESKIN

its true and lawful attorney(s)-in-fact, with full power and authority hereby conferred, to execute, acknowledge and deliver for and on its behalf as Surety, bonds for:

Principal: Mazza & Sons, Inc

Obligee: City of Long Branch

Amount: \$500,000.00

and to bind the Company thereby as fully and to the same extent as if such bonds were signed by the Senior Vice President, sealed with the corporate seal of the Company and duly attested by its Secretary, hereby ratifying and confirming all that the said attorney(s)-in-fact may do within the above stated limitations. Said appointment is made under and by authority of the following bylaw of Western Surety Company which remains in full force and effect.

"Section 7. All bonds, policies, undertakings, Powers of Attorney or other obligations of the corporation shall be executed in the corporate name of the Company by the President, Secretary, any Assistant Secretary, Treasurer, or any Vice President or by such other officers as the Board of Directors may authorize. The President, any Vice President, Secretary, any Assistant Secretary, or the Treasurer may appoint Attorneys in Fact or agents who shall have authority to issue bonds, policies, or undertakings in the name of the Company. The corporate seal is not necessary for the validity of any bonds, policies, undertakings, Powers of Attorney or other obligations of the corporation. The signature of any such officer and the corporate seal may be printed by facsimile."

All authority hereby conferred shall expire and terminate, without notice, unless used before midnight of January 18, 2012, but until such time shall be irrevocable and in full force and effect.

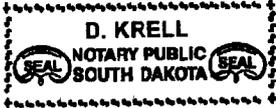
In Witness Whereof, Western Surety Company has caused these presents to be signed by its Senior Vice President, Paul T. Bruflat, and its corporate seal to be affixed this 18th day of October, 2011.



WESTERN SURETY COMPANY
Paul T. Bruflat
Paul T. Bruflat, Senior Vice President

STATE OF SOUTH DAKOTA }
COUNTY OF MINNEHAHA } ss

On this 18th day of October, in the year 2011, before me, a notary public, personally appeared Paul T. Bruflat, who being to me duly sworn, acknowledged that he signed the above Power of Attorney as the aforesaid officer of WESTERN SURETY COMPANY and acknowledged said instrument to be the voluntary act and deed of said corporation.



D. Krell
Notary Public - South Dakota

My Commission Expires November 30, 2012

I the undersigned officer of Western Surety Company, a stock corporation of the State of South Dakota, do hereby certify that the attached Power of Attorney is in full force and effect and is irrevocable, and furthermore, that Section 7 of the bylaws of the Company as set forth in the Power of Attorney is now in force.

In testimony whereof, I have hereunto set my hand and seal of Western Surety Company this 18th day of October, 2011.

WESTERN SURETY COMPANY
Paul T. Bruflat
Paul T. Bruflat, Senior Vice President

Bond No. 71182061

SURETY CONSENT

In consideration of the sum of One Dollar, lawful money of the United States, the receipt whereof is hereby acknowledged, and for other valuable considerations, Western Surety Company, herein called the Company, consents and agrees that if the contract for City of Long Branch
(owner)

for which the preceding proposal is made, be awarded to Mazza & Sons, Inc, Tinton Falls, NJ
(contractor)

herein called the Bidder, the Company will become bound as Surety for its faithful performance and will execute the final bonds required, and if the Bidder shall omit or refuse to execute such contract when notified or awarded then the Company will pay to City of Long Branch
(owner)

herein called the Obligee, the difference between the amount of the Bidder's bid or proposal, and the lowest amount in excess of said bid, or proposal, for which the Obligee may be able to award said contract within a reasonable time.

Signed, sealed and dated 18th day of October, 2011

WESTERN SURETY COMPANY

BY: Rosalind C Meskin
Attorney-in-Fact or
Authorized Officer of Surety
ROSALIND C MESKIN

WESTERN SURETY COMPANY
Sioux Falls, South Dakota
Statement of Condition and Affairs
December 31, 2010

ASSETS

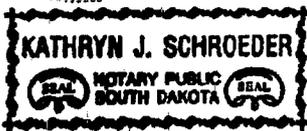
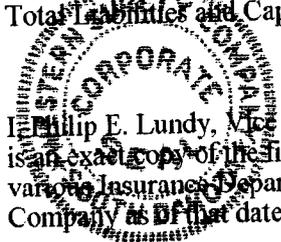
Bonds	\$1,325,363,817
Stocks	21,890,144
Cash and short-term investments	37,261,545
Uncollected premiums and agents' balances	33,361,392
Amounts recoverable from reinsurers	335,279
Funds held by or deposited with reinsured companies	22,831,236
Net deferred tax asset	18,318,016
Electronic data processing equipment and software	2,016,332
Investment income due and accrued	17,101,571
Other assets	2,812,199
Total Assets	<u>\$1,481,291,531</u>

LIABILITIES AND SURPLUS

Losses	\$255,341,187
Loss adjustment expense	77,225,536
Contingent and other commissions payable	4,572,077
Other expense	31,451,726
Taxes, licenses and fees	2,605,647
Federal and foreign income taxes payable	16,293,774
Unearned premiums	239,599,691
Retroactive reinsurance reserve assumed	10,222,969
Other liabilities	18,340,246
Total Liabilities	<u>655,652,853</u>

Surplus Account:		
Capital paid up	\$4,000,000	
Gross paid in and contributed surplus	176,435,232	
Unassigned funds	<u>645,203,446</u>	
Surplus as regards policyholders		\$825,638,678
Total Liabilities and Capital		<u>\$1,481,291,531</u>

I, Philip E. Lundy, Vice President and Treasurer of Western Surety Company hereby certify that the above is an exact copy of the financial statement of the Company dated December 31, 2010, as filed with the various Insurance Departments and is a true and correct statement of the condition of Western Surety Company as of that date.



Western Surety Company

By Philip E. Lundy
Vice President, Treasurer

Subscribed and sworn to me this 22nd day of February, 2011.

My commission expires:

KATHRYN J. SCHROEDER
My Commission Expires 7-21-2015

Kathryn J. Schroeder
Notary Public

Western Surety Company

Bond No. 71182061

SURETY DISCLOSURE STATEMENT AND CERTIFICATION

Western Surety Company, surety on the attached bond, hereby certifies the following:

(1) The surety meets the applicable capital and surplus requirements of R.S. 17:17-6 or R.S. 17:17-7 as of the surety's most current annual filing with the New Jersey Department of Insurance.

(2) The capital and surplus, as determined in accordance with the applicable laws of this State, of the surety(ies) participating in the issuance of the attached bond is (are) in the following amount(s) as of the calendar year ended December 31, 2010. The financial statements of Western Surety Company as of and for the year ended December 31, 2010 have been audited by Deloitte & Touche LLP, 111 S. Wacker Drive, Chicago, IL 60606-4301.

Surety Company	Capital	Policyholders' Surplus (including Capital)
Western Surety Company	\$4,000,000	\$825,638,678

(3) (a) With respect to each surety participating in the issuance of the attached bond that has received from the United States Secretary of the Treasury a certificate of authority pursuant to 31 U.S.C. § 9305, the underwriting limitation established therein on July 1, 2011, is as follows:

Surety Company	Underwriting Limitation
Western Surety Company	\$81,813,000

(b) With respect to each surety participating in the issuance of the attached bond that has not received such a certificate of authority from the United States Secretary of the Treasury, the underwriting limitation of that surety as established pursuant to R.S. 17.18.9 as of (date of which such limitation was so established) is as follows:

(4) The amount of the bond to which this statement and certification is attached is \$10% NTE \$20,000.00

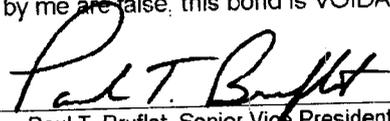
(5) If, by virtue of one or more contracts of reinsurance, the amount of the bond indicated under item (4) above exceeds the total underwriting limitation of all sureties on the bond as set forth in items (3)(a) or (3)(b) above, or both, then for each such contract of reinsurance:

(a) The name and address of each such reinsurer under that contract and the amount of that reinsurer's participation in the contract is as follows: N/A
and

(b) Each surety that is party to any such contract of reinsurance certifies that each reinsurer listed under item (5)(a) satisfies the credit for reinsurance requirement established under P.L.1993, c. 243 (C.17:51B-1 et seq.) and any applicable regulations in effect as of the date on which the bond to which this statement and certification is attached shall have been filed with the appropriate public agency. N/A

CERTIFICATE

I, Paul T. Bruflat, as Senior Vice President, for Western Surety Company, a corporation domiciled in South Dakota, DO HEREBY CERTIFY that, to the best of my knowledge, the foregoing statements made by me are true, and ACKNOWLEDGE that, if any of those statements made by me are false, this bond is VOIDABLE.


Paul T. Bruflat, Senior Vice President

Date: October 18, 2011

RESOLUTION 364-11

RESOLUTION AUTHORIZING THE EXECUTION OF A SETTLEMENT AGREEMENT BETWEEN OCEAN PLACE DEVELOPMENT, LLC AND THE CITY OF LONG BRANCH

WHEREAS, Ocean Place Development, LLC (“OPD”) owns property located within the Hotel Campus Sector of the Ocean Front Redevelopment Area (OPD’s Hotel site”); and

WHEREAS, on August 22, 2007, OPD executed an “Amended and Restated Redevelopment Agreement by and Between Ocean Place Development LLC and The City of Long Branch” (the “Redevelopment Agreement”) with the City, providing for substantial and specific development on OPD’s Hotel site; and

WHEREAS, on February 15, 2011, OPD filed a voluntary petition in the United States Bankruptcy Court for the District of New Jersey seeking relief under the provisions of Chapter 11 of Title 11 of the United States Code, which matter is pending under the caption Ocean Place Development LLC, Case No. 11-14295 (MBK) (the “Bankruptcy Proceeding”); and

WHEREAS, the City has asserted certain claims against OPD in the Bankruptcy Proceeding and has taken certain positions relating to the Redevelopment Agreement that OPD dispute; and

WHEREAS, while OPD disputes some of the City’s positions, it recognizes that rejection by OPD of the Redevelopment Agreement, if permitted, could give rise to substantial rejection damage claims by the City and potentially have a negative impact upon OPD’s use of and access to the adjacent beach; and

WHEREAS, the goal of OPD in the Bankruptcy Proceeding is to restructure its obligations and pursue its redevelopment objectives, albeit more limited in scope than as originally planned; and

WHEREAS, OPD’s original plans for the site were ambitious and were significantly adversely impacted by the downturn in the real estate market and economic climate; and

WHEREAS, OPD continues to believe that its redevelopment rights under the Redevelopment Agreement have substantial value and that the redevelopment of the site will have a positive impact on OPD’s business operations and the community at large and that continued beach access is critical to the financial wellbeing of its Hotel; and

WHEREAS, in order to preserve OPD’s redevelopment rights and beach access and resolve the City’s claims against OPD, the parties have met, negotiated in good faith and agreed to the terms of an agreement, as set forth in the Settlement Agreement attached hereto as **Exhibit A** and incorporated herein.

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

(1) the Mayor is hereby authorized to execute the Settlement Agreement Between Ocean Place Development, LLC and the City of Long Branch, attached hereto as **Exhibit A**;

(2) the Settlement Agreement is executed subject to and contingent upon entry of a final order confirming OPD’s Plan of Reorganization in the Bankruptcy Proceeding.

MOVED: Pallone
SECONDED: Billings

AND ADOPTED UPON THE FOLLOWING ROLE CALL:

AYES: 5

NAYES: 0

ABSENT: 0

ABSTAIN: 0

STATE OF NEW JERSEY
COUNTY OF MONMOUTH
CITY OF LONG BRANCH

I, DEBORAH L. TALERICO, DEPUTY MUNICIPAL 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 December 27, 2011

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 27th DAY OF December 2011

Deborah L. Talerico
DEPUTY MUNICIPAL CLERK, R.M.C.

**SETTLEMENT AGREEMENT BY AND BETWEEN OCEAN PLACE DEVELOPMENT,
LLC AND THE CITY OF LONG BRANCH**

THIS AGREEMENT is made this _____ day of January, 2012, ("Agreement"), by and between the **CITY OF LONG BRANCH**, a body corporate and body politic of the State of New Jersey (which, together with any successor public body or officer hereinafter designated by or pursuant to law, is hereinafter referred to as the "City"), located at 344 Broadway, Long Branch, New Jersey 07740 and **OCEAN PLACE DEVELOPMENT LLC** (hereinafter referred to as "OPD") and, together with the City, the "Parties") with a mailing address of 160 Sansome Street, 11th Floor, San Francisco, California 94104.

WITNESSETH:

WHEREAS, on March 26, 1985, GEM Holding Company, Inc., OPD's predecessor in interest, entered into entered into a "Disposition and Development Agreement Between the Mayor and Council of the City of Long Branch, New Jersey; The Long Branch Redevelopment Agency and GEM Holding Company, Inc." (referred to herein as the "Original Development Agreement"); and

WHEREAS, among other things, the Original Development Agreement provided for the construction of the currently existing hotel and the purchase and redevelopment by GEM Holding Company, Inc. of certain properties situated along Abbottsford Avenue, in particular Lots 1, 2, 4, 5, 6, 7, 8 and 9 in Block 293 and Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14 and 15 in Block 294 as shown on the Tax Maps of the City (the "Abbottsford Avenue Properties"); and

WHEREAS, pursuant to a resolution adopted by the City on September 23, 2000 and an agreement between GEM Holding Company, Inc. and Tiburon Ocean Place LLC, all rights, title, interest and benefit in the Original Development Agreement and all of the obligations and

burdens of GEM Holding Company, Inc. contained therein were assigned to, and accepted and assumed by Tiburon Ocean Place LLC effective as of October 23, 2000; and

WHEREAS, pursuant to a resolution adopted on March 14, 2006 by the City and an agreement between Tiburon Ocean Place LLC and all right, title, interest and benefit in the Original Development Agreement and all obligations and burdens of GEM Holding Company, Inc. contained therein were assigned to, and accepted by, OPD, effective as of April 25, 2006; and

WHEREAS, in May 1996, the City adopted a certain "Oceanfront-Broadway Redevelopment Plan" (the "Redevelopment Plan") which, among other things, created a "Long Branch Oceanfront Redevelopment Zone" (the "Zone"); and

WHEREAS, the Redevelopment Plan is supplemented by a certain Design Guidelines Handbook which provides a framework of site utilization and organization that meet with the City's objectives for the Zone;

WHEREAS, OPD's hotel, including the Abbottsford Avenue Properties, is located in the Zone and is subject to the Redevelopment Plan and the Design Guidelines Handbook; and

WHEREAS, OPD and the City entered into a Purchase and Sale Agreement dated December 29, 2006, pursuant to which the City agreed to sell and OPD purchased on March 30, 2007, the Abbottsford Avenue Properties; and

WHEREAS, the Purchase and Sale Agreement for the Abbottsford Avenue Properties (the "Purchase and Sale Agreement") was entered explicitly for the purpose of OPD implementing a redevelopment project pursuant to the Original Development Agreement, to be amended by agreement of the parties; and

WHEREAS, in connection with the Purchase and Sale Agreement, the principals of OPD, John F. Dixon, William R. Dixon, Jr., and David L. Orr, executed and delivered a Promissory Note in favor of the City dated March 20, 2007 in the amount of \$3,015,370.52 (the "City Note"), representing a portion of the purchase price for the Abbottsford Avenue Properties; and

WHEREAS, on August 22, 2007, OPD executed an "Amended and Restated Redevelopment Agreement by and Between Ocean Place Development LLC and The City of Long Branch" (the "Redevelopment Agreement") with the City, providing for substantial and specific development on OPD's hotel site; and

WHEREAS, the development embodied in the Redevelopment Agreement was projected to increase the improved square footage of the site by approximately seven hundred percent (700%) from the current 214,481 square feet to 1,496,163 square feet; and

WHEREAS, the City Note was assigned by William R. Dixon, Jr., John F. Dixon and David L. Orr to Tiburon Capital, LLC and Orr Partners LLC as of March 30, 2007, and Tiburon Capital LLC and Orr Partners LLC assumed the obligations under the City Note (the "Assignment and Assumption Transaction"); and

WHEREAS, the obligations of John F. Dixon with respect to the City Note and the Assignment and Assumption Transaction have been discharged on or January 25, 2011; and

WHEREAS, Tiburon Capital LLC and Orr Partners, LLC are the current obligors under the City Note and William R. Dixon, Jr. and David L. Orr are the guarantors in accordance with the Assignment and Assumption Transaction; and

WHEREAS, the City Note fell into default and the City filed complaints against the guarantors and obligors in a complaint captioned *City of Long Branch vs. William R. Dixon, John F. Dixon, David L. Orr, Tiburon Capital LLC and Orr Partners LLC*, Superior Court of New Jersey, Law Division, Monmouth County, Docket No. MON-L-4604-08; and

WHEREAS, in August, 2010, consent judgments were entered in the Superior Court of New Jersey against each of the obligors and guarantors under the City Note in the amount of \$3,656,669.08 plus post-judgment interest (the "City Judgments"); and

WHEREAS, on February 15, 2011, OPD filed a voluntary petition in the United States Bankruptcy Court for the District of New Jersey seeking relief under the provisions of Chapter 11 of Title 11 of the United States Code, which matter is pending under the caption *Ocean Place Development LLC*, Case No. 11-14295 (MBK) (the "Bankruptcy Proceeding"); and

WHEREAS, the City has filed a proof of claim against OPD in the Bankruptcy Proceeding in the amount of \$3,656,669.08 (see Claim 73 in Bankruptcy Proceeding) (the "City Claim") which represents the balance of the purchase price due for the Abbottsford Avenue Properties as reflected in the City Judgments; and

WHEREAS, in addition to the City Claim filed by the City against OPD, each of the obligors and guarantors against whom the City Judgments were entered has asserted an indemnity claim against OPD for their obligations under the City Judgments. (See Claim Nos. 55, 56, 57, 69 and 70 in the Bankruptcy Proceeding); and

WHEREAS, each obligor and guarantor asserts that OPD's Operating Agreement requires that they be indemnified against claims by the City under the City Judgments; and

WHEREAS, the City has asserted that, among other things, OPD is liable for the balance of the payment of the purchase price for the Abbotsford Avenue Properties under the Redevelopment Agreement and Assignment & Assumption Agreement dated as of March 30, 2007, as well as under the doctrine of unjust enrichment, and that OPD is otherwise in breach of the Redevelopment Agreement; and

WHEREAS, the City asserts the position that the Redevelopment Agreement integrates and restates the Original Development Agreement and that the Original Development Agreement cannot be assumed or rejected by OPD separately from assumption or rejection of the Redevelopment Agreement; and

WHEREAS, OPD disputes the City's positions, but recognizes that rejection by OPD of either the Original Development Agreement and/or the Redevelopment Agreement, if permitted, could give rise to substantial rejection damage claims and could also preclude OPD's use and access to the adjacent beach since the access thereto is incorporated in the Original Development Agreement; and

WHEREAS, the goal of OPD in the Bankruptcy Proceeding is to restructure its obligations and pursue its redevelopment objectives, albeit more limited in scope than as originally planned; and

WHEREAS, OPD's original plans for the site were ambitious and were significantly adversely impacted by the downturn in the real estate market and economic climate; and

WHEREAS, OPD continues to believe that its redevelopment rights under the Redevelopment Agreement have substantial value and that the redevelopment of the site will

have a positive impact on OPD's business operations and the community at large; and that continued beach access is critical to the financial wellbeing of its hotel; and

WHEREAS, in order to preserve OPD's redevelopment rights and beach access and resolve the City's claims against OPD, the parties have met, negotiated in good faith and agreed to the terms of this Agreement.

NOW, THEREFORE, it is agreed upon as of the date set forth above by the City and OPD as follows:

1. The within Agreement is subject to the approval of the bankruptcy court through the entry in the Bankruptcy Proceeding of a Final Confirmation Order (as defined in the POR) approving OPD's plan of reorganization filed in the Bankruptcy Proceeding (the "POR"). If either the POR does not incorporate the provisions of this Agreement or a confirmation order approving the POR is not a Final Order (as defined in the POR) on or before June 30, 2012, absent any further agreement of the Parties, this Agreement shall be deemed null and void.

2. OPD shall assume the Redevelopment Agreement, inclusive of the Original Development Agreement, pursuant to the POR in the Bankruptcy Proceeding, subject to modifications and an amendment to be entered into after the effective date of the POR.

3. The Parties agree to negotiate in good faith for modifications to the Redevelopment Agreement to achieve a design to reduce density and agree upon an economically feasible redevelopment of the property and ensure that the cost of the redevelopment will not impair the operation of OPD's hotel while preserving the goals of the community.

4. Among other things to be agreed upon by the Parties, the Redevelopment Agreement will be amended to include the following modifications:

(a) Changes in design to reduce density and ensure that the redevelopment will not impair the operations of the Hotel while preserving community goals;

(b) Milestones set forth in Paragraph 3.01(b) and (c) shall be revised so that redevelopment reflects current economic conditions;

(c) Paragraph 3.01(d) addressing parking, including the ownership and financing of parking structures and the amount of parking spaces, shall be subject to discussion and revision so as to be compatible with agreed upon design and density changes;

(d) Submission dates set forth in Paragraph 3.06(a) shall be revised as development will be market driven; provided, however, that once the redevelopment of a particular project on the site shall be commenced, it shall be continued through fruition in a timely manner;

(e) Paragraph 3.11 titled "Responsibility of Sponsors for Redevelopment Financial Obligations" shall be modified as necessary to reflect OPD's Chapter 11 and Plan obligations;

(f) Paragraph 3.17 titled "Contributions to Millennium Pier Fund" shall be revisited;

(g) Paragraph 3.21 titled "Wind Turbines" shall be eliminated;

(h) Paragraph 3.23 titled "Hotel "Going Dark" shall provide for semi-annual reporting;

(i) Paragraph 4.01 titled "Report on Progress" shall provide for quarterly reporting;

(j) Paragraph 5.02 titled "Amendments to Redevelopment Plan and Design Guidelines" shall be revisited; and

(k) Paragraph 5.07 titled "Affordable Housing" shall be eliminated.

5. Notwithstanding anything in the POR to the contrary, the Parties acknowledge that the City's willingness to renegotiate portions of the Redevelopment Agreement is expressly made in consideration of and is contingent upon timely receipt of the payments set forth in Paragraph 6 herein on or before the dates set forth herein. The failure by OPD to timely make such payments shall relieve the City of its obligations under the Agreement and shall be a default and breach of this Agreement upon which the

City may terminate the Redevelopment Agreement, accelerate all remaining payments due, and terminate any approvals under the redevelopment process previously granted by the City and any agency or board of the City.

6. In consideration for the City consenting to OPD's assumption of the Redevelopment Agreement, subject to the amendments and modifications contemplated herein and the POR, which will enable OPD to operate the hotel and maintain the benefits provided in the Redevelopment Agreement without the substantial disruption, damage or loss that would occur should OPD reject the Redevelopment Agreement and lose rights granted therein, such as beach access and use rights, as well as be subject to substantial rejection damage claims, the City shall accept as a cure payment and OPD shall pay the City the settlement sum of three million eight hundred thousand dollars (\$3,800,000.00) (the "Settlement Sum") over a period of three (3) years, as follows:

- (a) The first payment shall be one million dollars (\$1,000,000.00) and shall be made no later than one hundred thirty (130) days after the entry of a Final Confirmation Order (as defined in the POR) approving the POR, but in no event later than December 31, 2012 (the "Payment Date");
- (b) The second payment shall be one million dollars (\$1,000,000.00) and shall be made no later than thirty (30) days after the first anniversary of the Payment Date;
- (c) The third payment shall be one million dollars (\$1,000,000.00) and shall be made no later than thirty (30) days after the second anniversary of the Payment Date; and
- (d) The remaining eight hundred thousand dollars (\$800,000.00) shall be paid no later than thirty (30) days after the third anniversary of the Payment Date.

7. TIME IS OF THE ESSENCE AS TO ALL DATES OF PAYMENT.

8. The Settlement Sum serves as the cure amount associated with OPD's assumption of the Redevelopment Agreement (as modified after the effective date of the POR) in the Bankruptcy Proceeding.

9. The City and OPD agree to participate in good faith in negotiations with each other to modify the Redevelopment Agreement in a manner that is consistent with the goals and objectives of the Redevelopment Plan, and meets the requirements of the Design Guidelines as well as OPD's reasonable objectives for the future redevelopment of the property. Both Parties recognize that the needs of the community are to be protected.

10. The City agrees to (a) accept the timely tender of the Settlement Sum as the cure amount and to permit OPD to assume the Redevelopment Agreement (including the Original Development Agreement); (b) forbear, for so long as OPD shall remain current and without default, its collection efforts related to the City Judgments; and (c) release and discharge the City Judgments upon timely satisfaction and receipt of the Settlement Sum.

11. In the event of a dispute involving the interpretation or implementation of any of the terms of this Agreement, including but not limited to the failure of one party or the other to comply with Paragraph 9 above, the Parties agree first to attempt, within sixty (60) days of a dispute, to negotiate a good faith resolution; but failing that, either party shall submit the matter for resolution to the Honorable Michael B. Kaplan, United States Bankruptcy Judge overseeing the Bankruptcy Proceeding. Both parties agree that the order of the Bankruptcy Judge shall be final and binding.

12. **Notices.** Unless otherwise specified by a court order, all notices shall be sent in writing by overnight delivery service as follows:

If to the City:

Adam Schneider, Mayor
City of Long Branch
1141 Lincoln Square
Elberon, New Jersey 07740
Telephone: (732) 222-8800
Facsimile: (732) 222-6931
E-Mail: lbmayer@me.com

James G. Aaron, Esq.
ANSELL GRIMM & AARON, P.C.
1500 Lawrence Avenue - CN 7807
Ocean Township, New Jersey 07712
Telephone: (732) 922-1000
Facsimile: (732) 922-8989
E-Mail: JGA@ansellgrimm.com

and

David L. Bruck, Esq.
Greenbaum, Rowe, Smith & Davis LLP
99 Wood Avenue South
Iselin, New Jersey 08830
Telephone: (732) 549-5600
Facsimile: (732) 549-1881
E-Mail: dbruck@greenbaumlaw.com

If to OPD:

John K. Sherwood, Esq.
Lowenstein Sandler, PC
65 Livingston Avenue
Roseland, New Jersey 07068
Telephone: (973) 597-2500
Facsimile: (973) 597-2400
E-Mail: jsherwood@lowenstein.com

and

William R. Dixon Jr.
2656 Bridgeway Ste 201
Sausalito, CA 94965

13. **Binding Effect.** This Agreement shall be binding upon and inure to the benefit of the Parties hereto and their respective heirs, legal representatives, successors and assigns.

IN WITNESS WHEREOF, the City has caused this Agreement to be duly executed in its name and on its behalf by the Mayor, and its seal to be hereunto duly affixed and attested by its Secretary has caused this Agreement to be duly executed in its name and on its behalf, and OPD has caused this Agreement to be duly executed by its manager TCI New Jersey Corp., on or as of the day first above written, and such parties hereby acknowledge the terms agreed upon herein and assent to the execution of this Agreement.

ATTEST:

City Clerk

CITY OF LONG BRANCH

By: _____
Mayor Adam Schneider

WITNESS:

Lana Ball

OCEAN PLACE DEVELOPMENT LLC

By: _____
TCI New Jersey Corp., its Manager
By: William R. Dixon, Jr., its Vice
President

R# 365-11

**A RESOLUTION MEMORIALIZING A CONTRACT BETWEEN THE CITY OF
LONG BRANCH AND HUTCHINSON PLUMBING, HEATING & COOLING,
LLC FOR THE INSTALLATION OF ENERGY EFFICIENT
LIGHTING IN CITY BUILDINGS**

WHEREAS, the City of Long Branch ("City") contracted for Hutchinson Plumbing, Heating & Cooling, LLC to provide the installation of energy efficient lighting in City buildings; and

WHEREAS, the City may, by resolution and without advertising for bids, purchase any goods or services under the State of New Jersey Cooperative Purchasing Program for any State contract entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury; and

WHEREAS, Hutchinson Plumbing, Heating & Cooling, LLC was selected and approved to do all of the work by the State Clean Energy Program in conjunction with the New Jersey Division of Purchase and Property State Contract (T-2545) under the State Cooperative Purchasing Program; and

WHEREAS, under the Program, the total cost of the project is \$161,247.71, with the State of New Jersey (NJOCE) providing \$96,748.62 in the Energy Efficiency and Conservation Block Grant providing \$63,296.40 (where NJOCE has paid directly to Hutchinson Plumbing, Heating & Cooling, LLC \$10,004.89); and

WHEREAS, the City had received the Notice of Award from the Office of Clean Energy prior to the work being performed, and was therefore authorized to enter into a contract with Hutchinson Plumbing, Heating & Cooling, LLC pursuant to the proposal received for said services; and

WHEREAS, Hutchinson Plumbing, Heating & Cooling, LLC has performed all necessary services and the purpose of this Resolution is simply to memorialize the fact that services have been provided and to authorize the execution of a contract *nunc pro*

tunc between the City and Hutchinson Plumbing, Heating & Cooling, LLC for these services:

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Long Branch, that the City Council of the City of Long Branch hereby memorializes a contract with Hutchinson Plumbing, Heating & Cooling, LLC for the installation of energy efficient lighting in City buildings in accordance with the attached contract or a form of contract substantially similar thereto;

BE IT FURTHER RESOLVED that the Mayor and Clerk be and are hereby authorized to execute a contract with Hutchinson Plumbing, Heating & Cooling, LLC and any all necessary documents in connection therewith.

BE IT FURTHER RESOLVED that the sum of \$53,291.51, representing the amount required of the City for the aforementioned undertaking appears in the 2011 budget under the caption of New Jersey Clean Energy Program; and

BE IT FURTHER RESOVLED that funds are available for this contract in account number G-11-033-401, and a Certification of Availability of Funds has been made by the Chief Finance Officer.

MOVED:

Pallone

SECONDED:

Billings

AND ADOPTED UPON THE FOLLOWING ROLE CALL:

AYES: 5

NAYES: 0

ABSENT: 0

Abstain: 0

STATE OF NEW JERSEY
COUNTY OF MONMOUTH
CITY OF LONG BRANCH

I, DEBORAH L. TALERICO, DEPUTY MUNICIPAL 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 December 7, 2011

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 27th DAY OF December, 2011

Deborah L. Talerico
DEPUTY MUNICIPAL CLERK, R.M.C.

ANSELL GRIMM & AARON
A PROFESSIONAL CORPORATION
CORPORATORS AT LAW
1500 LAWRENCE AVENUE
CN 2917
OCEAN, NJ 07712
(732) 987-1000

F:\USER1\Documents\Legal\Municipal Law\Long Branch\Resolutions\2011\Memorializing Resolution.C

CITY OF LONG BRANCH
344 BROADWAY
LONG BRANCH, NEW JERSEY 07740
DEPARTMENT OF FINANCE
OFFICE OF THE DIRECTOR

CERTIFICATION OF FUNDS

12/27/2011

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

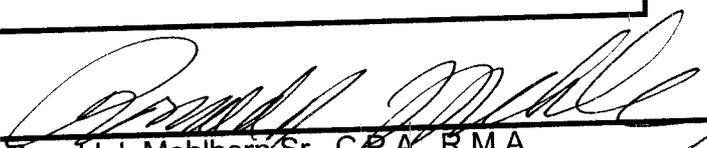
Installation of Energy efficient lighting in City owned buildings	\$63,296.40
--	-------------

Said award is to be made to the following Agency / Vendor, in the following amount

Hutchinson Plumbing, Heating & Cooling LLC	\$63,296.40
--	-------------

Said funds being available in the form of:

Grants budget G-11-033-401	\$63,296.40
	<u>\$63,296.40</u>


Ronald J. Mehlhorn Sr., C.P.A., R.M.A.
Director of Finance (C.F.O.)

AGREEMENT FOR SERVICES

THIS AGREEMENT, between the City of Long Branch, a municipal corporation of the State of New Jersey, 344 Broadway, City of Long Branch, County of Monmouth, State of New Jersey ("the City") and Hutchinson Plumbing, Heating & Cooling, LLC, 621 Chapel Avenue, Township of Cherry Hill, County of Camden, State of New Jersey is for the installation of energy efficient lighting in City buildings in accordance with a proposal provided by Hutchinson Plumbing, Heating & Cooling, LLC; and

WHEREAS, it is acknowledged that the City agreed to accept services consisting of the installation of energy efficient lighting in City buildings from Hutchinson Plumbing, Heating & Cooling, LLC, which was selected and approved to do said work by the State Clean Energy Program in conjunction with the New Jersey Division of Purchase and Property State Contract (T-2545) under the State Cooperative Purchasing Program; and

WHEREAS, under this Program, the total cost of the project is \$161,247.71 with the State of New Jersey (NJOCE) providing \$96,748.62 and the Energy Efficiency and Conservation Block Grant providing \$53,291.51 (where NJOCE has paid Hutchinson Plumbing, Heating & Cooling, LLC \$10,004.89); and

WHEREAS, the parties to this Agreement acknowledge that the City is only responsible for paying \$53,291.51, with the remaining \$96,748.62 to be the sole responsibility of and to be paid directly by the State of New Jersey (NJOCE); and

WHEREAS, it is further acknowledged that all services contracted for by the City have been performed by Hutchinson Plumbing, Heating & Cooling, LLC as of this date, and that therefore, the purpose of this contract is simply to memorialize the Agreement between the City and Hutchinson Plumbing, Heating & Cooling, LLC for the performance of these services:

NOW, IT IS HEREBY AGREED that the City and Hutchinson Plumbing, Heating & Cooling, LLC hereby enter into an Agreement for the installation of energy efficient lighting in City buildings, said services already having been provided, for the full amount to be paid by the City to Hutchinson Plumbing, Heating & Cooling, LLC of \$53,291.51 (with the acknowledgment that remaining \$96,748.62 will be the sole responsibility of and paid directly by the State of New Jersey); and

IT IS FURTHER AGREED that Hutchinson Plumbing, Heating & Cooling, LLC shall be paid the full amount of \$53,291.51 minus amounts paid directly to Hutchinson Plumbing, Heating & Cooling, LLC by the City upon adoption of a resolution by the City Council memorializing this Agreement, and upon full execution of this Agreement, or an agreement similar to this Agreement and negotiated by the parties.

SIGNATURES:

City of Long Branch

Hutchinson Plumbing, Heating & Cooling, LLC

By: Mayor Adam Schneider

By:

Date: _____

Date: _____