

RESOLUTIONS ADOPTED BY CITY COUNCIL 4-11-17

R95-17 RESOLUTION APPOINTING SPECIAL LAW ENFORCEMENT CLASS I OFFICERS FOR THE CITY OF LONG BRANCH

R96-17 RESOLUTION AUTHORIZING AMENDMENT TO RESOLUTION 62-17

R97-17 RESOLUTION AMENDING CONTRACT FOR ENGINEERING SERVICES STREETSCAPE IMPROVEMENTS TO BRIGHTON AVENUE - LEON S. AVAKIAN, INC.

R98-17 RESOLUTION REJECTING BIDS FOR NORWOOD AVENUE POCKET PARK

R99-17 RESOLUTION AWARDING BID FOR 24 MONTH CONTRACT (RE-BID) FOR UNIFORMS BLUE COLLAR WORKERS (SPECIALTY GRAPHICS, LLC)

R100-17 RESOLUTION AUTHORIZING CONTRACTS FOR NEW JERSEY APPROVED FORESTER CERTIFIED TREE EXPERT (CTE) SERVICES POOL FOR THE CONTRACT YEAR APRIL 15, 2017 THROUGH APRIL 5, 2018 (CME ASSOCIATES)

R101-17 RESOLUTION AUTHORIZING THE MAYOR AND CLERK TO EXECUTE AGREEMENT WITH LOCAL 152

R102-17 RESOLUTION AWARDING BID CONTRACT FOR BOARDWALK AND OCEAN AVENUE REPAIRS (BLACK ROCK ENTERPRISES)

R103-17 RESOLUTION AUTHORIZING CONTRACT FOR FIREWORKS DISPLAY FOR THE JAZZ AND BLUES FESTIVAL (INTERNATIONAL FIREWORKS)

R104-17 RESOLUTION REGARDING LEASE OF WEST END, BATH AVENUE & COTTAGE PLACE CONCESSION STANDS (**REMOVED**)

R105-17 RESOLUTION AUTHORIZING CONTRACTS FOR MUSICAL PERFORMANCES FOR CONCERT SERIES 2017

R106-17 RESOLUTION APPROVAL PAYMENT OF BILLS

R107-17 RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF LONG BRANCH TO EXECUTE CONTRACT OF SALE FOR 102 SOUTH BROADWAY, LONG BRANCH, NEW JERSEY

R# 95-17

**RESOLUTION APPOINTING
SPECIAL LAW ENFORCEMENT CLASS I OFFICERS
FOR THE CITY
OF LONG BRANCH**

BE IT RESOLVED by the City Council of the City of Long Branch that they hereby appoint the following individuals as Special Law Enforcement Class I Officers for the City of Long Branch effective April 11, 2017:

1. Alex Braswell
2. Chris McAbee
3. Andrew Walters
4. Zach Macagnone
5. Andrew Giezyey
6. Chris Ibarra
7. Frank Attasasio
8. Michael Beekman
9. Preston Mellaci
10. Shane O'Brien
11. Bryan Rodriguez
12. Paul Garcia
13. Timothy Khalil
14. Casey Breese
15. Joe Bucciero
16. Tyler Angel
17. Christian DeFazio
18. Danny Welsh
19. Muhammad Ali
20. Robert Piantanida
21. James Laco

STATE OF NEW JERSEY
COUNTY OF MONMOUTH
CITY OF LONG BRANCH

I, KATHY L. SCHMIDT, 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 4-11-17

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 10th DAY OF APRIL, 2017

Kathy L. Schmidt
MUNICIPAL CLERK, R.M.C.

MOVED: *Siriano*
SECONDED: *Billings*

AYES: 4

NAYS: 0

ABSENT: 0

ABSTAIN: 1 - *Bastelli*



**CITY OF LONG BRANCH
POLICE DEPARTMENT
344 Broadway
Long Branch, New Jersey 07740
(732) 222-1000**

**TO: Kathy Schmelz
FROM: Joshua Bard
DATE: April 3, 2017
RE: Special Law Enforcement I Candidates**

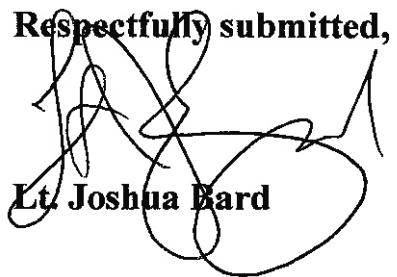
We are currently in the process of hiring seasonal Special Law Enforcement Class I Officers. As per Monmouth & County Police Academy Policy, all recruits must be approved by the governing body by means of a council resolution. I am requesting the following individuals be included in a Police Academy Resolution.

- 1 Alex Braswell
- 2 Chris McAbee
- 3 Andrew Walters
- 4 Zach Macagnone
- 5 Andrew Giezey
- 6 Chris Ibarra
- 7 Frank Attanasio
- 8 Michael Beekman
- 9 Preston Mellaci
- 10 Shane O'Brien
- 11 Bryan Rodriguez
- 12 Paul Garcia
- 13 Timothy Khalil
- 14 Casey Breese
- 15 Joe Bucciero
- 16 Tyler Angel
- 17 Christian Defazio
- 18 Danny Welsh
- 19 Muhammad Ali
- 20 Robert Piantanida

21. James Laco

Thank you for your anticipated cooperation. Please feel free to contact me at extension #1300 with any questions or concerns.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Lt. Joshua Bard". The signature is somewhat stylized and includes a large, oval-shaped flourish to the left of the name. To the right of the name, there is a small, handwritten number "30".

R - 96-17

RESOLUTION AUTHORIZING AMENDMENT TO RESOLUTION 62-17

WHEREAS, Resolution 62-17 was adopted by the City of Long Branch on February 28, 2017; and

WHEREAS, the Resolution contained in the agreement dated September 24, 2016 with the Nicolson Law Group; and

WHEREAS, the Nicolson Law Group agreement was revised on or about February 23, 2017; and

WHEREAS, Resolution 62-17 did not allow the public to see that agreement; and

WHEREAS, an amendment to the Resolution to include the updated agreement with the Nicolson Law Group is deemed necessary and appropriate by the administration and the City Attorney for the City of Long Branch; and

NOW, THEREFORE, BE IT RESOLVED, the Resolution 62-17 be amended to include the agreement with the Nicolson Law Group dated February 23, 2017.

MOVED: Siranee

SECONDED: Billings

AYES: 5

NAYES: 0

ABSENT: 0

ABSTAIN: 0

4000.1249.00608546.1

STATE OF NEW JERSEY
COUNTY OF MONMOUTH
CITY OF LONG BRANCH
I, KATHY L. SCHMELZ, 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 4-11-17

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 18th DAY OF April 2017

A. Kathy L. Schmelz
Municipal Clerk

R 97-17

**RESOLUTION AMENDING CONTRACT FOR ENGINEERING SERVICES
STREETSCAPE IMPROVEMENTS TO BRIGHTON AVENUE – LEON S. AVAKIAN, INC.**

WHEREAS, on June 23, 2015 the City Council of the City of Long Branch adopted a resolution authorizing a contract for engineering services - streetscape improvements to Brighton Avenue from Ocean Avenue to the railroad tracks; and

WHEREAS, the NJ Economic Development Authority in reviewing said contract relayed to the City/Engineer that Federal regulations require that all Grantees incorporate performance requirements and penalties into each of their procured contracts funded through the NCR program; and

WHEREAS, in this review it was determined that the performance bond language satisfies this regulation but will require changes be made to the professional services contract with Leon Avakian, Inc.

NOW THEREFORE be it resolved by the City Council of the City of Long Branch that they hereby amend the contract adopted on June 23, 2015 to incorporate the attached language.

SO MOVED: *S. R. Farnan*

SECONDED: *B. Billings*

AYES: 5

NAYES: 6

ABSENT: 0

ABSTAIN: 0

STATE OF NEW JERSEY
COUNTY OF MONMOUTH
CITY OF LONG BRANCH
I, KATHY L. SCHMID, 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 4/11/17
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 12th DAY OF MAY 2017
[Signature]
KATHY L. SCHMID, MUNICIPAL CLERK

**Amendment to Engineering Agreement
Between
City of Long Branch & Leon S. Avakian, Inc.
for
Professional Engineering Services
Related to Brighton Avenue Streetscape**

Performance Standards and Guarantees

- A. "Effective and efficient operation of the project is necessary to promote the best interests of all parties, especially to the public. To the extent that actions of the Contractor result in failure to meet performance standards, the Owner may suffer damages that could be difficult or impossible to quantify. As a result, situations may arise where the imposition of liquidated damages may be required to compensate for the failure to meet performance standards.*
- B. If the Contractor fails to meet any of the performance standards or conditions of the contract, the Owner may withhold payment for damages from the fees or premiums due to the Contractor in an amount equal to the damages stated in this section. Such payments shall not relieve the Contractor of its obligation to remedy any breach of the performance standards to which they relate. Nothing in this section shall limit the Owner's right to seek damages or any other remedy at law or equity not specified in this section.*

<i>Scope Description</i>	<i>Time Frame</i>	<i>Performance Guarantee</i>
<i>Submit 60% Design Plans and Specifications</i>	<i>June 12, 2015</i>	<i>\$50/day</i>
<i>Submit 100% (Bid Ready) Design Plans and Specifications</i>	<i>September 17, 2015</i>	<i>\$50/day</i>

Prior to the assessment of any of the damages as a result of failure to meet performance standards in this section, the Owner shall provide written notice to the Contractor specifying the nature and details of each violation, including reference to the section(s) under which the damages are proposed to be assessed and the amount of the assessment. The Owner's notice, which will be sent to the Contractor after receipt of the Contractor measurement report, will specify whether the Contractor will be required to pay the amount of the assessment to the Owner or whether the assessed amount will be withheld from the Contractor's next payment(s).

Payment of the Contractor's invoice without resolution of such claims, shall be without prejudice to the Contractor's and Owner's rights and obligations to continue to attempt to resolve such claims or if they are not resolved, assess performance guarantees therefore.

The Owner's decision not to invoke performance guarantees in any instance of performance deficiency shall not be deemed to be a waiver of the Owner's right to invoke performance guarantees in any other instance."

In witness whereof, the Owner and Contractor have caused this instrument to be executed in its respective name and behalf as of the day and year herein written.

Witness

By:

Kevin Hayes
Acting Administrator
City of Long Branch
(Owner)

By:

Kathy Schmelz, RMC
City Clerk

By:

Gerald J. Freda, P.E.
Leon S. Avakian, Inc.
(Contractor)

By:

R# 98-17

**RESOLUTION REJECTING BIDS FOR
NORWOOD AVENUE POCKET PARK**

WHEREAS, the Council of the City of Long Branch had authorized the solicitation of bids for Norwood Avenue Pocket Park in the City; and

WHEREAS, bids were received publicly and opened on March 30, 2017 and the following bids were received:

Thor Construction Inc. / Base bid \$125,710.00 / Options \$4,992.00 / Total bid amount \$130,702.00

Shorelands Construction / Base bid \$132,992.00 / Options \$4,992.00 / Total bid amount \$137,984.50

V & K Construction / Base bid \$143,000.00 / Options \$5,408.00 / Total bid amount \$148,408.00

LandTek Construction / Base bid \$175,175.00 / Options \$4,160.00 / Total bid amount \$179,335.00

A-Tech Concrete / Base bid \$189,886.00 / Options \$7,488.00 / Total bid amount \$197,374.00

Glenside Equipment / Base bid \$149,900.00 / Options \$4,576.00 / Total bid amount \$154,476.00

Precise Construction / Base bid \$197,694.00 / Options \$-8,320.00 / Total bid amount \$189,374.00

WHEREAS, upon review of the bid and the scope of work for which the bids were originally solicited, the Council of the City of Long Branch has determined to reject the bids as the bids received exceeded the project budget by a significant amount.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Long Branch that the bids received for the project Norwood Avenue Pocket Park be and hereby is rejected.

OFFERED: S. Manni
SECOND: B. Billings
AYES: 5
NAYES: 0
ABSENT: 0
ABSTAIN: 0

STATE OF NEW JERSEY
COUNTY OF MONMOUTH
CITY OF LONG BRANCH

I, KATHY L. SCHMELZ, 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 4-11-17

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 14 DAY OF April 2017

Kathy L. Schmelz

LBRH-01860

March 30, 2017
Via email and First Class Mail

Mr. David Spaulding, Jr.
Purchasing Agent
City of Long Branch
344 Broadway
Long Branch, NJ 07740

**Re: Norwood Avenue Pocket Park
Review of Bids and Recommendation of Award**

Dear Mr. Spaulding:

On Thursday, March 30, 2017, bids were received for the Norwood Avenue Pocket Park. A detailed bid summary is attached. Seven bids were received as summarized below:

<u>Contractor</u>	<u>Base Bid</u>	<u>Alt. 1</u>	<u>Total</u>
Thor Construction	\$125,710	\$4,992	\$130,702
Shorelands Construction	\$132,992	\$4,992	\$137,984
V&K Construction	\$143,000	\$5,408	\$148,408
LandTek Construction	\$175,175	\$4,160	\$179,335
A-Tech Concrete	\$189,886	\$7,488	\$197,374
Glenside Equipment	\$149,900	\$4,576	\$154,476
Precise Construction	\$197,694	-\$8,320 *	\$189,374

**Cost based on unit price noted on the bid form. Unit price submitted may be in error.*

Based on our review of the bids, the apparent low bidder is Thor Construction located at 39 Girard Avenue, West Long Branch, NJ 07764.

All bids submitted significantly exceed the Engineer's Estimate and project budget, with large variations in unit costs for each line item. Upon examination of the bids and specified scope of work by this office, as well as the City Purchasing Agent, we recommend rejecting all bids and re-bidding the project.

Should you have any questions regarding this information, please do not hesitate to contact this office.

Very truly yours,

T&M ASSOCIATES

BRIAN LEFF, PP, LLA
SUPERVISING LANDSCAPE ARCHITECT

BL:der

99-17

RESOLUTION AWARDING BID FOR 24 MONTH CONTRACT (RE-BID) FOR UNIFORMS BLUE COLLAR WORKERS

WHEREAS, the City of Long Branch has the need to contract for uniforms blue collar workers for 24 months and;

WHEREAS, through a fair and open process, the City has advertised to receive bids on March 29, 2017 for 24 month contract uniforms blue collar workers the following bids were received as followed:

Specialty Graphics LLC	\$2,488.00
American Wear Uniforms	\$2,581.00
Keyport Army Navy	\$2,560.50

WHEREAS, the bid documents were reviewed by the Purchasing Agent, and our Director of Public Works and found to be in order; and

WHEREAS, it is the recommendation of the Director of Public Works that it is in the City's best interest to award a contract to **Specialty Graphics, LLC** as the low bidder; and

WHEREAS, the Chief Financial Officer of the City of Long Branch has certified, in accordance with the Certification of Funds form attached hereto, that funds for these contracts are available in, **Appro. #7-01-052-238, \$5,676.50, Appro. #7-01-054-238, \$2,306.25, Appro. #7-01-055-238, \$4,586.61 Appro. #7-01-056-238 \$8,200 Appro. # 7-01-058-238, \$2,306.25, Traffic Appro. #7-01-065-238, \$983.79 with continuation of the contracts contingent upon provision of additional funds through appropriation transfer, emergency appropriation, and or additional funds in the 2017 adopted and future Budgets, in the amount of \$56,700.00**

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Long Branch, that a contract be awarded to **Specialty Graphics, LLC** for 24 month contract uniforms blue collar workers, in accordance with the bid specifications and proposal, **for a sum not to exceed \$56,700.00**

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

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

STATE OF NEW JERSEY
COUNTY OF MONMOUTH
CITY OF LONG BRANCH

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Kathy L. Schmelz
MUNICIPAL CLERK, P.A.C.C.

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

CERTIFICATION OF CHIEF FINANCIAL OFFICER

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

TWO YEAR CONTRACT (24 MONTHS) FOR UNIFORMS BLUE COLLAR WORKERS

Said contract being made as follows:

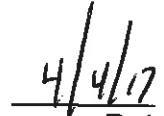
SPECIALTY GRAPHICS \$56,700

Said funds being available in the form of:

PUBLIC WORKS # 7-01-052-238 \$5,676.50
7-01-054-238 \$2,306.25
7-01-055-238 \$4,586.61
7-01-056-238 \$8,200.00
7-01-058-238 \$2,306.25
TRAFFIC # 7-01-065-238 \$983.79

*** CONTINUATION OF THIS CONTRACT IS CONTINGENT UPON PROVISION OF ADDITIONAL FUNDS BY APPROPRIATION TRANSFER, EMERGENCY APPROPRIATION, AND PROVISION OF ADEQUATE FUNDS IN THE 2017 ADOPTED AND FUTURE BUDGETS.**


Michael Martin
Chief Financial Officer


4/4/17
Date

R# 100-17

**RESOLUTION AUTHORIZING CONTRACTS FOR
NEW JERSEY APPROVED FORESTER CERTIFIED TREE EXPERT (CTE) SERVICES POOL
FOR THE CONTRACT YEAR APRIL 15, 2017 THROUGH APRIL 15, 2018**

WHEREAS, the City of Long Branch has the need to contract with firms to provide CTE services for projects and matters that may arise during the contract year of April 15, 2017 through April 15, 2018, and has determined that it would be in the City's best interest to establish a pre-approved pool of qualified CTE professionals from which to award contracts; and

WHEREAS, the City, through a Fair and Open Process, advertised in the local newspaper and on its website the solicitation for receipt of qualifications from CTE firms for said services, publicly opened and read on March 29, 2017 and the following firms submitted a qualifications proposal:

CME Associates

WHEREAS, the qualification submissions were reviewed by the Purchasing Agent and Business Administrator, and it was their recommendation that it would be in the City's best interest to include the firms of CME Associates in the CTE Pool and award open-ended contracts for such CTE professional services as the City may require during the coming contract year; and

WHEREAS, all contractors awarded professional services contracts are required to comply with City Ordinance #18-05, and by execution of the contract documents and Political Contribution Affidavit each firm acknowledges that it complies with the Ordinance, and has not made any political contributions that would bar it from being awarded a contract with the City of Long Branch; and

WHEREAS, in accordance with Local Public Contracts Law, the City may award open-ended contracts to these firms, based upon availability of funds, with the provision of certification of funds provided by issuance of a Purchase order prior to any work being assigned or performed.

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Long Branch hereby authorized establishment of a New Jersey State Approved Forester Certified Tree Expert (CTE) Services Pool, and awards open-ended contracts to the following firms:

CME Associates.

For CTE Services as may be required by the City during the contract year from April 15, 2017 through April 15, 2018.

BE IT FURTHER RESOLVED that any and all work that may be assigned to any of the firms by the Department of Administration, either based upon solicitation of project proposals, wherever practicable, or upon specific qualifications, as deemed in the City's best interest, shall be limited to availability of funds, and authorized by issuance of a purchase order prior to any work being assigned or performed.

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

STATE OF NEW JERSEY
COUNTY OF MONMOUTH
CITY OF LONG BRANCH

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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 April 2017

Kathy L. Schmidt
MUNICIPAL CLERK, P.M.C.

R# 101-17

**RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK
TO EXECUTE AGREEMENT WITH LOCAL 152**

WHEREAS, almost of the City's employees are represented by an exclusive bargaining organization for purposes of establishing the employee's various terms and conditions of employment; and

WHEREAS, after negotiations, the City has settled bargaining agreement in order to provide for various terms and conditions of employment for the affected employees.

NOW THEREFOR BE IT RESOLVED by the City Council of the City of Long Branch, County of Monmouth, State of New Jersey that the Mayor and City Clerk are hereby authorized on behalf of the City of Long Branch to execute the contract agreement between the City of Long Branch and Local 152 for the period of January 1, 2017 through December 31, 2018.

MOVED: Sittonne
SECOND: Billings

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

STATE OF NEW JERSEY
COUNTY OF MONMOUTH
CITY OF LONG BRANCH

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Kathy L. Schmelz
MUNICIPAL CLERK, E.M.C.

R# 102-17

RESOLUTION AWARDING BID CONTRACT FOR BOARDWALK AND OCEAN AVENUE REPAIRS

WHEREAS, the City of Long Branch has the need to contract for Boardwalk and Ocean Avenue Repairs and;

WHEREAS, through a fair and open process, the City has advertised to receive bids on April 4, 2017 for Boardwalk and Ocean Avenue Repairs and the following bids were received as followed:

	Base Bid	Alts 1
BLACK ROCK	\$553,318.50	\$18,750.00
EARLE ASPHALT	\$617,031.13	\$32,600.00
PRECISE	\$647,042.50	\$18,500.00
L & L PAVING	\$743,047.50	\$42,650.00

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

WHEREAS, it is the recommendation of the Engineer that it is in the City's best interest to award a contract to **BLACK ROCK ENTERPRISES** as the low bidder; and

WHEREAS, the Chief Financial Officer of the City of Long Branch has certified, in accordance with the Certification of Funds form attached hereto, that funds for these contracts are available in, **Appro. #C-04-111-601, in the amount of \$572,068.50**

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Long Branch, that a contract be awarded to **BLACK ROCK ENTERPRISES** for Boardwalk and Ocean Avenue Repairs, in accordance with the bid specifications and proposal, **for a sum not to exceed \$572,068.50**.

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

OFFERED: Siriano
SECOND: B. Billings
AYES: 5
NAYES: 0
ABSENT: 0
ABSTAIN: 0

STATE OF NEW JERSEY
COUNTY OF MONMOUTH
CITY OF LONG BRANCH
I, KATHY L. SCHMIDT, MUNICIPAL CLERK OF THE CITY OF
LONG BRANCH, DO HEREBY CERTIFY THE FOREGOING
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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 12th DAY OF April, 2017

Kathy L. Schmidt
MUNICIPAL CLERK, R.M.C.

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

CERTIFICATION OF CHIEF FINANCIAL OFFICER

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

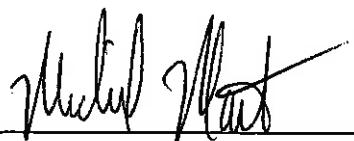
BOARDWALK AND OCEAN AVENUE REPAIRS/IMPROVEMENTS

Said contract being made as follows:

BLACK ROCK ENTERPRISES \$572,068.50

Said funds being available in the form of:

APPRO. # C-04-111-601, \$572,068.50



Michael Martin, Chief Financial Officer



Date

LEON S. AVAKIAN, INC. Consulting Engineers

788 WAYSIDE ROAD • NEPTUNE, NEW JERSEY 07753

LEON S. AVAKIAN, P.E., P.L.S. (1953-2004)
PETER R. AVAKIAN, P.E., P.L.S., P.P.
MEHRYAR SHAFAI, P.E., P.P.
GREGORY S. BLASH, P.E., P.P.
LOUIS J. LOBOSCO, P.E., P.P.
GERALD J. FREDA, , P.E., P.P.
WILLIAM D. PECK, P.E., P.P.

April 4, 2017

David J. Spaulding, Jr., Purchasing Agent
City of Long Branch
344 Broadway
Long Branch, NJ 07740

**Re: Boardwalk and Ocean Avenue Repairs
City of Long Branch
Recommendation of Award
Our file: LB 16-06**

Dear Mr. Spaulding:

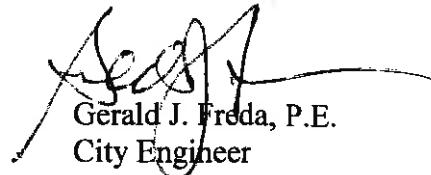
Bids were received on Tuesday, April 4, 2017 for the above referenced project. Nine (9) contractors purchased bid documents and of those, four (4) complete bids were received. The base bid and alternate amount ranged from a low of \$572,068.50 to a high of \$785,697.50. The apparent low bid from Black Rock Enterprises, LLC is marked with an asterisk (*) as shown on the attached bid tabulation.

The references for the low bidder, Black Rock, Enterprises, LLC, 1316 Englishtown Road, Old Bridge, NJ 08857 have been checked by this office and found to be satisfactory. We therefore, recommend that a contract be awarded to Black Rock, Enterprises, LLC, in the amount of \$572,068.50 for the base bid and alternate subject to the favorable review of the bid bond by the City Attorney, and the availability of funding to complete the project and review and authorization to award the contract from Green Acres Program.

Should you have any questions regarding this matter, please feel free to contact our office.

Very truly yours,

LEON S. AVAKIAN, INC.



Gerald J. Freda, P.E.
City Engineer

SJA:mfl

Enclosure

cc: Kevin Hayes, Acting Administrator
Michael Martin, CFO
Kathy Schmelz, Clerk
Fred Migliaccio, Director of DPW

LB/16/16-06

R# 103-17

RESOLUTION AUTHORIZING CONTRACT
FOR FIREWORKS DISPLAY FOR THE JAZZ AND BLUES
FESTIVAL

WHEREAS, as part of its 2017 Jazz and Blues Festival, the City of Long Branch wishes to contract with International Fireworks to provide a Fireworks Display at the Jazz and Blues Festival on August 26,31, 2017; and

WHEREAS, in accordance with N.J.S.A. 40A:11-5(1)(a)(i), the City may award a contract for professional services, including services of a creative nature, without publicly advertising for bids; and

WHEREAS, the City's Program /Special Events Coordinator has negotiated a contract annexed hereto, with International Fireworks for said performance, and it is the recommendation of the Business Administrator that it is in the City's best interest to enter into this contract; and

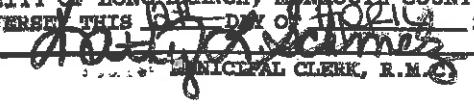
WHEREAS, the Chief Financial Officer of the City of Long Branch has certified, in accordance with the Certification of Funds Form attached hereto, that funds are available for this contract in the Appropriation # G-17-068-402, in the amount of \$ 8,250.00, Appropriation #7-01-012-801 in the amount of \$1,750.00 total of \$10,000.00

NOW THEREFORE BE RESOLVED, that the City Council of the City of Long Branch hereby authorizes a contract with International Fireworks for a Fireworks Display at the Jazz and Blues Festival on August 26,31, 2017 in accordance with the contract and certification annexed hereto, for a sum not to exceed \$ 10,000.00

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

BE IT FURTHER RESOLVED, that the Finance Director is hereby authorized to take the necessary action to provide payment to the artists/agents on the night of the performance in accordance with the terms of the contract.

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

STATE OF NEW JERSEY
COUNTY OF MONMOUTH
CITY OF LONG BRANCH
I, KATHY L. SCHMELZ, 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 4-11-17
IN WITNESS WHEREOF, I HAVE HERETOUPON SET MY HAND AND AFFIXED THE OFFICIAL SEAL OF THE CITY OF LONG BRANCH, MONMOUTH COUNTY, NEW JERSEY THIS 10th DAY OF July, 2017

KATHY L. SCHMELZ, MUNICIPAL CLERK, R.M.

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

CERTIFICATION OF CHIEF FINANCIAL OFFICER

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

**RESOLUTION AUTHORIZING CONTRACTS FOR 2017 FIREWORKS JAZZ
BLUES FESTIVAL**

Said contract being made as follows:

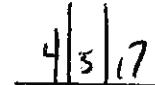
INTERNATIONAL FIREWORKS \$10,000.00

Said funds being available in the form of:

#G-17-068-402- \$8,250.00 7-01-012-801 -\$1,750.00 TOTAL OF \$10,000.00



Michael Martin, Chief Financial Officer



Date

RESOLUTION AUTHORIZING CONTRACTS FOR MUSICAL PERFORMANCES FOR CONCERT SERIES 2017

WHEREAS, the City of Long Branch wishes to procure the services of a sound company and various bands to provide musical performances for the Summer Concert Series for 2017; and

WHEREAS, in accordance with N.J.S.A. 40A:11-5(1) (a) (i), the City may award a contract for professional services, including services of a creative and artistic nature, without publicly advertising for bids; and

WHEREAS, the City's Office of Community Development staff has negotiated with various bands to provide entertainment, and it is the recommendation of the Program/Special Events Coordinator, and the Director of Urban Coordinating Council that it is in the City's best interest to enter into contracts as detailed below; 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 these contracts in the, **Appropriation #G-17-068-402 in the amount of \$11,750.**

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Long Branch hereby authorizes contracts as follows:

Lisa Colby Sound, for a performance by Oh Baby Productions, for a sum not to exceed \$850.

Leonardo Gruber, for a performance by Tren Latino Band, for a sum not to exceed \$800.

Alvin Suarez, for a performance by Los Ciegos Del Barrio for a sum not to exceed \$1,200.

Tito Puente Jr, for performance by Puente Entertainment for a sum not to exceed \$2,000.

Eco Del Sur for performance by **Eco Del Sur** for a sum not to exceed \$850.

Marea Green for performance by Maria Wilson Band, for a sum not to exceed \$1,200.

Fly By Night, for performance by Popa Chubby, for a sum not to exceed \$2,700.

Norman Nardimi, for performance by **Norman Nardimi**, for a sum not to exceed \$850.

Dub Proof, for performance by **Dub Proof**, for a sum not to exceed \$500.

Jane Lee Hooker, for performance by **Jane Lee Hooker**, for a sum not to exceed \$800.

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

BE IT FURTHER RESOLVED that the Chief Financial Officer is hereby authorized to take the necessary action to provide payment to the artists/agents on the night of the performance in accordance with the terms of the contracts.

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

STATE OF NEW JERSEY
COUNTY OF MONMOUTH
CITY OF LONG BRANCH

I, KATHY L. SCHMID, 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 4-11-17

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 12 DAY OF April 2017

Kathy L. Schmid
MUNICIPAL CLERK, R.M.

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

CERTIFICATION OF CHIEF FINANCIAL OFFICER

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

RESOLUTION AUTHORIZING CONTRACTS FOR MUSICAL PERFORMANCES

Said contract being made as follows:

SEE RESOLUTION LISTING IN DETAIL SPECIFIC VENDOR CONTRACTS FOR EVENTS THAT TOTAL \$11,750.00

Said funds being available in the form of:

#G-17-068-402 \$11,750.00


Michael Martin, Chief Financial Officer

4/6/17
Date

R# 106-17

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: SiHanne

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
4-11-17

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 10th day of April, 2017

Kathy L. Schmelz
Kathy L. Schmelz, RMC
City Clerk

PUBLIC NOTICE

Notice is hereby given that the following bills will be submitted for payment approval as of April 11, 2017. 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 A.M. and 4:30 P.M. Monday through Friday.

A.C. Moore	ABC Supply Co. Inc.	307.58
Albert Keirsey	All Industrial Safety Products	1,407.84
American Hose & Hydraulics	American Vane Equipment	25.00
Arbus, Maybruch & Goode	Andrew Clay	498.50
Arbus, Maybruch & Goode	Arbus, Maybruch & Goode	883.36
AT&T	AT&T	335.90
Atlantic Plumbing Supply	Atlantic Tactical of New Jersey, Inc.	280.00
Atlantic Tactical of New Jersey, Inc.	Auto Parts	3,159.00
Be Our Guest Entertainment	Be Our Guest Entertainment	Pmt. #1
Brother's Towing & Recovery	Builder's General Supply Co.	1,500.00
Caliber HomeLoans c/o CoreLogic	Caliber HomeLoans c/o CoreLogic	Pmt. #1
Carrot Top Industries	Carrot Top Industries	127.15
CE Union	CE Union	80.56
City of Long Branch Clearing Account	City of Long Branch Clearing Account	1,181.13
City of Long Branch Clearing Account	City of Long Branch Clearing Account	1,775.78
City of Long Branch Payroll Agency Account	City of Long Branch Payroll Agency Account	400.00
City of Long Branch Payroll Agency Account	City of Long Branch Payroll Agency Account	195.00
Clayton Block Co. Inc.	Clayton Block Co. Inc.	1,543.76
Comcast	Comcast	2,000.00
Contic's Car Wash	Contic's Car Wash	971.97
Cooper Electric Supply Co.	Cooper Electric Supply Co.	*
Dan Gentile Dog Training Ctr	Dan Gentile Dog Training Ctr	*
Danielle, Michelle & Eddie Barlotta	Danielle, Michelle & Eddie Barlotta	*
Edwards Tire Co. Inc.	Edwards Tire Co. Inc.	*
F&C Automotive Supply	F&C Automotive Supply	*
Fine Fare	Fine Fare	*
Foley Incorporated	Foley Incorporated	*
Frank Ravarshere	Frank Ravarshere	*
Fred Migliaccio	Fred Migliaccio	*
Freightoid Dodge, Inc.	Freightoid Dodge, Inc.	*
G&M Trophy Inc.	G&M Trophy Inc.	*
Team Law Books	Team Law Books	*
Various Subscriptions - Various Departments	Various Subscriptions - Various Departments	*
Supplies for St. Patty's Party - Senior Center - 3/16/17	Supplies for St. Patty's Party - Senior Center - 3/16/17	307.58
Materials for Beachfront Gazebo - Public Facilities	Materials for Beachfront Gazebo - Public Facilities	1,407.84
Refund of Late Fee - Reso. #87-17	Refund of Late Fee - Reso. #87-17	25.00
Vests & Reflective Stripes - Street Construction & Maintenance	Vests & Reflective Stripes - Street Construction & Maintenance	498.50
Outside Vehicle Repairs - Public Works	Vehicle Parts & Supplies - Public Works	883.36
Vehicle Parts & Supplies - Public Works	Referee - Indoor Soccer - Recreation - 3/4, 3/11	335.90
Legal Services - Planning Board - January - February 2017	Legal Services - Planning Board - January - February 2017	280.00
Professional Services - Retainer - Planning Board - January - March 2017	Professional Services - Retainer - Planning Board - January - March 2017	3,159.00
Telephone Service - Central - Bills Dated 2/21 - 3/16/17	Telephone Service - Central - Bills Dated 2/21 - 3/16/17	Pmt. #1
Plumbing Materials - Public Facilities	Plumbing Materials - Public Facilities	127.15
Ammunition, Guns & Supplies - Police	Ammunition, Guns & Supplies - Police	80.56
Miscellaneous Auto Parts - Various Departments	Miscellaneous Auto Parts - Various Departments	1,181.13
Entertainment for St. Party's Day - Senior Affairs - 3/16/17	Entertainment for St. Party's Day - Senior Affairs - 3/16/17	1,775.78
Towing Services - Public Works	Towing Services - Public Works	400.00
Materials for Lockers - Beach	Materials for Lockers - Beach	195.00
Refund - Overpayment of Taxes - Reso. #79-17	Refund - Overpayment of Taxes - Reso. #79-17	1,543.76
Flags - Parks	Flags - Parks	2,000.00
To "Our Digital Shield" Seminar Registration - K. Schmeltz, W. Bahamonde - Various Departments	To "Our Digital Shield" Seminar Registration - K. Schmeltz, W. Bahamonde - Various Departments	*
To Reimburse Cleaning Account	To Reimburse Cleaning Account	*
To Reimburse Cleaning Account - Payroll Dated 3/24/17	To Reimburse Cleaning Account - Payroll Dated 3/24/17	*
DCRP - Employer Match - March 2017	DCRP - Employer Match - March 2017	*
Payroll Dated 3/24/17	Payroll Dated 3/24/17	*
Payroll Dated 3/24/17 - FICA/Medicare	Payroll Dated 3/24/17 - FICA/Medicare	*
Mortar Mix for Branchport Drainage - Public Facilities	Mortar Mix for Branchport Drainage - Public Facilities	*
Internet Provider Services - Various Departments - March 2017	Internet Provider Services - Various Departments - March 2017	*
Car Washes - Various Departments - February 2017	Car Washes - Various Departments - February 2017	*
Electrical Materials - Public Facilities	Electrical Materials - Public Facilities	*
"Geese Police" Dog Training - Health	"Geese Police" Dog Training - Health	*
Refund - Overpayment of Taxes - Reso. #79-17	Refund - Overpayment of Taxes - Reso. #79-17	*
Tires - Public Works	Tires - Public Works	*
Miscellaneous Vehicle Parts & Supplies - Public Works	Miscellaneous Vehicle Parts & Supplies - Public Works	*
Food/Drinks for Various Events - Senior Affairs - February - March 2017	Food/Drinks for Various Events - Senior Affairs - February - March 2017	*
Reimbursement for Dept. of Plant Biology & Pathology Renewal - Parks	Reimbursement for Dept. of Plant Biology & Pathology Renewal - Parks	*
Reimbursement for Cell Phone Case and ATV Parts - Public Works	Reimbursement for Cell Phone Case and ATV Parts - Public Works	*
Vehicle Parts - Public Works	Vehicle Parts - Public Works	*
Vehicle Parts - Public Works	Vehicle Parts - Public Works	*
Badges - Police	Badges - Police	*
Various Subscriptions - Various Departments	Various Subscriptions - Various Departments	*

DENOTES PREPAYMENT

"SUBJECT TO COMPLETION OF PAYMENT BACKAGE

Samzic's Uniforms
Seaboard Welding Supply Inc.
SHI International Corp.
Skip's Sports
State of NJ/Dept. of Community Affairs
Stratix Systems Inc.
The Tranomic Companies, Inc.
Treasurer, County of Monmouth
Tuzzio's
United Parcel Service
Verizon
Visiting Nursing Services of Central Jersey
W.E. Zimmerman Co., Inc.
W.B. Mason Co., Inc.
W.W. Grainger Inc.
Wittner Public Safety Group
Y-PERS

Uniforms - Fire & Fire Safety Code
Cylinder Rental - Public Works - February 2017
Laptop with Protection Plan - IT
Jacket - Office of Emergency Management
Uniforms - Police
Annual Elevator Inspection - Public Facilities
Copier Maintenance - Building
Miscellaneous Supplies - Public Works
Dumping Fees - Recycling/Solid Waste Disposal - February 2017
Food for H.S. Travel Team - Recreation
Shipping - Various Departments
Telephone, Smartphone & Laptop Service - Various Departments - Bills Dated 3/10 - 3/16/17
Health Services for the Public - 1st Quarter 2017
Miscellaneous Parts - Public Works
Office Supplies - Various Departments
Safety Glasses - DPW
Tools & Equipment - Fire
Janitorial Supplies - Various Departments

TOTAL CURRENT

D.W. Smith Associates, LLC
Leon S. Avakian, Inc.
Powerhouse Signworks
Precise Construction, Inc.

4,999.18
158.25
2,258.53
43.00
731.00
667.00
171.04
67,172.69
300.00
57.56
3,074.26
3,192.00
1,250.94
1,026.18
128.88
7,392.00
465.50

2,241,911.42

Professional Services - Manahasset Creek Park Improvements - November 2016 - March 2017
Professional Services - 2016 Road Program - January - March 2017
Professional Services - Boardwalk Replacement - January - March 2017
Professional Services - Date Street Drainage - January - March 2017
Professional Services - Brighton Avenue Road Reconstruction - January - March 2017
Professional Services - Ocean Avenue Green Acres Funding - January - March 2017
Reflective Signs - Public Works & Police
Brighton Avenue Streetscape - January - March 2017

TOTAL CAPITAL

Auto Parts
City of Long Branch Clearing Account
City of Long Branch Payroll Agency Account
City of Long Branch Payroll Agency Account
Conie's Car Wash Inc.
Edwards Tire Co. Inc.
Verizon

671.25
35,723.75
33,515.00
290.00
797.50
3,226.25
1,950.00
32,324.32
201.01
210.88
5,304.99
4,945.44
359.55
18.75
475.40
210.88

108,498.07

Miscellaneous Auto Parts - Animal Control
To Reimburse Clearing Account
To Reimburse Clearing Account - Payroll Dated 3/24/17
Payroll Dated 3/24/17
Payroll Dated 3/24/17 - FICA/Medicare
Car Washes - Animal Control - February 2017
Tires - Animal Control
Telephone & Laptop Service - Animal Control - Bills Dated 3/12 & 3/16/17

108,498.07

TOTAL ANIMAL CONTROL

ABC Supply Co., Inc.
City of Long Branch Clearing Account

* DENOTES PREPAY

** SUBJECT TO COMPLETION OF PAYMENT PACKAGE

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City of Long Branch Clearing Account	5,837.30
City of Long Branch Payroll Agency Account	5,415.91
City of Long Branch Payroll Agency Account	421.39
Conte's Car Wash Inc.	6.25
Cooper Electric Supply Co.	239.68
Home Depot Credit Services	736.01
JAMM Printing	51.00
Konica Minolta Business Solutions USA Inc.	290.43
Leon S. Avakian, Inc.	3,600.00 Pmt. #1
Long Branch Chamber of Commerce	100.00
Long Branch High School Football Team	80.00
Mr. John	298.00
New Jersey Natural Gas	532.04
Ragan Communications, Inc.	34.22
Tuzzio's	720.00
W.B. Mason Co., Inc.	87.62
TOTAL HUD	22,148.26
Arbors Maybruch & Goode, LLC	532.00
City of Long Branch Clearing Account	5,122.08
City of Long Branch Clearing Account	37,550.00
City of Long Branch Clearing Account	281,667.13
City of Long Branch Payroll Agency Account	281,414.54
City of Long Branch Payroll Agency Account	252.59
Crammer Engineering	2,814.50
E M Waterbury & Associates, PA	395.00
Garden State Tax Lien Streams	2,000.00
Glia Group, LLC	800.00
I.W.M. Builder & Consultant LLC	13,965.00
Level G Associates, LLC	1,960.00
Long Branch Chamber of Commerce	1,650.00
Maser Consulting PA	24,911.25
McManimon, Scotland & Baumann, LLC	1,323.75 Pmt. #13
Michael A. Irene, Jr.	990.00
Monmouth County SPCA	15,000.00
New Jersey Natural Gas	191.31
Robert Sickler	188.29
Thomas Matulewicz	1,542.48
Trystone Capital Assets, LLC	300.00
USB Cust. Tower DBW VI Trt 2016	7,700.00
USBank Cust PC5 Sterling National	2,360.00
USBK Cust PFS Financial I, LLC	10,900.00
Virgo Muni Finance Fund LP	100.00
W.B. Mason Co., Inc.	298.97
TOTAL TRUST OTHER	695,868.89

* DENOTES PREPAY

** SUBJECT TO COMPLETION OF PAYMENT PACKAGE

**RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF LONG BRANCH TO EXECUTE
CONTRACT OF SALE FOR 102 SOUTH BROADWAY, LONG BRANCH, NEW JERSEY**

WHEREAS, the seller, the JAA Trust, has agreed to sell the subject property to the City of Long Branch for the purchase price of \$90,000.; and

WHEREAS, by acquisition of this property, the City would own all of the property fronting on Broadway from Ocean Boulevard to Second Avenue and the City would have complete usage of said property for parking and other potential development uses; and

WHEREAS, the purchase of Block 287, Lot 34 would be in the best interest of the citizens of the City of Long Branch; and

NOW THEREFORE BE IT RESOLVED, by the Council of the City of Long Branch that the Mayor of the City of Long Branch being the same is hereby authorized to execute the purchase agreement in the form annexed hereto and made a part hereof ; and

MOVED: *Simanne*

SECONDED: *Billing*

AYES: *4*

NAYES: *0*

ABSENT: *0*

ABSTAIN: *1 - Simanne*

STATE OF NEW JERSEY
COUNTY OF MONMOUTH
CITY OF LONG BRANCH

I, KATHY L. SCHMELZ, 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 4-11-17

IN WITNESS WHEREOF, I HAVE HEREBUNTO SET MY HAND AND AFFIXED THE OFFICIAL SEAL OF THE CITY OF LONG BRANCH, MONMOUTH COUNTY, NEW JERSEY THIS 12th DAY OF April, 2017

Kathy L. Schmelz

Contract for Sale of Real Estate

This Contract for Sale is made on _____,

BETWEEN

(Include Soc. Sec. No.)

JAA TRUST

whose address is c/o Dawn Heine, Trustee, 5270

Royal Palm Beach Blvd., Royal Palm Beach, FL

33411

referred to as the "Seller,"

AND

(Include Soc. Sec. No.)

the City of Long Branch

whose address is 344 Broadway, Long Branch, New

Jersey 07740

referred to as the "Buyer."

The words "Buyer" and "Seller" include all Buyers and all Sellers listed above.

1. **Purchase Agreement.** The Seller agrees to sell and the Buyer agrees to buy the Property (called the "Property") described in this Contract.
2. **Property.** The Property to be sold consists of: (a) the land and all of the buildings, other improvements and fixtures on the land; (b) all of the Seller's rights relating to the land; and (c) all personal property specifically included in this Contract. The real Property to be sold is commonly known as 102 South Broadway

in the City of Long Branch in the County of Monmouth
and State of New Jersey. It is shown on the municipal tax map as lot 34 in block 267.

This Property is more fully described in the attached Schedule A.

3. **Purchase Price.** The purchase price is \$ 90,000.00
4. **Payment of Purchase Price.** The Buyer will pay the purchase price as follows:

Previously paid by the Buyer (initial deposit) \$ _____

Upon signing of this Contract (balance of deposit) \$ _____

Balance to be paid at closing of title, in cash or by certified or bank cashier's check or attorney's trust account check (subject to adjustment at closing). \$ 90,000.00

5. **Time and Place of Closing.** The closing date cannot be made final at this time. The Buyer and Seller agree to make _____, the estimated date for the closing. Both parties will fully cooperate so the closing can take place on or before the estimated date. The closing will be held at _____

6. **Transfer of Ownership.** At the closing, the Seller will transfer ownership of the Property to the Buyer. This transfer of ownership will be free of all claims and rights of others except as provided in other parts of this Contract. The Seller will give the Buyer a properly executed deed and an adequate Affidavit of Title. If the Seller is a corporation, it will also deliver a corporate resolution authorizing the sale.
7. **Type of Deed.** A deed is a written document used to transfer ownership of Property. In this sale, the Seller agrees to provide and the Buyer agrees to accept a deed known as bargain and sale with covenants against grantors' acts.
8. **Physical Condition of the Property.** This Property is being sold "As Is," except for paragraph 10 as required by Federal Regulation. The Seller does not make any claims or promises about the condition or value of any of the Property included in this sale. The Buyer has inspected the Property and relies on this inspection and any rights which may be provided for in other parts of this Contract.
9. **Risk of Loss.** The Seller is responsible for any damage to the Property, except for normal wear and tear, until the closing.

10. **Lead Paint.** The Buyer acknowledges that:

- The Seller has provided the Buyer with an EPA-approved lead hazard information pamphlet.
- The Seller has attached to this Contract a Lead Warning Statement (see ASL form NC 132).
- The Seller has disclosed the presence of known lead-based paint and/or lead-based paint hazards and has provided additional information concerning the known lead-based paint and/or lead-based paint hazards, or has indicated no knowledge of the presence of lead-based paint and/or lead-based paint hazards.
- The Seller has provided the Buyer with a list of any records or reports available to the Seller pertaining to lead-based paint and/or lead-based paint hazards or Seller has indicated that no such records or reports are available.

11. **Lead Paint Sale Contingency.** This Contract is contingent upon a risk assessment or inspection of the Property for the presence of lead-based paint and/or lead-based paint hazards at the Buyer's expense until 9 p.m. on the tenth calendar-day after the signing of this Contract by all parties for housing built before 1978. [Intact lead-based paint that is in good condition is not necessarily a hazard. See the EPA pamphlet, "Protect Your Family from Lead in Your Home," for more information.] This contingency will terminate at the above predetermined deadline unless the Buyer (or Buyer's agent) delivers to the Seller (or Seller's agent) a written Contract addendum listing the specific existing deficiencies and corrections needed, together with a copy of the inspection and/or risk assessment report. The Seller may, at the Seller's option, within _____ days after delivery of the addendum, elect in writing whether to correct the condition(s) prior to settlement. If the Seller will correct the condition, the Seller shall furnish the Buyer with certification from a risk assessor or inspector demonstrating that the condition has been remedied before the date of the settlement. If the Seller does not elect to make the repairs, or if the Seller makes a counter-offer, the Buyer shall have _____ days to respond to the counter-offer or remove this contingency and take the Property in "As Is" condition or this Contract shall become void. The Buyer may remove this contingency at any time without cause. (42 U.S.C. 4852d) (61FR 9064).

12. **Private Well Testing Act (N.J.S.A. 58:12A-26 et seq.)**

- (a) **Applicability:** If the property (i) has a potable water supply furnished by a private well located on the property, or (ii) the potable water supply is furnished by a well that has fewer than 15 service connections or that does not regularly service an average of at least 25 individuals daily at least 60 days out of the year, then the water supply must be tested as a condition of the sale.
- (b) **Testing Parameters:** The water test must conform with the parameters established in the Private Well Testing Act and any additional parameters as required by the Department of Environmental Protection.
- (c) **Disclosure:** Closing of title shall not occur unless both the Buyer and the Seller have received and reviewed a copy of the water test results. At closing, the Buyer and Seller shall certify in writing that they have received and reviewed the water test results.

13. If this Contract is for the sale of a new residential property, a Notification Regarding Off-Site Conditions MUST be attached to notify the purchaser regarding off-site conditions which may affect the value of this property. New Residential Construction Off-Site Conditions Disclosure Act, P.L. 1995, c. 253 (C. 46:3C-1 et seq.) (see ASL form No. 132).

14. **Complete Agreement.** This Contract is the entire and only agreement between the Buyer and the Seller. This Contract replaces and cancels any previous agreements between the Buyer and the Seller. This Contract can only be changed by an agreement in writing signed by both Buyer and Seller. The Seller also promises that she/he has not made any other Contract to sell the Property to anyone else.

15. **Parties Liable.** This Contract is binding upon all parties who sign it and all who succeed to their rights and responsibilities.

SIGNED AND AGREED TO BY:

Witnessed or Attested by:

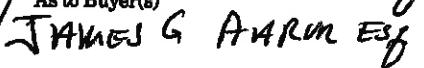
Date Signed:

4-11-17

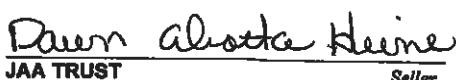

the City of Long Branch

, Buyer

As to Buyer(s)


JAMES G. AARON ESQ.

, Buyer

3/29/17 
JAA TRUST

, Seller

As to Seller(s)


Dawn Alberto Heine

, Seller