



Agenda
Meeting of the Municipal Council
Wednesday, October 25, 2023
REGULAR MEETING 6:00 PM

I. Executive Session - 4:00 p.m.

2023-481 Resolution Authorizing a meeting which excludes the public

A. Public Safety

1. Police Monthly Report September 2023

B. Contract Negotiations

1. 512-514 Summerfield Avenue
2. Inspire by Somerset - 1209 Ocean Avenue, 100 Fifth Avenue, and 115 Fourth Avenue (Block 4105, Lots 1, 3 and 4)
3. Boardwalk Grant Application - Madison Marquette
4. Estoppel and Recognition Agreement – 545 Lake Avenue
5. AP Block 4001 Venture Urban Renewal, LLC

C. Litigation

1. State of New Jersey vs. Mark Harrington, LLC

D. Attorney-Client Privilege

II. Workshop Session - 6:00 p.m.

Call to Order/Roll Call

Silent Prayer/Moment of Reflection

Salute to the Flag

Announcement - Open Public Meetings Act

As to comply with the “Open Public Meetings Act,” Chapter 231, P.L. 1975, adequate Notice of this meeting has been provided in the following manner: The Annual Notice was forwarded to the Asbury Park Press, The Coaster and The Star Ledger on January 3, 2023, and posted on the bulletin board the same date. All notices are on file with the City Clerk.

Proclamation

1. Proclamation Recognizing Seacoast Missionary Baptist Association

Items to be Presented:

2. Presentation by APTV Committee - 2022 JAG Awards
 3. Presentation by Rudowsky Development - 1001 First Avenue
- Matters from City Council
Matters from City Manager
Matters from City Attorney

III. Regular Meeting

A. Public Participation

B. Minutes

- Municipal Council- Executive Meeting October 11, 2023 4:00 PM
- Municipal Council - Regular Meeting - Oct 11, 2023 6:00 PM

C. Consent Agenda Resolutions

All matters listed on the Consent Agenda are presented collectively to the City Council, and will be considered for approval with one vote. These matters are considered to be routine in nature, and there will be no individual discussion of these items. If discussion is desired by one or more Council member(s) as to any particular item(s), then said item(s) shall be removed from the Consent Agenda and considered separately.

- 2023-482 Resolution of the City of Asbury Park, County of Monmouth, State of New Jersey Providing for the Insertion of Special Items of Revenue in the 2023 Budget of the City of Asbury Park Pursuant to N.J.S.A. 40A:4-87 (Chapter 159) - Affordable Housing Alliance Inc. Educational and Recreational Enrichment Grant
- 2023-483 Resolution of the City of Asbury Park, County of Monmouth, State of New Jersey Providing for the Insertion of Special Items of Revenue in the 2023 Sewer Budget of the City of Asbury Park Pursuant to N.J.S.A. 40A:4-87 (Chapter 159) - American Rescue Plan
- 2023-484 Resolution of the City of Asbury Park, County of Monmouth, State of New Jersey Providing for the Insertion of Special Items of Revenue in the 2022 Budget of the City of Asbury Park Pursuant to N.J.S.A. 40A:4-87 (Chapter 159) - Affordable Housing Alliance Inc. Educational and Recreational Enrichment Grant
- 2023-485 Resolution of the City of Asbury Park, County of Monmouth, State of New Jersey Providing for the Insertion of Special Items of Revenue in the

2023 Current Fund Budget of the City of Asbury Park Pursuant to
N.J.S.A. 40A:4-87 (Chapter 159) - American Rescue Plan

- 2023-486 Resolution Authorizing the Acceptance of Funding from the State of New Jersey, Department of Human Services, Division of Mental Health Services for the Year 2024 Mental Health Grant

D. Individual Resolutions

- 2023-487 Resolution Approving Payment of Bills
- 2023-462 Resolution Authorizing the Mayor & City Council to Execute a Subordination of Mortgage for Laura and Jorge Bonifaz for Property located at 915 Sunset Avenue, Asbury Park
- 2023-476 Resolution Authorizing The Utilization Of Project Labor Agreements, On A Project-By-Project Basis, For Public Works Projects Undertaken By The City Involving Costs In Excess Of Five Million Dollars (\$5,000,000.00).
- 2023-477 Resolution Adopting An Affirmative Marketing Plan For The City Of Asbury Park
- 2023-488 Resolution Authorizing the Purchase of a Water Pump Needed at the Wastewater Treatment Plant
- 2023-489 Resolution Authorizing the Purchase of Electricity - 50% Green Supply Services for Public Use on an Online Auction Website
- 2023-490 Resolution Authorizing the Purchase of Records Management Software for the Fire Department
- 2023-491 Resolution Authorizing the Purchase of Loader Forks Needed for the Beach Department
- 2023-492 Resolution Awarding Bid for Traffic Control Signage
- 2023-493 Resolution Authorizing a Professional Services Contract to CDM Smith for Engineering Services for Design of Phase I Wastewater Treatment Plant Improvements
- 2023-494 Resolution Amending a Contract with Air System Maintenance for the Installation of Two VFD's for the New Chilled Water Pumps at The Municipal Building
- 2023-495 Resolution Rescinding Resolution 2023-432, Awarding a Contract to Millenium Communications Group for Security Cameras in Various Locations within Asbury Park
- 2023-496 Resolution Of Support Authorizing A New Jersey Department Of Transportation Safe Routes To School Program Grant Application
- 2023-497 Resolution of the Mayor and City Council of The City of Asbury Park to Enter into a Fourth Amendment of the Subsequent Developer Agreement With AP Block 4001 Venture Urban Renewal, LLC to Extend the Outside

Approvals Date in Connection With the Development of Property Located at Block 4001, Lots 2-15 (Currently Block 4001, Lots 2.01, 2.02 and 2.03)

- 2023-498 Resolution of the Mayor and City Council of The City of Asbury Park to Approve the Execution of a Memorandum of Agreement Regarding the Submission of An Application for a Grant Pursuant to the Boardwalk Restoration Fund for Certain Improvements to the Asbury Park Boardwalk and for the Partial Repair and Restoration of the Paramount Theater, the Grand Arcade and Convention Hall

E. Ordinances

1. Introduction

- 2023-32 Ordinance of The City of Asbury Park Amending and Supplementing Section 4-1, Entitled “Business Licenses,” of Chapter 4 “General Licensing,” of “The Code of the City of Asbury Park.”
- 2023-33 Ordinance of the City of Asbury Park Amending and Supplementing Section 4-9 Entitled “Display of Merchandise In Public Areas; Outdoor/Sidewalk Cafes,” of Chapter 4, “ General Licensing,” of “The Code of the City of Asbury
- 2023-34 Ordinance Of The City Of Asbury Park Authorizing And Encouraging Electric Vehicle Supply/Service Equipment (EVSE) & Make-Ready Parking Spaces, And Amending Chapter 30, “Land Development Regulations,” Of The “Code Of The City Of Asbury Park” In Certain Respects.
- 2023-35 Ordinance Of The City Of Asbury Park, In The County Of Monmouth, State Of New Jersey, Authorizing The Execution Of A First Amendment Of The Amended And Restated Special Assessment Agreement Between The City Of Asbury Park And K. Hovnanian’s Cove At Asbury Park Urban Renewal, LLC With Regard To Infrastructure Improvements On Block 3801, Lots 1.01, 1.03 And 1.05 (Formerly Block 3203, Lots 1-4, P/O Lots 5&15, 16-19 And Block 3206, Lots 1-3, P/O Lot 4) (The Cove) Within The Asbury Park Waterfront Redevelopment Area
- 2023-36 Ordinance Of The City Of Asbury Park, In The County Of Monmouth, State Of New Jersey, Authorizing The Execution Of A First Amendment Of The Special Assessment Agreement Between The City Of Asbury Park And AP Block 176 Venture Urban Renewal LLC With Regard To Infrastructure Improvements On Block 4002, Lot 1 (Known As The “Ocean Club”) Within The Asbury Park Waterfront Redevelopment Area
- 2023-37 Ordinance Of The City Of Asbury Park Amending Section 28-3, Entitled “Food Handling Establishments,” Of Chapter 28, “Health Regulations,” Of “The Code Of The City Of Asbury Park.”

2. Second Reading/Public Hearing

- 2023-30 Ordinance Of The City Of Asbury Park, In The County Of Monmouth, State Of New Jersey, Providing For The Special Assessment Of The Cost Of Certain Wastewater, Stormwater, Roadway, Streetscape, Utility And Other Infrastructure Improvements On Block 4105, Lots 1 And 4, And A Portion Of Block 4105 Lot 3, To Be Known As Block 4105, Lot 1 (Following Completion Of The Subdivision) Within The Asbury Park Waterfront Redevelopment Area And Establishing A Mechanism For Payment Of The Cost Thereof
- 2023-31 Ordinance Of The City Of Asbury Park Authorizing The Execution Of A Financial Agreement With Somerset Asbury Park Urban Renewal, LLC And Granting A Tax Exemption

F. Adjournment

**RESOLUTION NO. 2023-481****RESOLUTION AUTHORIZING A MEETING WHICH EXCLUDES THE PUBLIC**

BE IT RESOLVED by the Mayor and Council of the City of Asbury Park that this body will hold a meeting on October 25, 2023 at 6:00 PM in the Council Chambers located at 1 Municipal Plaza, Asbury Park, New Jersey, that will be limited only to consideration of an items or items with respect to which the public may be excluded pursuant to section 7b of the Open Public Meetings Act.

The general nature of the subject or subjects to be discussed are as follows:

A. Public Safety:

1. Police Monthly Report September 2023

B. Contract Negotiations:

1. 512-514 Summerfield Avenue
2. Inspire by Somerset - 1209 Ocean Avenue, 100 Fifth Avenue, and 115 Fourth Avenue (Block 4105, Lots 1, 3 and 4)
3. Boardwalk Grant Application - Madison Marquette
4. Estoppel and Recognition Agreement – 545 Lake Avenue
5. AP Block 4001 Venture Urban Renewal, LLC

C. Litigation:

1. State of New Jersey vs. Mark Harrington, LLC

D. Attorney-Client Privilege:

The public is excluded from said meeting, and further notice is dispensed with, all in accordance with section 8 and 4a of the Open Public Meetings Act.

LISA ESPOSITO
CITY CLERK

1001 FIRST AVE ASBURY PARK

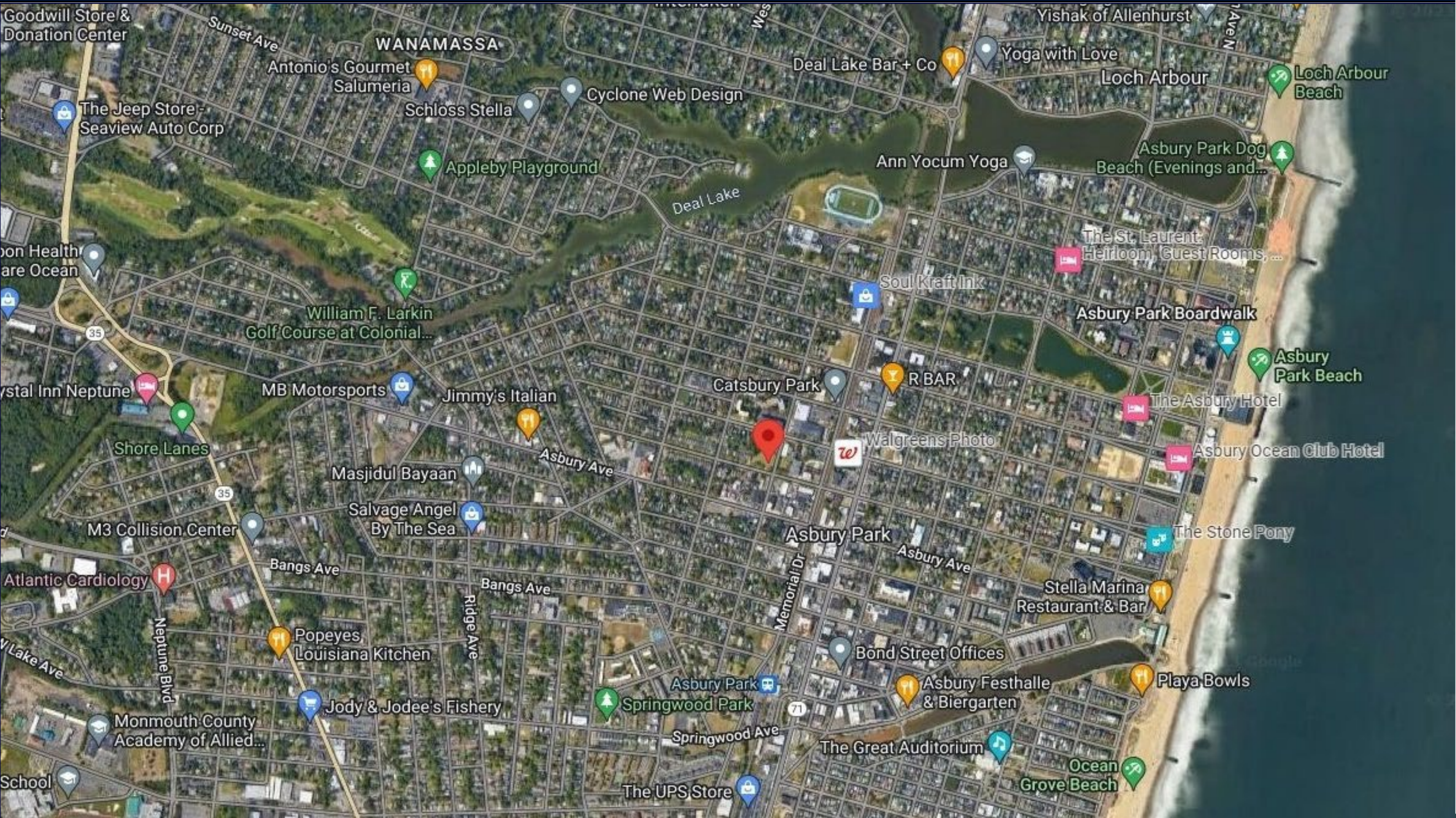
PROPOSED REDEVELOPMENT

Block 401 - Lots 10, 11, 12, & 13
Monmouth County, NJ



For More Information Contact:
Rudowsky Development
Luke Rudowsky, PE
305 Bond St #301, Asbury Park
P: (732) 877-9250
E: Luke@Rudowsky.com

Project Location



Attachment: 1001 First Ave, Asbury - Slide Deck - 2023-10-12 (5502 : Presentation by Rudowsky Development - 1001 First Avenue)



Attachment: 1001 First Ave, Asbury - Slide Deck - 2023-10-12 (5502 : Presentation by Rudowsky Development - 1001 First Avenue)

Previous Design Iterations

Adopted on March 12th of 2018, the original Redevelopment Plan for 1001 First Avenue contemplated the rendering shown below.

This building aesthetic proposed by the previous owner felt overly industrial, cold, and “cheap”. After closing in mid-2021, the Lenox Group recognized a dire need for an overhaul.



Shown above, a more recent 2022 iteration by the Lenox Group incorporated higher quality materials and a more modern design approach.

But after several predevelopment meetings with City stakeholders, it became clear that a final refresh was necessary to fully integrate the proposed building with the fabric of this unique neighborhood located centrally in Asbury Park.

Attachment: 1001 First Ave, Asbury - Slide Deck - 2023-10-12 (5502 : Presentation by Rudowsky Development - 1001 First Avenue)

Rendering – Corner of Second Avenue & Langford Street

The design team is proud to present 1001 First Avenue re-envisioned.

A unique blend of modern and industrial materials tied together with creative architectural techniques allow this state of art residential apartment building to mesh seamlessly with the community.



mlode
ARCHITECT

Attachment: 1001 First Ave, Asbury - Slide Deck - 2023-10-12 (5502 : Presentation by Rudowsky Development - 1001 First Avenue)

Rendering – View of the Primary Entrance

2.3.a

The current concept includes:

- (114) Apartments Total
- (23) COAH Units
- (137) Parking Spaces
- An Enclosed Garage
- Bike Storage
- Oversized Amenities
- Ample Outdoor Space
- Enhanced Streetscapes
- Green Features



mlode
ARCHITECT

Attachment: 1001 First Ave, Asbury - Slide Deck - 2023-10-12 (5502 : Presentation by Rudowsky Development - 1001 First Avenue)

Rendering – Langford Facade

2.3.a

Facades were carefully planned to create offsets and tiers in order to soften the experience while walking or driving by.

The proposed building is set back from the front property lines more than required by the current regulations on all sides, allowing for beautiful landscaping and streetscapes that will be further activated with art installations along the sidewalk.

The top level is set back such that it is barely visible from the street perspective, promoting light & air along the public ROW.



Attachment: 1001 First Ave, Asbury - Slide Deck - 2023-10-12 (5502 : Presentation by Rudowsky Development - 1001 First Avenue)

mode
ARCHITECT

Tenant needs, construction costs, and design preferences have changed drastically since the original Redevelopment Plan was conceived in 2017 and 2018. In order to adapt to market conditions, the Lenox Group sees the proposed concept as a necessary and desirable solution to actualize this profound project and set the bar for future development in Asbury.

Primary Benefits

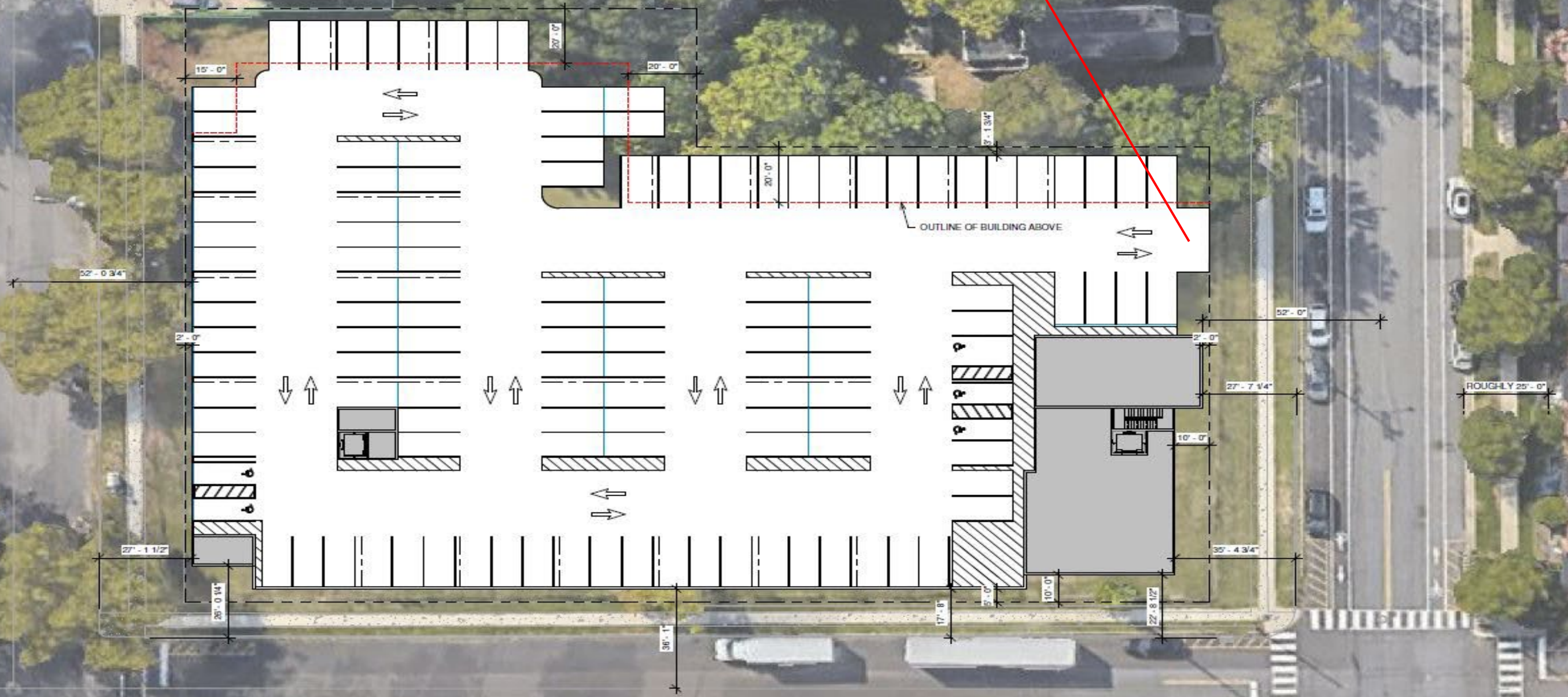
- The proposed concept leverages a superior design with high quality materials. Ownership is willing to incorporate these enhanced standards as part of the plan amendment, attaching the renderings as exhibits.
- The plan calls for expanded setbacks and enhanced streetscape, thus elevating the pedestrian experience.
- A path forward for this property will allow ownership to remediate the underlying environmental issues associated with the property (a \$500,000+ cost).
- The building can include (23) COAH units, more than the (16) units originally allocated.
- The design includes opportunities to collaborate with local artists by creating art walls.
- A completed project will increase the City's tax revenue.

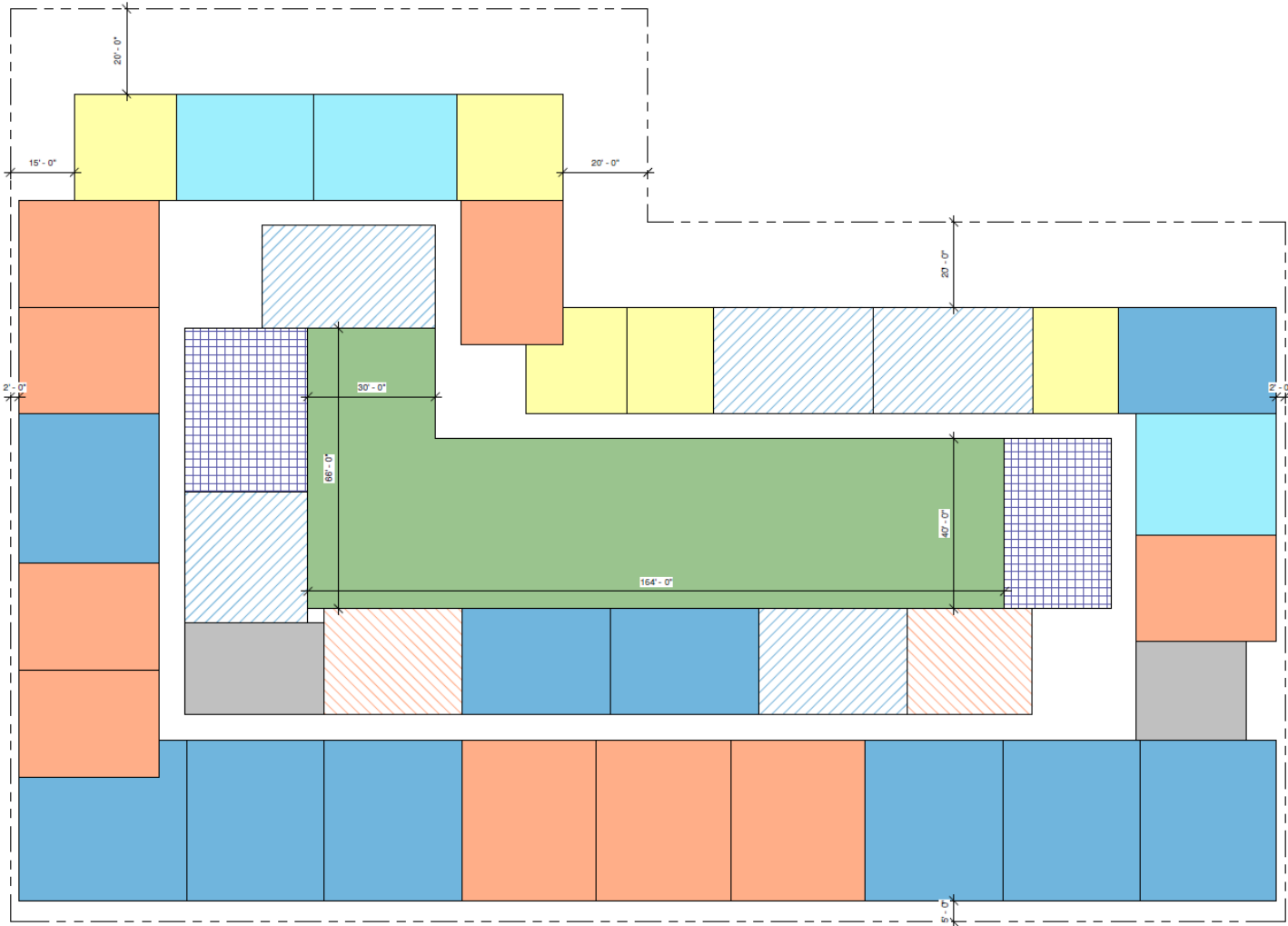
Secondary Considerations

- Section 4 of the Redevelopment Plan permits the City to amend the plan. This concept only requires 2 deviations from the original requirements (unit count & coverage).
- The site has been vacant for 25+ years and there have been safety concerns. This project will ensure a clean and secure environment to benefit the community.
- Ownership is in communication with the neighbors about how to minimize the impact of this project.
- The architects are based out of Asbury Park and the project management principal lived in Asbury for 8 years.
- A mix of unit types, work from home space, and tech innovation will attract and retain quality tenants.
- The project will retain the green design initiatives that are included in the Redevelopment Plan.

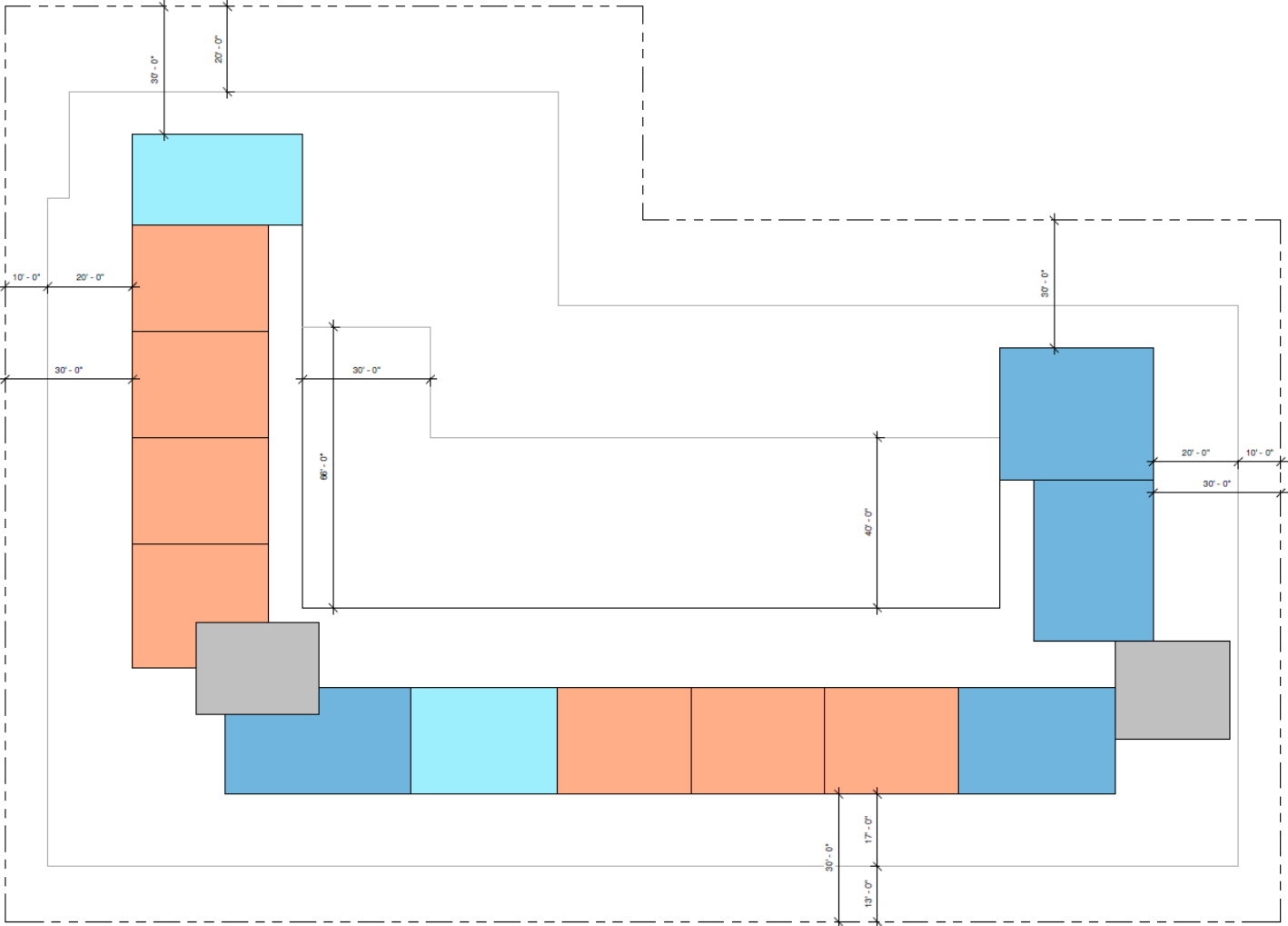
This plan is schematic in nature. The parking provided meets the requirements of the plan. Only 8 of the 137 spaces are provided using stacked parking units, which are being used elsewhere in the City.

Driveway May Be Relocated To Accommodate Second Ave Loft Owners





Typical Floor Plan



Top Level Plan

<u>Projected Unit Distribution</u>	
Studio Unit: 20	COAH 1 Bed: 4
1 Bedroom: 28	COAH 2 Bed: 13
1 Bed+1 Den: 12	COAH 3 Bed: 6
2 Bedroom: 31	

The Existing Redevelopment Plan By Comparison

Regulation	Required	Proposed	Conforming?	Notes
Permitted Uses	Residential & Comm.	Residential	Y	Principal Uses
Permitted Uses (Acc.)	Parking, Rec., Etc.	Parking & Rec.	Y	Accessory Uses
Min. Lot Area	50,000 SF	56,968.93 SF	Y	
Building Height	55 Feet	55 Feet	Y	
Front Setback	0 Feet	2 Feet	Y - Improved	1 st & 2 nd Floors
Front Setback	9 Feet	10 Feet	Y - Improved	3 rd & 4 th Floors
Front Setback	30 Feet	30 Feet	Y	5 th Floor
Rear Setback	20 Feet	20 Feet	Y	All interior lot lines
Parking Ratio	1.2 Spaces/Unit	1.2 Spaces/Unit	Y	Only 8 Stackers
Design Regs	Per Redev Plan	Enhanced	Y - Improved	
Lighting Regs	Per Redev Plan	Per Redev Plan	Y	
Landscaping Regs	Per Redev Plan	Enhanced	Y - Improved	
Sustainability Regs	Per Redev Plan	Enhanced	Y - Improved	
Min. Rec Space	1,500 SF	7,340 SF	Y	
Max Units	85 Units	114 Units	N	Conforming COAH
Coverage (Bldg/Lot)	65% / 80%	84% / 89%	N	

Attachment: 1001 First Ave, Asbury - Slide Deck - 2023-10-12 (5502 : Presentation by Rudowsky Development - 1001 First Avenue)



Attachment: 1001 First Ave, Asbury - Slide Deck - 2023-10-12 (5502 : Presentation by Rudowsky Development - 1001 First Avenue)



Minutes
Meeting of the Municipal Council
Wednesday, October 11, 2023
REGULAR MEETING

Executive Session - 4:00 p.m.

2023-460 Resolution Authorizing a meeting which excludes the public

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Eileen Chapman, Councilmember
SECONDER:	Amy Quinn, Deputy Mayor
AYES:	Ahbez-Anderson, Chapman, Clayton, Quinn, Moor

Workshop Session - 6:00 p.m.

Call to Order/Roll Call

Attendee Name	Title	Status	Arrived
Angela Ahbez-Anderson	Councilmember	Present	
Eileen Chapman	Councilmember	Present	
Yvonne Clayton	Councilmember	Present	
Amy Quinn	Deputy Mayor	Present	
John Moor	Mayor	Present	
Donna Vieiro	City Manager	Present	
Frederick Raffetto	City Attorney	Present	
Lisa Esposito	City Clerk	Present	
Anthony Cucci	Deputy City Clerk	Absent	

City Clerk Lisa Esposito called the meeting to order at 6:04 PM.

Silent Prayer/Moment of Reflection

Salute to the Flag

Announcement - Open Public Meetings Act

SPECIAL EVENT APPLICATIONS:

Director of Recreation, Leesha Floyd presented special events applications to Mayor and Council.

Minutes Acceptance: Minutes of Oct 11, 2023 6:00 PM (Minutes)

ITEMS TO BE PRESENTED:**Matters from City Council**

Council member Ahbez-Anderson stated, on the 17th of October, which is a Tuesday from 12:00 PM to 2:00 PM here in the Council Chambers the Senior Tax Freeze Workshop will be offered. There is a number on our website also in the newsletter that you received. You do need to call and make an appointment.

Council member Chapman stated, the City is collecting candy donations for Trunk or Treat. Also if anybody has a vehicle and they would like to participate we park them out here in the City Hall parking lot and fill up the trunks with candy and the children of our community get to walk through and be given candy for trick or treat, so I hope some of you will participate.

Council member Clayton had no matters at this time.

Deputy Mayor Quinn had no matters at this time.

Mayor Moor had no matters at this time.

Matters from City Manager

City Manager, Donna Vieiro had no matters at this time.

Matters from City Attorney

City Attorney, Frederick Raffetto had no matters at this time.

PUBLIC PARTICIPATION

A motion was made by Council member Ahbez-Anderson and seconded by Council member Chapman to open the meeting to the public. All were in favor. The following members of the public spoke: Nancy Phillips made a comment about crime, Asbury Park Housing Authority, and the Asbury Park Police Department; Rita Marano made a comment about the Environmental Shade Tree Commission; Jill Okapinti made a comment about the rent leveling ordinance; Aubrey Hunt made a comment about mold in her apartment; Sheryl Faye made a comment about living conditions and rental issues in the Steinbach building; Justine Myer made a comment about mold in the Steinbach building; Michael Green made a comment about Sackman properties; Jay made a comment about rent in the Steinbach building; Tracy Rogers made a comment about rent control and the Asbury Park Affordable Housing Coalition; Sylvia Sylvia made a comment about Asbury Fest and flooding; Elizabeth Canera made a comment about rent leveling increases; Josephine Scutino made a comment about resident parking for Sackman properties; Justin Freid made a comment about the rent control ordinance; and Josh made a comment about resident parking for Sackman properties.

A motion to close the meeting to the public was made by Mayor Moor and seconded by Council member Chapman. All were in favor.

MINUTES

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Eileen Chapman, Councilmember
SECONDER:	Yvonne Clayton, Councilmember
AYES:	Ahbez-Anderson, Chapman, Clayton, Quinn, Moor

1. Municipal Council- Executive Meeting September 25, 2023 11:00 PM
2. Municipal Council - Special Meeting - Sep 25, 2023 11:00 AM **Accepted**
3. Municipal Council- Executive Meeting September 27, 2023 4:00 PM
4. Municipal Council - Regular Meeting - Sep 27, 2023 6:00 PM **Accepted**
5. Municipal Council- Executive Meeting October 5, 2023 11:00 AM
6. Municipal Council - Special Meeting - Oct 5, 2023 11:00 AM **Accepted**

CONSENT AGENDA RESOLUTIONS

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Eileen Chapman, Councilmember
SECONDER:	Yvonne Clayton, Councilmember
AYES:	Ahbez-Anderson, Chapman, Clayton, Quinn, Moor

2023-461 Resolution of the City of Asbury Park, County of Monmouth, State of New Jersey
Providing for the Insertion of Special Items of Revenue in the 2023 Budget of the City of
Asbury Park Pursuant to N.J.S.A. 40A:4-87 (Chapter 159) - Bulletproof Vest Grant

2023-463 Resolution Approving Special Event Applications

INDIVIDUAL RESOLUTIONS

2023-464 Resolution Approving Payment of Bills

RESULT:	ADOPTED [4 TO 1]
MOVER:	Yvonne Clayton, Councilmember
SECONDER:	Eileen Chapman, Councilmember
AYES:	Angela Ahbez-Anderson, Eileen Chapman, Yvonne Clayton, Amy Quinn
NAYS:	John Moor

2023-465 Resolution Authorizing the Extension for Solid Waste Collection Services through
December 31, 2024

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Eileen Chapman, Councilmember
SECONDER:	Yvonne Clayton, Councilmember
AYES:	Ahbez-Anderson, Chapman, Clayton, Quinn, Moor

2023-466 Resolution Authorizing Payment to Fulfill Food Bank for the Purchase of Foods for the City's Emergency Food Assistance Program through the Community Development Block Grant (CDBG-CV) Cares Act Funds

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Yvonne Clayton, Councilmember
SECONDER:	Eileen Chapman, Councilmember
AYES:	Ahbez-Anderson, Chapman, Clayton, Quinn, Moor

2023-467 Resolution Awarding a Contract to Millennium Communications Group for Camera Enclosure Replacement Needed at Convention Hall

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Eileen Chapman, Councilmember
SECONDER:	Yvonne Clayton, Councilmember
AYES:	Ahbez-Anderson, Chapman, Clayton, Quinn, Moor

2023-468 Resolution Authorizing a Professional Services Contract to Keytech Associates for Testing and Inspections of the New Fire Department Headquarters

RESULT:	ADOPTED [3 TO 2]
MOVER:	Yvonne Clayton, Councilmember
SECONDER:	Eileen Chapman, Councilmember
AYES:	Eileen Chapman, Yvonne Clayton, John Moor
NAYS:	Angela Ahbez-Anderson, Amy Quinn

2023-469 Resolution Authorizing a Professional Services Contract to T&M Associates for Professional Engineering Services with the Asbury Avenue Bike Way Improvements

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Eileen Chapman, Councilmember
SECONDER:	Yvonne Clayton, Councilmember
AYES:	Ahbez-Anderson, Chapman, Clayton, Quinn, Moor

2023-470 Resolution Approving Change Order #1 for Kennedy Park Improvements Project

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Yvonne Clayton, Councilmember
SECONDER:	Eileen Chapman, Councilmember
AYES:	Ahbez-Anderson, Chapman, Clayton, Quinn, Moor

2023-471 Resolution Approving Change Order #1 for Fire Department Headquarters

RESULT:	ADOPTED [3 TO 2]
MOVER:	Eileen Chapman, Councilmember
SECONDER:	Yvonne Clayton, Councilmember
AYES:	Eileen Chapman, Yvonne Clayton, John Moor
NAYS:	Angela Ahbez-Anderson, Amy Quinn

2023-472 Resolution Approving Change Order 7 for Memorial Drive Improvements Project

Minutes Acceptance: Minutes of Oct 11, 2023 6:00 PM (Minutes)

RESULT: ADOPTED [UNANIMOUS]
MOVER: Yvonne Clayton, Councilmember
SECONDER: Eileen Chapman, Councilmember
AYES: Ahbez-Anderson, Chapman, Clayton, Quinn, Moor

2023-473 Resolution Approving Change Order #8 for Bond Street Improvements Project

RESULT: ADOPTED [UNANIMOUS]
MOVER: Yvonne Clayton, Councilmember
SECONDER: Eileen Chapman, Councilmember
AYES: Ahbez-Anderson, Chapman, Clayton, Quinn, Moor

2023-474 Resolution Authorizing An Accelerated Electronic Tax Sale Administered By Realauktion.Com LLC

RESULT: ADOPTED [4 TO 1]
MOVER: Yvonne Clayton, Councilmember
SECONDER: Amy Quinn, Deputy Mayor
AYES: Eileen Chapman, Yvonne Clayton, Amy Quinn, John Moor
NAYS: Angela Ahbez-Anderson

2023-475 Resolution Authorizing the Disposition of Surplus Property

RESULT: ADOPTED [UNANIMOUS]
MOVER: Eileen Chapman, Councilmember
SECONDER: Yvonne Clayton, Councilmember
AYES: Ahbez-Anderson, Chapman, Clayton, Quinn, Moor

2023-476 Resolution Authorizing The Utilization Of Project Labor Agreements, On A Project-By-Project Basis, For Public Works Projects Undertaken By The City Involving Costs In Excess Of Five Million Dollars (\$5,000,000.00).

RESULT: TABLED [3 TO 2]
Next: 10/25/2023 6:00 PM
MOVER: Eileen Chapman, Councilmember
SECONDER: Yvonne Clayton, Councilmember
AYES: Eileen Chapman, Yvonne Clayton, Amy Quinn
NAYS: Angela Ahbez-Anderson, John Moor

2023-477 Resolution Adopting An Affirmative Marketing Plan For The City Of Asbury Park

RESULT: TABLED [UNANIMOUS]
Next: 10/25/2023 6:00 PM
MOVER: Eileen Chapman, Councilmember
SECONDER: Yvonne Clayton, Councilmember
AYES: Ahbez-Anderson, Chapman, Clayton, Quinn, Moor

2023-478 Resolution Endorsing The Third Round Housing Plan Element And Fair Share Plan And Authorizing And Directing Submission Of The Plans To The Superior Court, Law Division

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Eileen Chapman, Councilmember
SECONDER:	Yvonne Clayton, Councilmember
AYES:	Ahbez-Anderson, Chapman, Clayton, Quinn, Moor

2023-479 Resolution Requesting Superior Court Approval Of 2023 Spending Plan

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Yvonne Clayton, Councilmember
SECONDER:	Eileen Chapman, Councilmember
AYES:	Ahbez-Anderson, Chapman, Clayton, Quinn, Moor

2023-480 Resolution Awarding a Contract to Robco Supply LLC for Snow Fencing at the Beach

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Eileen Chapman, Councilmember
SECONDER:	John Moor, Mayor
AYES:	Ahbez-Anderson, Chapman, Clayton, Quinn, Moor

ORDINANCES

Introduction

2023-30 Ordinance Of The City Of Asbury Park, In The County Of Monmouth, State Of New Jersey, Providing For The Special Assessment Of The Cost Of Certain Wastewater, Stormwater, Roadway, Streetscape, Utility And Other Infrastructure Improvements On Block 4105, Lots 1 And 4, And A Portion Of Block 4105 Lot 3, To Be Known As Block 4105, Lot 1 (Following Completion Of The Subdivision) Within The Asbury Park Waterfront Redevelopment Area And Establishing A Mechanism For Payment Of The Cost Thereof

RESULT:	INTRODUCED [4 TO 0]
	Next: 10/25/2023 6:00 PM
MOVER:	Eileen Chapman, Councilmember
SECONDER:	Amy Quinn, Deputy Mayor
AYES:	Angela Ahbez-Anderson, Eileen Chapman, Yvonne Clayton, Amy Quinn
ABSTAIN:	John Moor

2023-31 Ordinance Of The City Of Asbury Park Authorizing The Execution Of A Financial Agreement With Somerset Asbury Park Urban Renewal, LLC And Granting A Tax Exemption

RESULT:	INTRODUCED [3 TO 2]
	Next: 10/25/2023 6:00 PM
MOVER:	Amy Quinn, Deputy Mayor
SECONDER:	Eileen Chapman, Councilmember
AYES:	Eileen Chapman, Yvonne Clayton, Amy Quinn
NAYS:	Angela Ahbez-Anderson, John Moor

ADJOURNMENT

The meeting was adjourned at 7:25 PM

A motion to close the meeting was made by Council member Ahbez-Anderson and seconded Council member Chapman. Meeting adjourned at 7:25 PM.

Respectfully submitted by:

Lisa Esposito, City Clerk

Minutes Acceptance: Minutes of Oct 11, 2023 6:00 PM (Minutes)



Individual Resolutions
Meeting of the Municipal Council
Wednesday, October 25, 2023
RESOLUTION SUMMARY

2023-482

Add 2023 Affordable Housing Alliance Inc. Educational and Recreational Enrichment Grant to the 2023 Budget in the amount of \$18,524.73 for the PAL Program.



RESOLUTION NO. 2023-482

**City of Asbury Park
County of Monmouth
State of New Jersey**

**RESOLUTION OF THE CITY OF ASBURY PARK, COUNTY OF MONMOUTH,
STATE OF NEW JERSEY PROVIDING FOR THE INSERTION OF SPECIAL ITEMS
OF REVENUE IN THE 2023 BUDGET OF THE CITY OF ASBURY PARK PURSUANT
TO N.J.S.A. 40A:4-87 (CHAPTER 159) - AFFORDABLE HOUSING ALLIANCE INC.
EDUCATIONAL AND RECREATIONAL ENRICHMENT GRANT**

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

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

NOW, THEREFORE BE IT RESOLVED, by the Mayor and City Council of the City of Asbury Park, in the County of Monmouth, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2023 in the sum of \$18,524.73. Which is now available from the Affordable Housing Alliance Inc. Educational and Recreational Enrichment Grant.

BE IT FURTHER RESOLVED, that a like sum of \$18,524.73 is hereby appropriated under the following caption:

General Appropriations:

Operations Excluded from "CAPS":

Public & Private Programs Offset by Revenues:

Affordable Housing Alliance Inc. Educational and Recreational Enrichment Grant

BE IT FURTHER RESOLVED, by the Mayor and City Council of the City of Asbury Park, that the City Clerk be and is hereby authorized to file said resolution in duplicate with the Director of the Division of Local Government Services and to provide a certified copy of this resolution to the City's Chief Financial Officer and City Auditor.

I, LISA ESPOSITO, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of RESOLUTION NO. 2023-482 which was finally adopted by the City Council at a meeting held on the 25th day of October, 2023

CERTIFIED BY ME THIS 26th DAY OF October, 2023.

LISA ESPOSITO
CITY CLERK



Individual Resolutions
Meeting of the Municipal Council
Wednesday, October 25, 2023
RESOLUTION SUMMARY

2023-483

Add 2023 Improvements to Sewer Plant \$2,270,000.00



RESOLUTION NO. 2023-483

**City of Asbury Park
County of Monmouth
State of New Jersey**

**RESOLUTION OF THE CITY OF ASBURY PARK, COUNTY OF MONMOUTH,
STATE OF NEW JERSEY PROVIDING FOR THE INSERTION OF SPECIAL ITEMS
OF REVENUE IN THE 2023 SEWER BUDGET OF THE CITY OF ASBURY PARK
PURSUANT TO N.J.S.A. 40A:4-87 (CHAPTER 159) - AMERICAN RESCUE PLAN**

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

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

NOW, THEREFORE BE IT RESOLVED, by the Mayor and City Council of the City of Asbury Park, in the County of Monmouth, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the sewer budget of the year 2023 in the sum of \$2,270,000. Which is now available from the American Rescue Plan.

BE IT FURTHER RESOLVED, that a like sum of \$2,270,000 hereby appropriated under the following caption:

Sewer Operating Appropriations:
Public & Private Programs Offset by Revenues:
American Rescue Plan - Sewer

BE IT FURTHER RESOLVED, by the Mayor and City Council of the City of Asbury Park, that the City Clerk be and is hereby authorized to file said resolution in duplicate with the Director of the Division of Local Government Services and to provide a certified copy of this resolution to the City's Chief Financial Officer and City Auditor.

I, LISA ESPOSITO, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of RESOLUTION

NO. 2023-483 which was finally adopted by the City Council at a meeting held on the 25th day of October, 2023

CERTIFIED BY ME THIS 26th DAY OF October, 2023.

LISA ESPOSITO
CITY CLERK



Individual Resolutions
Meeting of the Municipal Council
Wednesday, October 25, 2023
RESOLUTION SUMMARY

2023-484

Add 2023 Affordable Housing Alliance Inc. Educational and Recreational Enrichment Grant to the 2023 Budget in the amount of \$18,524.73 for the PAL Program.



RESOLUTION NO. 2023-484

**City of Asbury Park
County of Monmouth
State of New Jersey**

**RESOLUTION OF THE CITY OF ASBURY PARK, COUNTY OF MONMOUTH,
STATE OF NEW JERSEY PROVIDING FOR THE INSERTION OF SPECIAL ITEMS
OF REVENUE IN THE 2022 BUDGET OF THE CITY OF ASBURY PARK PURSUANT
TO N.J.S.A. 40A:4-87 (CHAPTER 159) - AFFORDABLE HOUSING ALLIANCE INC.
EDUCATIONAL AND RECREATIONAL ENRICHMENT GRANT**

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

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

NOW, THEREFORE BE IT RESOLVED, by the Mayor and City Council of the City of Asbury Park, in the County of Monmouth, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2023 in the sum of \$18,524.73. Which is now available from the Affordable Housing Alliance Inc. Educational and Recreational Enrichment Grant.

BE IT FURTHER RESOLVED, that a like sum of \$18,524.73 is hereby appropriated under the following caption:

General Appropriations:

Operations Excluded from "CAPS":

Public & Private Programs Offset by Revenues:

Affordable Housing Alliance Inc. Educational and Recreational Enrichment Grant

BE IT FURTHER RESOLVED, by the Mayor and City Council of the City of Asbury Park, that the City Clerk be and is hereby authorized to file said resolution in duplicate with the Director of the Division of Local Government Services and to provide a certified copy of this resolution to the City's Chief Financial Officer and City Auditor.

I, LISA ESPOSITO, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of RESOLUTION NO. 2023-484 which was finally adopted by the City Council at a meeting held on the 25th day of October, 2023

CERTIFIED BY ME THIS 26th DAY OF October, 2023.

LISA ESPOSITO
CITY CLERK



Individual Resolutions
Meeting of the Municipal Council
Wednesday, October 25, 2023
RESOLUTION SUMMARY

2023-485

Add 2023 American Rescue Plan for Costs Associated for Purchase of VFD's needed for new AC unit



RESOLUTION NO. 2023-485

**City of Asbury Park
County of Monmouth
State of New Jersey**

**RESOLUTION OF THE CITY OF ASBURY PARK, COUNTY OF MONMOUTH,
STATE OF NEW JERSEY PROVIDING FOR THE INSERTION OF SPECIAL ITEMS
OF REVENUE IN THE 2023 CURRENT FUND BUDGET OF THE CITY OF ASBURY
PARK PURSUANT TO N.J.S.A. 40A:4-87 (CHAPTER 159) - AMERICAN RESCUE
PLAN**

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

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

NOW, THEREFORE BE IT RESOLVED, by the Mayor and City Council of the City of Asbury Park, in the County of Monmouth, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the current fund budget of the year 2023 in the sum of \$10,000.00. Which is now available from the American Rescue Plan.

BE IT FURTHER RESOLVED, that a like sum of \$10,000.00 hereby appropriated under the following caption:

Current Fund Appropriations:

Public & Private Programs Offset by Revenues:

American Rescue Plan- VFD's for new AC Unit

BE IT FURTHER RESOLVED, by the Mayor and City Council of the City of Asbury Park, that the City Clerk be and is hereby authorized to file said resolution in duplicate with the Director of the Division of Local Government Services and to provide a certified copy of this resolution to the City's Chief Financial Officer and City Auditor.

I, LISA ESPOSITO, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of RESOLUTION

NO. 2023-485 which was finally adopted by the City Council at a meeting held on the 25th day of October, 2023

CERTIFIED BY ME THIS 26th DAY OF October, 2023.

LISA ESPOSITO
CITY CLERK



Individual Resolutions
Meeting of the Municipal Council
Wednesday, October 25, 2023
RESOLUTION SUMMARY

2023-486

The Mental Health Grant partially funds the staffing of the Social Services Department, which includes 2.75 FTE's who provide system advocacy to any adult resident (18+) of the City of Asbury Park who might be physically or medically at-risk, in particular, the serious and persistently mentally ill or substance abusing population. This is accomplished through extensive community outreach conducted in conjunction with the Asbury Park Police and Fire Departments, as well as community services providers and through individual referral. Staff provide assessment, evaluation, referral and short term crisis intervention and follow-up to assure proper service delivery and linkages as feasible.



RESOLUTION NO. 2023-486

**City of Asbury Park
County of Monmouth
State of New Jersey**

RESOLUTION AUTHORIZING THE ACCEPTANCE OF FUNDING FROM THE STATE OF NEW JERSEY, DEPARTMENT OF HUMAN SERVICES, DIVISION OF MENTAL HEALTH SERVICES FOR THE YEAR 2024 MENTAL HEALTH GRANT

WHEREAS, The City of Asbury Park has received a continuation grant from the State of New Jersey, Department of Human Services, Division of Mental Health Services in the amount of \$127,064 for the provision of mental health and system advocacy services to the residents of Asbury Park for the period January 1, 2024 through December 31, 2024.

BE IT RESOLVED, that the Mayor and Council of the City of Asbury Park hereby authorize the City Manager and the Director of Social Services to accept this continuation funding for the Asbury Park Department of Social Services from the New Jersey, Department of Human Services, Division of Mental Health Services.

BE IT FURTHER RESOLVED that the City Manager, as Chief Operating Officer of the City of Asbury Park is hereby authorized to sign a contract between the City of Asbury Park and the State of New Jersey Department of Human Services, Division of Mental Health Services to accept said grant for a contract period beginning January 1, 2024 and terminating on December 31, 2024.

I, LISA ESPOSITO, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of RESOLUTION NO. 2023-486 which was finally adopted by the City Council at a meeting held on the 25th day of October, 2023

CERTIFIED BY ME THIS 26th DAY OF October, 2023.

LISA ESPOSITO
CITY CLERK



Individual Resolutions
Meeting of the Municipal Council
Wednesday, October 25, 2023
RESOLUTION SUMMARY

2023-487

Resolution authorizing the payment of bills in the amount of \$3,581,750.10



RESOLUTION NO. 2023-487

**City of Asbury Park
County of Monmouth
State of New Jersey**

RESOLUTION APPROVING PAYMENT OF BILLS

WHEREAS, the following listed vouchers payable have been approved by the Chief Financial Officer and have subsequently been audited and found correct:

BE IT RESOLVED, that these vouchers payable totaling \$3,581,750.10

BE IT FURTHER RESOLVED, that proper officers are hereby authorized to execute and issue warrants for payment of said vouchers, but only if and when the conditions of the City Treasury shall permit.

CURRENT VOUCHERS	\$ 1,756,796.10
BOARD OF EDUCATION	<u>1,824,954.00</u>
 TOTAL VOUCHERS	 \$ <u>3,581,750.10</u>

I, LISA ESPOSITO, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of RESOLUTION NO. 2023-487 which was finally adopted by the City Council at a meeting held on the 25th day of October, 2023

CERTIFIED BY ME THIS 26th DAY OF October, 2023.

LISA ESPOSITO
CITY CLERK

October 18, 2023
11:13 AM

CITY OF ASBURY PARK
Purchase Order Listing By Budget Account

3.D.1.a
Page No. 1

P.O. Type: All Print Alpha, Revenue, & G/L Accounts: Y Open: N Void: N Paid:
Format: Condensed Held: N Aprv: N Rcvd:
Range: 2-First to 3-Last Bid: Y State: Y Other: Y Exempt:
Rcvd Batch Id Range: First to Last Encumbrance Date Range: First to 12/31/23 Include Non-Budgeted:
Vendors: All
Department Page Break: No Subtotal CAFR: Yes Subtotal Department: Yes Subtotal Extd: Yes

Budget Account	Description	P.O. Id	P.O. Description	Amount	Void Amount	PO Type
----------------	-------------	---------	------------------	--------	-------------	---------

Fund: CURRENT
Department: PUBLIC ASST
Extd: SOCIAL SERVICES:

2-01-27-345-000-299	SOCIAL SERVICES Misc.					
AMAZ0005	AMAZON.COM SERVICES	23-02976	INV #17Q1-37WF-WMXR BALANCE	84.76	0.00	
	Extd Total: SOCIAL SERVICES:			84.76		
	Department Total: PUBLIC ASST			84.76		
	CAFR Total:			84.76		
	Fund Total: CURRENT			84.76		

Fund: BEACH
Department: UTILITY OE
Extd: BEACH UTILITY O/E: OTHER EXPENSES:

2-05-55-502-000-219	BEACH UTILITY O/E: Vehicle					
HIGHW005	HIGHWAY EQUIPMENT COMPANY OF	23-02737	2023 KUBOTA RTVX-1100CWL-H	31,214.20	0.00	
	Extd Total: BEACH UTILITY O/E: OTHER EXPENSES:			31,214.20		
	Department Total: UTILITY OE			31,214.20		
	CAFR Total:			31,214.20		
	Fund Total: BEACH			31,214.20		
	Year Total:			31,298.96		

Fund: CURRENT
Department: ADMINISTRATION
Extd: ADMINISTRATION

3-01-20-100-000-207	ADMINISTRATION Contractual					
GEECHA	GEESE CHASERS, LLC	23-02668	4TH QTR 2023 CLEARING AND	969.00	0.00	B
GEECHA	GEESE CHASERS, LLC	23-02669	4TH QTR 2023 CLEARING AND	484.50	0.00	B
				1,453.50		

3-01-20-100-000-209	ADMINISTRATION Professional Services					
JERPRO	JERSEY PROFESSIONAL MANAGEMENT	23-02179	RECRUITMENT OF CITY MANAGER	160.00	0.00	B
SUREN005	SURENIAN, EDWARDS, BUZAK &	23-02877	August Fees	10,338.05	0.00	
KYLEM005	KYLE MCMANUS ASSOCIATES LLC	23-02931	Invoice 4872 Council General	1,102.50	0.00	
CGPHL005	CGP&H, LLC	23-02978	INVOICE #48376 SEPTEMBER 2023	930.00	0.00	
				12,530.55		

3-01-20-100-000-244	ADMINISTRATION Quality of Life Comm.					
ADPIMP	ADPRO IMPRINTS, INC.	23-02880	t-shirts-Clayton Event 10/7/23	1,070.00	0.00	

3-01-20-100-000-251	ADMINISTRATION Comm. & Cultural Affairs					
MAKME	MR. HAPPY PARTY RENTALS	23-01780	Screen Rental-Movies in Park	1,605.00	0.00	

October 18, 2023
11:13 AM

CITY OF ASBURY PARK
Purchase Order Listing By Budget Account

3.D.1.a

Budget Account Vendor	Description	P.O. Id	P.O. Description	Amount	Void Amount	PO Type
3-01-20-100-000-251 MAKME	ADMINISTRATION MR. HAPPY PARTY RENTALS	Comm. & Cultural Affairs Continued 23-01982	Carnival Tent & Popcorn	225.00 1,830.00	0.00	
	Extd Total: ADMINISTRATION			16,884.05		
	Department Total: ADMINISTRATION			16,884.05		
Department: MAYOR/COUNCIL						
Extd: MAYOR & COUNCIL						
3-01-20-110-000-299 FOODI005	MAYOR & COUNCIL Misc. FOODINI, LLC		23-02894 Special Meeting Lunch nte \$200	121.25	0.00	
	Extd Total: MAYOR & COUNCIL			121.25		
	Department Total: MAYOR/COUNCIL			121.25		
Department: MUNIC CLERK						
Extd: MUNICIPAL CLERK						
3-01-20-120-000-202 CRAPRI	MUNICIPAL CLERK Office Supplies CRAFTMASTER PRINTING, INC.		23-02792 Estimate #11708 Clerk Forms	351.00	0.00	
3-01-20-120-000-217 ASBPAK	MUNICIPAL CLERK Ads&Promotion ASBURY PARK PRESS		23-02980 #5833217 MEETING TIME CHANGE	47.32	0.00	
NJADV	NJ ADVANCE MEDIA LLC		23-02987 Public Notice Ad #10752024	120.64	0.00	
THECOA	THE NEW COASTER, LLC		23-02990 #60620 ORD #2023-296 AD 10/5	27.40	0.00	
				195.36		
3-01-20-120-000-222 OCEAN010	MUNICIPAL CLERK Training OCEAN COUNTY MUNICIPAL CLERKS'		23-02997 VITAL STATISTICS SEMINAR 10/26	30.00	0.00	
3-01-20-120-000-238 PARKE005	MUNICIPAL CLERK Contractual PARKER MCCAY, PA		23-02960 INV #3170216 & 3170217 SEPT	1,806.00	0.00	
	Extd Total: MUNICIPAL CLERK			2,382.36		
	Department Total: MUNIC CLERK			2,382.36		
Department: FINANCE						
Extd: FINANCIAL ADMINISTRATION						
3-01-20-130-000-202 WBMASON	FINANCE Office Supplies W.B.MASON CO., INC.		23-02933 Office Chairs for Finance	331.42	0.00	
3-01-20-130-000-206 ATLTOM	FINANCE Copier ATLANTIC TOMORROWS OFFICE		23-02974 Contract 52628 - 7/1-9/30	755.98	0.00	
ATLTOM	ATLANTIC TOMORROWS OFFICE		23-03024 Contract #13309 7/1/23-9/30/23	3,554.09	0.00	
MUNCAP	MUNICIPAL CAPITAL CORPORATION		23-03062 #40115602 Contract Pmt 3 of 60	1,808.87	0.00	
				6,118.94		
3-01-20-130-000-207 MERHEA	FINANCE HR Testing HACKENSACK MERIDIAN WORKS		23-03025 Invoice #511444 - Sept. 2023	593.00	0.00	

Attachment: Bill List 10-25-23 (2023-487 : Payment of Bills)

Budget Account Vendor	Description	P.O. Id	P.O. Description	Amount	Void Amount	PO Type
3-01-20-130-000-223	FINANCE Condo Reimbursements					
3208T005 320 Eighth LLC		23-02934	3rd Q 2023 Trash Reimbursement	652.42	0.00	
PHISEA MONMOUTH COUNCIL #9		23-02938	3rd Q. Trash Reimbursement	13,933.22	0.00	
				14,585.64		
	Extd Total: FINANCIAL ADMINISTRATION			21,629.00		
	Department Total: FINANCE			21,629.00		
Department: COMPUTER MIS						
Extd: COMPUTERIZED DATA PROCESSING						
3-01-20-140-000-219	COMPUTER DATA PROC. Equipment					
CDWGOV CDW GOVERNMENT LLC		23-02836	Q#1CCDCB9 Rugged Switch	432.97	0.00	
3-01-20-140-000-222	COMPUTER DATA PROC Software Lic.					
SHIINT SHI INTERNATIONAL CORP		23-02710	Q#23831277 GovOS Renewal	4,242.33	0.00	
3-01-20-140-000-223	COMPUTER DATA PROC Hardware Support					
ATLLOK ATLANTIC LOCK & SAFE		23-02950	#27597 IT Car Duplicate Key	120.00	0.00	
	Extd Total: COMPUTERIZED DATA PROCESSING			4,795.30		
	Department Total: COMPUTER MIS			4,795.30		
Department: TAX ASSESSOR						
Extd: TAX ASSESSOR						
3-01-20-150-000-209	TAX ASSESSOR Fees					
BRBVAL BRB VALUATION & CONSULTING		23-02999	INV #1935-1 IE Analysis 2023	500.00	0.00	
	Extd Total: TAX ASSESSOR			500.00		
	Department Total: TAX ASSESSOR			500.00		
Department: DIRECTOR OF COMMUNICATIONS						
Extd: DIRECTOR OF COMMUNICATIONS						
3-01-20-151-000-299	DIRECTOR OF COMMUN. - Program Fees					
CAMEO005 CAMEO LOVE MARKET		23-02942	Est Coffee with Council 10/7	30.46	0.00	
	Extd Total: DIRECTOR OF COMMUNICATIONS			30.46		
	Department Total: DIRECTOR OF COMMUNICATIONS			30.46		
Department: LEGAL SERVICES						
Extd: LEGAL SERVICES						
3-01-20-155-000-209	LEGAL SERVICES Fees					
GENBUR GENOVA BURNS LLC		23-02941	Invoice 501450 AP Vs. CSP P.C.	73,488.84	0.00	
LAWOF005 LAW OFFICE OF GENE J ANTHONY		23-02977	#21207 SEPTEMBER RENT LEVELING	1,812.75	0.00	

Attachment: Bill List 10-25-23 (2023-487 : Payment of Bills)

October 18, 2023
11:13 AM

CITY OF ASBURY PARK
Purchase Order Listing By Budget Account

3.D.1.a

Budget Account Vendor	Description	P.O. Id	P.O. Description	Amount	Void Amount	PO Type
3-01-20-155-000-209 HILLW005 HILL WALLACK LLP	LEGAL SERVICES Fees	23-03053	Continued Invoice 735139 General Matter	9,927.50 85,229.09	0.00	
	Extd Total: LEGAL SERVICES			85,229.09		
	Department Total: LEGAL SERVICES			85,229.09		
	CAFR Total:			131,571.51		
Department: Planning Department						
Extd: Planning Department						
3-01-21-179-000-209 CLACAN CLARKE CATON HINTZ PC JACSER JACK A. SERPICO	PLANNINF DEPT. Planning Board Fees	23-02919	PB AND ZB PROF SVS	3,517.99	0.00	
		23-03029	Serpico Sept 2023	1,050.00	0.00	
				4,567.99		
3-01-21-179-000-210 JACSER JACK A. SERPICO	PLANNING DEPT. Zoning Board Fees	23-03029	Serpico Sept 2023	1,050.00	0.00	
	Extd Total: Planning Department			5,617.99		
	Department Total: Planning Department			5,617.99		
	CAFR Total:			5,617.99		
Department: CODE ENFORCE						
Extd: CODE ENFORCEMENT AND ADMIN.						
3-01-22-195-000-201 WBMASON W.B.MASON CO., INC.	CODE ENFORCEMENT Office Supplies	23-02849	Office supplies (JulieAnn)	119.06	0.00	
	Extd Total: CODE ENFORCEMENT AND ADMIN.			119.06		
	Department Total: CODE ENFORCE			119.06		
	CAFR Total:			119.06		
Department: LIAB INSURANCE						
Extd: LIABILITY INSURANCE						
3-01-23-210-000-209 PMACOM PMA MANAGEMENT CORPORATION	LIABILITY INSURANCE Fees	23-03014	Sep 2023 Billing Statement	152,591.37	0.00	
	Extd Total: LIABILITY INSURANCE			152,591.37		
	Department Total: LIAB INSURANCE			152,591.37		
Department: WORKERS COMP						
Extd: WORKER'S COMPENSATION						
3-01-23-215-000-209 PMACOM PMA MANAGEMENT CORPORATION	WORKER'S COMPENSATION Fees	23-03014	Sep 2023 Billing Statement	177,385.86	0.00	
	Extd Total: WORKER'S COMPENSATION			177,385.86		
	Department Total: WORKERS COMP			177,385.86		
	CAFR Total:			329,977.23		

Attachment: Bill List 10-25-23 (2023-487 : Payment of Bills)

October 18, 2023
11:13 AM

CITY OF ASBURY PARK
Purchase Order Listing By Budget Account

3.D.1.a
Page No. 3

Budget Account Vendor	Description	P.O. Id	P.O. Description	Amount	Void Amount	PO Type
Department: POLICE						
Extd: POLICE DEPARTMENT						
3-01-25-240-000-202	POLICE Office Supplies					
WBMASON	W.B.MASON CO., INC.	23-00871	office supply	1,078.58	0.00	
CDWGOV	CDW GOVERNMENT LLC	23-02190	USB drives	712.50	0.00	
				1,791.08		
3-01-25-240-000-204	POLICE Towing					
RICAUT	RICH'S AUTO BODY	23-02964	#13032, 13050 & 13042 TOWING	60.00	0.00	
3-01-25-240-000-205	POLICE Animal Control Services					
SPCA	MONMOUTH COUNTY SPCA	23-02913	#2024559 JULY 2023 SERVICES	4,700.00	0.00	
3-01-25-240-000-207	POLICE Clothing Allowance					
LANASO	LANIGAN ASSOCIATES, INC.	23-02148	Gutierrez new hire uniform	1,500.00	0.00	
3-01-25-240-000-216	POLICE Supplies-Compu.					
NEWIRON	NEWARK IRONBOUND ELECTRICAL	23-02360	GameChanger OSP	3,147.00	0.00	
CDWGOV	CDW GOVERNMENT LLC	23-02830	Q#1CCDH97 Blu Ray Player	115.60	0.00	
CDWGOV	CDW GOVERNMENT LLC	23-02943	Q#1CCGJBR Support Services TV	397.03	0.00	
				3,659.63		
3-01-25-240-000-218	POLICE Contract.Serv.					
OPTIMUM	OPTIMUM	23-02962	#07866-182313-01-5 9/8 - 10/7	290.53	0.00	
3-01-25-240-000-222	POLICE Training					
JOSPAN	PANGARO TRAINING & MANAGEMENT	23-02862	INV#2826 12/11& 12 COURSE	538.20	0.00	
JOHSTA	JOHN H.STAMLER POLICE ACADEMY	23-02963	LAW ENFORCEMENT ENCOUNTERS	80.00	0.00	
				618.20		
3-01-25-240-000-276	POLICE: PAL Expenses					
MAKME	MR. HAPPY PARTY RENTALS	23-02206	PAL bounce house 8/17/23	938.00	0.00	
AMAZ0005	AMAZON.COM SERVICES	23-02983	PAL Halloween party schools	429.46	0.00	
JERELE	JERSEY ELEVATOR COMPANY, INC.	23-02992	#430464 PAL ELEVATOR REPAIRS	240.50	0.00	
				1,607.96		
Extd Total: POLICE DEPARTMENT				14,227.40		
Department Total: POLICE				14,227.40		
Department: FIRE DEPT.						
Extd: FIRE DEPARTMENT						
3-01-25-265-000-203	FIRE DEPT. Motor Vehicle					
FISONS	FIS on Site Service LLC	23-02237	Blanket PO-Not to Exceed	993.32	0.00	B
3-01-25-265-000-206	FIRE DEPT. Purchase of Equipment					
GRAING	GRAINGER, INC.	23-02696	QUOTE FOR EXTINGUISHER BRACKET	272.76	0.00	
3-01-25-265-000-229	FIRE DEPT. Medical Sup.					
VERALP	V.E. RALPH & SON, INC.	23-02719	Q#-104489,104490 MASK/EPI PENS	1,503.10	0.00	

Attachment: Bill List 10-25-23 (2023-487 : Payment of Bills)

October 18, 2023
11:13 AM

CITY OF ASBURY PARK
Purchase Order Listing By Budget Account

3.D.1.a
Page No. 0

Budget Account Vendor	Description	P.O. Id	P.O. Description	Amount	Void Amount	PO Type
3-01-25-265-000-298	FIRE DEPT. Special Operations					
FOUND010	FOUNDATION BUILDING MATERIALS	23-02874	QUOTE#1738063-00 LUMBER SUPPLY	255.40	0.00	
	Extd Total: FIRE DEPARTMENT			3,024.58		
	Department Total: FIRE DEPT.			3,024.58		
Department: PROSECUTOR						
Extd: MUNICIPAL PROSECUTOR						
3-01-25-275-000-202	PROSECUTOR Fees					
JAMBUT	JAMES N. BUTLER, JR.	23-02968	prosecutor sept 2023	4,550.00	0.00	
	Extd Total: MUNICIPAL PROSECUTOR			4,550.00		
	Department Total: PROSECUTOR			4,550.00		
	CAFR Total:			21,801.98		
Department: STREETS & ROAD						
Extd: STREETS & ROADS MAINTENANCE						
3-01-26-290-000-203	STREETS & ROAD Motor Vehicle					
SERV005	SERVICE TIRE TRUCK CENTERS	23-01721	VARIOUS PARTS BLANKET	540.00	0.00	B
MCGMUN	MCGRATH MUNICIPAL EQUIPMENT	23-02077	DPW HOT PATCH REAR DOOR PIN	62.50	0.00	
JERSE015	JERSEY SHORE POWERSPORTS	23-02297	VARIOUS PARTS BLANKET	1,171.10	0.00	B
SEAFOR	SEA BREEZE FORD INC.	23-02420	VARIOUS PARTS BLANKET	807.45	0.00	B
GPCNA091	GPC-NAPA AUTO PARTS	23-02472	VARIOUS PARTS BLANKET	248.21	0.00	B
FOSCOM	FOSTER & COMPANY, INC.	23-02507	DPW STOCK	334.18	0.00	
HIGHW005	HIGHWAY EQUIPMENT COMPANY OF	23-02684	DPWKUBOTA#761 FRONT SUSPENSION	1,356.06	0.00	
EASAUT	EASTERN AUTOPARTS WAREHOUSE	23-02758	VARIOUS PARTS BLANKET	3,117.61	0.00	B
WETIMM	W.E. TIMMERMAN COMPANY, INC.	23-02815	DPW ELGIN SWEEPER ROCKERSWITCH	37.42	0.00	
JERSE015	JERSEY SHORE POWERSPORTS	23-02827	VARIOUS PARTS BLANKET	409.92	0.00	B
JOHGUI	JOHN GUIRE SUPPLY	23-02850	STIHL CHAINSAW TENSIONER PARTS	93.99	0.00	
SEACHE	SEACOAST CHEVROLET OLDS-	23-02859	VARIOUS PARTS BLANKET	331.68	0.00	B
TAYTOW	TAYLOR'S TOWING	23-03003	#175343 S.S.BUS TOWING SERVICE	595.00	0.00	
				9,105.12		
3-01-26-290-000-209	STREETS & ROAD Fees					
TREDEP	TREASURER-STATE NJ - NJDEP	23-03010	PID750452 Turf Club	935.00	0.00	
3-01-26-290-000-213	STREETS & ROAD Safety Equipment					
SEAFIR	SEABOARD FIRE & SAFETY EQUIP.	23-02948	#19908631 FIRE EXTINGUISHER	404.00	0.00	
3-01-26-290-000-215	STREETS & ROAD Misc. Hardware					
GRAING	GRAINGER, INC.	23-02503	Misc Hardware	146.32	0.00	B
KEMFLA	KEMPTON FLAG LLC	23-03034	8x12 U.S. Nylon Flag	591.00	0.00	
				737.32		
3-01-26-290-000-218	STREETS & ROAD Contract.Serv.					
SAFDOC	SAFEGUARD DOCUMENT DESTRUCTION	23-02499	paper shredding EVENT 10/21/23	1,000.00	0.00	
ARMTRE	ARMSTRONG TREE SERVICE LLC	23-02692	Grand & Lake Tree Removal	1,200.00	0.00	
GUARD010	GUARDIAN PEST CONTROL	23-02851	PEST CONTROL 9/20/23	225.00	0.00	
TREREV	TREASURER STATE OF NEW JERSEY	23-02937	PID #033903 UST 9 MAIN ST	50.00	0.00	
SEAWEL	SEABOARD WELDING SUPPLY, INC.	23-02951	#957780 CYLINDER & HAZMANT	98.25	0.00	
LAURN005	LAURENCE WILSON	23-02989	2023 BOOT REIMBURSEMENT	149.99	0.00	

Attachment: Bill List 10-25-23 (2023-487 : Payment of Bills)

Budget Account Vendor	Description	P.O. Id	P.O. Description	Amount	Void Amount	PO Type
3-01-26-290-000-218	STREETS & ROAD	Contract.Serv.	Continued			
STAVOLA	STAVOLA ASPHALT COMPANY, INC.	23-03042	#308982 ASPHALT 10/3/23	125.92	0.00	
OPTIMUM	OPTIMUM	23-03061	#07866-183188-01-1 10/8-11/07	28.46	0.00	
ALLBOI	ALLIED BOILER REPAIR CORP.	23-03063	INV #19099 & 19079 SERVICES	961.80	0.00	
ARMAN005	ARMANDO PELLOT	23-03065	boot reimbursement 2023	155.00	0.00	
				<u>3,994.42</u>		
3-01-26-290-000-270	STREETS & ROAD	Wesley Lake Commission				
TOWNEP	TOWNSHIP OF NEPTUNE	23-02889	Wesley Lake Maintenance 2023	6,000.00	0.00	
			Extd Total: STREETS & ROADS MAINTENANCE	21,175.86		
			Department Total: STREETS & ROAD	21,175.86		
Department: SOLID WASTE						
Extd: SOLID WASTE COLLECTION						
3-01-26-305-000-209	SOLID WASTE	Fees				
DELDEM	DELISA DEMOLITION, INC.	23-02884	#276590 & #276589 CONSTR DEBRI	2,974.15	0.00	
MAZMUL	MAZZA MULCH, INC.	23-02920	979902 BRUSH DISPOSAL SEPT '23	5,010.00	0.00	
DELDEM	DELISA DEMOLITION, INC.	23-02928	#276904 TRASH FEES 9/16 - 9/30	29,945.59	0.00	
DELDEM	DELISA DEMOLITION, INC.	23-02982	#276798 & #276796 CONSTR DEBRI	2,222.20	0.00	
DELDEM	DELISA DEMOLITION, INC.	23-03000	#276954 & #276957 CONSTR DEBRI	2,396.35	0.00	
				<u>42,548.29</u>		
			Extd Total: SOLID WASTE COLLECTION	42,548.29		
			Department Total: SOLID WASTE	42,548.29		
Department: BUILDING & GND						
Extd: BUILDINGS & GROUNDS						
3-01-26-310-000-202	BUILDING & GND	Janitorial Supplies				
QUEVAC	QUEEN VACUUM & SEWING MACHINE	23-02881	new vacuum, belts,bags,freight	402.07	0.00	
3-01-26-310-000-203	BUILDING & GND	Misc. Hardware				
FERENT	FERGUSON ENTERPRISES INC.	23-00160	Blanket - Misc Plumbing	14.87	0.00	B
THEHAR	THE HARDWARE STORE	23-02740	Misc Hardware	213.17	0.00	B
				<u>228.04</u>		
3-01-26-310-000-204	BUILDING & GND	Building Supplies				
CAMSUP	CAMPBELL SUPPLY COMPANY INC.	23-02778	Payroll Office Door	1,060.00	0.00	
CAMSUP	CAMPBELL SUPPLY COMPANY INC.	23-02779	Street Crimes Door	1,265.00	0.00	
				<u>2,325.00</u>		
3-01-26-310-000-210	BUILDING & GND	Building Repairs				
TRAUS	TRANE U.S. INC.	23-01990	VAV box Repair Senior Center	1,545.00	0.00	
CAMSUP	CAMPBELL SUPPLY COMPANY INC.	23-02252	Exterior Door and Hardware	1,035.00	0.00	
				<u>2,580.00</u>		
3-01-26-310-000-218	BUILDING & GND	Contract.Serv.				
CONTR005	CONTROLLED GROWTH, LLC	23-01244	2023 TURF CARE FERTILIZER &	3,220.00	0.00	B
GUARD010	GUARDIAN PEST CONTROL	23-02657	#11118 HORNETS NEST@707 BANGS	300.00	0.00	

October 18, 2023
11:13 AM

CITY OF ASBURY PARK
Purchase Order Listing By Budget Account

3.D.1.a
Page No. 0

Budget Account Vendor	Description	P.O. Id	P.O. Description	Amount	Void Amount	PO Type
3-01-26-310-000-218	BUILDING & GND Contract.Serv.		Continued			
GUARD010 GUARDIAN PEST CONTROL		23-02883	#11108 & 11109 PD PEST CONTROL	230.00	0.00	
				3,750.00		
	Extd Total: BUILDINGS & GROUNDS			9,285.11		
	Department Total: BUILDING & GND			9,285.11		
	CAFR Total:			73,009.26		
Department: PUBLIC ASST						
Extd: SOCIAL SERVICES:						
3-01-27-345-000-299	SOCIAL SERVICES Misc.					
WBMASON W.B.MASON CO., INC.		23-02993	Boxes and Key Tags Office Supp	41.84	0.00	
	Extd Total: SOCIAL SERVICES:			41.84		
	Department Total: PUBLIC ASST			41.84		
Department: SENIOR CENTER						
Extd: SENIOR CENTER						
3-01-27-350-000-202	SENIOR CENTER Util. and Service Contr.					
ONSOL005 ONSOLVE, LLC		23-02959	SERVICE CONTRACT 12/3 -12/2/24	907.09	0.00	
3-01-27-350-000-210	SENIOR CENTER Classes					
BODYB005 BODY BY BEY		23-02675	July& August exercise classes	525.00	0.00	
BODYB005 BODY BY BEY		23-02777	Exercise Class Sept 2023	375.00	0.00	
				900.00		
	Extd Total: SENIOR CENTER			1,807.09		
	Department Total: SENIOR CENTER			1,807.09		
	CAFR Total:			1,848.93		
Department: LIGHTING						
Extd: LIGHT,HEAT,POW						
3-01-31-435-435-299	LIGHT, HEAT & POWER Misc.					
NJAMER N.J. AMERICAN WATER CO.		23-03056	#1018-210043098405 9/6-10/4	10,964.87	0.00	
	Extd Total: LIGHT,HEAT,POW			10,964.87		
Extd: STREET/TRAFFIC						
3-01-31-435-436-299	STREET&TRAFFIC LIGHTING Misc.					
JCPL JCPL		23-03021	#200 000 001 293 Master Acct	1,348.39	0.00	
	Extd Total: STREET/TRAFFIC			1,348.39		
	Department Total: LIGHTING			12,313.26		
Department: TELEPHONE						
Extd: TELEPHONE						
3-01-31-440-000-299	TELEPHONE Misc.					
ATLLC AT&T MOBILITY LLC		23-03050	#287284936037 6/12-7/11	3,103.25	0.00	

Attachment: Bill List 10-25-23 (2023-487 : Payment of Bills)

October 18, 2023
11:13 AM

CITY OF ASBURY PARK
Purchase Order Listing By Budget Account

3.D.1.a
Page No. 5

Budget Account Vendor	Description	P.O. Id	P.O. Description	Amount	Void Amount	PO Type
3-01-31-440-000-299	TELEPHONE Misc.		Continued			
ATLLC AT&T MOBILITY LLC		23-03051	#287315151017 6/12-7/11	2,830.02	0.00	
ATLLC AT&T MOBILITY LLC		23-03052	#287284651437 6/12-7/11	10,222.13	0.00	
				16,155.40		
	Extd Total: TELEPHONE			16,155.40		
	Department Total: TELEPHONE			16,155.40		
Department: GASOLINE						
Extd: GASOLINE						
3-01-31-460-000-299	GASOLINE Misc.					
GRIALLI GRIFFITH-ALLIED TRUCKING, LLC		23-02961	#293483 & 293788 FUEL	15,920.01	0.00	
GRIALLI GRIFFITH-ALLIED TRUCKING, LLC		23-03067	#305733 UNLEADED FUEL 10/10/23	7,189.82	0.00	
				23,109.83		
	Extd Total: GASOLINE			23,109.83		
	Department Total: GASOLINE			23,109.83		
	CAFR Total:			51,578.49		
Department: MUNIC COURT						
Extd: MUNICIPAL COURT						
3-01-43-490-000-219	MUNIC COURT Judges Fees					
ROBWER ROBIN T. WERNIK		23-02965	conflict judge sept 2023	500.00	0.00	
3-01-43-490-000-246	MUNIC COURT Postage					
GREFIN GREATAMERICA FINANCIAL SVCS.		23-02966	INVOICE #34923231 OCTOBER 2023	145.00	0.00	
	Extd Total: MUNICIPAL COURT			645.00		
	Department Total: MUNICIPAL COURT			645.00		
Department: PUBLIC DEFEND.						
Extd: PUBLIC DEFENDER						
3-01-43-495-000-021	Fees					
THELA010 THE LAW OFFICE OF MATTHEW SAGE		23-02967	public defender sept 2023	1,500.00	0.00	
	Extd Total: PUBLIC DEFENDER			1,500.00		
	Department Total: PUBLIC DEFEND.			1,500.00		
	CAFR Total:			2,145.00		
CAFR: CURRENT FUND NON BUDGET ACCTS:						
Department: TAXES PAYABLE:						
Extd: TAXES PAYABLE:						
3-01-55-001-000-001	School Taxes Payable					
ASBBOA ASBURY PARK BOARD OF EDUCATION		23-03016	October 2023 School Tax	1,824,954.00	0.00	
3-01-55-001-000-007	TAX OVERPAYMENTS					
WB KH WILLIAM BEEGLE & KELLY HARRING		23-02713	REFUND 4202/4.18 C2409 TAXES	2,662.88	0.00	

Attachment: Bill List 10-25-23 (2023-487 : Payment of Bills)

October 18, 2023
11:13 AM

CITY OF ASBURY PARK
Purchase Order Listing By Budget Account

3.D.1.a
Page 10 of 20

Budget Account Vendor	Description	P.O. Id	P.O. Description	Amount	Void Amount	PO Type
3-01-55-001-000-023	RAB PILOT - Due to Trustee					
USBANK	US BANK OPERATIONS CTR.	23-03013	3rd Qtr RAB PILOT DUE TRUSTEE	744,567.53	0.00	
	Extd Total: TAXES PAYABLE:			2,572,184.41		
	Department Total: TAXES PAYABLE:			2,572,184.41		
	CAFR Total: CURRENT FUND NON BUDGET ACCTS:			2,572,184.41		
	Fund Total: CURRENT			3,189,853.86		
Fund:	BEACH					
Department:	UTILITY OE					
Extd:	BEACH UTILITY O/E: OTHER EXPENSES:					
3-05-55-502-000-207	BEACH UTILITY O/E: Clothing					
SCREE005	SCREEN STYLES, LLC	23-02773	#97848 TEE SHIRTS FROM 7/11/23	555.00	0.00	
3-05-55-502-000-211	BEACH UTILITY O/E: Light & Power					
NJAMER	N.J. AMERICAN WATER CO.	23-03056	#1018-210043098405 9/6-10/4	377.84	0.00	
3-05-55-502-000-215	BEACH UTILITY O/E: Lumber/Bldg. Supplies					
FOSCOM	FOSTER & COMPANY, INC.	23-02628	Bench Bolts / Screw stock	359.63	0.00	
	Extd Total: BEACH UTILITY O/E: OTHER EXPENSES:			1,292.47		
	Department Total: UTILITY OE			1,292.47		
	CAFR Total:			1,292.47		
	Fund Total: BEACH			1,292.47		
Fund:	TRANSPORTATION UTILITY: BUDGET:					
Department:	UTILITY OE					
Extd:	TRANS.UTILITY O/E: OTHER EXPENSES:					
3-06-55-502-000-208	TRANS.UTILITY O/E: Parking Permits					
PASPOR	PASSPORT LABS, INC.	23-03011	INV1041035 9/23 Permit Fees	1,390.70	0.00	
3-06-55-502-000-209	TRANS.UTILITY O/E: Auto					
LAGGLA	LAGER GLASS COMPANY, INC.	23-02356	Springwood Bus Shelter Repair	560.00	0.00	
3-06-55-502-000-210	TRANS.UTILITY O/E: Signs					
CRAPRI	CRAFTMASTER PRINTING, INC.	23-02277	Construction Decal	28.00	0.00	
3-06-55-502-000-212	TRANS.UTILITY O/E: Parking Meter Supply					
IPSGRO	IPS GROUP, INC.	23-02897	Sep 2023 DMS Fees	7,557.00	0.00	
3-06-55-502-000-213	TRANS.UTILITY O/E: Mobile App Fees					
PARKM005	PARKMOBILE USA, LLC	23-02391	INV34405 ParkMobile 7/23 Fees	24,850.00	0.00	
PARKM005	PARKMOBILE USA, LLC	23-03035	INV940010 ParkMobile 9/23	12,810.00	0.00	
PAYBY005	PAYBYPHONE US, INC.	23-03036	INVUS359 PayByPhone 9/23	516.40	0.00	
				38,176.40		

Attachment: Bill List 10-25-23 (2023-487 : Payment of Bills)

Budget Account Vendor	Description	P.O. Id	P.O. Description	Amount	Void Amount	PO Type
3-06-55-502-000-228	TRANSPORT. UTILITY OE Engineering Fees					
DYNAM005 DYNAMIC TRAFFIC, LLC		23-02898	INV #3904 Srvc's thru 9/9/2023	10,897.50	0.00	
	Extd Total: TRANS.UTILITY O/E: OTHER EXPENSES:			58,609.60		
	Department Total: UTILITY OE			58,609.60		
	CAFR Total:			58,609.60		
	Fund Total: TRANSPORTATION UTILITY: BUDGET:			58,609.60		
Fund: SEWER UTILITY: BUDGET:						
Department: UTILITY OE						
Extd: SEWER UTILITY O/E: OTHER EXPENSES:						
3-07-55-502-000-202	SEWER UTILITY O/E: Hardware/Tools					
MCMCAR MCMMASTER-CARR SUPPLY CO.		23-01742	Shear Pins for Sludge Tanks	356.76	0.00	B
3-07-55-502-000-205	SEWER UTILITY O/E: Repairs					
SEWER005 SEWER RAT TRENCHLESS SOLUTIONS		23-02994	#104 GREASE REMOVAL 2/29-3/1	6,000.00	0.00	
3-07-55-502-000-206	SEWER UTILITY O/E: Purchase of Equipment					
ACSCH A.C. SCHULTES, INC.		23-02069	Replacement Fan Motor	699.00	0.00	
3-07-55-502-000-211	SEWER UTILITY O/E: Light & Power					
NJAMER N.J. AMERICAN WATER CO.		23-03056	#1018-210043098405 9/6-10/4	834.83	0.00	
3-07-55-502-000-218	SEWER UTILITY O/E: Contract Services					
CONTR005 CONTROLLED GROWTH, LLC		23-01686	Weed Control Front of Plant	375.00	0.00	B
SEAFIR SEABOARD FIRE & SAFETY EQUIP.		23-02946	#19908634 FIRE EXTINGUISHER	257.00	0.00	
LYONS005 LYONS ENVIRONMENTAL SERVICES		23-02947	APSA0923 WWTP TESTING SEPT '23	1,080.00	0.00	
CERID005 CERIDA INVESTMENT CORP.		23-03002	#127-30513 NOV 2023	159.74	0.00	
				1,871.74		
3-07-55-502-000-224	SEWER UTILITY O/E: Sludge Removal					
PASVAL PASSAIC VALLEY SEWERAGE COM.		23-02988	INVOICE #522472 SEPTEMBER 2023	9,728.25	0.00	
RUSREI RUSSELL REID WASTE HAULING &		23-03039	#0006830914 SEPTEMBER 2023	22,317.75	0.00	
				32,046.00		
3-07-55-502-000-230	SEWER UTILITY O/E: Hypochlorite					
UNIVAR UNIVAR SOLUTIONS USA, INC.		23-02923	#51520416 PRAESTOL TECH LIQUID	1,440.00	0.00	
UNIVAR UNIVAR SOLUTIONS USA, INC.		23-03001	INVOICE #51532950 SEPTEMBER 23	4,229.85	0.00	
				5,669.85		
3-07-55-502-000-234	SEWER UTILITY O/E: ARP Funds					
GMHAS005 G.M.H. ASSOCIATES OF AMERICA		23-02379	THICKENER MECHANISM & DRIVE	148,301.91	0.00	B
	Extd Total: SEWER UTILITY O/E: OTHER EXPENSES:			195,780.09		
	Department Total: UTILITY OE			195,780.09		

Attachment: Bill List 10-25-23 (2023-487 : Payment of Bills)

October 18, 2023
11:13 AM

CITY OF ASBURY PARK
Purchase Order Listing By Budget Account

3.D.1.a
Page No. 12

Budget Account Vendor	Description	P.O. Id	P.O. Description	Amount	Void Amount	PO Type
Department: Reserve for ARP Funds						
Extd: Reserve for ARP Funds						
3-07-55-527-000-000	Reserve for ARP Funds					
CDMSM005 CDM SMITH INC.		23-00903	WWTP ASSISTANCE & VARIOUS	2,905.65	0.00	B
	Extd Total: Reserve for ARP Funds			2,905.65		
	Department Total: Reserve for ARP Funds			2,905.65		
	CAFR Total:			198,685.74		
	Fund Total: SEWER UTILITY: BUDGET:			198,685.74		
	Year Total:			3,448,441.67		
Fund: GENERAL CAPITAL FUND BUDGET:						
Extd: Odr. 2018-57 Acq. of Real Property FH						
C-04-55-998-176-001	Section 20 Costs					
HILLW005 HILL WALLACK LLP		23-03053	Invoice 735139 General Matter	437.50	0.00	
	Extd Total: Odr. 2018-57 Acq. of Real Property FH			437.50		
	Department Total:			437.50		
	CAFR Total:			437.50		
	Fund Total: GENERAL CAPITAL FUND BUDGET:			437.50		
	Year Total:			437.50		
Fund: GRANT FUND BUDGET:						
G-02-43-958-023-220	Senior Center Grant					
SPRCON SPRINGWOOD CENTER CONDOMINIUM		23-03055	3rd Q Condo Association Fees	7,497.75	0.00	
	Extd Total:			7,497.75		
	Department Total:			7,497.75		
G-02-43-959-023-220	Mental Health Grant					
VISNUR VISITING NURSES ASSN. OF CENTR		23-00682	Nursing Services Blanket 2023	7,167.00	0.00	B
	Extd Total:			7,167.00		
	Department Total:			7,167.00		
G-02-43-974-023-200	UEZ Micro-Business Lease Assistance					
BOHOY005 BOHO YOGA, LLC		23-02396	Lease Subsidy Grant UEZ	225.73	0.00	B
	Extd Total:			225.73		
	Department Total:			225.73		
	CAFR Total:			14,890.48		
	Fund Total: GRANT FUND BUDGET:			14,890.48		
	Year Total:			14,890.48		
Fund: ANIMAL CONTROL FUND BUDGET:						
T-12-56-850-000-801	Reserve for Animal Control					
SPCA MONMOUTH COUNTY SPCA		23-00103	TRAP, NEUTER & RELEASE PROGRAM	487.50	0.00	B

Attachment: Bill List 10-25-23 (2023-487 : Payment of Bills)

October 18, 2023
11:13 AM

CITY OF ASBURY PARK
Purchase Order Listing By Budget Account

3.D.1.a
Page NO. 15

Budget Account Vendor	Description	P.O. Id	P.O. Description	Amount	Void Amount	PO Type
T-12-56-850-000-801	Reserve for Animal Control		Continued			
MGLFOR	MGL FORMS-SYSTEMS, LLC	23-01890	Dog License Order for 2024	344.00	0.00	
				831.50		
	Extd Total:			831.50		
	Department Total:			831.50		
	CAFR Total:			831.50		
	Fund Total: ANIMAL CONTROL FUND BUDGET:			831.50		
Fund:	COMMUNITY DEVELOPMENT BLK GRANT BUDGET:					
Extd:	2022 CDBG B-22-MC-34-0100					
T-17-81-850-850-001	2022 Administration					
MAKME	MR. HAPPY PARTY RENTALS	23-02596	Movie Screen Rental 8/31/23	610.00	0.00	
T-17-81-850-850-005	2022 Community Events					
MAKME	MR. HAPPY PARTY RENTALS	23-02465	Screen Rental Movie Night	635.00	0.00	
MAKME	MR. HAPPY PARTY RENTALS	23-02477	Popcorn for Back to School	125.00	0.00	
INTNEI	INTERFAITH NEIGHBORS, INC.	23-02592	Food for Fall Fun Day 10/21	719.75	0.00	
PARTY005	PARTY PERFECT RENTALS, LLC	23-02593	Entertainment for Fall Fun Day	1,557.50	0.00	
				3,037.25		
	Extd Total: 2022 CDBG B-22-MC-34-0100			3,647.25		
	Department Total:			3,647.25		
	CAFR Total:			3,647.25		
Extd:	2023 CDBG 23-MC-34-0100					
T-17-82-850-850-001	2023 Administration					
KARBRI	KAREEM BRINSON	23-02723	DJ Services for 10-21-23	400.00	0.00	
PARWAR	PARTY FAIR OF OAKHURST INC	23-02725	balloons for 10/21/23	125.11	0.00	
CRAPRI	CRAFTMASTER PRINTING, INC.	23-02939	Fliers for Meal Kit Giveaway	182.00	0.00	
CRAPRI	CRAFTMASTER PRINTING, INC.	23-02940	Additional fliers for 10/21/23	152.00	0.00	
AMAZO005	AMAZON.COM SERVICES	23-03022	Bags for Meal Kits	605.37	0.00	
				1,464.48		
T-17-82-850-850-002	2023 Homelessness Prev./Rental Assist.					
COMAFF	COMMUNITY AFFAIRS & RESOURCE	23-02782	Services-Utility/Rental Asst.	35,000.00	0.00	
	Extd Total: 2023 CDBG 23-MC-34-0100			36,464.48		
	Department Total:			36,464.48		
	CAFR Total:			36,464.48		
	Fund Total: COMMUNITY DEVELOPMENT BLK GRANT BUDGET:			40,111.73		
Fund:	TRUST OTHER					
Extd:	5 YR EMERGENCY					
T-20-56-850-875-801	Reserve for DCA Training Fees					
NJDEPC	NJ DEPT. OF COMMUNITY AFFAIRS	23-02936	3rd qtr 2023 training fee	22,080.00	0.00	
	Extd Total: 5 YR EMERGENCY			22,080.00		

Attachment: Bill List 10-25-23 (2023-487 : Payment of Bills)

October 18, 2023
11:13 AM

CITY OF ASBURY PARK
Purchase Order Listing By Budget Account

3.D.1.a
Page No. 14

Budget Account Vendor	Description	P.O. Id	P.O. Description	Amount	Void Amount	PO Type
T-20-56-850-933-301	Reserve for National Night Out					
MAKME	MR. HAPPY PARTY RENTALS	23-02003	Entertainment for NNO	2,897.00	0.00	
ADPIMP	ADPRO IMPRINTS, INC.	23-02234	Tee Shirts for NNO	2,299.00	0.00	
				5,196.00		
	Extd Total:			5,196.00		
	Department Total:			27,276.00		
	CAFR Total:			27,276.00		
	Fund Total: TRUST OTHER			27,276.00		
Fund:	PLANNING & ZONING ESCROW FUND BUDGET:					
CAFR:	PLANNING & ZONING ESCROW FUND BUDGET:					
T-21-00-412-000-299	527 BANGS AVENUE(LINUS HOLDINGS CORP)					
CLACAN	CLARKE CATON HINTZ PC	23-02919	PB AND ZB PROF SVS	72.50	0.00	
	Extd Total:			72.50		
	Department Total:			72.50		
T-21-00-499-000-299	216-2183RD/215-219 2ND(TRC)(K.HOVNANIAN)					
INSENG	INSITE ENGINEERING, LLC	23-03048	INV #29880 PB PROF SVS	700.31	0.00	
	Extd Total:			700.31		
	Department Total:			700.31		
T-21-00-508-000-299	503 8TH AVE.(503 8TH AVENUE,LLC/FASANO)					
THEBE005	THE BEEKMAN LAW FIRM, LLC	23-02811	ZB LEGAL SVS Beekman 2023	1,905.00	0.00	
	Extd Total:			1,905.00		
	Department Total:			1,905.00		
Department:	B.A.N's					
T-21-00-521-000-299	637/701 LAKE AVENUE(DOUGLAS DEVELOPMENT)					
CLACAN	CLARKE CATON HINTZ PC	23-02919	PB AND ZB PROF SVS	1,545.00	0.00	
	Extd Total:			1,545.00		
	Department Total: B.A.N's			1,545.00		
T-21-00-538-000-299	1411 MEMORIAL DR(THOMAS CALTABILOTA,LLC)					
CLACAN	CLARKE CATON HINTZ PC	23-02919	PB AND ZB PROF SVS	841.40	0.00	
	Extd Total:			841.40		
	Department Total:			841.40		
T-21-00-546-000-299	407 LAKE AVENUE(TOLL ASBURY PARK, LLC)					
CLACAN	CLARKE CATON HINTZ PC	23-02919	PB AND ZB PROF SVS	2,395.00	0.00	
	Extd Total:			2,395.00		
	Department Total:			2,395.00		

Attachment: Bill List 10-25-23 (2023-487 : Payment of Bills)

October 18, 2023
11:13 AM

CITY OF ASBURY PARK
Purchase Order Listing By Budget Account

3.D.1.a
Page 56 of 59

Budget Account Vendor	Description	P.O. Id	P.O. Description	Amount	Void Amount	PO Type
T-21-00-550-000-299 CLACAN CLARKE CATON HINTZ PC	115 4TH/1209 OCEAN/150 5TH(SOMERSET AP)	23-02919	PB AND ZB PROF SVS	844.55	0.00	
	Extd Total:			844.55		
	Department Total:			844.55		
T-21-00-558-000-299 JACSER JACK A. SERPICO	138 ELIZABETH AVENUE(CEVIN ALBERT)	23-03029	Serpico Sept 2023	112.50	0.00	
	Extd Total:			112.50		
	Department Total:			112.50		
T-21-00-560-000-299 CLACAN CLARKE CATON HINTZ PC	614 COOKMAN AVENUE(614 COOKMAN, LLC)	23-02919	PB AND ZB PROF SVS	822.50	0.00	
	Extd Total:			822.50		
	Department Total:			822.50		
T-21-00-588-000-299 JACSER JACK A. SERPICO	115-117 ATKINS AVE(INTERFAITH NEIGHBORS)	23-03029	Serpico Sept 2023	675.00	0.00	
	Extd Total:			675.00		
	Department Total:			675.00		
T-21-00-589-000-299 CLACAN CLARKE CATON HINTZ PC	211 DEWITT(MONMOUTH INVESTMENT PARTNERS)	23-02919	PB AND ZB PROF SVS	882.50	0.00	
	Extd Total:			882.50		
	Department Total:			882.50		
T-21-00-593-000-299 CLACAN CLARKE CATON HINTZ PC	BLOCK 4306(ASBURY PARTNERS, LLC)	23-02919	PB AND ZB PROF SVS	1,585.00	0.00	
	Extd Total:			1,585.00		
	Department Total:			1,585.00		
	CAFR Total:		PLANNING & ZONING ESCROW FUND BUDGET:	12,381.26		
	Fund Total:		PLANNING & ZONING ESCROW FUND BUDGET:	12,381.26		
Fund:	MADISON-ASBURY RETAIL, LLC FUND BUDGET:					
CAFR:	MADISON-ASBURY RETAIL, LLC FUND BUDGET:					
T-39-00-850-000-299 HILLW005 HILL WALLACK LLP	MADISON-ASBURY RETAIL - Miscellaneous	23-03053	Invoice 735139 General Matter	507.00	0.00	
	Extd Total:			507.00		
	Department Total:			507.00		
	CAFR Total:		MADISON-ASBURY RETAIL, LLC FUND BUDGET:	507.00		
	Fund Total:		MADISON-ASBURY RETAIL, LLC FUND BUDGET:	507.00		

Attachment: Bill List 10-25-23 (2023-487 : Payment of Bills)

October 18, 2023
11:13 AM

CITY OF ASBURY PARK
Purchase Order Listing By Budget Account

Pa 3.D.1.a

Budget Account Vendor	Description	P.O. Id	P.O. Description	Amount	Void Amount	PO Type
Fund:	CITY OF ASBURY PARK REDEVELOPMENT ESCROW					
T-48-56-850-000-816 HILLW005 HILL WALLACK LLP	545 LAKE AVE(545 LAKE URBAN RENEWAL,LLC)	23-03054	Invoice 735129 316 Main St.	52.50	0.00	
T-48-56-850-000-833 KYLEM005 KYLE MCMANUS ASSOCIATES LLC HILLW005 HILL WALLACK LLP	1201 MEMORIAL(DOUGLAS DEVELOPMENT CORP)	23-02932	Invoice 4875 1001 1st Ave.	257.25	0.00	
		23-03054	Invoice 735129 316 Main St.	<u>35.00</u>	0.00	
				292.25		
T-48-56-850-000-844 HILLW005 HILL WALLACK LLP	316 MAIN STREET(316 MAIN AVENUE, LLC)	23-03054	Invoice 735129 316 Main St.	17.50	0.00	
T-48-56-850-000-856 ARCHGR ARCHER & GREINER, P.C.	1012 ASBURY AVE(SHARED EQUITIES CO.,LLC)	23-03037	Invoice 4296980 1012 Asbury	5,070.00	0.00	
T-48-56-850-000-862 KYLEM005 KYLE MCMANUS ASSOCIATES LLC	1001 1ST AVENUE(ASBURY PARK FIRST)	23-02932	Invoice 4875 1001 1st Ave.	36.75	0.00	
T-48-56-850-000-866 HILLW005 HILL WALLACK LLP	512-514 SUMMERFIELD(SHARED EQUITIES)	23-03054	Invoice 735129 316 Main St.	105.00	0.00	
	Extd Total:			5,574.00		
	Department Total:			5,574.00		
	CAFR Total:			5,574.00		
	Fund Total: CITY OF ASBURY PARK REDEVELOPMENT ESCROW			5,574.00		
	Year Total:			86,681.49		
Total Charged Lines: 324 Total List Amount: 3,581,750.10 Total Void Amount:				0.00		

Attachment: Bill List 10-25-23 (2023-487 : Payment of Bills)

CITY OF ASBURY PARK
Purchase Order Listing By Budget Account

Totals by Year-Fund					
Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total
CURRENT	2-01	84.76	0.00	0.00	84.76
BEACH	2-05	31,214.20	0.00	0.00	31,214.20
Year Total:		31,298.96	0.00	0.00	31,298.96
CURRENT	3-01	3,189,853.86	0.00	0.00	3,189,853.86
BEACH	3-05	1,292.47	0.00	0.00	1,292.47
TRANSPORTATION UTILITY: BUDGET:	3-06	58,609.60	0.00	0.00	58,609.60
SEWER UTILITY: BUDGET:	3-07	198,685.74	0.00	0.00	198,685.74
Year Total:		3,448,441.67	0.00	0.00	3,448,441.67
GENERAL CAPITAL FUND BUDGET:	C-04	437.50	0.00	0.00	437.50
GRANT FUND BUDGET:	G-02	14,890.48	0.00	0.00	14,890.48
ANIMAL CONTROL FUND BUDGET:	T-12	831.50	0.00	0.00	831.50
COMMUNITY DEVELOPMENT BLK GRANT BUDGE	T-17	40,111.73	0.00	0.00	40,111.73
TRUST OTHER	T-20	27,276.00	0.00	0.00	27,276.00
PLANNING & ZONING ESCROW FUND BUDGET:	T-21	12,381.26	0.00	0.00	12,381.26
MADISON-ASBURY RETAIL, LLC FUND BUDGE	T-39	507.00	0.00	0.00	507.00
CITY OF ASBURY PARK REDEVELOPMENT ESC	T-48	5,574.00	0.00	0.00	5,574.00
Year Total:		86,681.49	0.00	0.00	86,681.49
Total Of All Funds:		3,581,750.10	0.00	0.00	3,581,750.10

Attachment: Bill List 10-25-23 (2023-487 : Payment of Bills)

October 25, 2023 Council Meeting

Balance Brought Forward from Total List Amount \$ 3,581,750.10

Total: \$ 3,581,750.10



Individual Resolutions
Meeting of the Municipal Council
Wednesday, October 25, 2023
RESOLUTION SUMMARY

2023-462

Subordination of Mortgage for Laura and Jorge Bonifaz for Property located at 915 Sunset Avenue



RESOLUTION NO. 2023-462

**City of Asbury Park
County of Monmouth
State of New Jersey**

**RESOLUTION AUTHORIZING THE MAYOR & CITY COUNCIL TO EXECUTE A
SUBORDINATION OF MORTGAGE FOR LAURA AND JORGE BONIFAZ FOR
PROPERTY LOCATED AT 915 SUNSET AVENUE, ASBURY PARK**

WHEREAS, the City of Asbury Park, through its RCA program executed a mortgage to Laura and Jorge Bonifaz in the total amount of \$76,808, for the repairs to 915 Sunset Avenue, Asbury Park, Block 103 Lot 12, which was recorded at the Office of Monmouth County Clerk, Book OR-9284, Page 6559; and

WHEREAS, Laura and Jorge Bonifaz applied for an RCA Loan in 2014 for the amount of \$25,280 and made another application in 2017 for \$51,528; and

WHEREAS, the subordination request has been initiated by the homeowner, who intends to refinance their existing mortgage with a reverse mortgage loan. The subordination will place the RCA Program liens from 2014 and 2017 in a subordinate position (third and fourth, respectively) to the reverse mortgage.

NOW THEREFORE BE IT RESOLVED by the City Council of Asbury Park that the Mayor and City Clerk be and hereby are authorized to execute a Subordination of the Mortgage by the City with respect to 915 Sunset Avenue, Asbury Park.

I, LISA ESPOSITO, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of RESOLUTION NO. 2023-462 which was finally adopted by the City Council at a meeting held on the 25th day of October, 2023

CERTIFIED BY ME THIS 26th DAY OF October, 2023.

LISA ESPOSITO
CITY CLERK



Borrower's Certification and Authorization

Borrower(s): LAURA BONIFAZ

Property Address: 915 SUNSET AVENUE, ASBURY PARK, New Jersey 07712

The undersigned certify the following:

1. I/We have applied for a mortgage loan from South River Mortgage, LLC. In applying for the loan, I/we completed a loan application containing various information on the purpose of the loan, the amount and source of the down payment, employment and income information, and the assets and liabilities. I/We certify that all of the information is true and complete. I/We made no misrepresentations in the loan application or other documents, nor did I/we omit any pertinent information.

2. I/We fully understand that it is a Federal crime punishable by fine or imprisonment, or both, to knowingly make any false statements when applying for this mortgage, as applicable under the provisions of Title 18, United States Code, Section 1014.

Authorization to Release Information

To Whom It May Concern:

1. I/We have applied for a mortgage loan from South River Mortgage, LLC. As part of the application process, South River Mortgage, LLC and the mortgage guaranty insurer (if any), may verify information contained in my/our loan application and in other documents required in connection with the loan, either before the loan is closed or as part of its quality control program.

2. I/We authorize you to provide to South River Mortgage, LLC, and to any investor to whom South River Mortgage, LLC may sell my mortgage, and to the mortgage guaranty insurer (if any), any and all information and documentation that they request. Such information includes, but is not limited to, employment history and income; bank, money market, and similar account balances; credit history; and copies of income tax returns.

3. South River Mortgage, LLC or any investor that purchases the mortgage, or the mortgage guaranty insurer (if any), may address this authorization to any party named in the loan application.

4. A copy of this authorization may be accepted as an original.

Laura Bonifaz
LAURA BONIFAZ

Social Security Number: 075-44-7428

Birthdate: November 27, 1938

6/23/2023
Date

Attachment: Bonifaz Mortgage Note 10-2023 (2023-462 : Resolution Authorizing the Mayor & City Council to Execute a Subordination of

SEP 15 2014

3.D.2.a



CITY OF ASBURY PARK

REGIONAL CONTRIBUTION AGREEMENT REHABILITATION PROGRAM

MORTGAGE

This Mortgage is made and dated APRIL 22, 20 14
between

JORGE & LAURA BONIFAZ
915 SUNSET AVENUE
ASBURY PARK, NJ 07712

(from now on called the "Borrower")
and

CITY OF ASBURY PARK
ONE MUNICIPAL PLAZA
ASBURY PARK, NJ 07712

(from now on called the "Lender")

The words Borrower and Lender include all borrowers and all lenders under this Mortgage. The Lender or any other holder of this Mortgage may transfer this Mortgage and the Note it secures. The word Lender includes (a) the original Lender and (b) anyone else who takes this Mortgage by transfer or assignment.

NOTE: The Borrower is borrowing the sum of (\$ 25,280) (the Principal)
from the Lender. In return for this loan, the Borrower has signed a Note dated
APRIL 22, 20 14 (the Note).

MORTGAGE AS SECURITY: The purpose of this Mortgage is to give the Lender security for the payment of the principal under the terms of the Note. The Borrower mortgages, grants and conveys to the Lender all of the land, buildings, and other improvements (now or in the future erected) owned by the Borrower and located at
Blk/Lot 103/12 915 SUNSET AVENUE, in the CITY
of ASBURY PARK County of MONMOUTH and State
of New Jersey (the property), the legal description of which is:
SEE ATTACHED

RETURN ADDRESS:
CITY OF ASBURY PARK
1 MUNICIPAL PLAZA
ASBURY PARK, NJ 07712
RCA DEPARTMENT

1
M CLAIR FRENCH, CITY CLK
MONMOUTH COUNTY, NJ
INSTRUMENT NUMBER
2014073853
RECORDED ON
Sep 15, 2014
11:40:18 AM
BOOK: OR-9081
PAGE: 1517
Total Fees: \$
COUNTY RECORDING FEES \$8.00
TOTAL PAID \$8.00

msu 9081-1517
K 9.15.14

Attachment: Bonifaz Mortgage Note 10-2023 (2023-462 : Resolution Authorizing the Mayor & City Council to Execute a Subordination of

(MORTGAGE CONT'D)

SUBORDINATE MORTGAGE: This property is also subject to a senior Mortgage (the First Mortgage). The First Mortgage is held by _____ and dated _____ The First Mortgage was recorded in _____ County in Book _____ at Page _____ on _____.

MORTGAGE VOID ON FULL PAYMENT: When the Borrower pays or satisfies all amounts due under the Note and this Mortgage, the Lenders rights under the Note and secured by this Mortgage shall end.

The Borrower agrees to these terms:

1. The Borrower shall comply with all of the terms of the Note and this Mortgage.
2. The Borrower owns and has the right to mortgage the Property to the Lender. The Borrower shall defend this ownership against all claims.
3. The Borrower is to occupy the premises for the term of the mortgage.
4. The Borrower shall pay all real estate taxes, assessments, water and sewer charges, and other charges against the Property when due.
5. The Borrower shall pay or satisfy the principal under the terms of the Note.
6. The Borrower shall maintain hazard insurance on the Property. This insurance must cover loss or damage caused by fire and other hazards normally included under "extended coverage" insurance. It must also include such other hazard coverage as the Lender may reasonably require. The insurance company, agent or broker, amounts of coverage, and forms of all policies must be acceptable to the Lender.
7. The Borrower shall keep the Property in good repair and shall not damage, destroy or abandon the Property.
8. This Mortgage is a lien of the Lender against the Property for the payment of the Note. Except for the First Mortgage, the Borrower shall not allow any superior lien against the Property.
9. The Borrower shall pay all payments due on all liens on the property and not violate any term of any other Mortgage.

SCHEDULE A

ALL that certain tract, lot and parcel of land lying and being in the City of Asbury Park, County of Monmouth and State of New Jersey, being more particularly described as follows:

Beginning at a monument in the northerly line of Sunset Avenue said monument being distant 240.00 feet westerly from the intersection of said northerly line of Sunset Avenue with the westerly line, and from thence running:

1. At the northerly line of Sunset Avenue, North 64 degrees 00' West, 60.00 feet to a monument; thence
 2. North 26 degrees 00' East, 160.00 feet to a point; thence
 3. South 64 degrees East 60.00 feet to a point; thence
 4. South 26 degrees 00' West 160.00 feet to the point or place of beginning.
- BEING known as Lot(s) 8, Block 5 on the current tax maps of the City of Asbury Park

BOOK:DB-5629

PAGE:281

Total Pages: 3

COUNTY RECORDING FEES	\$20.00
DEDICATED TRUST FUND COMMISSION	\$2.00
COUNTY REALTY TRANSFER FEES	\$0.50
STATE REALTY TRANSFER FEES	\$1.25
TOTAL	\$23.75

ATTEST: CLARENCE

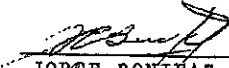
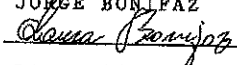
[Signature]

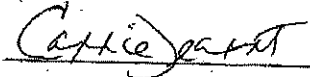
(MORTGAGE CONT'D)

10. This Mortgage is binding on the Borrower, his or her heirs and personal representatives.
11. All notices under this Mortgage must be in writing by personal delivery, or certified mail, return receipt requested.
12. On payment or forgiveness of the principal under the terms of the Note, the Lender shall execute a cancellation of this Mortgage.
13. The Borrower agrees to this Mortgage by signing below. If the Borrower is a corporation, this Mortgage is signed by its proper corporate officers and its corporate seal is affixed.

THE BORROWER HAS RECEIVED A TRUE COPY OF THIS MORTGAGE WITHOUT CHARGE.

Witnessed or attested by:

 (Seal)
 JORGE BONIFAZ
 (Seal)
 LAURA BONIFAZ (Seal)



(MORTGAGE CONT'D)

State of New Jersey)

County MONMOUTH) ss.:

BE IT REMEMBERED, that on this 2nd day of April, 2014

before me, the subscriber, an attorney at law of the State of New Jersey personally

appeared JORGE BONIFAZ andLAURA BONIFAZ

who I am satisfied (is) (are) the Mortgagor(s) mentioned in the within instrument and thereupon signed this document. This person(s) acknowledged signing, sealing and delivering this document as (their) (his) (her) own voluntary act and deed for the uses and purposes therein expressed.

Carla J. Jant
 CARLA J. JANT
 COUNTY CLERK OF NEW JERSEY
 By *September 8, 2015*

TO THE REGISTER OR CLERK,

County:

This mortgage is fully paid and satisfied.

I authorize you to cancel it off Record.

Lender:

I certify that the Lender's signature is genuine.

CITY OF ASBURY PARK
COUNTY OF MONMOUTH
REGIONAL CONTRIBUTION AGREEMENT REHABILITATION PROGRAM
MORTGAGE NOTE

This Mortgage Note is made on APRIL 22, 2014

Between the Borrower (s) JORGE & LAURA BONIFAZ
 whose address is 915 SUNSET AVENUE
ASBURY PARK, NJ 07712

And the Lender CITY OF ASBURY PARK
 whose address is 1 MUNICIPAL PLAZA, ASBURY PARK, NJ 07712

If more than one Borrower signs this Note, the word "I" shall mean each Borrower named above. The word "Lender" shall mean the original Lender and anyone else who takes this Note by transfer or assignment.

PROMISE TO PAY: In return for a loan that I received, I promise to pay (\$ 25,280) (the Principal) with no interest in its entirety upon vacating or the transfer of title of this property prior to the end of the 10 year after completion of the rehabilitation as evidenced by certification from the Housing Inspector of the City of Asbury Park.

In the event that I sell the property to an income-eligible purchaser (as defined by the New Jersey Council on Affordable Housing) this note and the loan it evidences, shall be assumable by the said purchaser.

MORTGAGE TO SECURE PAYMENT: The Lender has been given a Mortgage dated APRIL 22, 2014, to protect the Lender if the promises made in this Note are not kept. I agree to keep all promises made in the Mortgage covering property (the Property) I own located at Block/Lot 103/12 915 SUNSET AVENUE in the City of ASBURY PARK in the County of MONMOUTH and the State of New Jersey. All terms of the Mortgage are made part of this Note.

RETURN ADDRESS:
 CITY OF ASBURY PARK
 1 MUNICIPAL PLAZA
 ASBURY PARK, NJ 07712
 RCA DEPARTMENT

(MORTGAGE NOTE CONT'D)

TERMS AND CONDITIONS: The Borrower has received this loan for the purpose of rehabilitating the Property in order to abate certified health and safety code violations.

The 10 year term shall begin on the date the Borrower receives proper certification that the Property is free of all code violations.

This Mortgage Note shall be due and payable at the time within the 10 year term that the Borrower vacates or transfers title to the Property, unless the property is sold to an income-eligible household in conformance with the Rules and Regulations of the N.J. Council on Affordable Housing and N.J. Housing and Mortgage Finance Agency. In such an event, this loan shall be assumable by the purchaser. The Mortgage Note amount will be forgiven at the end of the 10 year term.

In the event of the death of all of the Borrowers prior to the end of the 10 year term, the Mortgage Note shall be due and payable unless the beneficiaries of the Borrowers are income eligible and personally occupy the Property, in which event the Mortgage Note shall be due and payable in the event that the beneficiaries of the Borrower vacate or transfer title to the Property within the same 10 year term.

DEFAULT: If I fail to keep any other promise I make in this note or in the Mortgage, the Lender may declare that I am in default on the Mortgage and this Note. Upon default, I must immediately pay the full amount of, all unpaid principal, other amounts due on the Mortgage and this Note and the Lender's costs of collection and reasonable attorney fees.

WAIVERS: I give up my rights to require that the Lender do the following: (a) to demand payment (called "presentment"); (b) to notify me of nonpayment (called "notice of dishonor") and (c) to obtain an official certified statement showing nonpayment (called a "protest"). The Lender may exercise any right under this Note, the Mortgage or under any law, even if Lender has delayed in exercising that right or has agreed in an earlier instance not to exercise that right. Lender does not waive its right to declare that I am in default by making payments or incurring expenses on my behalf.

LIABILITY OF BORROWER(S): The Lender may enforce any of the provisions of this Note against any one or more of the Borrowers who sign this Note.

(MORTGAGE NOTE CONT'D)

CHANGES TO THIS NOTE: This Note can only be changed by an agreement in writing signed by both the Borrower(s) and the Lender.

SIGNATURES: I agree to the terms of this Note by signing below. If the Borrower is a corporation, its proper corporate officers sign and its corporate seal is affixed.

THE BORROWER HAS RECEIVED A TRUE COPY OF THIS NOTE WITHOUT CHARGE.

Witnessed or Attested by:

Cassie J. [Signature]

[Signature] (Seal)
JORGE BONIFAZ
[Signature] (Seal)
LAURA BONIFAZ



Individual Resolutions
Meeting of the Municipal Council
Wednesday, October 25, 2023
RESOLUTION SUMMARY

2023-476

Utilization Of Project Labor Agreements For Public Works Projects Undertaken By The City Involving Costs In Excess Of Five Million Dollars (\$5,000,000.00).



RESOLUTION NO. 2023-476

**City of Asbury Park
County of Monmouth
State of New Jersey**

RESOLUTION AUTHORIZING THE UTILIZATION OF PROJECT LABOR AGREEMENTS, ON A PROJECT-BY-PROJECT BASIS, FOR PUBLIC WORKS PROJECTS UNDERTAKEN BY THE CITY INVOLVING COSTS IN EXCESS OF FIVE MILLION DOLLARS (\$5,000,000.00).

WHEREAS, the Project Labor Agreement Act (the “Act”), known as P.L. 2002, c. 44 (also referenced as N.J.S.A. 52:38-1, *et seq.*), was signed into law and became effective on July 25, 2022; and

WHEREAS, project labor agreements (“PLA’s” in the plural sense or “PLA” in the singular sense) are pre-hire collective bargaining agreements with one or more labor organizations that establish the terms and conditions of employment for a specific public works construction project; and

WHEREAS, PLA’s may be utilized for construction projects which involve total costs, exclusive of any land acquisition costs, in excess of five million dollars (\$5,000,000.00) (also referenced as “eligible projects”); and

WHEREAS, the use of PLA’s on eligible projects is a determination to be made by the City of Asbury Park (the “City”) on a project-by-project basis; and

WHEREAS, this determination shall be made by the City after taking into consideration the size, complexity and cost of the public works project, and finding that the PLA will meet the requirements of section 5 of the Act, including promoting labor stability and advancing the interests of the City in cost, efficiency, skilled labor force, quality, safety and timeliness, and that the PLA will promote employment of residents of the City; and

WHEREAS, the State legislature of New Jersey has found and declared that use of PLA’s provides the State with an effective means to advance the interests of efficiency, quality, and timeliness of suitable public works projects; and

WHEREAS, both the State and the City have determined that the use of PLA’s for eligible projects is beneficial, as they:

- (a) Include legally enforceable guarantees that projects will be carried out in an orderly and timely manner, without strikes, lock-outs, or slowdowns;
- (b) Allow for peaceful, orderly, and mutually binding procedures for resolving labor disputes;

- (c) Promote the completion of public works projects in accordance with the highest standards of safety and quality;
- (d) Ensure lower costs for repairs and maintenance over the lifetime of the completed project, due to the fact that a highly skilled workforce is involved from the beginning;
- (e) Allow the municipality to more accurately predict the actual cost of projects;
- (f) Assure that public works projects are completed with a diverse workforce;
- (g) Facilitate the efficient integration of work schedules among different trades on project sites;
- (h) Promote harmonious and productive work environments in public works projects; and
- (i) Promote the employment of residents of the City; and

WHEREAS, in those cases where PLA's are utilized, the PLA and/or the bid specifications for the construction project shall require the general contractor that is awarded the contract to utilize best efforts to employ local City residents on the project; and

WHEREAS, in those cases where PLA's are utilized, the PLA and/or the bid specifications for the construction project shall also require that each contractor performing work on the project shall utilize best efforts to: (1) train and mentor local City residents, and (2) recruit local City residents into the apprenticeship programs; and

WHEREAS, the City therefore wishes to endorse PLA's and to pledge to utilize them for eligible projects, in its discretion, on a project-by-project basis, in accordance with the Act and the within Resolution.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the City of Asbury Park, in the County of Monmouth and State of New Jersey, as follows:

1. That the City hereby endorses PLA's and pledges to utilize them for eligible projects, in its discretion, on a project-by-project basis, in accordance with the Act and the within Resolution.
2. That, in those cases where PLA's are utilized, the PLA and/or the bid specifications for the construction project shall require the general contractor that is awarded the contract to utilize best efforts to employ local City residents on the project.
3. That, in those cases where PLA's are utilized, the PLA and/or the bid specifications for the construction project shall also require that each contractor performing work on the project shall utilize best efforts to: (1) train and mentor local City residents, and (2) recruit local City residents into the apprenticeship programs.
4. That a certified copy of this Resolution shall be provided to each of the following:
 - a. Donna M. Vieiro, City Manager;
 - b. JoAnn Boos, CFO;
 - c. Tracy Lizardi, Qualified Purchasing Agent;
 - d. Jason D. Harzold, T & M Associates; and

e. Frederick C. Raffetto, Esq., Municipal Attorney.

I, LISA ESPOSITO, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of RESOLUTION NO. 2023-476 which was finally adopted by the City Council at a meeting held on the 25th day of October, 2023

CERTIFIED BY ME THIS 26th DAY OF October, 2023.

LISA ESPOSITO
CITY CLERK



Individual Resolutions
Meeting of the Municipal Council
Wednesday, October 25, 2023
RESOLUTION SUMMARY

2023-477

The Resolution sets forth how affordable housing units shall be advertised (i.e. marketed) to low and moderate income households. Adoption will ensure compliant affordable housing units and is required for Court approval of the City's Housing Plan (Judgment of Repose). The attachment is an appendix to the Resolution.



RESOLUTION NO. 2023-477

**City of Asbury Park
County of Monmouth
State of New Jersey**

RESOLUTION ADOPTING AN AFFIRMATIVE MARKETING PLAN FOR THE CITY OF ASBURY PARK

WHEREAS, in accordance with applicable Council on Affordable Housing (“COAH”) regulations and the New Jersey Uniform Housing Affordability Controls (“UHAC”) N.J.A.C. 5:80-26., et seq., the City of Asbury Park is required to adopt by resolution an Affirmative Marketing Plan to ensure that all affordable housing units created, including those created by rehabilitation are affirmatively marketed to very low, low and moderate income households, particularly those living and/or working within Housing Region 4, the Housing Region encompassing the City of Asbury Park; and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the City of Asbury Park, County of Monmouth, State of New Jersey, do hereby adopt the following Affirmative Marketing Plan:

Affirmative Marketing Plan

- A. All affordable housing units in the City of Asbury Park shall be marketed in accordance with the provisions herein unless otherwise provided in N.J.A.C. 5:93-1, et seq. This Affirmative Marketing Plan shall apply to all developments that contain or will contain very low, low or moderate-income units, including those that are part of the City’s prior round Fair Share Plan and its current Fair Share Plan, and those that may be constructed in future developments not yet anticipated by the Fair Share Plan. The City’s 100% affordable housing development located on Block 704, Lots 1, 9, 10 may be subject to a project-specific affirmative marketing plan that reflects the terms of the City’s 2023 Settlement Agreement with Fair Share Housing Center and the 2023 Memorandum of Understanding with the Asbury Park Housing Authority.
- B. The Affirmative Marketing Plan shall be implemented by an Administrative Agent designated by and/or under contract to the City of Asbury Park. All the costs of advertising and affirmatively marketing affordable housing units shall be borne by the developers/sellers/owners of the affordable unit(s). The exception to this is that the cost of affirmatively marketing any future Market to Affordable Unit, Accessory Apartment Unit, or Rental Rehabilitation Unit may be borne by the City, at the City’s discretion.

- C. In implementing the Affirmative Marketing Plan, the Administrative Agent, acting on behalf of the City, shall undertake all the following strategies:
1. Review, approve and ensure that the developers/sellers/owners publish at least one advertisement in a newspaper of general circulation within the housing region.
 2. Broadcast of one advertisement by a radio or television station broadcasting throughout the housing region.
 3. At least one additional regional marketing strategy using one of the other sources listed below at Sec. E of this plan.
- D. The Affirmative Marketing Plan is a regional marketing strategy designed to attract buyers and/or renters of all majority and minority groups, regardless of race, creed, color, national origin, ancestry, marital or familial status, gender, affectional or sexual orientation, disability, age or number of children to housing units which are being marketed by a developer or sponsor of affordable housing. The Affirmative Marketing Plan is also intended to target those potentially eligible persons who are least likely to apply for affordable units in that region. It is a continuing program that directs all marketing activities toward Housing Region 4 in which the City is located and covers the entire period of deed restriction for each restricted housing unit.
- E. The Affirmative Marketing Plan is a continuing program intended to be followed throughout the entire period of restrictions and shall meet the following requirements:
1. All newspaper articles, announcements and requests for applications for very low, low, and moderate-income units shall appear in the Star Ledger, Two River Times and Asbury Park Press.
 2. The primary marketing shall take the form of at least one press release and a paid display advertisement in the above newspapers during the first week of the marketing program and subsequently utilizing internet advertisements each month thereafter until all available units have been leased. The developer/owner shall disseminate all public service announcements and pay for display advertisements. The developer/owner shall provide proof of publication to the Administrative Agent. All press releases and advertisements shall be approved in advance by the City's Administrative Agent.

Advertisements will also be placed on the following websites:

Asbury Park City - <https://www.cityofasburypark.com/>

New Jersey Housing Resource Center (NJHRC) - <http://www.njhrc.gov>

CGP&H - <http://www.affordablehomesnewjersey.com>

Advertisements posted to NJHRC will occur on or before the earlier of:

- (1) at least 60 days prior to conducting a lottery of the applicants; or
- (2) within one day following when the owner, developer, property manager, or other administrative entity provides any information regarding how to apply for units to prospective applicants or solicits any applications from potential applicants through any other means.

The posting on NJHRC shall include, at a minimum:

- i. The date that the affordable housing units are expected to be completed,
 - ii. The date of the lottery,
 - iii. The number of affordable housing units,
 - iv. An accounting of how many of the affordable housing units will be available to very low-, low-, and moderate-income households, and
 - v. Each bedroom size that will be available.
3. The advertisement shall include a description of the:
 - i. Street address(es) of the units;
 - ii. Directions to the units;
 - iii. Range of prices for the units;
 - iv. Number of bedrooms in the affordable units (bedroom mix);
 - v. Maximum income permitted to qualify for the units;
 - vi. Location of applications;
 - vii. Business hours when interested households may obtain an application;
 - viii. Application fees, if any;
 - ix. Number of units currently available; and
 - x. Anticipated dates of availability.
 4. Advertisements will be broadcast on at least one regional cable television or radio station
 5. Applications shall be mailed by the Administrative Agent to the prospective applications upon request. However, when on-line preliminary applications are utilized, if prospective applicants do not have internet access, they will be given a phone number to call the Administrative Agent, who will then enter all pre-application information online during the phone call. Locations of applications, brochures, and flyers to affirmatively market the program are listed in attached Appendix II, and will also be made available on the City's website. Also, information on how to apply shall be made available at the developer's sales/rental office and shall be mailed or emailed to prospective applicants upon request.
 6. The Administrative Agent shall develop, maintain and regularly update a list of community contact person(s) and/or organizations(s) in Monmouth, Ocean, and Mercer Counties that will aid in the affirmative marketing program with particular emphasis on contacts that will reach out to groups that are least likely to apply for housing within the region, including major regional employers. Please see Appendix I for a complete list.
 - i. Quarterly informational flyers shall be sent to each of the following agencies with a request for publication in their journals and for circulation among their members:

Mercer County Board of Realtors

Monmouth/Ocean County Association of Realtors

- ii. Quarterly informational circulars shall be sent to the administrators of each of the following agencies in the counties of and requests to post same shall be sent to the administrators of each of the following agencies within the counties of Monmouth, Ocean, and Mercer:

Welfare or Social Service Board
 Rental Assistance Office (local office of DCA)
 Offices on Aging or Division of Senior Services
 Housing Authority
 Community Action Agencies
 Community Development Departments

- iii. Quarterly informational shall be sent to the chief personnel administrators of all the major employers within the region as listed in attached Appendix I in accordance with the Region 4 Affirmative Marketing Plan.
- iv. Quarterly informational and copies of press releases and advertisements of the availability of very low, low and moderate-income housing shall be sent to the following additional community and regional organizations:

Fair Share Housing Center (510 Park Boulevard, Cherry Hill, NJ 08002)

New Jersey State Conference of the NAACP (4326 Harbor Beach Blvd.
 #775, Brigantine, NJ 08203)

The Latino Action Network (P.O. Box 943, Asbury Park, NJ 07728)

STEPS (14 Clifton Ave S, Lakewood, NJ, 08701)

Greater Red Bank Branch of the NAACP (PO Box 2147, Red Bank, NJ, 07701)

Asbury Park/Neptune Branch of the NAACP (PO Box 1143, Asbury Park 07712)

Bayshore Branch of the NAACP (PO Box 865, Matawan, NJ, 07747)

Greater Asbury Park Branch of the NAACP (PO Box 246, Marlboro Annex, NJ, 07746)

Greater Long Branch Branch of the NAACP (38 Memorial Parkway, Long Branch, NJ, 07740)

Trenton Branch of the NAACP (PO Box 1355, Trenton, NJ, 08608)

Supportive Housing Association (185 Valley Street, South Orange, NJ 07079)

- v. The Administrative Agent will also provide specific direct notice to the following community and regional organizations whenever affordable housing units become available in the City, listed in attached Appendix II:

Monmouth County Office on Aging (PO Box 1255, Asbury Park, NJ, 07728)

Ocean County Office of Senior Services (1027 Hooper Ave., Toms River, NJ, 08754)

Mercer County Office on Aging (Mercer County Administration Building, PO Box 8068, Trenton, NJ, 08650)

Monmouth County Public Housing Agency (PO Box 3000 Asbury Park NJ, 07728)

Mercer County Library Headquarters (2751 Brunswick Pike, Lawrenceville, NJ, 08648)

Monmouth County Library Headquarters (125 Symmes Drive, Manalapan, NJ, 07726)

Ocean County Library (101 Washington St., Toms River, NJ, 08753)

Asbury Park Municipal Building (80 East River Rd, Asbury Park, NJ, 07760)

Oceanic Free Library (109 Avenue of Two Rivers, Asbury Park, NJ, 07760)

7. A random selection method to select occupants of very low, low and moderate-income housing will be used by the City's Administrative Agent in conformance with N.J.A.C. 5:80-26.16(l).
8. The Affirmative Marketing Plan shall provide a regional preference for all households that live and/or work in Housing Region 4 comprised of Mercer, Ocean, and Monmouth Counties.
9. The Administrative Agent shall administer the Affirmative Marketing Plan. The Administrative Agent has the responsibility to income qualify very low, low and moderate income households; to place income eligible households in very low, low and moderate income units upon initial occupancy; to continue to qualify households for re-occupancy of units as they become vacant during the period of affordability controls; to assist with outreach to very low, low and moderate income households; and to enforce the terms of the deed restriction and mortgage loan as per N.J.A.C. 5:80-26.1, et seq.
10. Whenever appropriate, the Administrative Agent shall provide or direct qualified very low, low and moderate-income applicants to counseling services on subjects such as

budgeting, credit issues, mortgage qualifications, rental lease requirements and landlord/tenant law and shall develop, maintain and update a list of entities and lenders willing and able to perform such services.

11. All developers/owners of very low, low and moderate-income housing units shall be required to undertake and pay the costs of the marketing of the affordable units in their respective developments, subject to the direction and supervision of the Administrative Agent. The implementation of the Affirmative Marketing Plan for a development that includes affordable housing shall commence at least 120 days before the issuance of either a temporary or permanent certificate of occupancy.
12. The implementation of the Affirmative Marketing Plan shall continue until all very low, low and moderate-income housing units are initially occupied and for as long as affordable units exist that remain deed restricted and for which the occupancy or re-occupancy of units continues to be necessary. Please note that in addition to complying with this City-wide Affirmative Marketing Plan that the Administrative Agent shall also review and approve a separate Affirmative Marketing Plan for every new affordable development in Asbury Park that is subject to N.J.A.C. 5:80-26.1 et seq. That document shall be completed by the owner/developer and will be compliant with the City's Affirmative Marketing Plan as presented herein, and incorporate development specific details and permitted options, all subject to the Administrative Agent's review and approval. The development specific affirmative marketing plans will use the standard form for Region 4, which is attached hereto as Appendix III.
13. The Administrative Agent shall provide the Municipal Housing Liaison with the information required to comply with monitoring and reporting requirements pursuant to N.J.A.C.5:80-26-1, et seq. and the Order granting the City a Final Judgment of Compliance and Repose.

BE IT FURTHER RESOLVED that the appropriate City officials and professionals are authorized to take all actions required to implement the terms of this Resolution.

BE IT FURTHER RESOLVED that this Resolution shall take effect pursuant to law.

I, LISA ESPOSITO, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of RESOLUTION NO. 2023-477 which was finally adopted by the City Council at a meeting held on the 25th day of October, 2023

CERTIFIED BY ME THIS 26th DAY OF October, 2023.

LISA ESPOSITO
CITY CLERK

Appendix III

AFFIRMATIVE FAIR HOUSING MARKETING PLAN

For Affordable Housing in **(REGION 4)**

I. APPLICANT AND PROJECT INFORMATION

(Complete Section I individually for all developments or programs within the municipality.)

1a. Administrative Agent Name, Address, Phone Number		1b. Development or Program Name, Address	
1c. Number of Affordable Units: Number of Rental Units: Number of For-Sale Units:	1d. Price or Rental Range From To	1e. State and Federal Funding Sources (if any)	
1f. ☐ Age Restricted ☐ Non-Age Restricted	1g. Approximate Starting Dates Advertising: _____ Occupancy: _____		
1h. County Mercer, Monmouth, Ocean		1i. Census Tract(s):	
1j. Managing/Sales Agent's Name, Address, Phone Number			
1k. Application Fees (if any):			

(Sections II through IV should be consistent for all affordable housing developments and programs within the municipality. Sections that differ must be described in the approved contract between the municipality and the administrative agent and in the approved Operating Manual.)

II. RANDOM SELECTION

2. Describe the random selection process that will be used once applications are received.

The Administrative Agent will assign random numbers to each applicant through a computerized random number generator.

After the list of applications submitted during the initial lottery period is exhausted, the priority of preliminary applications is established by the date the household submitted their preliminary application (Interest Date).

In addition to the random number assigned to the household and/or the interest date, there are other factors impacting waiting priority which are described below.

- **Household Size:** Whenever possible, there will be at least one person for each bedroom. If the waiting list is exhausted and there are no in or out region households with a person for each bedroom size, units will be offered to smaller sized households that do not have a person for each bedroom. The Administrative

Agent cannot require an applicant household to take an affordable unit with a greater number of bedrooms, as long as overcrowding is not a factor. A household can be eligible for more than one unit category.

- **Fully Accessible Units:** A household with a person with physical disabilities will get preference on the waiting list because of the very limited number of accessible units. If there is more than one household with a person with physically disabilities on the waiting list, in region households with a person for each bedroom will be contacted first. Applicants must provide a letter from their doctor stating what kind of accommodation they require as a result of their disability.

III. MARKETING

3a. Direction of Marketing Activity: (indicate which group(s) in the housing region are least likely to apply for the housing without special outreach efforts because of its location and other factors)

☐ White (non-Hispanic) ☒ Black (non-Hispanic) ☒ Hispanic ☐ American Indian or Alaskan Native
☐ Asian or Pacific Islander ☐ Other group:

3b. **HOUSING RESOURCE CENTER** (www.njhousing.gov) A free, online listing of affordable housing

☒

3c. Commercial Media (required) (Check all that applies)

	DURATION & FREQUENCY OF OUTREACH	NAMES OF REGIONAL NEWSPAPER(S)	CIRCULATION AREA
TARGETS ENTIRE HOUSING REGION 4			
Daily Newspaper			
☒		Star-Ledger	
TARGETS PARTIAL HOUSING REGION 4			
Daily Newspaper			
☐		Trenton Times	Mercer
☐		Trentonian	Mercer
☒		Asbury Park Press	Monmouth, Ocean
☐		Ocean County Observer	Ocean
Weekly Newspaper			
☐		Ewing Observer	Mercer
☐		Hopewell Valley News	Mercer
☐		Lawrence Ledger	Mercer
☐		Pennington Post	Mercer
☐		Princeton Town Topics	Mercer
☐		Tempo Mercer	Mercer

☐		Trenton Downtowner	Mercer
☐		Windsor Heights Herald	Mercer
☐		West Windsor-Plainsboro News	Mercer, Middlesex
☐		Princeton Packet	Mercer, Middlesex, Somerset
☐		Messenger-Press	Mercer, Monmouth, Ocean
☐		Woodbridge Sentinel	Middlesex
☐		Atlanticville	Monmouth
☐		Coaster	Monmouth
☐		Courier	Monmouth
☐		Examiner	Monmouth
☐		Hub, The	Monmouth
☐		Independent, The	Monmouth
☐		News Transcript	Monmouth
X		Two River Times	Monmouth
☐		Coast Star, The	Monmouth, Ocean
☐		Beach Haven Times	Ocean
☐		Beacon, The	Ocean
☐		Berkeley Times	Ocean
☐		Brick Bulletin	Ocean
☐		Brick Times	Ocean
☐		Jackson Times	Ocean
☐		Lacey Beacon	Ocean
☐		Manchester Times	Ocean
☐		New Egypt Press	Ocean
☐		Ocean County Journal	Ocean
☐		Ocean Star, The	Ocean
☐		Tri-Town News	Ocean
☐		Tuckerton Beacon	Ocean
☐		Atlantic Highlands Herald	Monmouth
	DURATION & FREQUENCY OF OUTREACH	NAMES OF REGIONAL TV STATION(S)	CIRCULATION AREA AND/OR RACIAL/ETHNIC IDENTIFICATION

			OF READERS/AUDIENCE
TARGETS ENTIRE HOUSING REGION 4			
☐		2 WCBS-TV CBS Broadcasting Inc.	
☐		4 WNBC NBC Telemundo License Co. (General Electric)	
☐		5 WNYW Fox Television Stations, Inc. (News Corp.)	
☐		7 WABC-TV American Broadcasting Companies, Inc (Walt Disney)	
☐		9 WWOR-TV Fox Television Stations, Inc. (News Corp.)	
☐		10 WCAU NBC Telemundo License Co. (General Electric)	
☐		11 WPIX WPIX, Inc. (Tribune)	
☐		13 WNET Educational Broadcasting Corporation	
☐		58 WNJB New Jersey Public Broadcasting Authority	
TARGETS PARTIAL HOUSING REGION 4			
☐		25 W25AW WZBN TV, Inc.	Mercer
☐		39 WLVT-TV Lehigh Valley Public Telecommunications Corp.	Mercer
☐		60 WBPH-TV Sonshine Family Television Corp	Mercer
☐		63 WMBC-TV Mountain Broadcasting Corp.	Mercer
☐		69 WFMZ-TV Maranatha Broadcasting Company, Inc.	Mercer
☐		41 WXTV WXTV License Partnership, G.P. (Univision Communications Inc.)	Mercer, Monmouth
☐		3 KYW-TV CBS Broadcasting Inc.	Mercer, Ocean
☐		6 WPVI-TV American Broadcasting Companies, Inc (Walt Disney)	Mercer, Ocean
☐		12 WHYI-TV WHYY, Inc.	Mercer, Ocean
☐		17 WPHL-TV Tribune Company	Mercer, Ocean
☐		23 WNJS New Jersey Public Broadcasting Authority	Mercer, Ocean
☐		29 WTXF-TV Fox Television Stations, Inc. (News Corp.)	Mercer, Ocean

☐		35 WYBE Independence Public Media Of Philadelphia, Inc.	Mercer, Ocean
☐		48 WGTW-TV Trinity Broadcasting Network	Mercer, Ocean
☐		52 WNJT New Jersey Public Broadcasting Authority	Mercer, Ocean
☐		57 WPSG CBS Broadcasting Inc.	Mercer, Ocean
☐		61 WPPX Paxson Communications License Company, LLC	Mercer, Ocean
☐		65 WUVP-TV Univision Communications, Inc.	Mercer, Ocean
☐		25 WNYE-TV New York City Dept. Of Info Technology & Telecommunications	Monmouth
☐		31 WPXN-TV Paxson Communications License Company, LLC	Monmouth
☐		47 WNJU NBC Telemundo License Co. (General Electric)	Monmouth
☐		50 WNJN New Jersey Public Broadcasting Authority	Monmouth
☐		68 WFUT-TV Univision New York LLC	Monmouth, Ocean (Spanish)
☐		62 WWSI Hispanic Broadcasters of Philadelphia, LLC	Ocean

	DURATION & FREQUENCY OF OUTREACH	NAMES OF CABLE PROVIDER(S)	BROADCAST AREA
TARGETS PARTIAL HOUSING REGION 4			
☐		Cablevision of Hamilton	Partial Mercer, Monmouth
☐		Comcast of Central NJ,	Partial Mercer, Monmouth
☐		Patriot Media & Communications, CNJ	Partial Mercer
☐		Cablevision of Monmouth, Raritan Valley	Partial Monmouth
☐		Comcast of Mercer County, Southeast Pennsylvania	Partial Middlesex
☐		Comcast of Monmouth County	Partial Monmouth, Ocean
☐		Comcast of Garden State, Long Beach Island, Ocean County, Toms River	Partial Ocean

	DURATION & FREQUENCY OF OUTREACH	NAMES OF REGIONAL RADIO STATION(S)	BROADCAST AREA AND/OR RACIAL/ETHNIC IDENTIFICATION OF READERS/AUDIENCE
TARGETS ENTIRE HOUSING REGION 4			
AM			

☐		WWJZ 640	
☐		WOR 710	
☐		WABC 770	
☐		WCBS 880	
☐		WBBR 1130	
☐		WPST 94.5	
FM			
☐		WKXW-FM 101.5	
☐		WPRB 103.3	
TARGETS PARTIAL HOUSING REGION 4			
AM			
☐		WFIL 560	Mercer, Monmouth
☐		WMCA 570	Monmouth, Ocean
☐		WFAN 660	Mercer, Monmouth
☐		WNYC 820	Mercer, Monmouth
☐		WWBD 860	Mercer
☐		WPHY 920	Mercer
☐		WNTX 990	Mercer
☐		WCHR 1040	Mercer
☐		WOBM 1160	Monmouth, Ocean
☐		WWTR 1170	Mercer
☐		WPHT 1210	Mercer, Monmouth
☐		WBUD 1260	Mercer, Monmouth
☐		WIMG 1300	Mercer
☐		WADB 1310	Monmouth, Ocean
☐		WHTG 1410	Monmouth
☐		WCTC 1450	Mercer, Monmouth
☐		WBCB 1490	Mercer
☐		WTTM 1680	Mercer, Monmouth
FM			
☐		WNJT-FM 88.1	Mercer
☐		WWFM 89.1	Mercer, Monmouth

☐		WRDR 89.7	Monmouth, Ocean
☐		WRTI 90.1	Mercer
☐		WBJB-FM 90.5	Monmouth
☐		WWNJ 91.1	Ocean
☐		WTSR 91.3	Mercer
☐		WBGD 91.9	Ocean
☐		WFNY-FM 92.3	Mercer, Monmouth
☐		WXTU 92.5	Mercer
☐		WOBM-FM 92.7	Ocean
☐		WPAT-FM 93.1	Mercer, Monmouth
☐		WMMR 93.3	Mercer
☐		WNYC-FM 93.9	Mercer, Monmouth
☐		WYSP 94.1	Mercer
☐		WJLK-FM 94.3	Monmouth, Ocean
☐		WFME 94.7	Mercer, Monmouth
☐		WZZO 95.1	Mercer
☐		WPLJ 95.5	Mercer, Monmouth
☐		WBEN-FM 95.7	Mercer
☐		WRAT 95.9	Monmouth, Ocean
☐		WCTO 96.1	Mercer
☐		WQXR-FM 96.3	Mercer, Monmouth
☐		WRDW-FM 96.5	Mercer
☐		WQHT 97.1	Mercer, Monmouth
☐		WSKQ-FM 97.9	Mercer, Monmouth
☐		WOGL 98.1	Mercer
☐		WMGQ 98.3	Mercer, Monmouth
☐		WRKS 98.7	Mercer, Monmouth
☐		WUSL 98.9	Mercer, Monmouth
☐		WAWZ 99.1	Mercer, Monmouth
☐		WBAI 99.5	Mercer, Monmouth

☐		WJRZ-FM 100.1	Ocean
☐		WHTZ 100.3	Mercer, Monmouth
☐		WCBS-FM 101.1	Mercer, Monmouth
☐		WQCD 101.9	Mercer, Monmouth
☐		WIOQ 102.1	Mercer
☐		WNEW 102.7	Mercer, Monmouth
☐		WMGK 102.9	Mercer
☐		WKTU 103.5	Mercer, Monmouth
☐		WAXQ 104.3	Mercer, Monmouth
☐		WWPR-FM 105.1	Mercer, Monmouth
☐		WDAS-FM 105.3	Mercer, Monmouth
☐		WCHR-FM 105.7	Ocean
☐		WJJZ 106.1	Mercer, Monmouth
☐		WHTG-FM 106.3	Monmouth, Ocean
☐		WLTW 106.7	Mercer, Monmouth
☐		WKDN 106.9	Mercer
☐		WWZY 107.1	Monmouth, Ocean
☐		WBLS 107.5	Mercer, Monmouth
☐		WWPH 107.9	Mercer

3d. Other Publications (such as neighborhood newspapers, religious publications, and organizational newsletters)
(Check all that applies)

	NAME OF PUBLICATIONS	OUTREACH AREA	RACIAL/ETHNIC IDENTIFICATION OF READERS/AUDIENCE
TARGETS ENTIRE HOUSING REGION 4			
Weekly			
	Nuestra Comunidad	Central/South Jersey	Spanish-Language
TARGETS PARTIAL HOUSING REGION 4			
Weekly			
☐	New Jersey Jewish News	Northern and Central New Jersey	Jewish
☐	El Hispano	Camden and Trenton areas	Spanish-Language
☐	Ukrainian Weekly	New Jersey	Ukrainian community

3e. Employer Outreach (names of employers throughout the housing region that can be contacted to post advertisements and distribute flyers regarding available affordable housing) (Check all that applies)			
DURATION & FREQUENCY OF OUTREACH	NAME OF EMPLOYER/COMPANY	LOCATION	
Please see Appendix I of the Upper Freehold Affirmative Marketing Plan for the complete listing			
Mercer County			
☐		Mercer County Board of Education	1075 Old Trenton Rd, Trenton, NJ
☐		Medical Center at Princeton	253 Witherspoon St, Princeton, NJ
☐		Bristol-Myers Squibb	100 Nassau Park Blvd, Princeton, NJ and 820 Bear Tavern Rd, Trenton, NJ
☐		St. Lawrence Rehabilitation Center	2381 Lawrenceville Rd, Lawrenceville, NJ
☐		McGraw-Hill	120 Windsor Center Dr, East Windsor, NJ
☐		Conair Corporation	150 Milford Rd, Hightstown, NJ
☐		Shiseido America, Inc.	366 Princeton Hightstown Rd, East Windsor, NJ
☐		NJ Manufacturers Insurance Company	1001 Grand St S, Hammonton, NJ
☐		Homasote	932 Lower Ferry Rd, Trenton, NJ
☐		Robert Wood Johnson University Hospital	1 Hamilton Health Pl, Trenton, NJ
☐		Congoleum Corp.	3500 Quakerbridge Rd, Mercerville, NJ
☐		Coca-Cola Foods	480 Mercer St, Hightstown, NJ
☐		Peddie School	111 Armellino Ct, Hightstown, NJ
☐		Dana Communications	2 E Broad St, Hopewell, NJ
☐		Merrill Lynch	410 Scotch Rd, Hopewell, NJ
☐		Janssen Pharmaceutical	1125 Trenton Harborton Rd, Titusville, NJ
☐		St. Francis Medical Center	601 Hamilton Avenue Trenton NJ 08629-1986
☐		The Trenton Times	500 Perry St, Trenton, NJ
☐		Gaum. Inc.	1080 US Highway 130, Robbinsville, NJ
Monmouth County			
☐		Meridian Health System	1350 Campus Parkway Neptune
☐		US Army Communications Electronics Command Fort Monmouth	CECOM Bldg 901 Murphy drive Fort Monmouth
☐		County of Monmouth Hall of Records	1 East Main Street Freehold
☐		Central State Healthcare Systems	West Main Street Freehold
☐		Monmouth Medical Center	300 Second Ave Long Branch

☐		Asbury Park Press	3601 Route 66 Neptune, NJ
☐		Food Circus Super Markets, Inc.	835 Highway 35 PO BOX 278 Middletown, NJ
☐		Monmouth University	Cedar Ave West Long Branch
☐		Naval Weapons stations Earle	State Highway 34 Colts Neck, NJ
☐		Norkus Enterprises, Inc.	505 Richmond Ave Point Pleasant, NJ
☐		Horizon Blue Cross Blue Shield	1427 Wyckoff Road Farmingdale, NJ

Ocean County

☐		Saint Barnabas Health Care System	300 2nd Ave Long Branch, NJ 07740
☐		Six Flags Theme Parks Inc	Route 537 Jackson, NJ 08527
☐		Meridian Health Care System	415 Jack Martin Blvd, Brick, NJ
☐		Southern Ocean County Hospital	1140 Route 72 West, Manahawkin, NJ
☐		Jenkinsons	300 Ocean Ave Pt. Pleasant Beach, NJ 08742

3f. Community Contacts (names of community groups/organizations throughout the housing region that can be contacted to post advertisements and distribute flyers regarding available affordable housing)

Please see appendix I of the City of Asbury Park Affirmative Marketing Plan

3g. Direct notification of the availability of affordable housing units, along with copies of application forms shall be provided to the following locations:

- Fair Share Housing Center (510 Park Boulevard, Cherry Hill, NJ 08002)
- New Jersey State Conference of the NAACP (4326 Harbor Beach Blvd. #775, Brigantine, NJ 08203)
- The Latino Action Network (P.O. Box 943, Freehold, NJ 07728)
- STEPS (14 Clifton Ave S, Lakewood, NJ, 08701)
- Greater Red Bank Branch of the NAACP (PO Box 2147, Red Bank, NJ, 07701)
- Asbury Park/Neptune Branch of the NAACP (PO Box 1143, Asbury Park 07712)
- Bayshore Branch of the NAACP (PO Box 865, Matawan, NJ, 07747)
- Greater Freehold Branch of the NAACP (PO Box 246, Marlboro Annex, NJ, 07746)
- Greater Long Branch Branch of the NAACP (38 Memorial Parkway, Long Branch, NJ, 07740)
- Trenton Branch of the NAACP (PO Box 1355, Trenton, NJ, 08608)
- Supportive Housing Association (185 Valley Street, South Orange, NJ 07079)

IV. APPLICATIONS

Applications for affordable housing for the above units will be available at the following locations:

4a. County Administration Buildings and/or Libraries for all counties in the housing region (list county building, address, contact person) (Check all that applies)

Please refer to appendix II of the City of Asbury Park Affirmative Marketing Plan

	BUILDING	LOCATION
☐	Mercer County Library Headquarters	2751 Brunswick Pike, Lawrenceville, NJ 08648
☐	Monmouth County Headquarters Library	125 Symmes Drive, Manalapan, NJ 07726
☐	Ocean County Library	101 Washington Street, Toms River, NJ 08753

4b. Municipality in which the units are located (list municipal building and municipal library, address, contact person)

Please refer to appendix II of City of Asbury Park Affirmative Marketing Plan
4c. Sales/Rental Office for units (if applicable)

V. CERTIFICATIONS AND ENDORSEMENTS

I hereby certify that the above information is true and correct to the best of my knowledge. I understand that knowingly falsifying the information contained herein may affect the (select one: Municipality's substantive certification or DCA Balanced Housing Program funding or HMFA UHORP/MONI/CHOICE funding).

Name (Type or Print)

Title/Municipality

Signature

Date



Individual Resolutions
Meeting of the Municipal Council
Wednesday, October 25, 2023
RESOLUTION SUMMARY

2023-488

Resolution authorizing the purchase of a re-used water pump needed at the Wastewater Treatment Plant totaling \$7,873.84 from Manufacturing Edge utilizing Sewer Funds.



RESOLUTION NO. 2023-488

**City of Asbury Park
County of Monmouth
State of New Jersey**

RESOLUTION AUTHORIZING THE PURCHASE OF A WATER PUMP NEEDED AT THE WASTEWATER TREATMENT PLANT

WHEREAS, the City has a need to purchase re0use water pump for the Wastewater Treatment Plant; and

WHEREAS, the City has solicited and obtained two quotes from Manufactures Edge and C.W. Sales Corporation.; and

WHEREAS, the City of Asbury Park is desirous of awarding a contract of the purchase to Manufactures Edge in an amount of \$7,873.84; and

WHEREAS, the Chief Financial Officer has certified that funds are available in the following account: 3-07-55-502-000-206. The maximum dollar value of the pending contract is as set forth in the resolution.

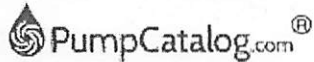
NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the City of Asbury Park (the "City"), in the County of Monmouth, State of New Jersey authorize the purchase of a re-use water pump needed at the Wastewater Treatment Plant in the amount of \$7,873.84 from Manufactures Edge and a copy of this Resolution shall be provided to the City Manager, CFO, Director of Capital Projects & Public Facilities and Director of Purchasing.

I, LISA ESPOSITO, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of RESOLUTION NO. 2023-488 which was finally adopted by the City Council at a meeting held on the 25th day of October, 2023

CERTIFIED BY ME THIS 26th DAY OF October, 2023.

LISA ESPOSITO
CITY CLERK

MANUFACTURERS EDGE



REMIT TO: Manufacturers Edge, Inc.
5044 Industrial Road, Suite C
Farmingdale, NJ 07727
www.pumpcatalog.com
Phone: (800) 810-1053
Fax: (732) 223-2587

Quote	
Quote #:	Q-00223450
Date Quote:	10/5/2023
Expiry Date:	1/3/2024
Sales Rep:	Bill Suozzo Email: bill@pumpcatalog.com Phone: (732) 835-4041
Prepared For:	Rudy Corona City of Asbury Park Email: rudy.corona@cityofasburypark. Phone: 732-774-5131

Bill To: City of Asbury Park
One Municipal Plaza
Asbury Park, NJ 7712

Credit Terms: NET 30

Customer Notes: PER YOUR REQUEST
2507CVe-200P62 6.75"
Diameter ***This item can be
picked up to avoid freight
charges

Ship To: City of Asbury Park
Sewer Plant
Asbury Park, NJ 7712

Shipping: in 8-10 weeks

Shipping Method: PICK UP

Thank you for the opportunity to provide you with the following quotation.

Quantity	Product Code	Line Item Description	Unit Price	Unit Of Measure	Total Price
1.0000	2507CVe-200P62	Weinman 2507CVe-200P62 Cast Iron Inline Pump w/ Buna/Carbon/Ceramic Seal 20HP 230/460v 3phase 3450rpm TEFC Motor (300lbs)	7,873.84		7,873.84
Subtotal					7,873.84
Shipping					0.00
Sales Tax					
Total					7,873.84

NOTE: These items are Non-Refundable

[EXTERNAL] RE: Weinman CVe pump

Andrew Detwiler <adetwiler@cwsalescorp.com>

Thu 10/5/2023 9:52 AM

To: Rudy Corona <Rudy.Corona@cityofasburypark.com>

Rudy,

I got your message yesterday. I checked and the pricing remains the same for now. We are expecting a price increase sometime around the end of this year to the beginning of next year.

Quantity (1) – Weinman 2507CVe-200P62, (2.5x2.5x7), cast iron, inline pump with standard Buna/Carbon/Ceramic mechanical seal, 6.75" impeller, and 20 HP, 230/460v, 3ph., 3450 rpm, TEFC motor. \$7940.00 ea. FOB factory freight allowed plus applicable taxes.

If you need anything else let me know.

Thanks,

Andrew Detwiler

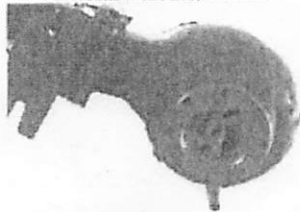
CW Sales Corporation

199 S. Forrest Ave.

Norristown, PA 19403

Ph: 610-277-6444 / Fax: 610-277-3797

www.cwsalescorp.com



Barnes *Sithe* Chopper Pump

**click the image to see in action!*

U-003614

Re-use WaterPump 2 quotes

provided

Tracy Lizardi

From: Rudy Corona
Sent: Tuesday, October 10, 2023 2:24 PM
To: Tracy Lizardi
Cc: Robert Bianchini; JoAnn Boos
Subject: Re: Manufacturers U-003614

Sure. It is a re-use water pump. It is part of the effluent disinfection system. (Sorry I know that was two sentences).
Thanks!

Sent from my iPhone

On Oct 10, 2023, at 1:57 PM, Tracy Lizardi <Tracy.Lizardi@cityofasburypark.com> wrote:

Hi Rudy,
A resolution is needed for the above referenced requisition.
I can process one for the 10/25 meeting but in a very short, one sentence in lay-man's terms, can you please let me know what this is?
It is needed to complete the resolution.
Thank you,
Tracy

Attachment: WATER PUMP QUOTES (2023-488 : Authorizing the Purchase of a Water Pump Needed at the Wastewater Treatment Plant)

CITY OF ASBURY PARK

Municipal Building
One Municipal Plaza
Asbury Park, NJ 07712-7000
TEL (732)775-2100 FAX (732)775-0441

3.D.5.a

REQUISITION

NO.

U-003614

S
H
I
P

T
O

SEWER PLANT
8TH. AVENUE & OCEAN
ASBURY PARK, NJ 07712

V
E
N
D
O
R

VENDOR #: MANUF005

Manufacturers Edge Inc.
5044 Industrial Rd. Suite C
Farmingdale, NJ 07727

ORDER DATE: 10/06/23
DELIVERY DATE:
STATE CONTRACT:
F.O.B. TERMS:

QTY/UNIT	DESCRIPTION	ACCOUNT NO.	UNIT PRICE	TOTAL COS
1.00	Weinmann In-line Pump	3-07-55-502-000-206	7,873.8400	7,873.8
		SEWER UTILITY O/E: Purchase of Equipment		
			TOTAL	7,873.8

Attachment: WATER PUMP QUOTES (2023-488 : Authorizing the Purchase of a Water Pump Needed at the Wastewater Treatment Plant)

REQUESTING DEPARTMENT

DATE



Individual Resolutions
Meeting of the Municipal Council
Wednesday, October 25, 2023
RESOLUTION SUMMARY

2023-489

Purchase of Electricity - 50% Green Supply Services for Public Use on an Online Auction Website



RESOLUTION NO. 2023-489

**City of Asbury Park
County of Monmouth
State of New Jersey**

RESOLUTION AUTHORIZING THE PURCHASE OF ELECTRICITY - 50% GREEN SUPPLY SERVICES FOR PUBLIC USE ON AN ONLINE AUCTION WEBSITE

WHEREAS, the City of Asbury Park has determined to move forward with the EMEX Reverse Auction in order procure electricity - 50% Green for the City of Asbury Park; and

WHEREAS, the Local Government Electronic Procurement Act (P.L. 2018, c. 156) (the “Act”) authorizes the purchase of electricity - 50% green supply service for public use through the use of an online auction service; and

WHEREAS, the City of Asbury Park utilized the online auction services of EMEX, LLC, a division of Mantis Innovation, an approved vendor pursuant to the Act; and

WHEREAS, EMEX, LLC, a division of Mantis Innovation, is compensated for all services rendered through the participating supplier that a contract is awarded to; and

WHEREAS, the auction will be conducted pursuant to the Act; and

WHEREAS, if the auction achieves a price of \$0.10824/kWh or less for a 12-month term, a price of \$0.10654/kWh or less for an 18-month term, a price of \$0.11056/kWh or less for a 24-month term, the City Of Asbury Park may award a contract to the winning supplier for the selected term.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the City of Asbury Park do hereby authorized that the City Manager execute on behalf of the City of Asbury Park any electricity - 50% green contract proffered by the participating supplier that submits the winning bid in the EMEX Reverse Auction if the auction achieves a price of \$0.10824/kWh or less for a 12-month term, a price of \$0.10654/kWh or less for an 18-month term, a price of \$0.11056/kWh or less for a 24-month term; City of Asbury Park may award a contract to the winning supplier for the selected term.

I, LISA ESPOSITO, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of RESOLUTION

NO. 2023-489 which was finally adopted by the City Council at a meeting held on the 25th day of October, 2023

CERTIFIED BY ME THIS 26th DAY OF October, 2023.

LISA ESPOSITO
CITY CLERK



Individual Resolutions
Meeting of the Municipal Council
Wednesday, October 25, 2023
RESOLUTION SUMMARY

2023-490

Authorizing the purchase of Record Management Software for the Fire Department in the amount of \$14,800.00 utilizing Fire O&E funds. Office of Emergency Medical Services has adopted the National Emergency Medical Services Information System (NEMSIS) and our current software will not be performing any upgrades to incorporate this new system. First Due is the preferred software of Motorola Flex, the computer aided dispatch system used by the County.



RESOLUTION NO. 2023-490

**City of Asbury Park
County of Monmouth
State of New Jersey**

RESOLUTION AUTHORIZING THE PURCHASE OF RECORDS MANAGEMENT SOFTWARE FOR THE FIRE DEPARTMENT

WHEREAS, the City has a need to purchase record management software for the Fire Department; and

WHEREAS, the City has solicited and obtained four quotes from First Due, ESO, and ImageTrend; and

WHEREAS, the City of Asbury Park is desirous of awarding a contract for records management software to First Due an amount not-to-exceed \$14,800.00; and

WHEREAS, the Chief Financial Officer has certified that funds are available in the following accounts 3-01-25-265-000-218. The maximum dollar value of the pending contract is as set forth in the resolution.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the City of Asbury Park (the “City”), in the County of Monmouth, State of New Jersey authorize the purchase of record management software in the amount of \$14,800.00 and a copy of this Resolution shall be provided to the City Manager, CFO, Fire Chief, Director of IT and Director of Purchasing.

I, LISA ESPOSITO, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of RESOLUTION NO. 2023-490 which was finally adopted by the City Council at a meeting held on the 25th day of October, 2023

CERTIFIED BY ME THIS 26th DAY OF October, 2023.

LISA ESPOSITO
CITY CLERK



107 Seventh St
Garden City, NY 11530, United States

First Due Quote

Prepared By: Lisa Rainey
Valid Until: Nov 30, 2023
Quote Number: 1545132000207672045

Asbury Park Fire Department (NJ)

We are excited to present pricing for the First Due Suite! Please see detailed breakdown below. It is important to note that First Due is a cloud-based system, and all Support, Maintenance, Hosting and Upgrades are ALWAYS INCLUDED.

First Due Modules and Implementation Services Included - Description

Incident Reporting - NFIRS

NFIRS Incident Documentation, State and Federal Compliance with automated submission.

Incident Reporting - ePCR

ePCR Incident Documentation, State Compliance with automated submission.

Personnel Management

Store, Manage and Access Employee Records including demographic data, certifications and employment information.

Events & Activities

Create Events, View Global Activity Log, and Access Global Calendar.

CAD Integration

Automated importing of CAD calls via XML, Database Connector, or API.

Scheduling Integration w/ Third Party (CrewSense)

Scheduling Integration with CrewSense

Implementation and Configuration Services

Services related to configuring and customizing the First Due Platform as described in the Statement of Work.

Online Standard Training Package

Includes a one-hour planning session and up to 6 hours of webinar train-the-trainer sessions

One-Time Subtotal	\$ 1,000.00
Subscription Subtotal	\$ 13,800.00
Total Year 1	\$ 14,800.00

Optional Add-Ons

First Due Modules	Description	Price
Kno2 Hospital Connection Fee	This will be charged at a rate of \$200.00 per hospital connection. The first connection is included at no additional cost.	\$ 200.00
Kno2 Standard Subscription	Direct messaging and Unlimited Cloud faxing to deliver PCR's to hospital.	\$ 1,600.00
Occupancy Management & Pre-Incident Planning	Manage Occupancies, Pre-Incident Mapping, ArcGIS Maps, Fire Systems, Hazardous Material, and Contacts.	\$ 4,050.00
Responder	Web Responder dashboard and Responder iOS/Android App with notifications, statusing and routing.	\$ 3,600.00
Fire Recovery Integration	Fire Recovery Integration	\$ 500.00



Quote Date: 07/17/2023
Customer Name: Asbury Park Fire Department (NJ)
Quote #: Q-125537
Quote Expiration date: 10/15/2023
ESO Account Manager: Alyssa Cottrell

CUSTOMER CONTACT

Customer Asbury Park Fire Department
(NJ)
Name Kevin Keddy
Email kevin.keddy@cityofasburypark.com
Phone (732) 775-6300

BILLING CONTACT

Payor Asbury Park Fire
Department (NJ)
Name D. Kevin Keddy
Address 800 Main Street
Asbury Park NJ, 07712
Email kevin.keddy@cityofasburypark.com
Phone 732-775-6300
Billing Frequency Annual
Initial Term 36 months

Year 1

EHR

Product	Price	Discount	Total	Fee Type
EHR CAD Integration	\$2,495.00	(\$2,495.00)	\$0.00	Recurring
ESO EHR (BLS Version)	\$7,290.00	(\$7,290.00)	\$0.00	Recurring

Fire

Product	Price	Discount	Total	Fee Type
Fire Incidents CAD Integration	\$2,495.00	(\$2,495.00)	\$0.00	Recurring
ESO Fire Incidents	\$1,295.00	(\$1,295.00)	\$0.00	Recurring
ESO Hydrants	\$395.00	(\$395.00)	\$0.00	Recurring

EHR

Product	Volume	Price	Discount	Total	Fee Type
EHR Setup & Online Training	1 Sessions	\$595.00	(\$595.00)	\$0.00	One-time
NEMSIS Data Import - one-time	6000 Incidents	\$3,995.00	(\$3,995.00)	\$0.00	One-time

Fire

Product	Volume	Price	Discount	Total	Fee Type
Fire Setup & Online Training	1 Sessions	\$595.00	(\$595.00)	\$0.00	One-time

On Demand Learning

Product	Volume	Price	Discount	Total	Fee Type
On Demand Learning - One Year Access	53 Employees		(\$0.00)	\$0.00	One-time



Quote Date: 07/17/2023
Customer Name: Asbury Park Fire Department (NJ)
Quote #: Q-125537
Quote Expiration date: 10/15/2023
ESO Account Manager: Alyssa Cottrell

3.D.7.a

Total Recurring Fees	\$	13,970.00
Total One-Time Fees	\$	5,185.00
One-Time Discounts	\$	(5,185.00)
Recurring Discounts	\$	(13,970.00)
TOTAL FEES		\$ 0.00

Year 2

EHR

Product	Price	Discount	Total	Fee Type
EHR CAD Integration	\$2,495.00	(\$2,495.00)	\$0.00	Recurring
ESO EHR (BLS Version)	\$7,290.00	(\$3,645.00)	\$3,645.00	Recurring

Fire

Product	Price	Discount	Total	Fee Type
Fire Incidents CAD Integration	\$2,495.00	(\$1,247.50)	\$1,247.50	Recurring
ESO Fire Incidents	\$1,295.00	(\$647.50)	\$647.50	Recurring
ESO Hydrants	\$395.00	(\$197.50)	\$197.50	Recurring
Total Recurring Fees		\$	13,970.00	
Discounts		\$	(8,232.50)	
TOTAL FEES		\$	5,737.50	

Year 3

EHR

Product	Price	Discount	Total	Fee Type
EHR CAD Integration	\$2,495.00	(\$2,495.00)	\$0.00	Recurring
ESO EHR (BLS Version)	\$7,290.00	(\$0.00)	\$7,290.00	Recurring

Fire

Product	Price	Discount	Total	Fee Type
Fire Incidents CAD Integration	\$2,495.00	(\$0.00)	\$2,495.00	Recurring
ESO Fire Incidents	\$1,295.00	(\$0.00)	\$1,295.00	Recurring
ESO Hydrants	\$395.00	(\$0.00)	\$395.00	Recurring

Attachment: FIRE DEPARTMENT RECORD MANAGEMENT SOFTWARE QUOTES (2023-490 : Authorizing the Purchase of Records Management



Quote Date: 07/17/2023
Customer Name: Asbury Park Fire Department (NJ)
Quote #: Q-125537
Quote Expiration date: 10/15/2023
ESO Account Manager: Alyssa Cottrell

3.D.7.a

Total Recurring Fees	\$	13,970.00
Discounts	\$	(2,495.00)
TOTAL FEES	\$	11,475.00

For EHR, Fire, On Demand Learning, the following payment terms apply:
Fees are invoiced at the Billing Frequency 15 days after the Effective Date, with recurring fees due on the anniversary.

Attachment: FIRE DEPARTMENT RECORD MANAGEMENT SOFTWARE QUOTES (2023-490 : Authorizing the Purchase of Records Management



Quote Date: 07/17/2023
Customer Name: Asbury Park Fire Department (NJ)
Quote #: Q-125537
Quote Expiration date: 10/15/2023
ESO Account Manager: Alyssa Cottrell

3.D.7.a

TERMS AND CONDITIONS:

1. If the customer indicated above has an ESO Master Subscription and License Agreement (MSLA) dated on or after February 20, 2017, then that MSLA will govern this Quote. **Otherwise, Customer intends and agrees that this Quote adopts and incorporates the terms and conditions of the ESA and associated HIPAA business associate agreement hosted at the following web address, and that the products and services ordered above are subject thereto:**

<https://www.eso.com/legal-terms/>

2. The Effective Date of this Quote shall be the date of Customer's signature.
3. Customer is responsible for the payment of all Fees shown. ESO will accept Fee payment from a payor (if indicated above) if ESO has an appropriate agreement with the Payor.
4. Notwithstanding anything to the contrary in the Agreement, the Recurring Fees for Services ordered herein shall be calculated and payable annually as indicated by the applicable Subscription Year. Thereafter all Recurring Fees shall be subject to applicable increases as stated in the Agreement.
5. ESO reserves the right not to accept any Quote signed after the Quote Expiration Date.

Asbury Park Fire Department (NJ)

Signature: _____

Print Name: _____

Title: _____

Date: _____

Attachment: FIRE DEPARTMENT RECORD MANAGEMENT SOFTWARE QUOTES (2023-490) : Authorizing the Purchase of Records Management



Quote Date: 07/17/2023
Customer Name: Asbury Park Fire Department (NJ)
Quote #: Q-125537
Quote Expiration date: 10/15/2023
ESO Account Manager: Alyssa Cottrell

3.D.7.a

EHR

Product	Description
EHR CAD Integration	Interface to integrate CAD data into EHR mobile and web application. Includes ongoing maintenance and support. Additional fee from your CAD vendor may apply.
ESO EHR (BLS Version)	Patient care reporting suite for Basic Life Support agencies, includes EHR web and mobile client, Quality Management, Analytics Patient Tracker. Allows for unlimited users, unlimited mobile applications, live support, state and federal data reporting, ongoing weekly web training, software updates and upgrades.
EHR Setup & Online Training	Webinar Training Session
NEMSIS Data Import - one-time	Import of legacy NEMSIS data from 3rd party vendor into ESO for reporting and record retrieval. Some limitations may apply.

Fire

Product	Description
Fire Incidents CAD Integration	Allows for integration of CAD data into the FIRE application. Ongoing maintenance included. Additional fees from your CAD vendor may apply.
ESO Fire Incidents	Includes Auto EHR-import or Auto-CAD import, federal NFIRS data reporting, software updates and upgrades.
ESO Hydrants	Inventory and document testing and status of hydrants.
Fire Setup & Online Training	Setup and Webinar Training Session for ESO Fire.

On Demand Learning

Product	Description
On Demand Learning - One Year Access	One year access to On Demand Learning.

Attachment: FIRE DEPARTMENT RECORD MANAGEMENT SOFTWARE QUOTES (2023-490) : Authorizing the Purchase of Records Management



Elite Rescue

Prepared For

Asbury Park Fire Department
 Kevin Keddy
 800 Main St
 Asbury Park, New Jersey

Prepared By

Brooke Figg
 Sep 15, 2023

IMAGETREND®

Quote

IMAGETREND

3.D.7.a

Prepared For

Kevin Keddy
Asbury Park Fire Department
800 Main St
Asbury Park, New Jersey
732-502-0186
kevin.keddy@cityofasburypark.com

Bill To

Kevin Keddy
Asbury Park Fire Department
800 Main St
Asbury Park, New Jersey
732-502-0186
kevin.keddy@cityofasburypark.com

Salesperson	Quote Number	Date
Brooke Figg, Sales Specialist,	QUO-17411-L3M7Z	Sep 15, 2023

Description	Qty	Frequency	Unit Price	Total
One-Time Fees				
Elite™ Rescue Setup & Implementation	1	One Time	\$8,475.00	\$8,475.00
Recurring Fees				
Elite™ Rescue - SaaS *Includes Elite™ Field	1	Recurring	\$18,750.00	\$18,750.00
Vector Distribution	1	Recurring	\$3,500.00	\$3,500.00
CAD Distribution	1	Recurring	\$3,500.00	\$3,500.00
- CAD Vendor: Other CAD Vendor				
TOTAL Year 1				\$34,225.00
*Annual Fees after Year 1				\$25,750.00

Prepared By: Brooke Figg

Terms of Agreement: The above mentioned items will be invoiced upon Contract signature with payment terms of net 30 days.

- The recurring annual fees will be invoiced annually in advance.
- Project completion occurs upon receipt of the product.
- ImageTrend's license, annual support and hosting are based on up to 7,500 annual incidents as provided by Client. *IMAGETREND will perform price increases of the recurring fees. The first price increase will occur with the fees due for year two. These price increases will occur once a year and may not exceed 7% of the price then currently in effect.
- This proposal is valid for 90 days.
- This quote reflects ImageTrend's standard non-CJIS compliant framework, and is provided without any CJIS-related warranties, representations, or contractual commitments. Additional information and pricing for ImageTrend's advanced CJIS compliant offerings are available upon request.
- The estimates set forth herein do not constitute a binding offer or acceptance. This quote does not express the full agreement or understanding of the parties, is subject to additional due diligence and change, and shall not be binding on ImageTrend. The parties do not intend to be legally bound until they enter into definitive agreements regarding the subject matter hereof.

IMAGETREND will invoice sales tax to non-exempt CLIENTS where applicable

DISCLAIMER: This quote creates no legal obligations. This letter is intended to confirm the parties' current understanding of the terms, but it is not intended to create any legal obligations with respect to any of the terms. Neither party should rely on this quote and no legal or equitable remedy will arise from any such reliance. Instead, the parties must reach a final agreement. A final agreement will be a condition precedent to any binding obligations. A fully executed Contract Agreement will be required to be completed before an order is processed.

PRODUCT DESCRIPTIONS

Elite™ Rescue - SaaS *Includes Elite™ Field	In addition to receiving both Elite EMS and Elite Fire for compliant data collection, the Rescue package includes the Locations/Occupants/Inspections module.
Vector Distribution	Vector sends a .csv formatted file to the ImageTrend web service containing roster data. Once a CAD incident comes through for EMS or fire incidents, the incident time and unit data is used to look up the appropriate crew.
CAD Distribution	The ability to easily integrate CAD data into run reports is very beneficial in ensuring accurate data. CAD data can be obtained via a file export, a query or it can be sent directly to the ImageTrend web service. Only fields listed in the CAD integration workbook are available for population through the integration.

Tracy Lizardi

From: Kevin Keddy
Sent: Tuesday, October 17, 2023 3:55 PM
To: Tracy Lizardi
Cc: JoAnn Boos
Subject: RE: Fire Department Software.
Attachments: QT_Asbury Park, NJ - NFIRS, ePCR, Personnel v2.pdf; QUOTE Asbury Park FD Elite Rescue 15September2023.pdf; Asbury Park Fire Dept (NJ).pdf

Follow Up Flag: Follow up
Flag Status: Completed

Tracy,

Attached are the quotes for the new reporting software that we discussed.

- First Due - \$14,800 the first year, \$13,800 subsequent years
- ESO - \$11,475
- ImageTrend - \$34,225 the first year, \$25,750 subsequent years

ESO submitted the lowest quote, but we prefer First Due. First Due is the preferred software of Motorola Flex, the computer aided dispatch system used by the County to dispatch us and, it also offers additional features down the road if we so choose.

The primary reason that we need to change vendors is as follows:

We have been using ERS (Emergency Reporting Systems) since 2014. We like the software and were only paying about \$6,000 annually for it. Unfortunately for us, the OEMS (New Jersey Department of Health and Senior Services, Office of Emergency Medical Services) adopted NEMSIS (the National Emergency Medical Services Information System). When we contacted ERS to ask if they were going to upgrade their system for compliance, we learned that they were acquired by ESO and would not be doing any upgrades. They further advised that they were encouraging their clients to purchase ESO. Technically, we have been out of compliance since June, but along with many other licensed EMS agencies in New Jersey, we have been afforded a grace period to comply.

Although I am not happy that we have to spend more money on something that was working just fine, I have to keep in mind that this service generates between \$700,000 and \$800,000 in EMS billing revenue each year.

If you need any other justification, please let me know.

D. Kevin Keddy

Fire Chief
 City of Asbury Park
 800 Main Street
 Asbury Park, NJ 07712
 Ph: 732-502-0186
 Email: Kevin.Keddy@cityofasburypark.com



Individual Resolutions
Meeting of the Municipal Council
Wednesday, October 25, 2023
RESOLUTION SUMMARY

2023-491

Resolution authorizing the purchase of one set of loader forks needed for the Beach Department utilizing Beach funds.



RESOLUTION NO. 2023-491

**City of Asbury Park
County of Monmouth
State of New Jersey**

RESOLUTION AUTHORIZING THE PURCHASE OF LOADER FORKS NEEDED FOR THE BEACH DEPARTMENT

WHEREAS, the City of Asbury Park ("City") has a need to purchase one set of loader forks needed for the Beach Department; and

WHEREAS, the City of Asbury Park received a quote from Jesco with the price totaling \$8,075.00 based off of the Educational Services Commission of New Jersey (ESCNJ) Contract #22/23-12, in which the City is a member; and

WHEREAS, the City of Asbury Park is desirous of awarding a contract for the purchase of loader forks from Jesco in the amount of \$8,075.00; and

WHEREAS, the Chief Financial Officer has certified that funds are available in the following accounts 3-05-55-502-000-206. The maximum dollar value of the pending contract is as set forth in the resolution.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the City of Asbury Park (the "City"), in the County of Monmouth, State of New Jersey authorize the purchase of loader forks in the amount of \$8,075.00 and a copy of this Resolution shall be provided to the City Manager, CFO, Director of Capital Projects & Public Facilities and Purchasing Agent.

I, LISA ESPOSITO, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of RESOLUTION NO. 2023-491 which was finally adopted by the City Council at a meeting held on the 25th day of October, 2023

CERTIFIED BY ME THIS 26th DAY OF October, 2023.

LISA ESPOSITO
CITY CLERK



118 Saint Nicholas Ave
South Plainfield, NJ 07080
Phone: (908) 753-8080
Fax: (908) 821-1400



3.D.8.a

JOHN DEERE

Ship To
IN STORE PICKUP

Invoice To
Asbury Park DPW 9 Main St Asbury Park NJ 07712

Branch		
01 - S. Plainfield		
Date	Time	Page
08/03/2023	15:56:16 (O)	1
Account No.	Phone No.	Invoice No.
0000070900	7327750900	056846
Ship Via	Purchase Order	
	QUOTE ONLY	
		Salesperson
		447

DESCRIPTION

ESTIMATE EXPIRY DATE: 08/09/2023

20

Part#	Description	U	Qty	Price	Amount
-------	-------------	---	-----	-------	--------

EDUCATIONAL COMMISSION OF NEW JERSEY - NJ STATE APPROVED
CO-OP #65MCESCCPS - GROUNDS EQUIPMENT - BID #ESC NJ 22/23-12

*

ONE NEW SET GEM:

CONSTRUCTION FORKS 20-50 CLASS

50CF6072M, CONSTRUCTION FORK, 60" CARRIAGE X 72" TINE, 416

*

SPEC'D FOR 1DW524KHEGF677472

*

***** Segment 01 *****

TRM50CF6072M-624	FK/NA/60X72/QC	1	9500.00	9500.00
WGVE	WGVE DISCOUNT	1	1425.00-	1425.00-

Authorization: _____

Subtotal: 8075.00

***** Segment 02 *****

SEGMENT TWO ARE OPTIONAL REPLACEMENT PARTS - 96" FORK TINES
3% PARTS DISCOUNT SHOWN.

SUBLETOSL	TNCF-0036	2	3988.57	7977.14
WGVE	WGVE DISCOUNT	1	239.31-	239.31-

Authorization: _____

Subtotal: 7737.83

Subtotal: 15812.83

Tax: .00

TOTAL: 15812.83

Terms: All parts returned must be accompanied by an invoice and in resalable condition. Non-Stocking Parts must be returned within 45 days and are subject to an 18% restocking charge. Stocking parts must be returned within 30 days without penalty. Stocking parts returned after 30 days and before 60 days will be subject to a 10% restocking charge. Stocking parts are non-returnable after 60 days.
ALL ELECTRICAL PARTS ARE NON-RETURNABLE!

Received by _____

Payment in full is due thirty (30) days from date of invoice (due date) on approved open accounts. Any amount not paid within thirty (30) days of due date (interest-free period) will be subject to a monthly service charge of one and one-half percent (1.5%) or the maximum rate allowed by law, whichever is less, from the end of the interest-free period.
If this is a Powerplan purchase, the terms of PowerPlan shall govern.

Attachment: JESCO LOADER FORKS (2023-491 : Purchase of Loader Forks Needed for the Beach Department)



Individual Resolutions
Meeting of the Municipal Council
Wednesday, October 25, 2023
RESOLUTION SUMMARY

2023-492

Resolution awarding the bid for traffic control signage to Glenco Supply Inc. for two years from 2023 through 2024.

2019 Base Bid from Glenco was \$26,500.00

2021 Base Bid from Glenco is \$23,902.00

2023 Base Bid from Glenco is \$24,875.50



RESOLUTION NO. 2023-492

**City of Asbury Park
County of Monmouth
State of New Jersey**

RESOLUTION AWARDING BID FOR TRAFFIC CONTROL SIGNAGE

WHEREAS, on Wednesday, September 6, 2023 the City of Asbury Park (the “City”) accepted and received two (2) sealed bids for Traffic Control Signage; and

WHEREAS, it has been determined that Glenco Supply, Inc. submitted the lowest responsible bid in accordance with the bid specifications; and

WHEREAS, it is the desire of the governing body to award a contract to Glenco Supply Inc. for Traffic Control Signage for two years and expiring on December 31, 2024 ; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the City of Asbury Park (the “City”), in the County of Monmouth, State of New Jersey that it hereby awards the Traffic Control Signage to Glenco Supply Inc.

NOW, THEREFORE BE IT FURTHER RESOLVED that a copy of this Resolution be provided to the City Manager, Director of Transportation and Director of Purchasing.

I, LISA ESPOSITO, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of RESOLUTION NO. 2023-492 which was finally adopted by the City Council at a meeting held on the 25th day of October, 2023

CERTIFIED BY ME THIS 26th DAY OF October, 2023.

LISA ESPOSITO
CITY CLERK

Traffic Control Signage

September 6, 2023

11:00AM

VENDOR NAME	Glenco Supply, Inc.	National Highway Products, Inc.
ADDRESS	P.O. Box 638 Oakhurst, NJ 07755	301 Riverside Drive Millville, NJ 08332
CONTACT	Steve Roberts	Robert Green
TELEPHONE NUMBER	(732) 995 - 8753	(856) 692 -7572
EMAIL ADDRESS	steve@glencosupply.com	deb@nationalhighway.com
Engineer Grade Prismatic (EGP) Finished Sign – Reprinted on Existing Aluminum Sign with 3M Reflective with protective overlay from fading and stickers		
12" x 18"	\$ 95.00	\$ 102.50
18" x 24"	\$ 180.00	\$ 207.50
24' x 48"	\$ 520.00	\$ 483.50
Engineer Grade Prismatic (EGP) Finished Sign – Reprinted on Existing Aluminum Sign with 3M Reflective with protective overlay from fading and stickers		
12" x 18"	\$ 65.00	\$ 75.00
18" x 24"	\$ 120.00	\$ 144.00
24' x 48"	\$ 500.00	\$ 384.00
Breakaway Sign Post with Base, Hardware	\$ 127.50	\$ 364.00
Sign Bracket for Sign Poles with 5/16" Bolt	\$ 55.00	\$ 45.00
Sign Bracket Strapping with Buckle, Seal	\$ 35.00	\$ 117.60
In-Street Stop for Pedestrian Sign, Portable Base	\$ 3,250.00	\$ 2,845.00
In-Street Stop Sign, Portable Base	\$ 1,900.00	\$ 1,750.00
In-Street Regulatory 12"x18" Signs, Portable Base	\$ 1,900.00	\$ 1,486.00
Standard Street Sign	\$ 180.00	\$ 195.00
Street Sign Bracket	\$ 58.00	\$ 49.00
R1-1 Stop Sign 30"	\$ 340.00	\$ 362.50
R1-2 Yield Sign 30"	\$ 120.00	\$ 189.80
R6-1 One-Way Sign	\$ 130.00	\$ 188.40
R5-1 Do Not Enter Sign 30"	\$ 340.00	\$ 330.25
1/16" Plastic Stencil – 10" Letters	\$ 75.00	\$ 100.00
1/16" Plastic Stencil – Custom (approx. 24"x24")	\$ 85.00	\$ 1,090.00
R1-1 Solar LED Traffic Stop Sign, Fully Enclosed 36"	\$ 13,900.00	\$ 13,986.00
R4-11 Bikes May Use Full Lane Sign	\$ 240.00	\$ 330.25
R3-17 Bike Lane	\$ 180.00	\$ 264.20
R3-17a Bike Lane Plaque	\$ 90.00	\$ 84.60
R3-17b Bike Lane Plaque	\$ 90.00	\$ 84.60
R5-2 No Trucks Sign 18"x24"	\$ 150.00	\$ 264.20
R14-1 Thru Truck Route Sign 18"x24"	\$ 150.00	\$ 264.20
TOTAL BID	\$ 24,875.50	\$ 25,787.10
NOTES		



Individual Resolutions
Meeting of the Municipal Council
Wednesday, October 25, 2023
RESOLUTION SUMMARY

2023-493

Authorizing a professional services contract to CDM Smith to perform Special Project Engineering Services related to the Design of Phase I Wastewater Treatment Plant Improvements in the amount of \$2,270,000.00 utilizing ARP Funds.



RESOLUTION NO. 2023-493

**City of Asbury Park
County of Monmouth
State of New Jersey**

RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES CONTRACT TO CDM SMITH FOR ENGINEERING SERVICES FOR DESIGN OF PHASE I WASTEWATER TREATMENT PLANT IMPROVEMENTS

WHEREAS, the City Council of Asbury Park awarded the Firm of CDM Smith, Inc. to perform Special Project Engineering Services on January 1, 2023 via Resolution #2023-51; and

WHEREAS, on August 22, 2023 the City of Asbury Park received a proposal to provide Special Project Engineering Services related to the Design of Phase I Wastewater Treatment Plant Improvements from CDM Smith; and

WHEREAS, the not-to-exceed cost for the Special Project Engineering services shall not exceed \$2,270,000.00; and

WHEREAS, the Chief Financial Officer has certified that funds will be available in the American Rescue Plan Account G-02-43-956-022-206; and the maximum dollar value of the contract is as set forth in the resolution; and

WHEREAS, the City Manager is hereby authorized to sign any contracts or documents associated with this activity.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Asbury Park, County of Monmouth, State of New Jersey, awards CDM Smith for the Special Project Engineering Services related to the Design of Phase I Wastewater Treatment Plant Improvements in a not-to-exceed amount of \$2,270,000.00.

NOW, THEREFORE, BE IT FURTHER RESOLVED that a copy of this Resolution be provided to the CFO, Director of Capital Projects and Public Facilities, City Special Project Engineer, City Manager and Director of Purchasing.

I, LISA ESPOSITO, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of RESOLUTION NO. 2023-493 which was finally adopted by the City Council at a meeting held on the 25th day of October, 2023

CERTIFIED BY ME THIS 26th DAY OF October, 2023.

LISA ESPOSITO
CITY CLERK



August 22, 2023

Ms. Donna Vieiro
City Manager
City of Asbury Park
1 Municipal Plaza
Asbury Park, NJ 07712

**Subject: Wastewater Treatment Plant Improvement Project Proposal for
Engineering Services for Design of Phase I Wastewater Treatment Plant Improvements**

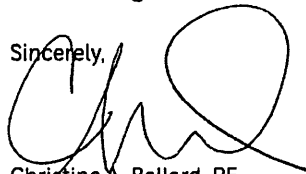
Dear Ms. Vieiro:

Thank you for the opportunity to provide engineering services to the City of Asbury Park, specifically related to developing a plan for the City's wastewater treatment plant located at 1700 Kingsley Street. Our team has enjoyed helping the city staff at this critical facility and we look forward to continuing our work improving plant operations and efficiencies.

Over one year ago, we began working with city staff to make process adjustments and modifications to alleviate concerns related to treatment adequacy and staff safety. Our team has completed inspections of most of the major equipment including in-depth review of electrical, fire suppression systems, process mechanical, odor control and some specific structural elements. These inspections have helped us to develop a plan to help the city continue to provide treatment and meet its discharge limits into the future. Enclosed herein, is our proposed scope of work based upon our findings and subsequent discussions with city staff. This phase of work encompasses design, permitting, and bidding. As it is our understanding that the project will be funded by the New Jersey Infrastructure Bank (NJIB), we will provide a separate proposal for design service during construction and resident engineering inspection services.

There are several permits that will be required during this project and costs for preparation of permit applications have been included as outlined; however, it is assumed that no formal planning board submission is required, only a courtesy submission. Additionally, there have been several presentations from the New Jersey Department of Environmental Protection (NJDEP) during this calendar year regarding new Coastal Flood Hazard rules; however, no rule has been finalized as of this date. Rather than assume what requirements will be included, CDM Smith will review any new requirements with the city once they are released and advise of any implications on this project. It is assumed all permit fees will be paid directly by the City of Asbury Park.

Should you have any questions or require additional information please do not hesitate to reach out to me at (732) 590-2748 or Ballardca@cdmsmith.com.

Sincerely,


Christine A. Ballard, PE
Associate
CDM Smith Inc.



Thomas R. Schoettle, PE, BCEE
Senior Vice President
CDM Smith Inc.

Attachment

cc: Robert Bianchini, DPW Director
Rudy Corona, WWTP Superintendent



City of Asbury Park – Design of Phase I Wastewater Treatment Plant (WWTP) Improvements

1.0 Scope of Work:

The following presents a detailed scope of work for the design of the Phase I Improvements to the Wastewater Treatment Plant in Asbury Park, New Jersey to address code and upgrades to improve performance and efficiency. The proposed improvements reflect recommendations that have been prepared by CDM Smith Inc. as part of the Draft Wastewater Treatment Plant (WWTP) Long-Term Recommendations Memorandum dated January 9, 2023.

The Long-Term Recommendations Memorandum recommended the following Phase I Improvements:

- ▣ Associated demolition and site work necessary for the improvements
- ▣ New mechanical screens and a building extension
- ▣ Gravity thickener upgrades and installation of a new gravity belt thickener
- ▣ New hypochlorite tanks, metering pumps and piping for disinfection
- ▣ A building extension on the roof of the WWTP building for a new electrical room, control room and offices
- ▣ Architectural improvements to the existing facilities including new showers, bathrooms, egress, and associated painting
- ▣ Heating and ventilation improvements to the WWTP building
- ▣ New electrical switchboard and motor control centers (MCCs) in the new electrical room
- ▣ Instrumentation and control upgrades to associated facilities

Project Approach/Objectives

CDM Smith Inc., hereinafter referred to as ENGINEER, in collaboration with the City of Asbury Park (OWNER) and New Jersey regulatory agencies, will:

- ▣ Prepare Contract Drawings and Specifications showing the scope, extent, and character of the work to be furnished and performed by the Contractor (under contract to the OWNER);
- ▣ Provide technical criteria, written descriptions and design data for use in filing applications for permits with or obtaining approvals from such governmental authorities having jurisdiction to review or approve the final design of the Project;
- ▣ Collect additional subsurface information as required to inform design;
- ▣ Provide the OWNER with the opinion of probable construction cost at approximately 30%, and 90% complete stages of the design;
- ▣ Prepare for review and approval by OWNER, its legal counsel and other advisors, contract agreement forms, general conditions, supplementary conditions, New Jersey Infrastructure Bank requirements, bid forms, invitation to bid, and instruction to bidders and assist in the preparation of other related documents;
- ▣ Provide three interim project submittals to OWNER. These submittals shall consist of five copies of Drawings and Specifications at approximately 10%, Basis of Design Report, 30% completion (Conceptual Design Report, vendor pre-selection recommendations, Conceptual Site Plan, Major Yard Piping, Hydraulic Profile, and preliminary Process and Instrumentation Drawings (P&IDs), Table of Contents, and 90% completion (advanced drawing set and draft technical specifications).



- ❑ The biddable construction documents (100% completion stage) will be submitted to New Jersey Department of Environmental Protection (NJDEP) for review and approval to advertise the project for bidding. ENGINEER will address NJDEP comments and provide final contract documents stamped and signed by an authorized representative of the ENGINEER holding current registration in the State of New Jersey.
- ❑ ENGINEER's services under the Design Phase will be considered complete at the earlier of (1) the date when the submittals have been accepted by the OWNER, or (2) sixty days after the date when such submittals are delivered to OWNER for final acceptance, plus in each case such additional time may be considered reasonable for obtaining approval of governmental authorities having jurisdiction to approve the portions of the Project designed or specified by ENGINEER, if such approval is to be obtained during the Design Phase.
- ❑ Bidding Phase services will commence at the completion of the Design Phase and will consist of assisting OWNER in the advertisement for bid, attendance at the pre-bid conference, responding to questions received during the bidding process, evaluating bids received, and preparing a recommendation to award.
- ❑ Expansion of the fire suppression system for the new electrical room, control room and offices to be installed on the building extension on the roof of the WWTP building.
- ❑ Improvements to the existing fire suppression system are being treated as an emergency repair and will be handled as a separate construction contract between Allied Fire and Safety the City. CDM Smith has been asked to assist and guide these emergency repairs and has included time for support in Task 8.

The ENGINEER will perform the following scope of services.

Task 1: Meetings, Workshops, and Project Management

- 1.1. ENGINEER will meet with the OWNER staff regularly throughout the project to present technical issues, solicit input, review project status, and review upcoming milestones. Weekly contact are anticipated during most phases of work. Meetings will occur on an as-needed basis in-person or via conference phone calls.
- 1.2. ENGINEER will periodically attend meetings with City staff to help keep the stakeholders informed of progress and answer questions about the project. This task assumes attendance at one City meeting in the early phase of project and up to three others at design milestones, for total of four in-person meetings. All other regular progress meetings will be held via conference phone calls. For the in-person briefings, ENGINEER will prepare a short presentation along with a 1- to 2-page handout.
- 1.3. ENGINEER will attend meetings with NJDEP and OWNER staff to review project status, to coordinate planning and funding issues, and to obtain review comments during the project. Two of these meetings are anticipated and will be held via conference phone calls.
- 1.4. ENGINEER will attend meetings with the public and key stakeholders, and OWNER staff, to review project status and build or maintain support for the project. One of these meetings are anticipated as a courtesy review by the Planning Board with no formal application required.
- 1.5. ENGINEER will provide overall project management and coordination of internal resources for the project as required. Project management and coordination will include internal meetings, schedule management and administrative functions, such as invoicing and progress reports. Additional tasks include:
 - ENGINEER will develop an initial baseline project schedule for review and comment by the OWNER. ENGINEER will incorporate OWNER comments and finalize the baseline project schedule.
 - ENGINEER will monitor project schedule throughout the project. The schedule will be reviewed at progress meetings with OWNER and revised if required.
 - ENGINEER will monitor budget and provide summaries of project expenditures versus work completed to the OWNER for review. ENGINEER will prepare monthly project invoices and progress reports and submit to the OWNER for review and approval.



- 1.6. ENGINEER will provide management and coordination of subcontractor resources for the project as required. This project will utilize one specialist subcontractors, GPRS, to perform laser scanning it will also include one subcontractor to perform geotechnical borings and one subcontractor to perform survey services.

Task 2: Conceptual Design Activities (10%)

ENGINEER will advance the recommendations presented in the Draft Recommendations Memorandum and prepare a Basis of Design Report (BODR) documenting final design influent flow and loads, design criteria for all unit processes, and conceptual design drawings including site plan, major yard piping layouts, hydraulic profile, and preliminary process and instrumentation drawings (P&IDs). The BODR will include a preliminary drawing list, and key technical data for pre-selected equipment.

- 2.1. Geotechnical Investigation and Design Recommendations: ENGINEER will conduct a subsurface boring program at the WWTP to determine the structural bearing capacity of existing soils, confirm the depth to bedrock (if existent) and better understand groundwater conditions to inform structural design of new plant facilities including flood measures. ENGINEER will develop site specific design recommendations to be used as the basis of structural design for the project. Specific activities include:
- Information Review: Review project information including available subsurface information, geotechnical reports, structural drawings, contract requirements, etc.
 - Subsurface Explorations: Prepare the necessary subcontract and health and safety plan (HASP), engage a drilling subcontractor, and conduct a subsurface explorations program consisting of 1 geotechnical boring.
 - ENGINEER will pre-mark the boring location on a plan. The borings will be located where they can be accessed with a truck-mounted drill rig. If the boring is located near an existing building or yard piping will be pre-cleared by vacuum excavation prior to drilling. The boring will be advanced to depths ranging from 30 to 50 feet. The boring will be advanced deeper if soft, loose, unsuitable fill, or organic soils are encountered at the target depths.
 - Standard Penetration Tests (SPTs) will be performed and split-spoon samples will be collected on a continuous basis for the top 10 feet and at 5-foot intervals thereafter.
 - Completed boring will be located on the survey to be prepared for the project.
 - ENGINEER will be on site full-time to coordinate the work, log the boring, and collect samples for geotechnical and environmental laboratory testing. One (1) day of field work has been included in this scope of services to complete the subsurface explorations.
 - Typed Boring Logs and Sample Review: ENGINEER will prepare typed boring logs and review soil samples against the soil descriptions on the boring logs to confirm that the soil samples have been accurately described.
 - Geotechnical Laboratory Testing: ENGINEER will perform geotechnical laboratory tests to evaluate the index and engineering properties of the samples collected from the borings. The laboratory testing program will be developed based on the nature of the samples collected.
 - Geotechnical Analyses: ENGINEER will perform geotechnical analyses to support the design and construction of the project.
 - Geotechnical Memorandum: ENGINEER will prepare a geotechnical memorandum presenting the results of the of the subsurface exploration, groundwater levels at the time of drilling, laboratory testing, plus geotechnical recommendations for the design and construction of the project.
- 2.2. Abatement Specifications for Hazardous Building Materials: ENGINEER will be responsible for the collection of samples for hazardous building materials at the WWTP. This work will be completed during preliminary design to confirm no hazardous materials exist. It is anticipated that there are not hazardous materials such as asbestos or lead-based paint; therefore, no costs are included in this scope of work for the preparation of technical specifications to facilitate the removal of these materials as part of building demolition and/or renovation. If it is later determined that abatement is required a separate proposal letter will be provided for this additional work. Sampling and laboratory analysis are included in this scope of work with no more than two days of sampling anticipated to take place.



- 2.3. Scanning of Existing Drawings to AutoCAD: ENGINEER will utilize a specialty company that will scan the existing record drawings of the WWTP and develop AutoCAD versions of the drawings. These will be used as the base drawings for development of applicable contract drawings for the design.
- 2.4. 3D Laser Scanning of Existing Facilities / Existing BIM Development: ENGINEER will use 3D laser scanning technology to develop an existing conditions BIM model of current conditions inside the pipe and pumping galleries to remain in the future configuration of the WWTP. This is intended to capture updates and changes that may have occurred since the last set of drawings was developed and thus catch things that may not appear on record drawings. Scans will be surveyed into the coordinate system of the overall site survey so that the whole design can be on a common coordinate system.
- 2.5. Finalize Flood Protection Elevations and Mitigation Approach: ENGINEER will advance the concepts presented in the draft Facilities Plan and finalize an approach for flood protection/mitigation that will be carried forward in the design. New buildings and structures as well as existing structures to be modified will be reviewed, and access for elevated entrances will be considered. Approaches will be reviewed with the OWNER prior to acceptance or finalization. It is understood that NJDEP will be issuing new rules pertaining to flood hazard protection; however, the finalization of these rules is unknown at this time. This scope of work is based upon elevating electrical equipment, where feasible, to a second story structure. The design of a flood wall or flood proofing of the existing building is not included in this scope of work.
- 2.6. Finalize Flows and Loads: ENGINEER will coordinate with OWNER staff and finalize influent flows and loads to be carried forward in the design based on results of equipment pre-selection and any applicable review comments from NJDEP.
- 2.7. Develop Hydraulic Profile: ENGINEER will refine the recent hydraulic profile developed as part of recent work based on the ultimate plant flow, final process selection, proposed flow split and inter-process conveyance. ENGINEER will confirm influent and effluent pumping requirements, including the assumed rise in sea level as required by NJDEP. ENGINEER will evaluate locations for influent and effluent flow measurement as well as measurement of flow bypassing secondary treatment. ENGINEER will prepare an updated hydraulic profile drawing, using Visual Hydraulics, for minimum, average, and peak-hour flow through secondary treatment as well as the flow split when secondary treatment is bypassed.
- 2.8. Basis of Design Report (BODR): ENGINEER will prepare a BODR to consolidate, summarize, and document the work described above which will serve as a benchmark for the design process. It is intended that all major decisions will have been made at this stage of design and will be documented in the BODR. The BODR will include:
 - A basic summary of the work items described above conceptual design.
 - Basic documentation of design influent flows and loads, and effluent criteria, design criteria used for each of the unit processes, and tank and unit process sizing.
 - Design criteria used by design disciplines including Architectural, Structural, HVAC, Plumbing, Fire Protection, Electrical, and Instrumentation and Controls.
 - A preliminary list of drawings.
 - Flow schematics for overall liquid treatment and solids treatment flow with pipe sizing and intended materials.
 - A preliminary discussion on Maintenance of Plant Operations (MOPO) during Construction.
 - A preliminary discussion on electrical needs and electrical distribution approach for the upgraded WWTP. Standby power will also be discussed.
 - Conceptual design of the building improvements.
 - A detailed description of permitting needs for the project.



Five paper copies of the draft BODR will be provided to the OWNER. The ENGINEER will meet with the OWNER to review the draft BODR. Written comments on the draft BODR provided by the OWNER will be incorporated into a final BODR to be prepared by the ENGINEER. Five paper copies of the final BODR will be provided to the OWNER.

Task 3: Preliminary Design Activities (30%)

- 3.1. Finalize Hydraulic Profile: ENGINEER will build on the previous phases of work and incorporate the process-specific and manufacturer-specific head losses of equipment, pipe sizes and other plant features identified to this point. Process flows and inter-process conveyance will be fully defined at this stage.

ENGINEER will utilize Visual Hydraulics software and spreadsheet-based calculations to assess the head loss in each pipeline and unit treatment process for proposed conditions at the WWTP, using the respective minimum, average, and peak-hour flow through secondary treatment as well as the flow split when secondary treatment is bypassed in wet weather. These calculations will lead to the development of a final hydraulic profile at the facility that will inform the remainder of the design.

- 3.2. Process Design Memoranda: ENGINEER will document design intent with Process Design Memoranda. Design Memoranda typically include details on layout constraints, typical manufacturers, desired options for equipment, and design details such as weights, dimensions, horsepower, capacity, SCADA functionality and water and chemical needs. Manufacturer catalog cuts and product data sheets are typically attached, and these memoranda serve to document the design intent for various systems for future reference and for other members of the design team.
- 3.3. Selected Preliminary Drawings: ENGINEER will prepare selected preliminary (30%) drawings for printing at this stage. It is anticipated that approximately 55 drawings will be developed for this deliverable, and these will include:
- Cover Sheet and Index Sheets
 - General Notes and Symbols Sheets
 - Design Criteria Sheets
 - Flow Schematic Sheets (Liquid and Solids)
 - Hydraulic Profile Sheets
 - Process Mechanical Sheets for each major process area including demolition and new work sheets (plan views only)
 - Process & Instrumentation Diagrams (P&IDs) for each major process
 - Selected major Structural Sheets and Standard Details
 - Selected major Architectural Sheets
 - Electrical One Line Diagram
 - SCADA Architecture Diagram
- 3.4. Specifications Table of Contents: ENGINEER will prepare a Table of Contents for the project technical specifications. All anticipated Sections from each major discipline will be included. Major appendices will also be listed, although it is understood this overall list of specifications and appendices may need to be updated or edited as the design progresses to completion.
- 3.5. Cost Estimating (30%): ENGINEER will prepare an AACE Class 3 Opinion of Probable Construction Cost (OPCC) based on the work described in this Preliminary Design phase of the project. ENGINEER will review the 30% level OPCC with OWNER.
- 3.6. 30% Design Review: The ENGINEER will provide five (5) hard copies of the 30% design documents to the OWNER. The ENGINEER will meet with the OWNER to review the 30% design documents. Written comments on the 30% design documents provided by the OWNER will be incorporated into the 60% design documents to be prepared under Task 4.



Task 4: Final (90% and 100%) Design Activities

The 90% design will further advance the 30% design drawings from Preliminary Design and incorporate OWNER written comments from the 30% design submittal.

The 90% design submittal will also include draft technical specifications for major equipment and systems using the Construction Specification Institute (CSI) 50 Division Master Specification format.

Design drawings will include architectural design of all building improvements and additions, structural design of all new foundations, buildings, process tanks, channels, equipment pads, steel framing, HVAC in buildings and galleries, plumbing including sump pumps, wash sinks, floor drains, roof drains and fire protection, new instrumentation and control system for the facility, and new electrical system including new MCCs to support all new equipment and facilities in a second story structure on the WWTP building. Applicable codes and standards will be followed for each design discipline.

The 90% submittal will include the complete final draft set of construction drawings and final project manual including bidding documents, general requirements, and technical specifications for all divisions. This submittal will not be signed and sealed by a license Professional Engineer but will be submitted to NJDEP for their review and comment.

Final Bid Ready Documents (100%) will be prepared based on NJDEP comments on the previous unstamped 90% design submittal. This 100% submittal will include biddable construction documents and will be stamped and signed by a Professional Engineer holding current registration in the State of New Jersey.

The following specific activities are to be included in the Final Design phase of work:

- 4.1. General Sheet Design and Drafting: ENGINEER will prepare the General Sheets which is anticipated to include the Cover, Index Sheets, General Notes and Legend, Materials of Construction, Design Criteria Sheets, Flow Schematics, and Hydraulic Profile.
- 4.2. Site / Civil Design and Drafting: ENGINEER will prepare the design and drawings consistent with the Phase I recommendations. Approximately two drawings are anticipated for final design.
- 4.3. Screening: ENGINEER will design mechanical screens consistent with the Phase I recommendations. Screens will be 0.25-inch center flow screens to replace the comminutor channel and a smaller one in the bypass channel. Plant water will be provided for unit wash down. Approximately 8 drawings are anticipated for final design.
- 4.4. Hypochlorite System: ENGINEER will design new storage tanks, metering pumps and piping for disinfection to replace the existing systems as included in the Phase I recommendations. Approximately 4 drawings are anticipated for final design.
- 4.5. Solids Processing (Gravity Thickener Upgrades and New Gravity Belt Thickener): ENGINEER will design upgrades to the existing gravity thickeners and a new gravity belt thickener consistent with the Phase I recommendations. Approximately 5 drawings are anticipated for final design.
- 4.6. Division 00 and 01 Technical Specifications: ENGINEER will prepare technical specifications for Divisions 00 and 01, including bidding documents, general requirements, and the standard CSI Division 01 Sections.
- 4.7. Technical Specifications: ENGINEER will prepare technical specifications for all systems and features on the project, including (Mechanical Screens, Gravity Thickener Components, Gravity Belt Thickener, and New Generator) to let prospective bidders know what will be acceptable for these items. All design functions will be represented in the Technical Specifications.
- 4.8. Process Mechanical Modeling and Clash Detection: ENGINEER will prepare drawings for all process areas of the WWTP. These sheets will include general process notes and symbology, demolition plans and sections, new work plans and sections, and detail sheets for all process areas as applicable. Plans will show instrument locations and use common naming and numbering with the P&ID sheets to minimize confusion in automation/PLC programming



ENGINEER will also hold internal meetings at regular intervals with the design engineers and drafters/modelers to methodically review new and upgraded facilities for physical conflicts among/between the disciplines. These "Clashes" (such as an HVAC duct blocking process air piping) are resolvable conflicts that would pose challenges during construction but are difficult to realize as each design function is progressing simultaneously. Conflicts will be identified and resolved on an ongoing basis throughout final design.

- 4.9. Structural Design and Building Information Model (BIM) Coordination: ENGINEER will design new structures and design modification of existing structures to implement the recommendations of the draft Long-Term Recommendations Memorandum. This task includes modifying and hardening the existing pipe and pumping galleries to remain in service to protect them from the new flood elevation for critical equipment. Structural engineers will work with all other design functions to complete the design. Approximately 11 structural drawings are anticipated for final design.
- 4.10. Architectural Design: ENGINEER will design modifications to existing structures and building additions to implement Phase I Improvements of the draft Long-Term Recommendations Memorandum. This includes the building extension on the roof for the electrical room, control room and offices as well as improvements to the existing facilities for new showers, bathrooms and miscellaneous painting.

ENGINEER will coordinate with other all other design functions such that building spaces are practical, efficient, useful, and meet the needs of the OWNER. Approximately 16 architectural drawings are anticipated for final design.

- 4.11. Electrical Design: ENGINEER will design new electrical features in support of the new equipment and building additions, or to modify the existing structures to implement the recommendations of the Recommendation Memo. Electrical engineers will work with all other design functions to complete the design in coordination with the Authority Having Jurisdiction (AHJ) (fire marshal). Due to the nature of the potentially explosive environments that can be generated in wastewater treatment plants, strict adherence to NFPA 820 standards in terms of materials of construction and types of electrical enclosures, motors and other equipment will be required. Approximately 51 electrical drawings are anticipated for final design.

Standby power will utilize the existing whole-plant generator and is assumed to be adequate for future uses. The design of a new standby generator is not included in this scope of services.

New electrical features will be protected from flooding to the new flood elevation for critical equipment by relocation to a second story above the WWTP building.

- 4.12. Plumbing Design: ENGINEER will design new plumbing features in support of the new buildings and structures, or to modify the existing structures to implement the Phase I recommendations. Plumbing engineers will work with all other design functions to complete the design. Approximately 1 plumbing drawing is anticipated for final design.
- 4.13. Fire Protection Design: ENGINEER will design new fire protection features in support of the new buildings and structures, or to modify the existing structures to implement the Phase I recommendations. Fire protection engineers will work with all other design functions to complete the design in coordination with the Authority Having Jurisdiction (AHJ) (fire marshal). Approximately two (2) fire protection drawings are anticipated for final design.
- 4.14. HVAC Design: ENGINEER will design new HVAC features in support of the new buildings and structures, or to modify the existing structures to implement the Phase I Improvements of the draft Long-Term Recommendations Memorandum. During a preliminary evaluation, the ENGINEER noted that the wastewater treatment facility, which is fully enclosed, did not have proper separation of spaces. Due to the nature of the potentially explosive environments that can be generated in WWTPs, strict adherence to NFPA 820 standards in terms of materials of construction and air changes per hour in various spaces will be required. Until an evaluation can be completed on the potential to isolate spaces with construction of new walls, a full HVAC design estimate cannot be provided. Instead, the ENGINEER has included an allowance to be used to complete an evaluation of spaces that will need to be ventilated and the number of air changes needed for each space. Upon completion of that evaluation, the ENGINEER will provide an approximation on the number of HVAC drawings anticipated for final design. Preliminarily, 750 hours has been included for HVAC design as a design allowance.



- 4.15. Automation: ENGINEER will design new Instrumentation and Control (I&C) features in support of the new equipment and processes, or to modify the existing systems to implement the Phase I recommendations. ENGINEER will coordinate with OWNER to specify hardware and software consistent with OWNER standards. Automation engineers will work with other functions such as process mechanical, electrical and HVAC to complete the design current with modern industry automation standards. Approximately 15 automation drawings and P&IDs are anticipated for final design.
- 4.16. MOPO Design: ENGINEER's process mechanical, structural, civil, electrical and instrumentation designers will develop a sequence of construction for the upgraded WWTP whereby the old facility (or parts of the old facility) can continue to function and meet the effluent quality limits of the NPDES permit while new facilities are being constructed. This is anticipated to be a project that will require a complex and detailed plan for Maintenance of Plant Operation (MOPO) during construction.

ENGINEER will develop a sequence of construction for review with the OWNER and their operations staff. Changes or additions resulting from OWNER comments will be incorporated into the design.

Ultimately, the MOPO design will lay out a feasible sequence of construction for the Contractor to follow that will keep the old plant running (and meeting permit) during the upgrade.

- 4.17. Cost Estimating (90%): ENGINEER will prepare an AACE Class 2 Opinion of Probable Construction Cost (OPCC) based on the work described in this Final Design phase of the project up to the 90% complete stage. This OPCC will update and replace the OPCC prepared at the 30% Design phase. ENGINEER will review the 90% level OPCC with OWNER.
- 4.18. 90% Design Review: The ENGINEER will provide five (5) hard copies of the 90% design documents to the OWNER. The ENGINEER will meet with the OWNER to review the 90% design documents. Written comments on the 90% design documents provided by the OWNER will be incorporated into the 100% design documents to be prepared under Task 4.

Task 5: NJDEP/NJ I-Bank Funding Assistance Services

ENGINEER will assist with determining the appropriate level of environmental planning required by the NJDEP/ New Jersey Infrastructure Bank (NJIB) funding program. Based on the nature of the proposed activities which includes wastewater treatment plant upgrades, all of which are assumed to be indoor, ENGINEER has assumed that a Level 1 environmental review is appropriate for this project. However, the ultimate determination will be by the agency. Following the preparation and submission of the environmental planning document, the ENGINEER will monitor the progress of the environmental planning document to completion, including revisions as required by NJDEP and other regulatory agencies. The environmental review must be completed so that the NJDEP can issue its Environmental Decision Document (EDD) which is one of the items that must be in-place prior to moving onto the loan application phase and obtaining an Authorization to Advertise the project.

Based on our evaluation of this project, a Level I environmental review is appropriate for the City's wastewater treatment plant upgrades for the following reasons:

- ☐ There will be no increase in wastewater treatment capacity as a result of this project.
- ☐ This project is not expected to have a permanent adverse or a significant temporary adverse effect on the human environment.
- ☐ Wastewater upgrades are not expected to have permanent adverse or significant temporary adverse direct or indirect impact on cultural resources, endangered or threatened species or designated habitats, wetlands, vernal habitats, floodplains, important farmlands or other environmentally critical areas.
- ☐ The user cost for this project is not expected to significantly exceed 1.75 percent of the median annual household income.
- ☐ This project is not expected to result in significant adverse public comment.

The OWNER can designate the ENGINEER to be collaborators on the city's H2Loans project account, if so desired, whereby ENGINEER would be able to upload documentation. Following the completion of the environmental review phase, ENGINEER will prepare a full loan application on behalf of the OWNER and submit plans, specifications, estimates, schedules and permits, as necessary. ENGINEER will address comments by the NJDEP throughout the project loan application review phase



and will monitor the progress of the NJIB application process to completion and will attend up to two (2) conference calls with NJIB. It is noted that engineering design support and permit application support will be provided under other tasks.

The OWNER will retain other professionals to assist with other loan services including but not limited to bond counsel, attorney representation, and financial accounting.

Currently, NJIB financing begins as a short-term loan for a period of three (3) full fiscal years, or when 30 percent of construction is complete, then that loan is converted to a long-term (up to 30 years) loan. The fiscal year starts July 1st of each year. The OWNER will submit its short-term loan financial addendum form (STFAF) with the assistance of its bond counsel and will provide an executed Engineering Design Contract. These items along with a project description determine funding eligibility and early capital to fund the project can be initiated.

As needed, asset management assistance to the OWNER can be provided as an additional professional service. In addition, due to the NJDEP/NJIB funding requirements, cultural resources services are assumed to not be necessary for this project. However, should the agency require that cultural resources be addressed, ENGINEER can provide cultural resources services as an additional service.

5.1 NJDEP Permit Assistance Services

Based on our extensive environmental permitting experience, our team has evaluated which local and state permits and approvals are required for the work as a starting point. However, the actual permits to be applied for may change depending on final design decisions. The following sections describe each anticipated permit in further detail, why it is needed for this project and currently assumes all new work is confined to indoor activity, and our team's approach and proposed scope of services for each permit application. If any assistance to comply with NJDEP's environmental justice (EJ) rule will become necessary, a separate scope and budget for EJ assistance can be provided for authorization.

5.2 NJDEP Division of Water Quality – Treatment Works Approval (TWA)

OWNER's Asbury Park WTP, located at 1701 Ocean Avenue, Asbury Park, NJ 07712, has a current NJDEP-DWQ NJPDES permit #NJ0025241, PI# 46081, for effluent discharge and sludge quality assurance. ENGINEER will prepare a new Treatment Works Approval (TWA) application and engineering support documentation for the new WTP process upgrades. ENGINEER, on behalf of the OWNER, will prepare an application to obtain a NJPDES TWA for the OWNER's signature. The TWA application package will include the permit checklist, application form, Form-R application form, public notifications, endorsement form, mapping, engineer's report, and signed and sealed plans and specifications. In addition, ENGINEER will calculate the application fee. Costs for the application fee have not been included in our proposal and will be paid by the OWNER. On behalf of the OWNER, ENGINEER will submit the completed TWA permit application package to the NJDEP and provide one e-file copy to the city. Following the application submission, ENGINEER will monitor the progress of the NJDEP's TWA review to completion. This task also includes preparing responses to one set of NJDEP technical review comments.

5.3 NJDEP Division of Air Quality – Subchapter 8 Pre-construction Permit (PCP) for Scrubbers

For the modification or upgrade of the WWTP scrubbers, ENGINEER will include calculation of emission limits, SOTA analysis, and preparation of a Subchapter 8 Preconstruction permit application using the NJDEP's RADIUS computer software and submit this application via NJDEP's online portal. The responsible official from Asbury Park will certify the permit applications through NJDEP Online (www.NJDEPonline.com) to complete the permit application submittal process. The draft permit application package will be prepared and submitted to the OWNER for review and comment. ENGINEER will respond to one round of comments, revise the draft permit application package, and submit the final application to NJDEP.

ENGINEER will calculate the permit application fees. Permit application fees have not been included in our proposal and will be paid for by the OWNER.

A Subchapter 8 PCP issued by NJDEP will cover the construction of the equipment, as well as equipment operating, monitoring, and reporting requirements. It is noted that NJDEP Subchapter 8 PCPs can only be issued to facilities that are not major sources of emissions (not a Title V facility) which is assumed for this task.



5.5 NJDEP Division of Air Quality – Subchapter 8 Pre-Construction Permit (PCP) for WWTP Ventilation System

For the modification or upgrade of the WWTP ventilation system, ENGINEER will include calculation of emission limits, SOTA analysis, and preparation of a Subchapter 8 Preconstruction permit application using the NJDEP's RADIUS computer software and submit this application via NJDEP's online portal. The responsible official from Asbury Park will certify the permit applications through NJDEP Online (www.NJDEPonline.com) to complete the permit application submittal process. The draft permit application package will be prepared and submitted to the ONWER for review and comment. ENGINEER will respond to one round of comments, revise the draft permit application package, and submit the final application to NJDEP.

ENGINEER will calculate the permit application fees. Permit application fees have not been included in our proposal and will be paid for by the OWNER.

A Subchapter 8 PCP issued by NJDEP will cover the construction of the equipment, as well as equipment operating, monitoring, and reporting requirements. It is noted that NJDEP Subchapter 8 PCPs can only be issued to facilities that are not major sources of emissions (not a Title V facility) which is assumed for this task.

5.6 NJDEP Division of Air Quality – General Air Permit and New Jersey Department of Labor, Bureau of Boiler and Pressure Vessel Compliance

For the new boilers, and based on their size, currently it is anticipated that a NJDEP-AQPP General Permit (GP-017A) For Boiler(s) and/or Heater(s) Each Less Than 5 MMBTU/hour will be necessary. In addition, NJ Department of Labor Bureau of Boiler and Pressure Vessel registration will be necessary. For these boilers, any pressure vessel larger than 6 inches in diameter and at a pressure of more than 15 psig must be inspected and registered with the New Jersey Department of Labor.

ENGINEER's specifications for this project will include this air permit and pressure vessel registration as a responsibility of the construction contractor who will be providing the actual boiler equipment.

The permit application fee will be paid by the OWNER.

5.7 NJDEP Division of Air Quality – Emergency Generator General Air Permit

It is assumed that the City prepared an updated air permit for the roof top generator under its prior project and a new permit is not required.

5.8 NJDEP Division of Water Supply & Geoscience – Physical Connection Backflow Preventor Permitting

Plumbing cross connections are actual or potential connections between a potable and non-potable or unapproved water supply and constitute a significant public health hazard and are controlled by the use of backflow prevention valves. It is expected that there will be one or more cross connections associated with this project and preparation and submittal of an initial physical connection permit application will be necessary. For new plumbing cross connection(s), ENGINEER will prepare and submit cross connection permit application to the NJDEP Bureau of Water System Engineering (BWSE) for Asbury Park's signature. The permit application fee will be paid by the OWNER.

The required testing and inspections of all backflow preventor(s) will be performed by the OWNER or the contractor outside of this scope of services.

5.9 New Jersey Office of the State Comptroller (NJ OSC) – Pre-Advertisement Approval and Post-Award Notification

In accordance with N.J.S.A 52:15C-10, contracting units must notify NJ OSC as early as practicable, but no later than 30 days before public advertisement, of any negotiation or solicitation of a contract that may exceed \$12.5 million. Approval of the contracting documents must be issued by NJ OSC prior to bidding. ENGINEER will complete and submit the required form and applicable contract documents to NJ OSC for agency review and approval.

In addition, contracting units must provide post-award notification for any contract for an amount exceeding \$2.5 million within 20 days of the award. ENGINEER will complete and submit the form and applicable contract award documents to NJ OSC.



Task 6: Quality Management

ENGINEER's project team will be comprised of technical staff with key competencies aligned with this project scope. ENGINEER will follow internal quality management protocols to monitor quality on this project. Specifically, ENGINEER will conduct the following Quality Assurance/Quality Control (QA/QC) activities:

- 6.1. Project Quality Management (PQM) Workshop: ENGINEER will hold a PQM workshop at the kickoff of the project. The PQM workshop will be utilized to develop a high level of understanding, alignment, and commitment among stakeholders for the project's successful completion. The PQM meeting will be designed to achieve three primary outcomes. First will be a clear understanding by all involved of the purpose, objectives, and expectations for the project. Second will be a consensus of project stakeholders about the most important factors necessary for a successful design. Third will be an action plan of assignments and schedules to meet the project objectives. We anticipate that ENGINEER and OWNER may attend the PQM.
- 6.2. Focused Senior Reviews: ENGINEER will engage senior experts at regular intervals to perform a focused internal technical review of the ongoing design work. These reviews will be aimed at confirming that an appropriate technical approach is being taken in each area of design, and consider cost, reliability, industry standards and our own track record with various approaches, equipment, and strategies.
- 6.3. Quality Control Reviews (TRC at 10% and 30%): ENGINEER will conduct a Technical Review Committee (TRC) meeting at the 10% and 30% complete milestones. The purpose of the TRC meeting is for an independent panel of the ENGINEER's senior technical staff to scrutinize the project as a whole and provide recommendations for technical improvements, ideas for cost reduction and to verify that the overall project concepts are sound. TRC meetings are broader in scope, and different from the Focused Senior Reviews described above as they look at the whole project as a set of interlocking parts, and do not perform a detailed review of a given part.

Task 7: Bidding Services (3 Months)

After acceptance by OWNER and NJDEP of the ENGINEER's Drawings, Specifications and other Design Phase documentation, and upon written authorization to proceed, ENGINEER will:

- 7.1. Document Distribution and Printing: ENGINEER will prepare complete electronic (PDF format) sets of final stamped Drawings and Technical Specifications for bidding the project.

ENGINEER will prepare paper copies of bid documents for ENGINEER's internal use and shall prepare five copies of bid documents for advance distribution to the OWNER.

ENGINEER will coordinate with the OWNER and a third-party print shop to host electronic document distribution, keep records of plan holders, and print and ship paper copies of plans and specifications to interested parties.

- 7.2. Advertisement and Bid Management (2-month bid period): ENGINEER will assist the OWNER in advertising for and obtaining bids for the contract for construction of the project. ENGINEER will compose a draft bid advertisement for review by the OWNER and the OWNER will advertise the project with appropriate local and regional publications.

ENGINEER will coordinate with the selected third-party print shop to monitor document distribution, the bidders list and related matters.

- 7.3. Pre-Bid Conference: ENGINEER will prepare an agenda with a detailed project summary and key constraints for use in one (1) pre-bid conference. ENGINEER will also prepare and manage a sign in sheet at the conferences. After the conferences, ENGINEER will produce a list of questions and answers to be included in one of the project Addenda.
- 7.4. Addenda: ENGINEER will prepare up to two (2) Addenda for the project to answer bidder questions and amend the Contract Drawings and Specifications where appropriate during the bidding process. ENGINEER has assumed that the OWNER will be the point of contact for all questions from prospective bidders during the bidding phase. The OWNER will address all bidding and procedural questions and forward answers and written technical questions to ENGINEER as needed. ENGINEER will submit written answers to technical questions to the OWNER in the form of Addenda within



seven (7) days of receipt. Addenda will be prepared by ENGINEER, reviewed by the OWNER, and distributed by the selected third-party print shop to those plan holders officially registered with the print shop on their plan holder list.

- 7.5. Bid Review and Recommendation: ENGINEER will attend the bid opening, prepare bid tabulation sheets, and assist OWNER in evaluating bids and in assembling and awarding contracts for construction.

The Bidding Phase will terminate and the Services to be performed or furnished thereunder will be considered complete upon commencement of the Construction Phase or upon cessation of the negotiations with prospective Contractors.

Task 8: Assistance with Emergency WWTP Construction

ENGINEER will assist the Owner with two emergency repair contracts which are scheduled at the wastewater treatment plant. The first contract is between the City of Asbury Park and GMH Associates of American Inc. and related to repairs to the gravity thickeners and associated site work to perform those repairs. The second contract is related to replacement of the existing fire suppression system.

There will be no design or bidding phase for this work.

ENGINEER will review shop drawings for mechanical, structural, electrical and fire suppression system components submitted from each contractor and review on behalf of the OWNER.

ENGINEER will provide technical assistance to the contractors in the field with three (3) site visits included in the cost.

2.0 Schedule:

ENGINEER will prepare and deliver bid ready contract drawings and specifications for the Phase I Improvements to the Asbury Park WWTP within Eighteen (18) months of authorization to proceed.

Bidding services will be provided following authorization to bid the project by the NJDEP and are anticipated over a three (3) month total duration.

3.0 Budget:

ENGINEER agrees to perform the above scope of work for an upper limit of \$2,270,000 and as broken down in Table 1 below. ENGINEER shall bill monthly based on the actual work completed in accordance with the Schedule of Hourly rates provided under the Special Project Engineer agreement and including use of outside professionals, other direct costs (ODCs) and staffing from other CDM Smith affiliated companies.

Component	Task Number	Hours	Sub-Consultant Costs	Total Cost
Design	1, 2, 3, 4, and 6	12,900	\$75,000	\$2,055,000
Permitting	5	652	\$0	\$100,100
Bidding	7	300	\$0	\$45,700
Assistance with Emergency WWTP Construction	8	306	\$0	\$69,200

The ENGINEER's scope of services will be governed by the Special Project Engineer Agreement between the ENGINEER and OWNER dated January 1, 2023.



Individual Resolutions
Meeting of the Municipal Council
Wednesday, October 25, 2023
RESOLUTION SUMMARY

2023-494

Resolution authorizing the amendment of a contract with Air System Maintenance to include \$12,448 for two VFD's (Variable Frequency Drives) for the new chilled water pumps at the Municipal Building. Resolution #2023-343 was approved for \$29,267.00. The new total cost is \$41,715.00 utilizing ARP funds.



RESOLUTION NO. 2023-494

**City of Asbury Park
County of Monmouth
State of New Jersey**

RESOLUTION AMENDING A CONTRACT WITH AIR SYSTEM MAINTENANCE FOR THE INSTALLATION OF TWO VFD'S FOR THE NEW CHILLED WATER PUMPS AT THE MUNICIPAL BUILDING

WHEREAS, the City of Asbury Park adopted Resolution #2023-343 on June 29, 2023 awarding a contract to Air System Maintenance authorizing the replacement of two chilled water pumps at the Municipal Building totaling \$29,267.00; and

WHEREAS, the City of Asbury Park received an additional quote from Air System Maintenance to include the installation of two Variable Frequency Drives (VFD) increasing the price of the project an additional \$12,448.00 for a grand total of \$41,715.00; and

WHEREAS, the City Manager is hereby authorized to sign any and all contracts and paperwork associated with this project; and

WHEREAS, the Chief Financial Officer has certified that funds are available in the following account G-02-43-956-022-206. The maximum dollar value of the pending contract is as set forth in the resolution.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the City of Asbury Park (the "City"), in the County of Monmouth, State of New Jersey authorize the amendment of a contract with Air System Maintenance in the additional amount of \$12,448.00 to include the installation of two VFD's and a copy of this Resolution shall be provided to the City Manager, CFO, Director of Capital Projects & Public Facilities and Purchasing Agent.

I, LISA ESPOSITO, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of RESOLUTION NO. 2023-494 which was finally adopted by the City Council at a meeting held on the 25th day of October, 2023

CERTIFIED BY ME THIS 26th DAY OF October, 2023.

LISA ESPOSITO
CITY CLERK



Air Systems Maintenance

718 Jefferson Ave
Kenilworth, N.J. 07033
Phone - 908.241.1555
Fax - 908.241.8111

Proposal

Proposal No: 23 8336
Date: October 11, 2023

<u>Proposal Submitted To:</u>		<u>Work to be Performed at:</u>	
Bill To:	Asbury Park Municipal	Location:	Same
Address:	1 Municipal Plaza	Address:	
City/State:	Asbury Park NJ 07712	City/State:	
Attention:	Robert B.	Contact:	
Phone Number:		Phone Number:	
Fax Number:		Fax Number:	<----

Salesperson	Email Address	Project
Mark R.	Mredding@airsystemsmaintenance.com	Chilled Water Pumps VFD's Install

We Hereby Propose to Furnish Materials and Labor for the Following:

The Installation of (2) 5 HP Variable Frequency Drives For (2) New Chilled Water Pumps at Listed Site.
Mount Both VFD's Behind New Pumps on Wall Using Unistrut and Anchors.
Wire Both VFD's Into Existing High Voltage Supply Lines.
Program and Start Both VFD's Upon Pump Replacement Completion.
VFD's are ABB Brand Rated For 480 Volts 3 Phase 5 Horsepower.

All Work To Be Done During Normal Working Hours Mon-Friday 7:00 a.m. - 3:30 p.m.

Price Expires in 30 days

Total.....

\$12,448.00

<u>Proposal Includes:</u>	<u>Acceptance of Proposal:</u>
All material guaranteed as specified and the above work performed in accordance with the drawings and specifications submitted for the sum not to exceed :\$ 12,448.00	The above prices, specifications and conditions are satisfactory and hereby accepted. Your are authorized to complete this contract as specified. Payment will be made as outlined.

Mark Redding Mark Redding, Project Manager	Signature: _____ Print Name: _____ Date Of Acceptance: _____
Date: October 11, 2023	

Attachment: VFD QUOTES (2023-494 : Amending a contract with Air System Maintenance for the installation of VFD's)



Asbury Park
1 Municipal Plaza
Asbury Park NJ 07712

October 12, 2023

RE: Installation of 2 Variable Frequency Drives for New Chilled Water Pumps

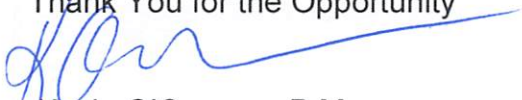
We are pleased to submit our quotation for the installation of (2) Variable Frequency Drives at the listed building address.

Included is as follows:

Provide and install (2) ABB VFD's 5 Horsepower 460 vac
Provide and install all necessary supports, hangers, conduits and wiring.
Provide all necessary VFD programming and startup of pumps.
Check operation of VFD's at startup.
Provide warranty on parts and labor for a period of (1) year from installation date.

This work will be in the amount of..... \$ 14,867.00

Thank You for the Opportunity



Kevin O'Connor P.M.

Air Conditioning - Heating - Refrigeration - Controls - Boilers - Energy Management
NJ License: 13VH003996300 - New Castle County. DE License: UT2700

Attachment: VFD QUOTES (2023-494 : Amending a contract with Air System Maintenance for the installation of VFD's)

Pg 1

PUBLIC MAINTENANCE
9 MAIN STREET
ASBURY PARK, NJ 07712

23-01952

ORDER DATE: 07/03/23
REQUISITION NO: U-002300
DELIVERY DATE:
STATE CONTRACT:
F.O.B. TERMS:

VENDOR #: AIRSYS

AIR SYSTEMS MAINTENANCE, INC.
718 JEFFERSON AVENUE
KENILWORTH, NJ 07033

QTY/UNIT	DESCRIPTION	ACCOUNT NO.	UNIT PRICE	TOTAL COST
1.00	REPLACEMENT CHILLED WATER PUMP RESOLUTION #2023-343	G-02-43-956-022-206 ARP Funding	29,267.0000	29,267.00
			TOTAL	29,267.00



Attachment: VFD QUOTES (2023-494 : Amending a contract with Air System Maintenance for the installation of VFD's)



Individual Resolutions
Meeting of the Municipal Council
Wednesday, October 25, 2023
RESOLUTION SUMMARY

2023-495

Rescinding Resolution 2023-432, Awarding a Contract to Millenium Communications Group for Security Cameras in Various Locations within Asbury Park



RESOLUTION NO. 2023-495

**City of Asbury Park
County of Monmouth
State of New Jersey**

RESOLUTION RESCINDING RESOLUTION 2023-432, AWARDING A CONTRACT TO MILLENIUM COMMUNICATIONS GROUP FOR SECURITY CAMERAS IN VARIOUS LOCATIONS WITHIN ASBURY PARK

WHEREAS, on September 13, 2023 the City of Asbury Park City Council Approved Resolution 2023-432 Awarding a Contract to Millenium Communications Group for Security Cameras in Various Locations within Asbury Park; and

WHEREAS, the City is rescinding Resolution 2023-432 for Millenium Communications due to another budget line item was used for the purchase; and

NOW THEREFORE, BE IT RESOLVED, by the City Council of Asbury Park, County of Monmouth, State of New Jersey that the Mayor and City Council rescinds resolution #2023-432 Awarding a Contract to Millenium Communications Group for Security Cameras in Various Locations within Asbury Park.

I, LISA ESPOSITO, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of RESOLUTION NO. 2023-495 which was finally adopted by the City Council at a meeting held on the 25th day of October, 2023

CERTIFIED BY ME THIS 26th DAY OF October, 2023.

LISA ESPOSITO
CITY CLERK



Individual Resolutions
Meeting of the Municipal Council
Wednesday, October 25, 2023
RESOLUTION SUMMARY

2023-496

Resolution of Support for a NJDOT Safe Routes to School Grant to implement traffic calming along school routes around the Asbury Park Middle School.



RESOLUTION NO. 2023-496

**City of Asbury Park
County of Monmouth
State of New Jersey**

RESOLUTION OF SUPPORT AUTHORIZING A NEW JERSEY DEPARTMENT OF TRANSPORTATION SAFE ROUTES TO SCHOOL PROGRAM GRANT APPLICATION

WHEREAS, The City of Asbury Park is applying for funding to install traffic calming measures and traffic signal improvements along the school route for the Asbury Park Middle School within the City of Asbury Park; and

WHEREAS, the project will help to continue and improve the promotion and encouragement of pedestrian and bicycle access and safety for school children and residents; and

WHEREAS, maintenance of the facilities, once constructed, will be assumed by The City of Asbury Park;

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of The City of Asbury Park, in the County of Monmouth and State of New Jersey, that the Mayor and City Council hereby supports the submission of a grant application for the Safe Routes to School Program within the State of New Jersey Department of Transportation and authorizes the City Manager to execute any and all documents necessary and related to the submission of said grant application or grant agreement.

I, LISA ESPOSITO, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of RESOLUTION NO. 2023-496 which was finally adopted by the City Council at a meeting held on the 25th day of October, 2023

CERTIFIED BY ME THIS 26th DAY OF October, 2023.

LISA ESPOSITO
CITY CLERK



Individual Resolutions
Meeting of the Municipal Council
Wednesday, October 25, 2023
RESOLUTION SUMMARY

2023-497

Fourth Amendment of the SDA with AP Block 4001 Venture Urban Renewal, LLC to extend the outside approvals date with the development of property located at Block 4001, Lots 2-15



RESOLUTION NO. 2023-497

**City of Asbury Park
County of Monmouth
State of New Jersey**

RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF ASBURY PARK TO ENTER INTO A FOURTH AMENDMENT OF THE SUBSEQUENT DEVELOPER AGREEMENT WITH AP BLOCK 4001 VENTURE URBAN RENEWAL, LLC TO EXTEND THE OUTSIDE APPROVALS DATE IN CONNECTION WITH THE DEVELOPMENT OF PROPERTY LOCATED AT BLOCK 4001, LOTS 2-15 (CURRENTLY BLOCK 4001, LOTS 2.01, 2.02 AND 2.03)

WHEREAS, the *New Jersey Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq.* (the “**Act**”) authorizes municipalities to determine whether certain parcels of land in the municipality constitute areas in need of redevelopment; and

WHEREAS, the Act confers certain contract, planning and financial powers upon a redevelopment entity, as defined at Section 3 of the Act, in order to implement redevelopment plans adopted pursuant thereto; and

WHEREAS, the City has elected to exercise these redevelopment entity powers directly, as permitted by Section 4 of the Act; and

WHEREAS, on June 5, 2002, the City adopted the “Asbury Park Waterfront Redevelopment Plan (Plan IV)” (as amended and supplemented from time to time, the “**Redevelopment Plan**”, a copy of which is on file with the City Clerk) with respect to the “Asbury Park Waterfront Redevelopment Area,” as defined in the Redevelopment Plan (the “**Redevelopment Area**”); and

WHEREAS, pursuant to the Act, including Section 8 thereof (*N.J.S.A. 40A:12A-8*), a municipality is permitted to contract with a redeveloper to develop redevelopment projects pursuant to a redevelopment plan within an area in need of redevelopment, as all such terms are defined in the Act; and

WHEREAS, the City and Asbury Partners, LLC (the “**Master Developer**”) entered into that certain “Amended and Restated Redeveloper and Land Disposition Agreement” dated October 28, 2002, as amended by the First Amendment dated June 13, 2018, and the Second Amendment dated October 3, 2019 (collectively, “**Redeveloper Agreement**”), which provide, among other things, that the Master Developer shall be responsible for the redevelopment of the properties governed by the Redevelopment Plan, which redevelopment it may choose to

undertake itself, or through agreements with selected subsequent developers; and

WHEREAS, a copy of the Redeveloper Agreement is on file with the City Clerk; and

WHEREAS, thereafter, the City, Master Developer and AP Block 4001 Venture Urban Renewal Entity LLC (the “**Entity**”) entered into that certain Subsequent Development Agreement (“**SDA**”) on March 19, 2021, whereby the Entity was designated as the Subsequent Developer to undertake the Project (as defined in the SDA) on the Project Site located on property identified as Block 4001, Lots 2-15 in the City of Asbury Park (and currently designated as Block 4001, Lots 2.01, 2.02 and 2.03); and

WHEREAS, the SDA obligated the Entity to obtain all Governmental Approvals, excluding Building Permits, within one (1) year of March 19, 2021, which date was extended until July 17, 2022 by a resolution of the City Council adopted in May 2022, pursuant to the terms of the SDA; and

WHEREAS, thereafter, the City and the Entity entered into a formal First Amendment to the SDA on July 18, 2022, which extended the Outside Approvals Date to January 19, 2023, in order to allow the Subsequent Developer additional time to obtain financing; and

WHEREAS, the City and the Entity entered into a Second Amendment to the SDA on January 18, 2023, which extended the Outside Approvals Date to July 19, 2023, in order to, *inter alia*, allow the Subsequent Developer additional time to obtain financing; and

WHEREAS, the City and the Entity entered into the Third Amendment to the SDA on July 21, 2023, which extended the Outside Approvals Date to August 18, 2023; and

WHEREAS, the Entity believes that it has obtained all Governmental Approvals and has been diligently seeking financing for the Project, a prerequisite to issuance of the Building Permits and the issuance of the Redevelopment Area Bonds (“**RABs**”); and

WHEREAS, the City was advised that the Entity had previously secured commitments for financing, but such commitments did not culminate in the issuance of the required loans; and

WHEREAS, unanticipated and significant increases in interest rates by the Federal Reserve Board of Trustees, in order to prevent the national economy from serious negative impacts due to inflationary trends, have impacted available financing options; and

WHEREAS, the Entity is diligently pursuing replacement financing, anticipates securing commitments for debt and equity financing and wishes to proceed in the pursuit of the Project; and

WHEREAS, in order to allow the Entity to continue to seek financing for the Project, the Parties agree to a further extension of the Outside Approvals Date as set forth herein.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and the City Council of the City of Asbury Park, acting as the redevelopment agency for the City of Asbury Park, as follows:

Section 1. **Recitals.** The recitals are fully incorporated herein.

Section 2. **Approval of the Fourth Amendment.** The Fourth Amendment of the Subsequent Developer Agreement in substantially the form attached hereto as Exhibit A is hereby approved.

Section 3. **Execution of the Fourth Amendment.** The Mayor of the City of Asbury Park, in the County of Monmouth (the "Mayor" and together with the City Manager and Chief Financial Officer of the City, an "Authorized Officer") is hereby authorized and directed, upon the receipt from the Master Developer and the Entity of executed counterparts, and upon satisfaction of all the legal conditions precedent to the execution and delivery by the City of the Fourth Amendment, if any, as same is determined by the Authorized Officers in consultation with counsel to the City, to execute the Fourth Amendment in substantially the form attached hereto as Exhibit A and with such changes, insertions and omissions thereto as the Mayor, after consultation with counsel to the City and redevelopment counsel to the City, deems in the Mayor's sole discretion to be necessary or desirable for the execution thereof, which authorization thereof shall conclusively evidence the Mayor's consent to any such changes thereto.

Section 4. **Attestation and Sealing of the Fourth Amendment.** The Clerk of the City is hereby authorized and directed, upon the execution of the Fourth Amendment in accordance with the terms of Section 3 hereof, to attest to the signature of the Mayor upon such document and is hereby further authorized and directed thereupon affix the corporate seal of the City upon such document.

Section 5. **Implementation of the Fourth Amendment.** Upon the execution and attestation and placing of the seal on the Fourth Amendment as contemplated by Sections 3 and 4 hereof, the Authorized Officers are hereby authorized and directed to (i) deliver the fully executed, attested and sealed document to the other parties thereto and (ii) perform such other actions as the Authorized Officers deem necessary or desirable in relation to the execution and delivery of the Fourth Amendment.

Section 6. **Payment of Outstanding Costs.** This Resolution shall be effective immediately upon execution, subject to the condition of the Entity's full payment of any outstanding escrow costs related to the review of the Project and the negotiation and preparation of the Fourth Amendment, together with the payment of any outstanding taxes, payments or other monies which may be due and owing to the City of Asbury Park, as may be applicable.

I, LISA ESPOSITO, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of RESOLUTION NO. 2023-497 which was finally adopted by the City Council at a meeting held on the 25th day of October, 2023

CERTIFIED BY ME THIS 26th DAY OF October, 2023.

LISA ESPOSITO
CITY CLERK

Exhibit A

Form of Fourth Amendment of the Subsequent Developer Agreement

Attachment: Fourth Amendment of the SDA (2023-497 : Resolution of the Mayor and City Council of The City of Asbury Park to Enter into a

FOURTH AMENDMENT TO SUBSEQUENT DEVELOPER AGREEMENT

THIS FOURTH AMENDMENT TO SUBSEQUENT DEVELOPER AGREEMENT (“**Fourth Amendment**”) made this _____ day of _____ 2023 by and between

THE MAYOR AND CITY COUNCIL (together, the “**Governing Body**”) **OF THE CITY OF ASBURY PARK** (the “**City**”), in its capacity as a “redevelopment entity” pursuant to N.J.S.A. 40A:12A-4 with principal offices at 1 Municipal Plaza, Asbury Park, New Jersey 07712;

ASBURY PARTNERS, LLC in its capacity as Master Developer, pursuant to the hereinafter defined Redeveloper Agreement (the “**Master Developer**”), with principal offices at 1089 Ocean Avenue, 3rd Floor, Asbury Park, NJ 07712, along with its permitted successors and/or assigns;

AND

AP BLOCK 4001 VENTURE URBAN RENEWAL LLC, A LIMITED LIABILITY COMPANY OF THE STATE OF NEW JERSEY with principal offices located at c/o Starfield Companies, 1089 Ocean Avenue, 3rd Floor, Asbury Park, NJ 07712 (the “**Entity**”) (each, a “**Party**” and collectively, the “**Parties**”).

WITNESSETH

WHEREAS, the *New Jersey Local Redevelopment and Housing Law*, N.J.S.A. 40A:12A-1 *et seq.* (the “**Act**”) authorizes municipalities to determine whether certain parcels of land in the municipality constitute areas in need of redevelopment; and

WHEREAS, the Act confers certain contract, planning and financial powers upon a redevelopment entity, as defined at Section 3 of the Act, in order to implement redevelopment plans adopted pursuant thereto; and

WHEREAS, the City has elected to exercise these redevelopment entity powers directly, as permitted by Section 4 of the Act; and

WHEREAS, on June 5, 2002, the City adopted the “Asbury Park Waterfront Redevelopment Plan (Plan IV)” (as amended and supplemented from time to time, the “**Redevelopment Plan**”, a copy of which is on file with the City Clerk) with respect to the “Asbury Park Waterfront Redevelopment Area,” as defined in the Redevelopment Plan (the “**Redevelopment Area**”); and

WHEREAS, pursuant to the Act, including Section 8 thereof (N.J.S.A. 40A:12A-8), a municipality is permitted to contract with a redeveloper to develop redevelopment projects pursuant to a redevelopment plan within an area in need of redevelopment, as all such terms are defined in the Act; and

WHEREAS, the City and the Master Developer entered into that certain “Amended and Restated Redeveloper and Land Disposition Agreement” dated October 28, 2002, as amended by

the First Amendment dated June 13, 2018, and the Second Amendment dated October 3, 2019 (collectively, “**Redeveloper Agreement**”), which provide, among other things, that the Master Developer shall be responsible for the redevelopment of the properties governed by the Redevelopment Plan, which redevelopment it may choose to undertake itself, or through agreements with selected subsequent developers; and

WHEREAS, the Parties entered into the Subsequent Development Agreement (“SDA”) on March 19, 2021, whereby the Entity was designated as the Subsequent Developer to undertake the Project (as defined in the SDA) on the Project Site located on property formerly identified as Block 4001, Lots 2-15 and now known as Block 4001, Lots 2.01, 2.02, and 2.03 in the City of Asbury Park; and

WHEREAS, the SDA obligated the Entity to obtain all Governmental Approvals, excluding Building Permits, within one (1) year of March 19, 2021, which date was extended by a resolution adopted by the City Council until Monday, July 17, 2022; and

WHEREAS, the City and the Entity entered into the First Amendment to the SDA on July 18, 2022, which extended the Outside Approvals Date to January 19, 2023; and

WHEREAS, the City and the Entity entered into the Second Amendment to the SDA on January 18, 2023, which extended the Outside Approvals Date to July 19, 2023; and

WHEREAS, the City and the Entity entered into the Third Amendment to the SDA on July 21, 2023, which extended the Outside Approvals Date to August 18, 2023; and

WHEREAS, the Entity believes that it has obtained all Governmental Approvals and has been diligently seeking financing for the Project, a prerequisite to issuance of the Building Permits and the issuance of the Redevelopment Area Bonds (“RABs”); and

WHEREAS, the Entity had previously secured commitments for financing, but such commitments did not culminate in the issuance of the required loans; and

WHEREAS, unanticipated and significant increases in interest rates by the Federal Reserve Board of Trustees, in order to prevent the national economy from serious negative impacts due to inflationary trends, have impacted available financing options; and

WHEREAS, the Entity is diligently pursuing replacement financing, anticipates securing commitments for debt and equity financing and wishes to proceed in the pursuit of the Project; and

WHEREAS, in order to allow the Entity to continue to seek financing for the Project, the Parties agree to a further extension of the Outside Approvals Date as set forth herein.

NOW THEREFORE, in consideration of the promises and mutual covenants herein contained, the parties hereto do hereby covenant and agree, each with the other, as follows:

SECTION I. Construction. The foregoing recitals are hereby incorporated in this Fourth Amendment by reference as if set forth herein at length. All terms not defined herein shall have

the meanings set forth in the SDA. Other than as specifically modified by this Fourth Amendment all other terms, conditions and obligations of the SDA shall remain unmodified and shall remain in full force and effect.

SECTION II. Outside Approvals Date. The Outside Approvals Date shall be extended to June 1, 2024.

SECTION III. Miscellaneous. This Fourth Amendment shall be implemented as follows:

A. Entire Agreement. The SDA, as amended by this Fourth Amendment, contains the entire agreement of the Parties with respect to the subject matter hereof. No provision hereof may be modified or waived orally but only by an agreement in writing signed by the party against whom enforcement of any waiver, change, modification, extension or discharge is sought.

B. Signatures/Execution. This agreement may be executed in counterparts.

[Signature Page To Follow]

IN WITNESS WHEREOF, the parties have executed this Fourth Amendment to Subsequent Developer Agreement as of the date first written above.

Attest:

THE CITY OF ASBURY PARK

By: _____
City Clerk

By: _____
John Moor
Mayor
Date: _____

**AP BLOCK 4001 VENTURE
URBAN RENEWAL LLC**

Witness:

By: _____
Name: Brian A. Cheripka
Title: Authorized Signatory
Date:

ASBURY PARTNERS, LLC

By: _____
Name: Brian A. Cheripka
Title: Authorized Signatory
Date:



Individual Resolutions
Meeting of the Municipal Council
Wednesday, October 25, 2023
RESOLUTION SUMMARY

2023-498

Execution of a Memorandum of Agreement Regarding the Submission of An Application for a Grant Pursuant to the Boardwalk Restoration Fund for Certain Improvements to the Asbury Park Boardwalk and for the Partial Repair and Restoration of the Paramount Theater, the Grand Arcade and Convention Hall



RESOLUTION NO. 2023-498

**City of Asbury Park
County of Monmouth
State of New Jersey**

RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF ASBURY PARK TO APPROVE THE EXECUTION OF A MEMORANDUM OF AGREEMENT REGARDING THE SUBMISSION OF AN APPLICATION FOR A GRANT PURSUANT TO THE BOARDWALK RESTORATION FUND FOR CERTAIN IMPROVEMENTS TO THE ASBURY PARK BOARDWALK AND FOR THE PARTIAL REPAIR AND RESTORATION OF THE PARAMOUNT THEATER, THE GRAND ARCADE AND CONVENTION HALL

WHEREAS, Governor Murphy signed Legislation to establish the Boardwalk Restoration Fund (“BRF”) consisting of grants in the total amount of \$100 million for counties and municipalities to use to restore boardwalks and ancillary facilities in New Jersey Shore communities, which funds are available through the American Rescue Fund; and

WHEREAS, the City desires to submit an application to the Department of Community Affairs for a grant in the amount of \$7 million for the replacement of Boardwalk decking, railings, bench and the installation of permanent bathroom facilities at two (2) locations, (the “City Project”), as more fully described in the Memorandum of Agreement (“MOU”) attached hereto and made a part hereof; and

WHEREAS, the BRF provides grants to counties and municipalities for “...boardwalk construction, maintenance, reconstruction, and repair projects related to ancillary or appurtenant structures...”, and the DCA Guidelines (“Guidelines”) define ancillary or appurtenant structures as “... structures directly on or adjacent to the boardwalk that provide necessary amenities such as public restrooms, water fountains, and ticket booths or commercial facilities...”; and

WHEREAS, applications for the grants may only be made by public entities, but grants may be provided to private entities through the development of a municipal grant process; and

WHEREAS, MAR desires to obtain a grant in the amount of \$40 million for the Convention Hall Complex repair and restoration project, (the “MAR Project”) as more fully described in the MOU; and

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq., as amended and supplemented (the “Redevelopment Law” or “LRHL”), provides a process for municipalities to participate in the redevelopment and improvement of parcel(s) of property

which are designated as “areas in need of redevelopment” or “areas in need of rehabilitation”; and

WHEREAS, the City and MAR entered into the Subsequent Developers Agreement (“SDA”) as of June 1, 2010, which provides *inter alia*; that MAR would operate and maintain Convention Hall, the Grand Arcade and the Paramount Theater which structures are on and directly adjacent to the Asbury Park Boardwalk; and

WHEREAS, the Convention Hall Complex has fallen into a state of deterioration and neglect, such that Convention Hall and the Paramount Theater have remained closed due to public safety and structural integrity concerns; and

WHEREAS, the City has issued Notices of Default to MAR as a result of the failure to maintain and operate the Convention Hall Complex; and

WHEREAS, in order to facilitate the repair and restoration of the iconic Convention Hall Complex, the City is willing to submit an application for a BRF grant to provide for financing of the MAR project, and as expressly subject to the agreement by MAR to the terms and conditions of this Memorandum of Understanding (“MOU”) as more fully set forth in the attached MOU, which provides, *inter alia*, that the City Project shall be identified as the top priority of the application; and

WHEREAS, although the BRF generally requires that an applicant provide a local match representing five (5) % of the amount of the grant request, the City is exempt from the local match requirement due to its ranking on state’s Municipal Revitalization Index (“MRI”), which waiver will inure to the benefit of MAR; and

WHEREAS, the City and MAR (the “Parties”) desire to enter into the attached MOU for the purpose of setting forth in greater detail the respective undertakings, rights and obligations of the Parties in connection with all of the above,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and the City Council of the City of Asbury Park, acting as the redevelopment agency for the City of Asbury Park, as follows:

Section 1. **Recitals.** The recitals are fully incorporated herein.

Section 2. **Execution of the Memorandum of Understanding.** The Mayor of the City Asbury Park is hereby authorized and directed, after execution of the Memorandum of Understanding by an authorized representative of MAR, to execute the Memorandum in substantially the form attached hereto as Exhibit A.

Section 3. **Implementation of Memorandum of Understanding.** Upon the execution of the Memorandum of Understanding by both the City and Madison Asbury Retail, LLC, the Officers, Staff and consultants of the City are hereby authorized to perform all actions deemed necessary and desirable to implement the terms of the Memorandum of Understanding.

Section 4. **Effectiveness Of Resolution.** This Resolution shall become effective immediately upon adoption.

I, LISA ESPOSITO, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of RESOLUTION NO. 2023-498 which was finally adopted by the City Council at a meeting held on the 25th day of October, 2023

CERTIFIED BY ME THIS 26th DAY OF October, 2023.

LISA ESPOSITO
CITY CLERK

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding (this “**MOU**”) is made and entered into on this _____ day of _____, 2023 (“Effective Date”) by and between the **CITY OF ASBURY PARK** (“**CITY**”), acting in the capacity of a redevelopment agency pursuant to the provisions of the Local Redevelopment and Housing Law, as same is defined herein, with offices at One Municipal Plaza Asbury Park, NJ 07712, **MADISON ASBURY RETAIL, LLC** (“**MAR**”), a Delaware Limited Liability company, (a subsidiary of Madison Maquette, Washington DC.), with principal offices at 1100 Ocean Avenue, Asbury Park, NJ 07712, and collectively, the “**Parties**”).

WITNESSETH

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq., as amended and supplemented (the “Redevelopment Law” or “LRHL”), provides a process for municipalities to participate in the redevelopment and improvement of parcel(s) of property which are designated as “areas in need of redevelopment” or “areas in need of rehabilitation”; and

WHEREAS, the Parties entered into the Subsequent Developers Agreement (“SDA”) as of June 1, 2010, which provides *inter alia*; that MAR would operate and maintain Convention Hall, the Grand Arcade and the Paramount Theater (the “Convention Hall Complex”), which structures are on and directly adjacent to the Asbury Park Boardwalk; and

WHEREAS, the Convention Hall Complex has fallen into a state of deterioration and neglect, such that Convention Hall and the Paramount Theater have remained closed due to public safety and structural integrity concerns; and

WHEREAS, the City has issued Notices of Default to MAR as a result of the failure to maintain and operate the Convention Hall Complex; and

WHEREAS, the New Jersey Legislature established the Boardwalk Preservation Fund (“BPF”) in the amount of \$100 Million, supplementing chapter 27D of Title 52 of the Revised Statutes of New Jersey to be administered by the Division of Disaster Recovery and Mitigation (“DRM”) at the Department of Community Affairs (“DCA”), which funds are available through the American Rescue Plan (“ARP”) as reimbursement grants; and

WHEREAS, the City desires to submit an application to DCA for a grant in the amount of \$ Seven (7) Million for Boardwalk decking, railings, bench and the installation of permanent bathroom facilities at two (2) locations, as more fully described in EXHIBIT A (the “City Project”); and

WHEREAS, MAR desires to obtain a grant in the amount of \$ Forty (40) Million for the Convention Hall Complex repair and restoration project, (the “MAR Project”) as more fully described in EXHIBIT B

WHEREAS, the BRF provides grants to counties and municipalities for "...boardwalk construction, maintenance, reconstruction, and repair projects related to ancillary or appurtenant structures..."; the DCA Guidelines ("Guidelines") define ancillary or appurtenant structures as "... structures directly on or adjacent to the boardwalk that provide necessary amenities such as public restrooms, water fountains, and ticket booths or commercial facilities..."; and

WHEREAS, applications for the grants may only be made by public entities, but grants may be provided to private businesses through the development of a municipal grant process; and

WHEREAS, in order to facilitate the repair and restoration of the iconic Convention Hall Complex, the City is willing to submit an application for a BRF grant to provide for financing of the MAR project, and as expressly subject to the agreement by MAR to the terms and conditions of this Memorandum of Understanding ("MOU") as more fully set forth herein; and

WHEREAS, although the BRF generally requires that an applicant provide a local match representing five (5) % of the amount of the grant request, the City is exempt from the local match requirement due to its ranking on state's Municipal Revitalization Index ("MRI"), which waiver will inure to the benefit of MAR; and

WHEREAS, the Parties desire to enter into this MOU for the purpose of setting forth in greater detail the respective undertakings, rights and obligations of the Parties in connection with all of the above,

NOW THEREFORE THE PARTIES HERETO AGREE AS FOLLOWS:

SECTION 1. Understanding of the Parties. The Parties intend that this MOU will create a memorialization of the understanding between the Parties regarding the submission of an application by the City to DCA for grants to include both the City Project and the MAR Project and to identify the nature of the relationship between the Parties regarding the use and administration of the MAR Project grant. This MOU is the informal agreement for the Parties to work together in such a manner that would promote a genuine atmosphere of collaboration and cooperation in support of the submission of an application that includes the MAR project as a second priority of the application and to undertake an effective and efficient relationship to foster the success of the application and the anticipated completion of the MAR Project, pursuant to sound financial, managerial, and administrative practices. The Parties will cooperate with each other and anticipate communicating and collaborating with each other on a regular basis to accomplish the goals of the MOU.

SECTION 2. Agreement by the City to Submit MAR Project Application. In order to facilitate the repair and restoration of the iconic Convention Hall Complex, the City is willing to submit an application for a BRF grant to provide for financing of the MAR Project, expressly subject to and conditioned on the agreement by MAR to the terms and conditions set forth herein.

SECTION 3. City Project as a Priority of the Application. MAR acknowledges and agrees that the City Project shall be identified as the top priority of the Application and the only grant funding to be made available for the MAR Project shall be the amount of funding available beyond the amount approved by DCA for the City Project. The Application shall inform DCA of the priority of the City Project and that the City is opposed to any grant for the MAR Project to the extent that such grant allocation would reduce the grant for the City Project in any amount.

SECTION 4. City to Identify and Prioritize Safety and Structural Improvements for the MAR Project. MAR acknowledges and agrees that in recognition of the limited resources of the BRF program, the City, together with its Consulting Engineers, T&M Associates, will carefully review the proposed application of MAR for the MAR Project and will identify as the priorities of the Application only those construction aspects of the Project that (i) achieve improvements in safe access for human use and occupancy and (ii) those that achieve improvements in the structural protection and integrity of the Convention Hall Complex. The City will not include in the Application any work that is directed at improvements or enhancements of any restaurant, bar or other amenity in the Convention Hall Complex.

SECTION 5. City to Identify Sub priorities of the MAR Project. MAR acknowledges and agrees that the City will also identify sub priorities of the MAR Project in order to select the aspects of the MAR Project to inform DCA of the internal ranking of the order of grant funding, in the event that DCA determines to cap grant awards and not to issue a grant for the entire MAR Project, as it will be identified in the Application.

SECTION 6. MAR to Seek Federal, State and Local Permits for the MAR Project. MAR acknowledges and agrees that all projects for BRF funding must obtain all necessary federal, state and local permits and must comply with and seek written approval from the Department of Environmental Protection (CAFRA, etc.), the State Historic Preservation Office or any other State Agency or Authority, as necessary for the implementation of the MAR Project and that it will expeditiously apply for and obtain all such approvals in a timely manner.

SECTION 7. Commence Construction and Comply with Timelines of American Rescue Program. In recognition that the American Rescue Fund guidelines from the United States Treasury set clear deadlines for obligating and expending funds, MAR acknowledges and agrees to promptly engage such necessary consultants and contractors in order to timely obligate the funds on or before December 31, 2024 and to expeditiously complete construction on or before December 31, 2026.

SECTION 8. Compliance with DCA required Statement of Assurances. MAR acknowledges and agrees that it will comply with the Statement of Assurances ("SOA"), attached as EXHIBIT C, which SOA has been identified by DCA as a requirement of grantees of the BRF funds, in order to comply with the provisions of relevant federal statutes, rules and regulations in connection with the American Rescue Plan Act- Coronavirus State Fiscal Recovery Fund, which includes New Jersey Prevailing Wage and other Labor Standards.

SECTION 9. Adoption of a Municipal Grant Process by the City. MAR acknowledges that the City may adopt a Municipal Grant Process to govern the administration of any grant that may be awarded for the MAR Project, which Municipal Grant Process may include provisions governing the implementation of a Project Labor Agreement regarding appropriate elements of the MAR Project.

SECTION 10. Use of Grant Funds by MAR Not Contingent on the Receipt of Other Financing Sources. MAR acknowledges and agrees that it will utilize all such grant funds that may be awarded by DCA for the MAR Project and commence and complete the construction of the MAR Project in a manner agreed upon by the Parties prior to the acceptance of the award by the City. The funds awarded for the MAR Project shall be utilized based on the award size, notwithstanding whether MAR obtains financing for the remaining elements of the MAR Project from other tax credit or other funding sources that it may seek for the Project, a Casino Project or for any other projects that it may seek to implement in Asbury Park

SECTION 11. City Cooperation for Construction Site Access. The City will cooperate with MAR to provide approval in writing for necessary access to the Convention Hall Complex over and across City owned property during the planning and construction of the MAR Project, after receipt and review of detailed plans submitted by MAR to the City, which describe the nature and duration of such access.

SECTION 12. Escrow. MAR has deposited the amount of \$20,000.00 in an account held by the City (i) to pay the costs incurred by the City for its staff and consultants as are necessary and desirable in order to review and include the MAR Project in the Application to be submitted by the City and (ii) in the event that a grant is issued for the MAR Project, to pay such costs of the City that may be incurred in connection with the construction and implementation of the MAR Project. MAR agrees to replenish the account to be used for such purposes, within ten (10) days of the receipt of a notice from the City that the balance in the account, after payment of all outstanding charges against it, falls below the amount of \$ Five (5) Thousand.

SECTION 13. Indemnification. MAR agrees to indemnify and save harmless the City, its officials, staff and consultants with respect to all aspects of the Application process and the implementation of any construction project that may be funded through the Boardwalk Preservation Fund.

SECTION 14. Termination. This MOU shall remain effective from the full execution of the MOU through the completion of the Application and the construction of the MAR Project, to the extent that provisions hereof are not expressly superseded by subsequent agreements between the Parties.

SECTION 15. Authorization and Execution. The signing of this MOU is intended by the Parties to establish that they each shall strive and make good faith efforts to diligently attain the objectives stated herein.

SECTION 16. Execution. This MOU may be executed in one or more counterparts. Additionally, the execution and delivery of this MOU may be conducted by electronic means.

SECTION 17. Modification of Agreement. No modification, waiver, amendment, discharge, or change of this MOU shall be valid unless the same is in writing, duly authorized, and signed by both Parties.

The MOU shall be signed by the Mayor of the City of Asbury Park and by _____ on behalf of MAR and shall be effective as of the date first written above.

By: John Moor

Date

Title: Mayor, City of Asbury Park

By: Gary Mottola

Date

Title:

Exhibit A

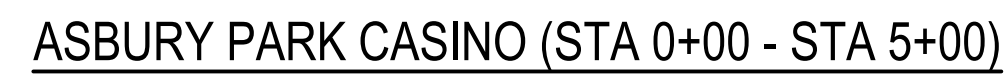
City Project

Exhibit B

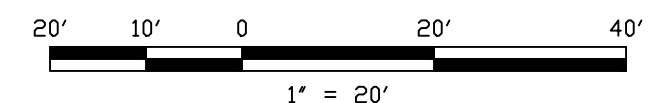
MAR

Exhibit C

Schedule of Assurances

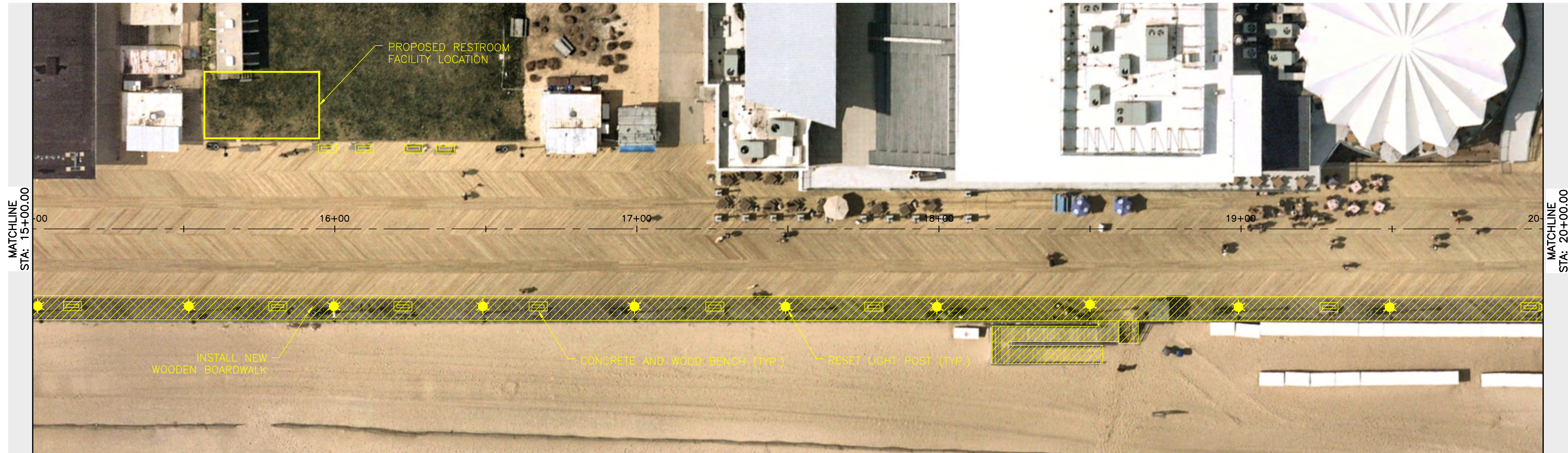


<u>UNIT</u>	<u>QTY</u>	<u>DESCRIPTION</u>
SF	25900	BOARDWALK DECKING REPLACEMENT
LF	1300	STEEL RAILING
UNIT	55	WOOD AND CONCRETE BENCH
UNIT	23	REMOVE, STORE, AND RESET LIGHT POST
UNIT	1	RESTROOM BUILDING

[illegible]

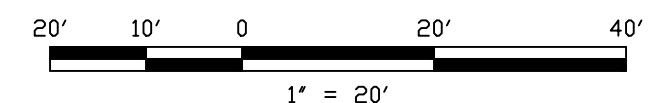


MIDWAY (STA 10+00 - STA 15+00)



ASBURY PARK CONVENTION HALL SOUTH (STA 15+00- STA 20+00)

<u>UNIT</u>	<u>QTY</u>	<u>DESCRIPTION</u>
SF	9400	BOARDWALK DECKING REPLACEMENT
LF	1350	STEEL RAILING
UNIT	32	WOOD AND CONCRETE BENCH
UNIT	18	REMOVE, STORE, AND RESET LIGHT POST
UNIT	1	RESTROOM BUILDING

[illegible]

```
#####
```

LICENSED PROFESSIONAL ENGINEER
STATE OF ## LICENSE No. #####

CITY OF ASBURY PARK

MONMOUTH COUNTY, NJ

**NJDCA BOARDWALK PRESERVATION FUND
CONCEPTUAL PLAN**

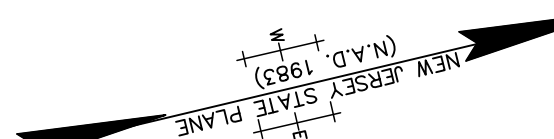
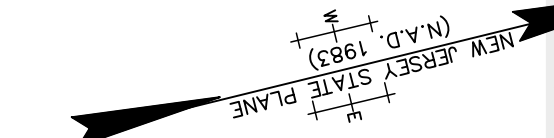


11 TINDALL ROAD
MIDDLETOWN, NJ 07748
TEL 732-671-6400
FAX 732-671-7365

NEW JERSEY BOARD OF PROFESSIONAL ENGINEERS
AND LAND SURVEYORS
CERTIFICATE OF AUTHORIZATION 24GA27987500

OFFICES LOCATED IN:
DELAWARE, INDIANA, KENTUCKY,
MASSACHUSETTS, MICHIGAN, NEW JERSEY,
OHIO AND PENNSYLVANIA

DESIGNED BY	KFJ	DRAWING	CON-2
CHECKED BY	JDH		
DRAWN BY	KFJ	SHEET	2
DATE	10/31/23		
SCALE	AS SHOWN		
PROJ. NO.	ASPKG2301	OF	
			3



20' 10' 0 20' 40'

1" = 20'

```
#####  
#####  
  
#####  
#####  
  
#####  
#####  
  
#####  
#####
```

```
LICENSED PROFESSIONAL ENGINEER  
STATE OF # LICENSE NO. #####
```

CITY OF ASBURY PARK
2023 ASBURY PARK BOARDWALK PRESERVATION
MONMOUTH COUNTY, NJ
NJDC BOARDWALK PRESERVATION FUND CONCEPTUAL PLAN



ANDAM

YOUR GOALS. OUR MISSION.

11 TINDALL ROAD
 MIDDLETOWN, NJ 07748
 TEL 732-671-6400
 FAX 732-671-7365

NEW JERSEY BOARD OF PROFESSIONAL ENGINEERS
 AND LAND SURVEYORS
 CERTIFICATE OF AUTHORIZATION 244247887500

OFFICES LOCATED IN:
 DELAWARE, INDIANA, KENTUCKY,
 MASSACHUSETTS, MICHIGAN, NEW JERSEY,
 OHIO AND PENNSYLVANIA

DESIGNED BY (KJF)	DRAWING
CHECKED BY JDH	CON-3
DRAWN BY (KJF)	SHEET
DATE 10/31/23	3
SCALE AS SHOWN	
PROJ. NO. ASPKG2301	OF
	3

Attachment: 10-23-2023_NJ BOARDWALK AERIAL SHEETS (2023-498 : Resolution of the Mayor and City Council of The City of Asbury Park to Approve the Execution of a Me)

CITY OF ASBURY PARK
2023 NJDCA BOARDWALK PRESERVATION FUND APPLICATION
PRIORITY 1
ASBURY PARK BOARDWALK IMPROVEMENTS
COST ESTIMATE
OCTOBER 31, 2023

NO.	ITEM DESCRIPTION	UNIT	TOTAL QTY.	UNIT PRICE	AMOUNT
1	MOBILIZATION, PAYMENT & PERFORMANCE BONDS	LS	1	\$100,000.00	\$100,000.00
2	MAINTENANCE AND PROTECTION OF TRAFFIC	LS	1	\$50,000.00	\$50,000.00
3	BOARDWALK DECKING REPLACEMENT	SF	41,200	\$70.00	\$2,884,000.00
4	STEEL RAILING	LF	3,550	\$200.00	\$710,000.00
5	WOOD AND CONCRETE BENCH	UNIT	107	\$4,500.00	\$481,500.00
6	REMOVE, STORE, & RESET LIGHT POST	UNIT	54	\$300.00	\$16,200.00
7	RESTROOM BUILDING	UNIT	2	\$850,000.00	\$1,700,000.00

TOTAL CONSTRUCTION COST	\$5,941,700.00
Contingency (5%)	\$297,085.00
ENGINEERING DESIGN, PLAN PREPARATION, AND BIDDING (5%)	\$297,085.00
CONSTRUCTION ADMINISTRATION AND INSPECTION (10%)	\$475,336.00
TOTAL	\$7,011,206.00

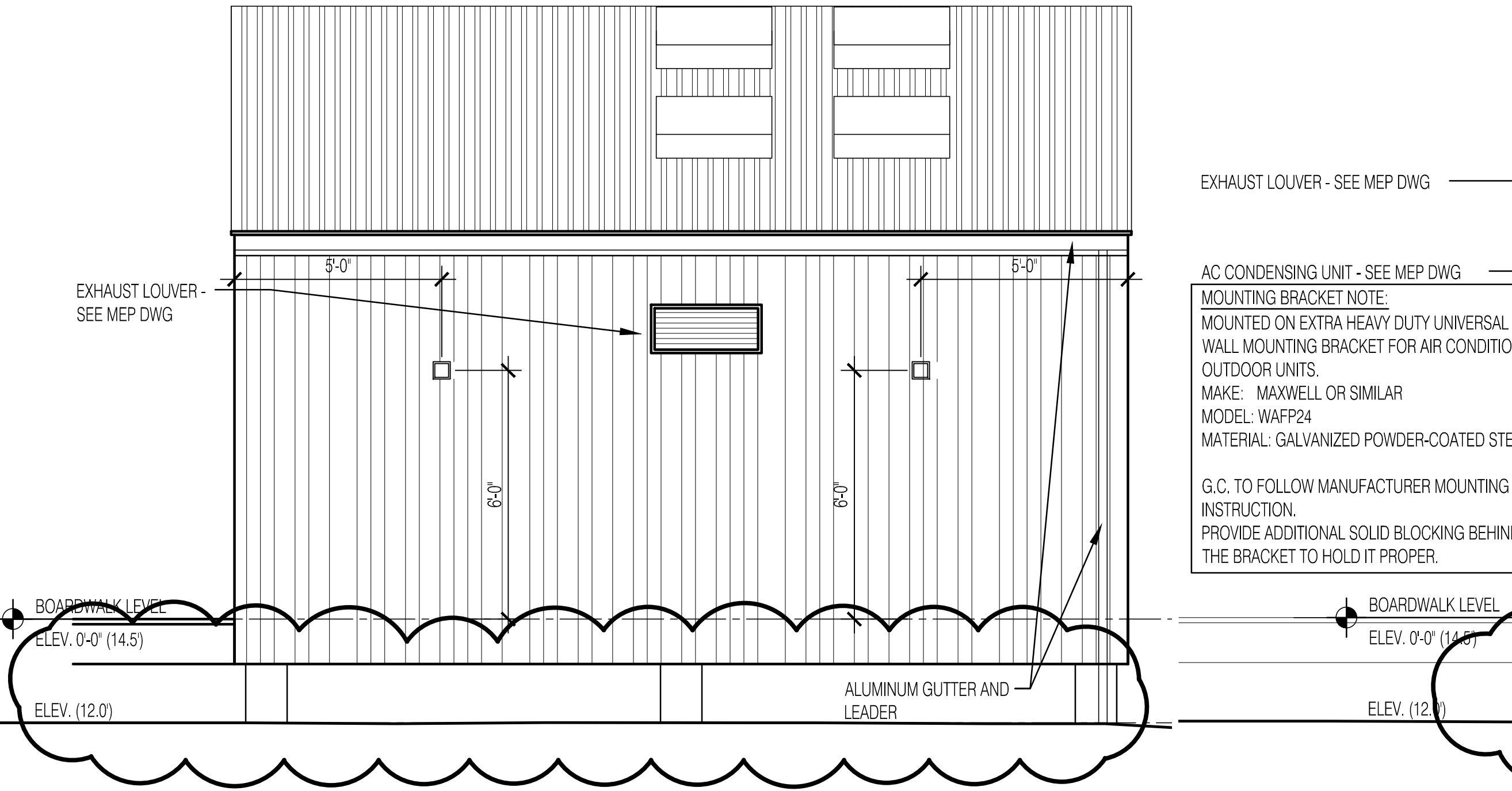
Attachment: NJDCA Boardwalk Fund - PRIORITY 1 - CITY PROJECT Cost Estimate (2023-498 : Resolution

ASBURY PARK
BOARDWALK

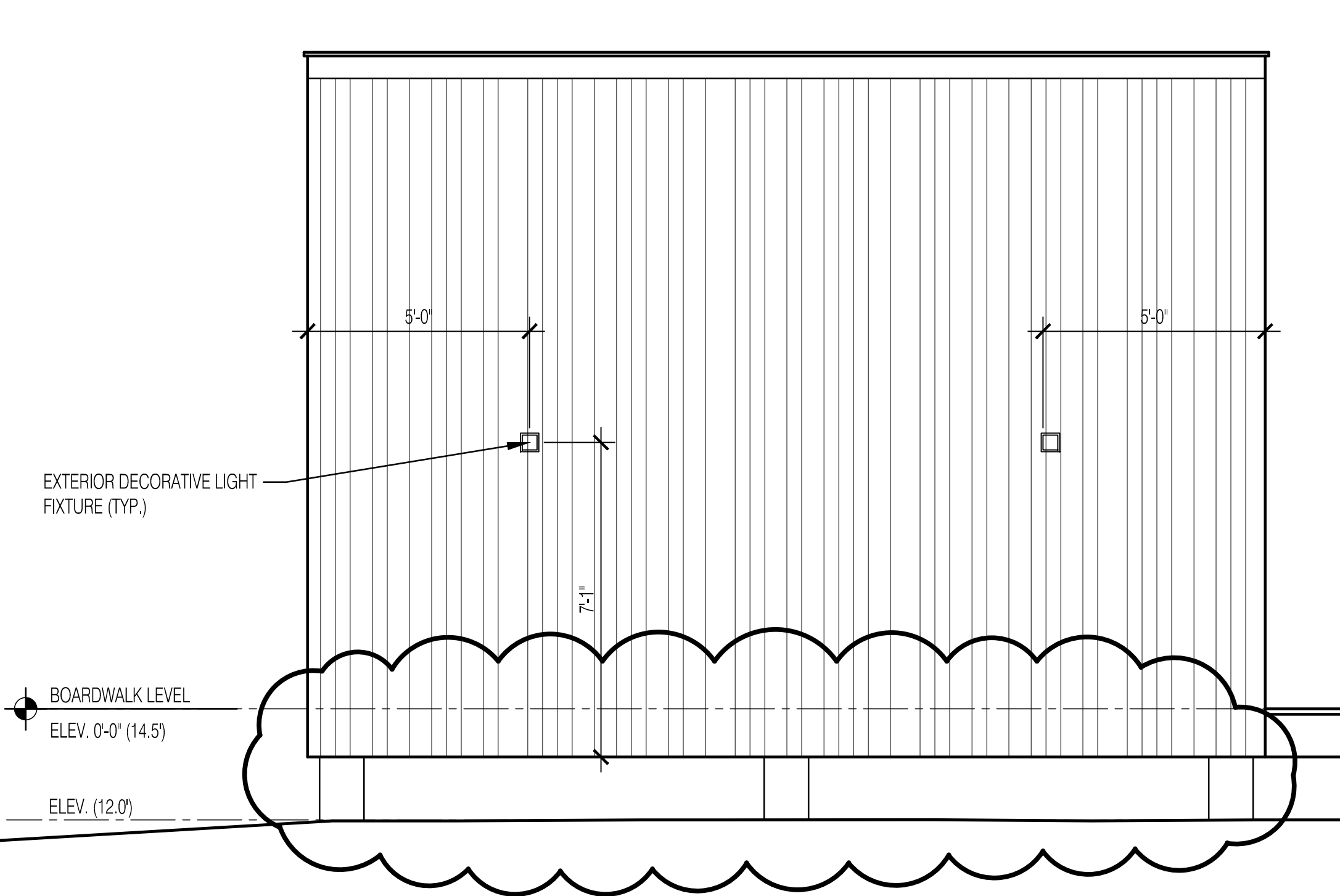
PROPOSED
RESTROOM
BUILDINGS

WOOD SIDING SPECIFICATION	
CS-1	- WESTERN RED CEDAR VERTICAL TOUNGE & GROOVE BOARDS - 1" X 6" & 1" X 4" & FEW 1 X 8 - MIXED RANDOM PATTERNS - KILN-DRIED - GRADE : CLEAR HEART - FINISH: FACTORY - PREFINISHED, SEMI-TRANSPARENT, SOLVENT-BORNE,OIL BASED STAIN. COLOR - LIGHT GREY. PROVIDE SAMPLES FOR APPROVAL. - FASTENERS: ST. STEEL BLIND NAILS - MIN. 1 1/2" PENETRATION OF SOLID WOOD BACKING - INSTALL VERTICAL BOARD OVER 1 X 3 HORIZONTAL CEDAR FURRING @ 16" O.C.

6 ELEVATION FACING MENS / WOMENS ENTRANCE
SCALE: 3/8" = 1'-0"



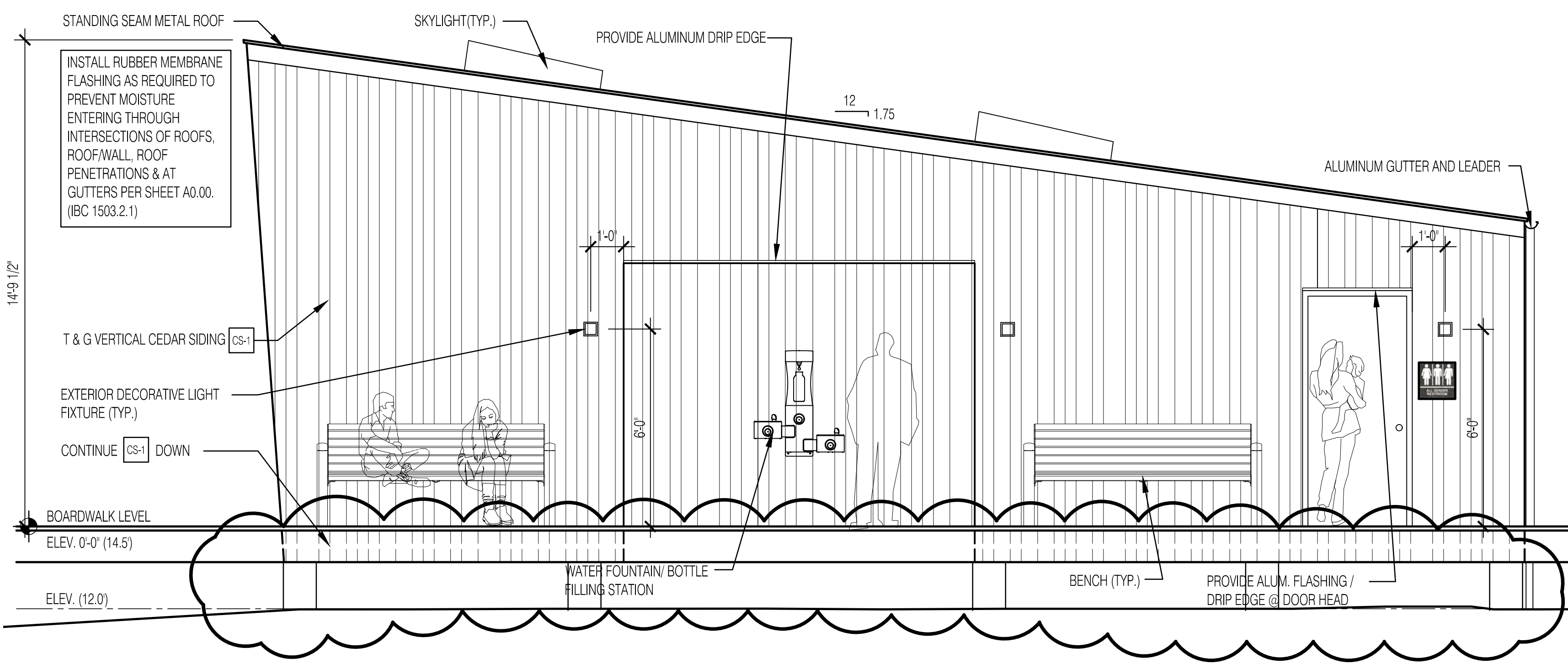
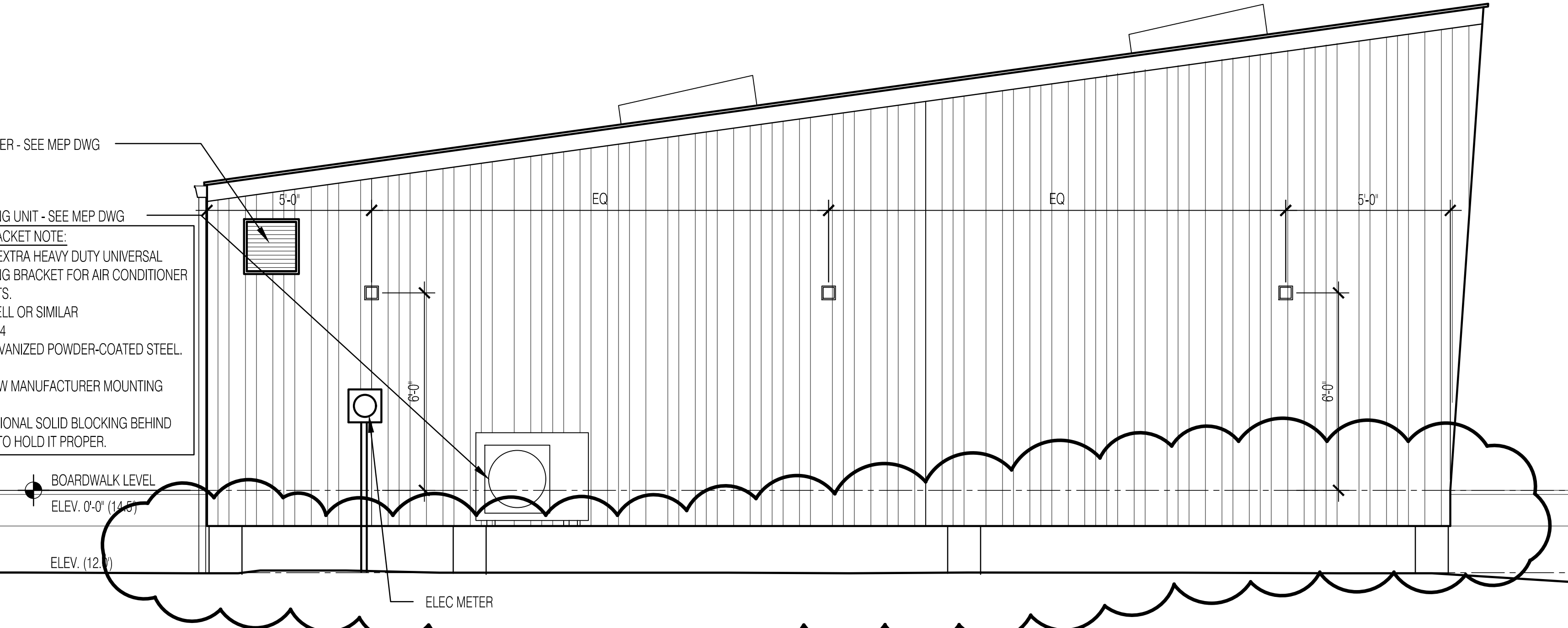
4 RIGHT SIDE ELEVATION
SCALE: 3/8" = 1'-0"



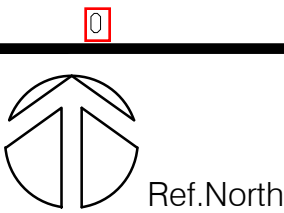
2 LEFT SIDE ELEVATION
SCALE: 3/8" = 1'-0"



3 REAR ELEVATION
SCALE: 3/8" = 1'-0"



1 FRONT SIDE ELEVATION
SCALE: 3/8" = 1'-0"



A4.01

All drawings and written material appearing herein constitute original and unpublished work of the architect and may not be duplicated, used or disclosed without written consent of the architect.
©2019 MistryDesign LLC. All Rights Reserved

NOTE:
THIS DRAWING ONLY FOR GENERAL CEILING & POWER LAYOUT ONLY- SEE ELECTRICAL DRAWINGS FOR MORE DETAILED INFORMATION

RCP GENERAL NOTES

1. THIS DRAWING ONLY FOR GENERAL CEILING & POWER LAYOUT ONLY- SEE ELECTRICAL DRAWINGS FOR MORE DETAILED INFORMATION

2. GC TO PROVIDE SHOP DRAWINGS FOR APPROVAL SHOWING MECHANICAL, PLUMBING AND SPRINKLER COORDINATION AMONG EACH TRADE AND WITH STRUCTURE TO AVOID CLASHES AND CONFLICTS.

RCP KEYNOTES (E)= EXISTING (R)= RELOCATED (N)= NEW

1 XXX

RCP LEGEND

CONTRACTOR TO SUBMIT SHOP DRAWINGS FOR APPROVAL PRIOR TO ORDERING

X'-X" CEILING HEIGHT

X REFER TO FINISH PLAN -A10.01 FOR FINISH LEGEND

DROPPED GYPSUM BOARD CEILING/SOFFT- 3 5/8" MTL STUD FRAMING AT 16" O.C. WITH 5/8" GYP. BD. OR USG GYP BD SUSPENSION SYSTEM. BRACE TO STRUCTURE ABOVE. HEIGHT AS INDICATED AND WIDTH PER PLAN

2X2 OR 2X4 LAY IN CEILING GRID- SEE FINISH PLAN. GRID TO BE CENTERED WITHIN ROOM OR SPACE U.O.N.

BATTERY BACKED UP EXIT SIGN-PROVIDE COMBINATION EMERGENCY LIGHT/EXIT UNIT AT EXIT DOORS INDICATED WITH EMERGENCY LIGHT FIXTURE

EXTERIOR BUILDING MOUNTED DUAL HEAD EMERGENCY LIGHT WITH REMOTE BATTERY BACK UP-DUAL LITE-OUTDOOR SPOT-EXT-OS-TWIN REMOTE HEADS WITH 'LM SERIES' BATTERY BACKUP UNIT

BATTERY BACKED UP EXIT SIGN

EXTERIOR BUILDING MOUNTED WALL PACK - DUAL LAMP WITH BATTERY BACKUP

(E)= EXISTING
(N)= NEW
(R)= RELOCATE EXISTING
(N/E)= NEW TO REPLACE EXISTING IN PLACE

ALL LAMPS TO BE SAME COLOR TEMPERATURE & CRI.
COLOR TEMPERATURE: 3500K
CRI (COLOR RENDITION INDEX): MIN 82

INTERIOR

D1 RECESSED DOWN LIGHT

D2 SURFACE MOUNTED DOWN LIGHT

P-1 SUSPENDED LED LIGHT FIXTURE

U1 4" STRIP FIXTURE - SURFACE MTD

EXTERIOR

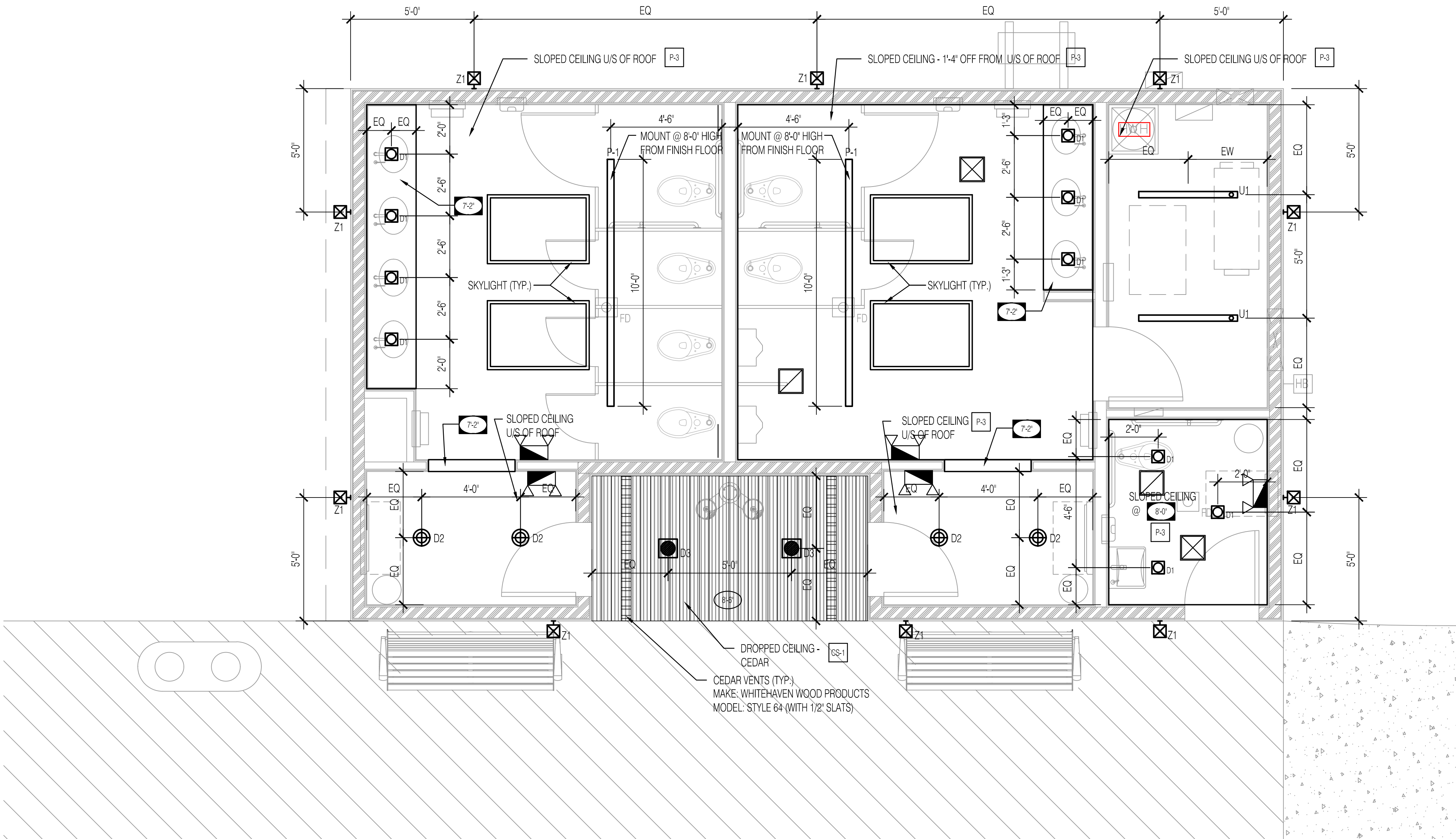
Z1 EXTERIOR WALL SCONCE

D3 RECESSED DOWN LIGHT

HVAC RETURN GRILL

HVAC SUPPLY GRILL

SPRINKLER HEAD



1 TOILET ROOM - RCP PLAN
SCALE: 3/8" = 1'-0"

ASBURY PARK BOARDWALK

PROPOSED RESTROOM BUILDINGS



A3.01

All drawings and written material appearing herein constitute original and unpublished work of the architect and may not be duplicated, used or disclosed without written consent of the architect.
©2019 MistryDesign LLC. All Rights Reserved

SIGN REQUIREMENTS

ALL ACCESSIBLE SIGNS SHALL COMPLY WITH SECTION 703 OF ICC/ANSI A117.1-2003

VISUAL CHARACTERS

1. CHARACTERS REQUIRED TO BE VISUAL SHALL COMPLY WITH SECTIONS 703.2

TACTILE CHARACTERS

1. CHARACTERS REQUIRED TO BE TACTILE SHALL COMPLY WITH SECTIONS 703.3

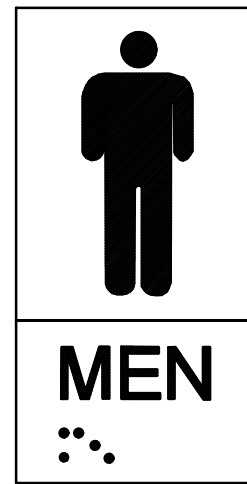
BRAILLE

1. CHARACTERS REQUIRED TO BE BRAILLE SHALL COMPLY WITH SECTIONS 703.4

PICTOGRAM

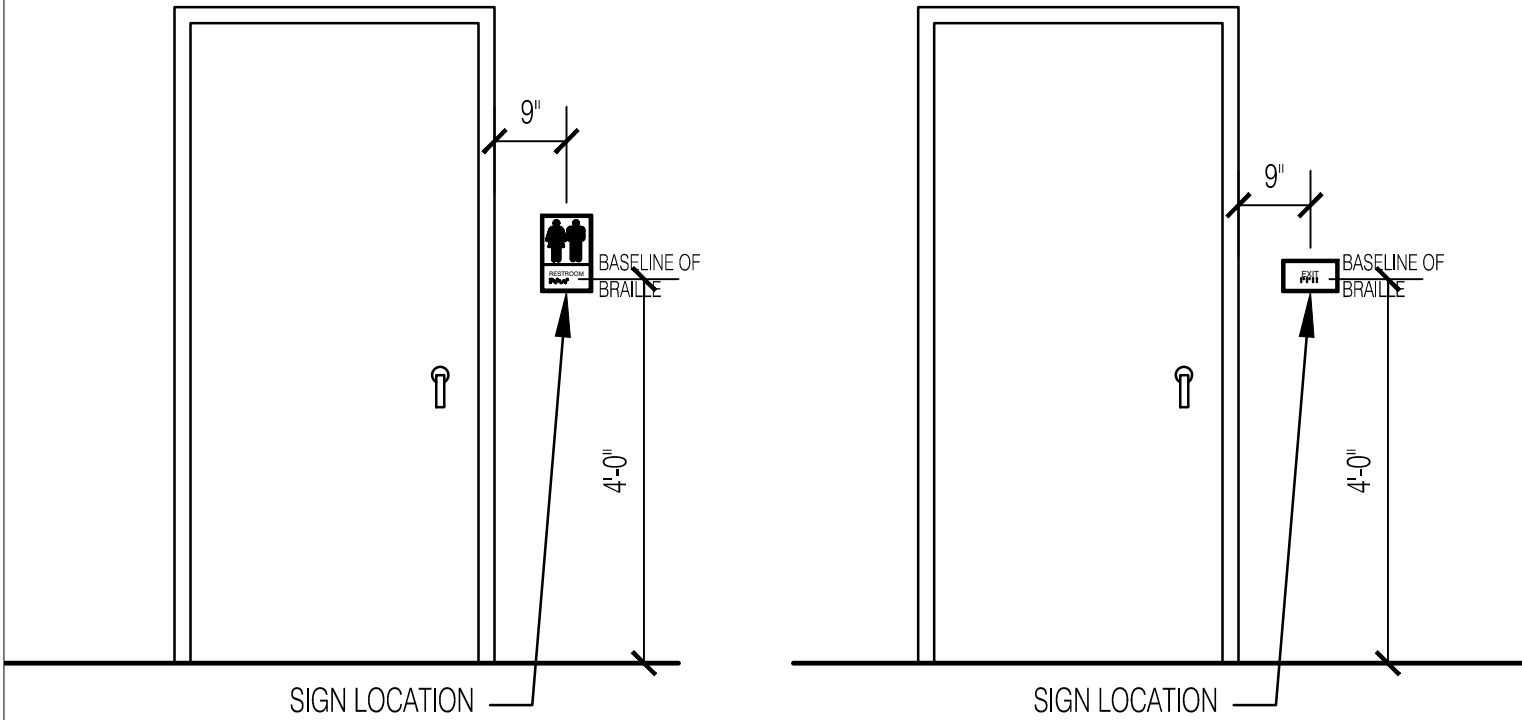
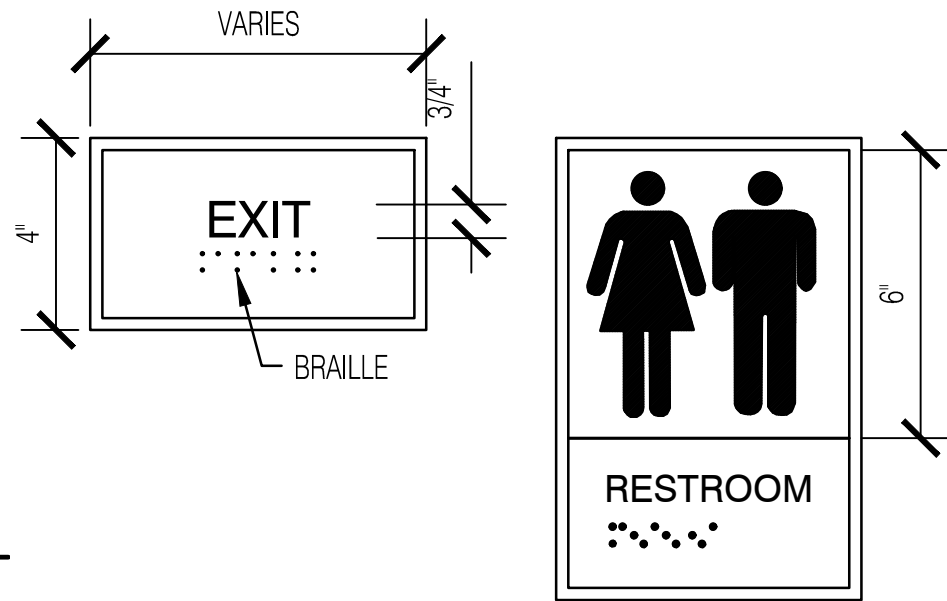
1.PICTOGRAMS SHALL COMPLY WITH SECTIONS 703.5.1 THROUGH 703.5.4

2.PICTOGRAM SHALL HAVE A FIELD WITH A HEIGHT OF 6 IN MIN. CHARACTER OR BRAILLE SHALL NOT BE IN THE PICTOGRAM FIELD.



SYMBOLS OF ACCESSIBILITY
1. SYMBOLS OF ACCESSIBILITY SHALL COMPLY WITH SECTIONS 703.7.1 THROUGH 703.7.2.
SYMBOLS
1. WHERE THE INTERNATIONAL SYMBOL OF ACCESSIBILITY IS REQUIRED, IT SHALL BE PROPORTIONED COMPLYING WITH FIGURE 703.7.6.3.1
2. WHERE THE INTERNATIONAL SYMBOL OF TTY IS REQUIRED, IT SHALL BE PROPORTIONED COMPLYING WITH FIGURE 703.6.3.2

1/8" ACRYLIC BACK WITH RAISED LETTERS
COLOR- CONTRASTING (TBD)
SQUARE CORNERS
3/4" TEXT HEIGHT
ADHEARED TO WALL



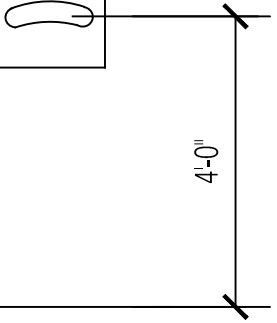
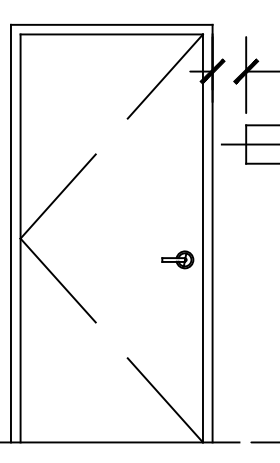
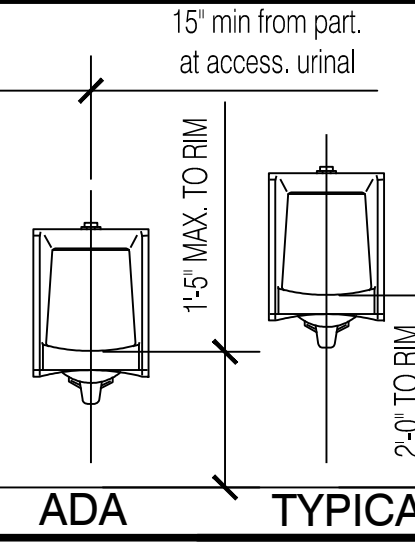
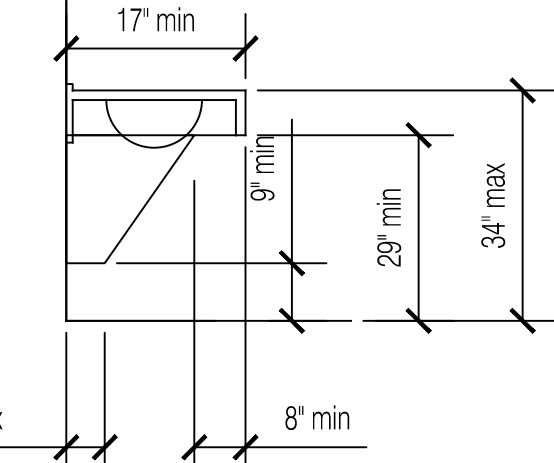
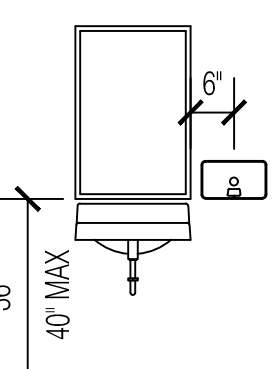
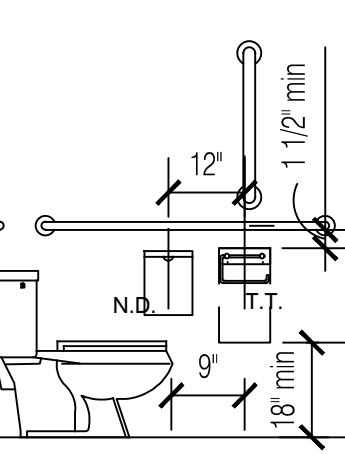
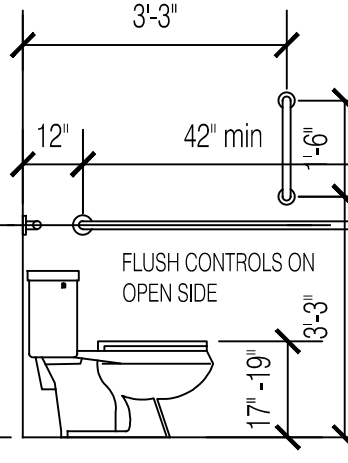
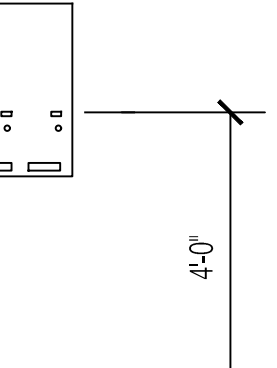
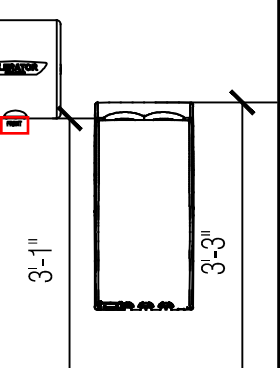
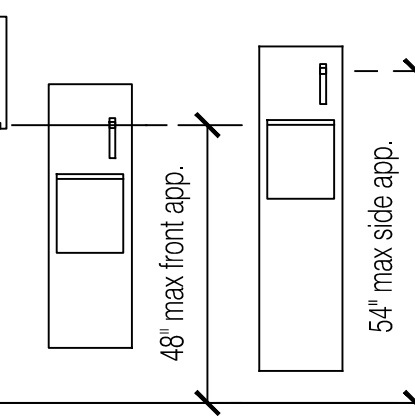
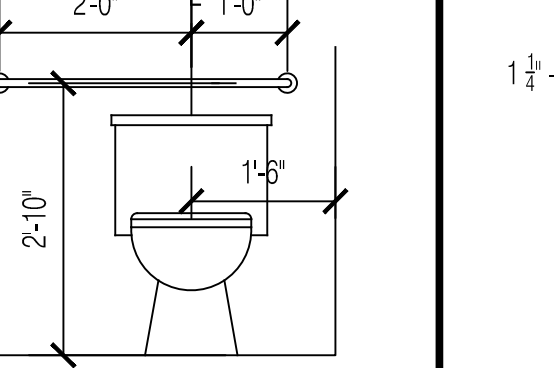
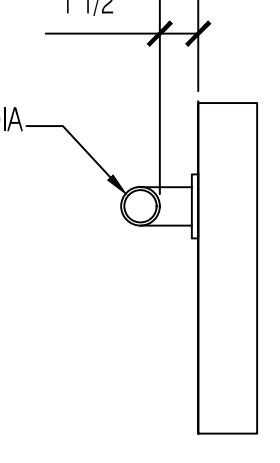
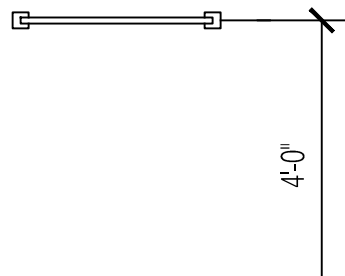
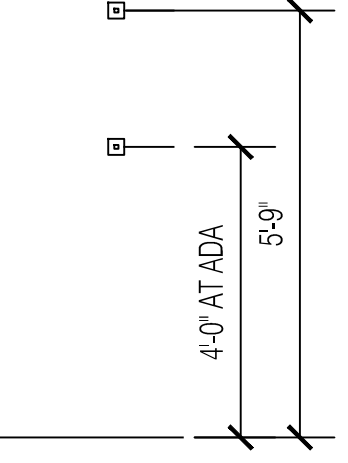
SG-1 HANDICAPPED SIGNAGE DETAIL

1/2"=1'-0"

	Equipment	Manufacturer	Model #	Finish	Note
TL-5	Toilet	See MEP Dwg.	-	-	ADA Compliant
TL-7	Toilet	See MEP Dwg.	-	-	ADA Compliant (PRE K & K)
U-1	Urinal	See MEP Dwg.	-	-	ADA Compliant
LAV-6	Lavatory	See MEP Dwg.	-	-	Wall Mounted
LAV-7	Undermount Sink	See MEP Dwg.	-	-	ADA Compliant
TA-01.3	Soap Dispenser	Sloan	ESD 400-SF	Stainless Steel	Surface Mounted/Sensor Activated
TA-2	Mirror	Bobrick	B-165	Stainless Steel	Wall Mounted
TA-2.3	Mirror	--	48"H x Counter Width		Wall Mounted
TA-3.2	Paper Towel Dispenser/ Waste Receptacle	Bobrick	B-43944	Satin St. Stl.	Recessed
TA-0.6	Sanitary Napkin Disposal	Bobrick	B-270	Satin St. Stl.	Surface Mounted
TA-4	Toilet Tissue Dispenser	Bobrick	B-4288	Satin St. Stl.	Surface Mounted / Multi Roll
TA-B.1	36" Grab Bar	Bobrick	B-6806 X 36.99	Satin/Peened Grip	
TA-B.2	42" Grab Bar	Bobrick	B-6806 X 42.99	Satin/Peened Grip	
TA-B.3	18" Grab Bar	Bobrick	B-6806 X 18.99	Satin/Peened Grip	
TA-9	Coat Hook	Bobrick	B-6707	Satin St. Stl.	Concealed Mounting
TA-10.3	Electric Hand Dryer	Xlerator	XL-SB	Brushed Steel St. Stl.	Surface Mounted W ADA Xchange Combo Kit # 40576
TP-1	Toilet partition/uri.screen	Scranton Products	1" HDPE	O.P.	Color- Charcoal Grey, St. Stl. Hardware, NOTES: - FLOOR MOUNTED OVERHEAD BRACED 55" STANDARD HEIGHT - REGAL HINGE - STAINLESS STEEL DOUBLE EAR STIRRUP BRACKETS - ALUMINIUM HEAD RAIL - STAINLESS STEEL LATCHES - OCCUPANCY INDICATOR - STAINLESS STEEL SHOES
WC-1	Water Cooler	Elkay	LK4409BF	Satin St. Stl.	ADA Compliant
TA-7.1	Baby Changing Station	Koala Kare Products	KB111-SSRE	Satin St. Stl.	ADA Compliant
TA-7.2	Baby Changing Station	Koala Kare Products	KB110-SSRE	Satin St. Stl.	ADA Compliant
TA-5.1	Seat Cover Dispen.	Bobrick	Contura B-4221	Satin St. Stl.	Surface Mounted
TA-3.4	Trash Receptacle	Registry	10.5gal	Black/Chrome	Flat Top, Half Round

3 Toilet Accessories Schedule

NTS

Toilet Seat Cover Dispenser	Toilet Rm Signage	Urinal-(Hi-Low)	Lavatory	Mirror/Soap Dispenser	Toilet Tissue Holder/ Napkin Dispenser	Toilet/ Grab Bar
						
Sanitary	Hand dryer	Paper Towel Disp. w/ Waste	Toilet	Grab Bar	Shelf	Coat Hook
						

Note: Mounting height from finished floor to highest operable control

2 Toilet Accessories Mounting Heights

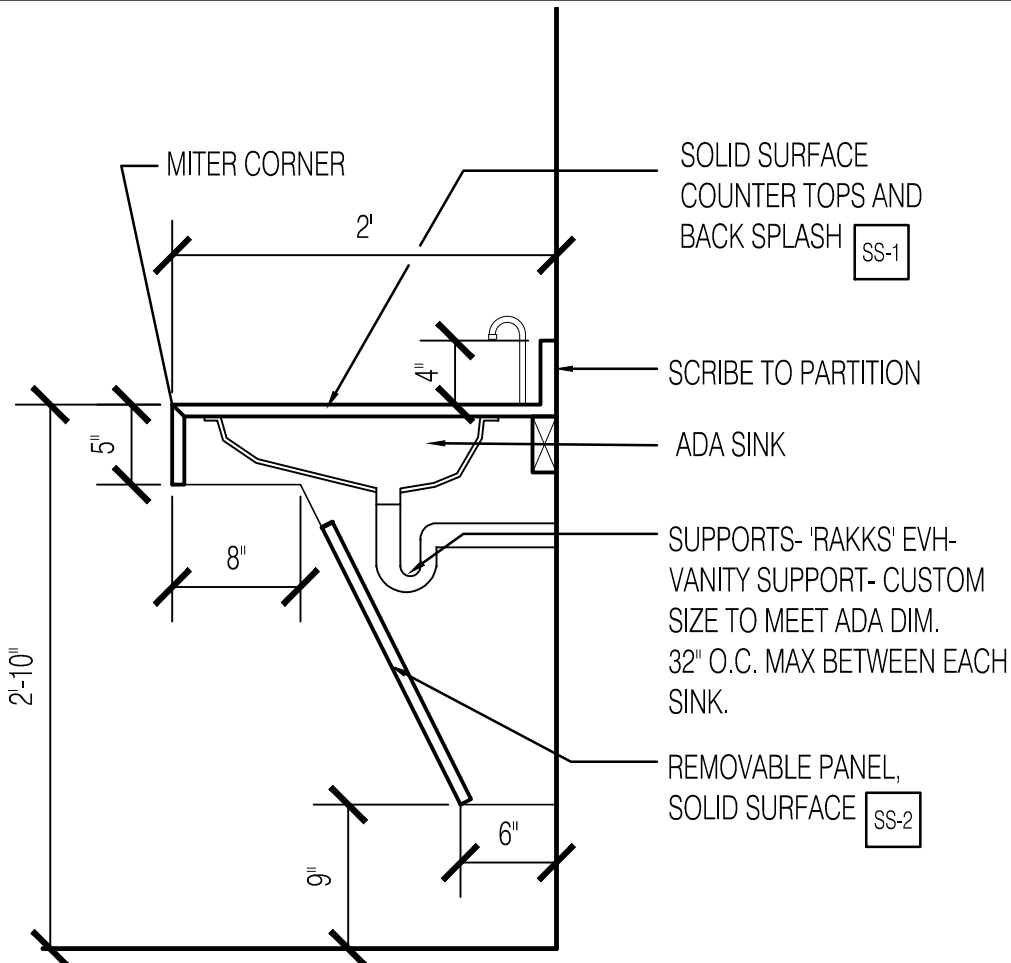
NTS

1 Notes

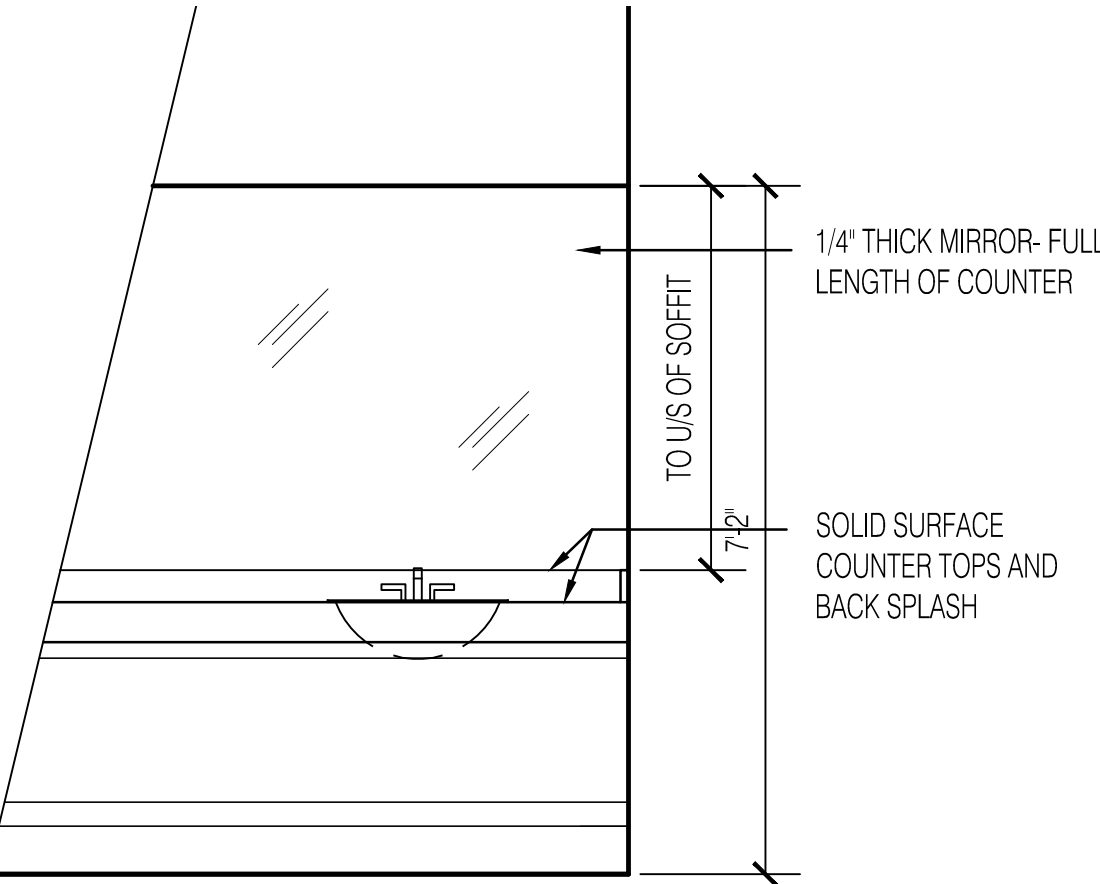
NTS

5 Typ. Counter Details Main Toilet Room

1/2"=1'-0"



SECTION
1"=1'-0"



ASBURY PARK BOARDWALK

PROPOSED RESTROOM BUILDINGS

NOTES:

ALL ACCESSIBLE TOILET ROOMS TO FOLLOW MOUNTING HEIGHTS & DIMENSIONS AS SHOWN.

PROPOSED RESTROOM BUILDINGS



Enlarged Plan @ Womens Toilet Room

A6.01

All drawings and written material appearing herein constitute original and unpublished work of the architect and may not be duplicated, used or disclosed without written consent of the architect.
©2019 MistryDesign LLC. All Rights Reserved



**Asbury Park, New Jersey
ORDINANCE NO. 2023-32**

**ORDINANCE OF THE CITY OF ASBURY PARK AMENDING AND
SUPPLEMENTING SECTION 4-1, ENTITLED “BUSINESS LICENSES,” OF
CHAPTER 4 “GENERAL LICENSING,” OF “THE CODE OF THE CITY OF ASBURY
PARK.”**

WHEREAS, the City of Asbury Park (the “City”) previously established Section 4-1, entitled, “Business Licenses,” of Chapter 4, “General Licensing,” of “The Code of the City of Asbury Park” (also referenced as the “City Code”); and

WHEREAS, the Mayor and Council wish to revise Section 4-1 of the City Code, in certain limited respects, in accordance with the provisions set forth herein.

NOW, THEREFORE, BE AND IT IS HEREBY ORDAINED, by the Mayor and City Council of the City of Asbury Park, in the County of Monmouth and State of New Jersey, that Section 4-1, entitled, “Business Licenses,” of Chapter 4, “General Licensing,” of “The Code of the City of Asbury Park,” is hereby amended and supplemented as follows (additions are show with underline; deletions are shown with ~~strikeout~~):

Chapter 4. General Licensing

§ 4-1. BUSINESS LICENSES.

§ 4-1.1. License Required.

No person within the City shall engage in or carry on any business, listed in § 4-1.4, or use any vehicle, stand, store or other place listed in § 4-1.4 unless a license is first obtained from the City.

§ 4-1.2. License Application.

Application for a license, unless otherwise provided, shall be made to the License Inspector, City Clerk or duly authorized representative of the Clerk, and the license shall be issued by the City Clerk or duly authorized representative of the Clerk. In addition to all other requirements, each applicant must provide proof of liability insurance coverage concerning the licensed premises, including the name of the applicant's insurance carrier, the expiration date of the general liability insurance policy covering the licensed premises, and a copy of the declaration page. No license shall be granted until the license fee has been paid. Every license shall specify by name the person to whom it is issued, the business for which it is granted and the location at which such business is to be carried on.

§ 4-1.3. Terms of License.

License fees shall be payable annually to the City Clerk or duly authorized representative of the Clerk, on January 1 and licenses shall expire on the following December 31. Year-round businesses shall pay the applicable fee no later than March 1, or a late fee of \$100 will be assessed. Seasonal businesses (May 1 to September 30) shall pay the applicable fee no later than June 1, or a late fee of \$100 will be assessed. New business licenses issued between September 1 and December 31 shall be issued for 1/2 of the fees prescribed in § 4-1.4.

§ 4-1.4. Fees.

- a. Fees Enumerated. The annual license fees paid to the City for conducting the business herein named at the place to be designed in the license certificate issued therefor are as follows:

Amusements or amusement rides, each	\$200 -\$250
Arcade Games, per machine	\$25 \$30
Automobile/Motor Cycles agency or show rooms:	
Sale of New Cars/Motor Cycles only	\$250 \$310
Sale of Used Cars/Motor Cycles only	\$250 \$310
Sale of New and Used Cars/Motor Cycles	\$500 \$625
Automobile Rentals	\$100 \$125
Automobile Repair and/or Service Station	\$100 \$125
Barber Shop/ Hair-Salons	\$50 \$60
Plus per chair	\$10 \$15
Cosmetology/Hair/Spa/Nails/Waxing	\$200
Brewery/Distributors	\$300 \$375
Brewery/Distributors that provide tours and/or sells product to public	\$500 \$625
Boarding houses, hotels, motels, inns, bed & breakfast, lodging houses	
Each sleeping room	\$10 \$15
Minimum license fee	\$50 -\$60
Concessions	\$100
Contractors/General Builders, any kind	\$100 \$125
Dance Hall	\$150 \$185
Hotels, motels, inns, bed & breakfast, lodging houses	
Each sleeping room	\$10 \$20
Minimum license fee	\$50 \$150
Liquor Distributors	\$100 \$125
Driving School	\$100 \$125
Drug Store/Pharmacy	\$200 \$250
Food Store	
0 to 3,000 square feet	\$150 \$185
3,001 square feet and over	\$1,500 \$1,875
Laundromat	\$75
Plus per machine	\$5
Live entertainment conducted for private pecuniary gain in	

Non-City owned buildings with an occupancy capacity of 1,000 persons or more	\$2,500	\$3,125
Garage and Parking lot	\$250	
Market Place/Inside Flea Markets	\$100	\$125
Miscellaneous (other business not classified or enumerated)	\$100	\$125
Newspaper Publisher	\$150	\$185
Nightclubs, established, permitting dancing or public entertainment where food or beverages are served to patrons		
Accommodations, up to 100 persons	\$100	\$250
Accommodations, from 101 to 200 patrons	\$200	\$350
Accommodation over 200 patrons	\$400	\$500
Professional Services (accounting, legal, medical and other such services provided by a formally certified member of a professional body) [Ord. No. 2016-50]	\$100	\$125
Real Estate Agent	\$100	\$125
Restaurants		
Less than 15 tables Seating capacity fewer than 25	\$100	\$125
15-30 tables Seating capacity 26-50	\$150	\$225
Over 30 tables Seating capacity 51-100	\$200	\$350
Seating capacity over 100		\$500
Retail (any sale of goods)	\$100	\$125
Shuttle Services	\$200	\$250
Studios (dance, art, photography, etc.)	\$100	\$125
Swimming Pools	\$500	\$625
Theater, opera or movie		
0-150 persons	\$150	\$185
151-350 persons	\$400	\$500
351-999 persons	\$800	\$1,000
1,000 persons or more	\$2,500	\$3,125
Trucks or other vehicles selling food or drinks (stationary)	\$100	

- b. Additional Fee for Mercantile Licenses with Non-Life Hazard Uses. In addition to the fees enumerated in Subsection a. above, all mercantile licenses with non-life hazard uses, as determined by the Fire Official of the City of Asbury Park, shall pay an additional fee as established in Chapter XIV, Fire Prevention and Protection, per year to cover the cost of an annual fire inspection as required by the Division of Fire Safety Bureau of the New Jersey Department of Community Affairs.

§ 4-1.5. Compliance with Laws; Revocation of License After Hearing; Transfers.

No license certificate shall be issued to any person who has not complied with the laws of the State of New Jersey, or the provisions of this Code providing regulations respecting the safety of persons who may have occasion to use the premises, place or thing licensed. In case any person licensed fails to comply with such laws or ordinances after due notice and opportunity to be heard, the City Council may revoke such license. Any license provided for by this Chapter may be transferred from one (1) person to another but no license shall cover any other place of business than that for which it was issued. Any such transfer of license shall be subject to a fee of

ten (10%) percent of the regular license fee, with a minimum fee of fifteen (\$15) dollars, and shall be payable to the City Clerk.

§ 4-1.6. Enforcement.

Any Code Enforcement Official, ~~p~~Police ~~o~~Officer of the City, the Construction Code Official of the City, the Zoning Officer, any Health Officer or any other City official or employee authorized by the City ~~Manager~~ Clerk, is permitted to execute and enforce the enforcement regulations adopted to protect and facilitate the carrying on of the several businesses, licensed by this Chapter.

§ 4-1.7. Access to Premises.

Every person conducting a business required to be licensed shall permit any Code Enforcement Official, ~~p~~Police ~~o~~Officer of the City, the Construction Code Official of the City, the Zoning Officer, any Health Officer or any other City official or employee authorized by the City ~~Manager~~ Clerk to have access to any building or premises for the purpose of ascertaining whether there has been compliance with the provisions of this section and to determine the fees to be paid and to issue summonses when warranted.

§ 4-1.8. Issuance, Renewal and Revocation of Business Licenses Where Property Taxes, Assessments, or Sewer Utility Bills are Delinquent; Hearing.

- a. The City Clerk or duly authorized representative of the City Clerk, may condition the issuance or renewal of any license or permit described in this Chapter upon the following requirements: payment by the applicant, if he/she is the owner thereof, of any delinquent property taxes and assessments, including any sewer utility bills, on the property wherein the business or activity is to be conducted.
- b. Where the holder of any license or permit described in this Chapter is also the owner of the property wherein the business or activity is conducted and where the owner has failed to pay property taxes, assessments, and sewer utility bills due upon the property for at least three (3) consecutive quarters, such license or permit may be revoked by the Mayor and Council. Upon payment of the delinquent taxes, assessments and sewer utility bills, the license or permit shall be restored, provided that all other requirements of the license or permit are satisfied.
- c. Any person who is denied a license or permit pursuant to Subsection **a.** or whose license or permit is revoked pursuant to Subsection **b.** may file a written appeal with the Mayor and Council. The Mayor and Council shall then schedule a hearing within thirty (30) days from the date of the filing of the written appeal or a reasonable time thereafter. At the hearing the Mayor and Council will consider the following factors as well as any and all other factors relevant in determining whether to deny or revoke a license or permit:
 1. The amount due on delinquent taxes and for what period(s);
 2. Any prior history of delinquent taxes;
 3. Reasons for failure to pay taxes; and

4. The ability to pay delinquent taxes as of the hearing date or within a reasonable time thereafter.

Mayor and Council shall notify the applicant in writing of its decision within ten (10) days of the hearing. If the appeal is denied, the written decision shall set forth the reasons for the denial.

§ 4-1.9. Standards of Operation; Revocation or Suspension; Complaints.

- a. Notwithstanding any of the foregoing references to revocation of a Business License, a license may be revoked or suspended in the event that any business is operated in a manner which substantially impairs public safety to its customers or to the general public. As a specific standard, the following activities shall be deemed to be injurious to the public health and therefor prohibited: loud and abusive noises coming from tenants, guests or business invitees; loud gatherings at all hours of the day and night within and upon the business premises; boisterous activities; loud, unruly and profane language; public drunkenness; minors consuming alcoholic beverages; overcrowding upon the business premises or near the business premises due to activity upon the business premises; use of fireworks; public urination; excessive noise as defined in the following subsections; and any other disorderly acts which disturb the peace and good order of the neighborhood and community.
- b. As a further specific standard, any creating of loud or unnecessary noise shall be prohibited upon the business premises or near the business premises due to activity upon the business premises. The making, creating or permitting of any unreasonably loud, disturbing or unnecessary noise in the City is hereby prohibited.
- c. The making, creating or permitting of any noise of such character, intensity or duration as to be detrimental to the life, health or welfare of any individual or which either steadily or intermittently annoys, disturbs, injures or endangers the comfort, repose, peace or safety of any individual is hereby prohibited.
- d. In the event that the City, through its Police Department or municipal offices or officers, receives a complaint(s) arising from incidents concerning the improper operation of a business establishment constituting an action injurious to the public health, safety and welfare, the following actions shall be taken.
 1. If the City Clerk, or a duly authorized representative of the Clerk, shall be of the opinion that the violation substantially impairs the public safety to its customers or to the general public, the Business License shall be immediately be suspended. At the request of the Business Licensee, a hearing will thereafter be scheduled before the City Manager, or a duly authorized representative, within five (5) days of the request, to reinstate said Business License.
 2. If the City Clerk, or a duly authorized representative of the Clerk, shall be of the opinion that the violation is minor in nature, the City Clerk, or a duly authorized

representative of the Clerk, shall cause a written notice to be issued and served upon the licensee in question. Service of said written notice may be made by personal service, certified mail, return receipt requested, or regular mail in the event that service is refused. If the whereabouts of the licensee is unknown and the same cannot be ascertained by the exercise of reasonable diligence, the Clerk, or a duly authorized representative of the Clerk, shall make an affidavit to that effect and then serve such written notice by publishing the same once each week for two (2) consecutive weeks in the newspaper printed and published in the City of Asbury Park or in the absence of said newspaper, in a newspaper printed and published in Monmouth County and circulating in the City of Asbury Park. The written notice shall clearly state the charges brought against the licensee and shall contain a notice that a hearing will be held before the City Manager, or a duly authorized representative, at a place therein fixed not less than ten (10) days nor more than thirty (30) days after the service of said written notice. The written notice shall also advise the licensee that said licensee shall have the right to file a response to the written notice and to appear, in person, by attorney, or otherwise, to give testimony or present evidence in his defense.

3. No later than ten (10) days after the conclusion of the above hearing, the City Manager, or a duly authorized representative, or such person as they shall designate shall issue a written decision setting forth its findings. If the City Manager, or a duly authorized representative, concludes that the licensee has operated its business in a manner injurious to the public health, safety and welfare, then said written order shall prescribe the remedial action to be taken by the licensee and/or the penalty to be imposed. Penalties may include the suspension or revocation of the licensee's Business License. Any person who violates any provision of this section, upon conviction, shall be liable to the penalty stated in Chapter I, Section 1-5.

§ 4-1.10. Sale of Animals Restricted.

a. Definitions.

ANIMAL CARE FACILITY

shall mean an animal control center or animal shelter, maintained by or under contract with any state, county, or municipality, whose mission and practice is, in whole, or significant part, the rescue and placement of animals in permanent homes or rescue organizations.

ANIMAL RESCUE ORGANIZATION

shall mean any not-for-profit organization which has tax-exempt status under Section 501(c)(3) of the United States Internal Revenue Code, whose mission and practice is, in whole or in significant part, the rescue and placement of animals in permanent homes.

CAT

shall mean a member of the species of domestic cat, *Felis catus*.

DOG

shall mean a member of the species of domestic dog, *Canis familiaris*.

OFFER FOR SALE

shall mean to sell, offer for sale or adoption, advertise for the sale of, barter, auction, give away or otherwise dispose of a dog or cat.

PET SHOP

shall mean shall mean a retail establishment where dogs and cats are sold, exchanged, bartered or offered for sale as pet animals to the general public at retail. Such definition shall not include an animal care facility or animal rescue organization, as defined.

b. Restrictions on the Sale of Animals.

No pet store shall sell, deliver, offer for sale, barter, auction, give away, or otherwise transfer or dispose of cats or dogs. Nothing in this section shall prohibit pet stores from collaborating with animal care facilities or animal rescue organizations to offer space for such entities to showcase adoptable dogs and cats.

BE IT FURTHER ORDAINED, that all other provisions of Section 4-1 of the City Code which are not referenced in this Ordinance shall remain unaffected/unchanged and remain in full force and effect.

BE IT FURTHER ORDAINED, that all parts and provisions of any Ordinance which are inconsistent with the provisions of this Ordinance shall be repealed to the extent of such inconsistency.

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

BE IT FURTHER ORDAINED, that this Ordinance shall take effect upon final passage and publication in accordance with the law, following the required twenty (20) day period after adoption, as set forth in N.J.S.A. 40:69A-181(b).

I, LISA ESPOSITO, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of ORDINANCE NO. 2023-32 which was finally adopted by the City Council at a meeting held on the 8th day of November, 2023

LISA ESPOSITO
CITY CLERK



**Asbury Park, New Jersey
ORDINANCE NO. 2023-33**

**ORDINANCE OF THE CITY OF ASBURY PARK AMENDING AND
SUPPLEMENTING SECTION 4-9 ENTITLED “DISPLAY OF MERCHANDISE IN
PUBLIC AREAS; OUTDOOR/SIDEWALK CAFES,” OF CHAPTER 4, “GENERAL
LICENSING,” OF “THE CODE OF THE CITY OF ASBURY**

WHEREAS, the City of Asbury Park (the “City”) previously established Section 4-9, entitled, “Display of Merchandise in Public areas; Outdoor/Sidewalk Cafes,” of Chapter 4, “General Licensing,” of “The Code of the City of Asbury Park” (also referenced as the “City Code”); and **WHEREAS**, the Mayor and Council wish to revise Section 4-9 of the City Code, in certain limited respects, in accordance with the provisions set forth herein.

NOW, THEREFORE, BE AND IT IS HEREBY ORDAINED, by the Mayor and City Council of the City of Asbury Park, in the County of Monmouth and State of New Jersey, that Section 4-9, entitled, “Display of Merchandise in Public areas; Outdoor/Sidewalk Cafes,” of Chapter 4, “General Licensing,” of “The Code of the City of Asbury Park,” is hereby amended and supplemented as follows (additions are show with underline; deletions are shown with ~~strikeout~~):

Chapter 4. General Licensing

§ 4-9. DISPLAY OF MERCHANDISE IN PUBLIC AREAS; OUTDOOR/SIDEWALK CAFES.

§ 4-9.1. Definitions.

For the purpose of this section:

MERCHANT WARES

shall include, but not be limited to, merchandise, chattels or other articles for sale to the public, along with accompanying showcase(s), stand(s), sales counter(s), sales apparatus, cart(s), vehicle(s), and/or other necessary items used for purposes of display.

OUTDOOR/SIDEWALK CAFE

shall mean an area adjacent to a restaurant, bar, market or other commercial establishment that is intended to be utilized for the purpose of outdoor dining, including the service of food and/or beverages with tables and chairs, and which is required to be licensed pursuant to this section.

PUBLIC AREA

shall include, but not be limited to, that portion of a public sidewalk, public right-of-way, public plaza, public boardwalk, or public park, which immediately abuts a commercial establishment. For purposes of this section, the public beach shall not be construed as a public area which is subject to licensing as an outdoor cafe.

REQUIRED PEDESTRIAN PASSAGEWAY

shall mean an area of sidewalk, parallel to the principal façade and the curbline, at least five (5) feet wide between the adjacent building and the adjacent curb, which shall be unobstructed by trees, tree wells, light poles, trash receptacles, sign poles and posts, telephone booths and similar structures. The ~~pathway~~ passageway shall not meander around obstructions,

and should be aligned via a constant offset from the curbline as determined by the City. The required passageway shall not include an area of sidewalk that is within 4 feet from the curbline.

STREETSCAPE IMPROVEMENTS

shall consist of curbs, sidewalks, handicap ramps, street trees, tree grates, planters, benches, trash receptacles, street lighting, crosswalks, wayfinding signs, and any other element that may be associated with improvements in the public right-of-way.

§ 4-9.2. License Required.

No person shall place or allow to be maintained in or upon any public area as defined herein any merchant wares, nor shall a person establish, maintain or operate an outdoor/sidewalk café or otherwise serve food ~~or~~ and beverages in any public area as defined herein without first obtaining a license from the City Clerk or duly authorized representative of the Clerk.

§ 4-9.3. Regulations.

Any person who wishes to utilize a public area as defined herein in the manner specified in this section and who obtains the proper license from the City Clerk or duly authorized representative of the City Clerk is required to adhere to the following regulations:

a. Merchant wares and/or outdoor/sidewalk cafés to be located in public areas as defined herein must be placed in such a manner that the displays or café is no further than twenty (20) feet from the exterior wall of the commercial establishment ~~in any public area that is part of the public boardwalk, nor further than fifteen (15) feet from the commercial establishment in all other public areas.~~ Additionally, no furniture, apparatus, decoration or appurtenance used in connection with the display of merchant wares or the operation of the outdoor café shall be located in or project or protrude into any required pedestrian passageway or be closer than four (4) feet to a curb, and such encumbrances shall not pose a safety hazard to the general public or be located in such a way as to impede the safe and speedy ingress and egress to or from any building or structure. Seating capacity for outdoor/sidewalk cafes in the public area shall be provided by tables and chairs/benches, and must not exceed four (4) people per 100 square feet of space.

b. Merchant wares and outdoor/sidewalk cafés to be located in a public area as defined herein must be placed and/or set up in a neat and orderly fashion, and the area of use ~~shall~~ may be ~~clearly~~ demarcated through the placement of a temporary ~~fence or other~~ barricade which is acceptable to the City. Temporary barricades shall be a maximum of three (3) feet high and 18 inches deep and may not be permanently affixed into the public sidewalk, boardwalk, or exterior of any building. Any temporary barricade must also be modular and each module shall be no more than eight (8) feet in length and shall be portable, should its removal ever be required for emergency access to the public area by the City. The design, type and placement of the temporary fence or barricade must be reviewed and approved by the City before the license is issued.

c. Merchant wares and outdoor/sidewalk cafés to be located in a public area as defined herein shall be solely an extension of the permitted business use within the adjacent building or storefront with frontage on that public area. The exterior boundaries of the outdoor use shall be determined by the ~~interior walls of the front building~~ façade or storefront which abuts the public area, and the ~~furthest extent of any temporary barricade, furniture, apparatus, decoration or appurtenance used in connection with the display of merchant wares or the operation of the outdoor café in the public area~~ exterior wall(s) of the barricade as referenced in § 4-9.3b above.

d. Merchants are responsible for policing the public area which they occupy and keeping it free of trash and debris. Merchants, and in particular restaurants, sponsoring outdoor/sidewalk

cafés in front of their establishments, are responsible for providing their own trash receptacles and shall not rely on City receptacles for the disposal of refuse. These trash receptacles shall not be located within the public areas. Recyclables shall be disposed of in accordance with City Code and regulations.

e. Music is permitted between the hours of 12:00pm and 10:00pm each day within the approved boundaries of the occupied public area, provided the music is not amplified in any way, and that the display of merchant wares or the operation of the outdoor café remains the principal use of the occupied space.

f. No queuing of customers in connection with the display of merchant wares or the operation of the outdoor café shall be permitted in the required pedestrian passageway.

g. Canopies, pergolas, tents, and outdoor bars and counters are strictly prohibited in the public area. Umbrellas are permitted for providing shade to diners and shoppers, but must be closed nightly and shall not protrude into the required pedestrian passageway.

h. Temporary barricades, furniture, apparatus, decoration or appurtenances used in connection with the display of merchant wares or the operation of the outdoor café shall be completely removed from the public area from December 31st through March 1st. Permanent, year-round structures of any kind are not permitted in the public area.

ei. All persons applying for a license must submit a general liability insurance certificate covering bodily injury and property damage with a minimum of one million (\$1,000,000) dollars per person and one million (\$1,000,000) dollars per accident or occurrence. The City of Asbury Park shall be named coinsured and the applicant shall also execute a Hold Harmless Agreement, in a form provided by the City Clerk or duly authorized representative of the Clerk and which is approved by the City Attorney, between ~~himself/herself~~ the applicant and the City of Asbury Park. The Certificate of Insurance and the Hold Harmless Agreement shall be submitted at the time of application for a license.

fi. All applicants shall also submit a site plan, ~~sketch or other drawing~~ which depicts the area of proposed use, ~~along with~~ showing the location of all temporary barricades, furniture, apparatus, decoration or appurtenances ~~tables, chairs, etc.,~~ which shall be placed within the public area. The site plan shall also show the location of any fire hydrant, plug or standpipe, utility pole, parking meter station, bench, trash receptacle, tree, telephone booth or other permanent fixture between the building and the curb including a clear indication of the presence of any required pedestrian passageway. The plan shall be drawn to scale and must show exact written dimensions of the proposed layout, but need not be professionally prepared. Once a license application is approved by the City, the site plan shall be legally binding and anything not shown on the plan shall not be permitted in the public area.

k. Any outdoor heaters and/or propane to be used in connection with the display of merchant wares or the operation of the outdoor café shall require approval from the Fire Official and must be shown on the submitted site plan, as referenced in § 4-9.3.j.

l. Any lighting to be used in connection with the display of merchant wares or the operation of the outdoor café shall be coordinated in a consistent approach which compliments the adjacent architecture and landscape design and must not exceed a color temperature of 2,700K. All lighting must be shown on the submitted site plan, as referenced in § 4-9.3.j.

gm. All applicants shall be responsible for securing any and all other licenses, permits and/or approvals which may be required pursuant to State law or local ordinance in conjunction with their proposed use of the public area for their specific purpose, including but not limited to applicable Fire Code, liquor license or other requirements.

§ 4-9.4. Application: Investigation, Issuance or Denial.

a. An application for a license to use a public area as defined herein in the manner specified in this section shall be available on a form issued by the City Clerk or duly authorized representative of the Clerk. No applications for such a license shall be accepted until the applicant has already obtained a valid business license, as referenced in § 4-1.1. Once a completed application is received by the Clerk or duly authorized representative of the Clerk with the required Insurance Certificate, Hold Harmless Agreement and the licensing fee, it shall be reviewed by the Planning and Redevelopment Department, Fire Department, ~~Planning, and Zoning Departments~~, and the Health Department, where necessary, and/or their designee(s), which will conduct an investigation into the data contained in the application. As part of their investigation, the aforesaid City Departments shall take into consideration the proposed location of the requested activity, potential interference of the activity with pedestrians or vehicular traffic, appropriateness of design, the business record of the applicant, and any public safety, health and welfare consideration. Upon completion of their investigation, the aforesaid City Departments shall forward their findings and recommendations to the City Clerk or duly authorized representative of the Clerk, which may include conditions intended to be attached to the license for the health, safety and welfare of the public. The City Clerk or duly authorized representative of the Clerk, after consideration of the application and the findings made by the aforesaid City Departments, and in consultation with the City Manager, shall issue or deny the license, with such conditions as may be required per the review and recommendations of said Departments.

b. Licensed businesses in the City may apply to utilize additional unreserved public space in front of an adjacent property for the display of merchant wares or the operation of an outdoor café, provided that the business wishing to utilize the additional space submits a new application along with a letter from the adjacent business or property owner with the available space authorizing the use of that space. All of the regulations as referenced in § 4-9.3.i. shall apply.

§ 4-9.5. Annual Licensing Fees.

a. Public Areas on the Boardwalk. Any person submitting an application to use a portion of the boardwalk in the manner specified in this section shall pay an annual licensing fee of fifty (\$50) dollars, plus ~~four (\$4)~~ six (\$6) dollars per square foot of the boardwalk area that they intend to utilize.

b. Other Public Areas. Any person submitting an application to use public areas as defined herein other than the boardwalk in the manner specified in this section shall pay an annual licensing fee of fifty (\$50) dollars, plus ~~four (\$4)~~ six (\$6) dollars per square foot of the public area that they intend to utilize.

§ 4-9.6. Annual Renewal.

License fees shall be payable annually to the City Clerk or duly authorized representative of the Clerk, on ~~January~~ March 1st and licenses shall expire on December 31st of each year. ~~the following December 31. Year-round businesses shall pay the applicable fee no later than March 1, or a late fee of \$100 will be assessed. Seasonal businesses (May 1 to September 30) shall pay the applicable fee no later than June 1, or a late fee of \$100 will be assessed. If the licensee desires to expand or change their usage of the public area in any way that differs from the site plan on file with their approved license application, they must make a new application and obtain an updated license approval, per § 4-9.4., prior to executing any such changes.~~

§ 4-9.7. Violations; Penalty.

Any person violating any of the provisions of this section shall, upon conviction, be liable to the

penalty stated in Chapter I, Section 1-5.

§ 4-9.8. Exceptions.

This section shall not apply to the following provided they do not substantially inhibit the flow of pedestrian traffic.

- a. Flags.
- b. Flowers, artificial or natural.
- c. Streetscape improvements which are available to all members of the public and have been reviewed and approved by the Department of Planning and Redevelopment. These improvements shall be permanent fixtures not associated with merchant wares or outdoor cafes in a public area.

§ 4-9.9. Conflicts with Regulations; Authority of City Manager and Council.

- a. Should there be any conflict or inconsistency between this section and any other section of the Code, this section shall control.
- b. The City Manager, subject to the approval of the City Council, shall have the authority to waive or modify the requirements set forth herein in those circumstances where such a waiver or modification is warranted and deemed to be in the best interests of the City.

BE IT FURTHER ORDAINED, that all other provisions of Section 4-9 of the City Code which are not referenced in this Ordinance shall remain unaffected/unchanged and remain in full force and effect.

BE IT FURTHER ORDAINED, that all parts and provisions of any Ordinance which are inconsistent with the provisions of this Ordinance shall be repealed to the extent of such inconsistency.

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

BE IT FURTHER ORDAINED, that this Ordinance shall take effect upon final passage and publication in accordance with the law, following the required twenty (20) day period after adoption, as set forth in N.J.S.A. 40:69A-181(b).

I, LISA ESPOSITO, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of ORDINANCE NO. 2023-33 which was finally adopted by the City Council at a meeting held on the 25th day of October, 2023

LISA ESPOSITO
CITY CLERK



**Asbury Park, New Jersey
ORDINANCE NO. 2023-34**

**ORDINANCE OF THE CITY OF ASBURY PARK AUTHORIZING AND
ENCOURAGING ELECTRIC VEHICLE SUPPLY/SERVICE EQUIPMENT (EVSE) &
MAKE-READY PARKING SPACES, AND AMENDING CHAPTER 30, "LAND
DEVELOPMENT REGULATIONS," OF THE "CODE OF THE CITY OF ASBURY
PARK" IN CERTAIN RESPECTS.**

WHEREAS, supporting the transition to electric vehicles contributes to the City's commitment to sustainability and is in the best interest of the public welfare; and

WHEREAS, installation of EVSE and Make-Ready parking spaces encourages electric vehicle adoption; and

WHEREAS, the City encourages increased installation of EVSE and Make-Ready parking spaces; and

WHEREAS, adoption of this Ordinance supports the State of New Jersey's goals to reduce air pollutants and greenhouse gas emissions from the transportation sector as outlined and supported by various programs related to NJ's 2019 Energy Master Plan, Global Warming Response Act (P.L.2007, c.112 (N.J.S.A. 26:2C-37, *et seq.*)), and EV Law (P.L. 2019, c. 362); and

WHEREAS, P.L. 2021, c.171, which Governor Murphy signed into law on July 9, 2021, requires EVSE and Make-Ready parking spaces be designated as a permitted accessory use in all zoning or use districts and establishes associated installation and parking requirements; and

WHEREAS, adoption of this Ordinance will support the Master Plan of the City of Asbury Park, adopted in concurrence with P.L. 1975 c. 291, s. 1 eff. Aug. 1, 1976, and is consistent with goal 5.4.2.17 (Encourage Alternate Fuel Vehicles) of the Master Plan, as well as the land use, mobility, and sustainability elements of the Master Plan; and

WHEREAS, the City encourages greater ownership and use of electric vehicles, thus the City is amending Chapter 30, "Land Development Regulations," to establish standards and regulations for the safe and efficient installation of EVSE and Make-Ready parking spaces at appropriate locations.

NOW, THEREFORE, BE AND IT IS HEREBY ORDAINED, by the Mayor and City Council of the City of Asbury Park, in the County of Monmouth and State of New Jersey, as follows:

1. That Section 30-15, entitled “Definitions,” of Article II, “Basic Definitions and Interpretations,” of Chapter 30, “Land Development Regulations,” of the “Code of the City of Asbury Park, New Jersey,” is hereby amended and supplemented to include the following definitions, which shall be inserted in alphabetical order (additions are shown with underline):

§ 30-15. DEFINITIONS.

CERTIFICATE OF OCCUPANCY

Shall mean the certificate provided for in N.J.A.C. 5:23-2, indicating that the construction authorized by the construction permit has been completed in accordance with the construction permit, the act and the regulations. See "State Uniform Construction Code Act," P.L.1975, c.217 (C.52:27D-119, et seq.) and regulations adopted pursuant thereto.

CHARGING LEVEL

Shall mean the amount of voltage provided to charge an electric vehicle, which varies depending on the type of EVSE, as follows:

- a. Level 1 operates on a fifteen (15) to twenty (20) amp breaker on a one hundred twenty (120) volt AC circuit.
- b. Level 2 operates on a forty (40) to one hundred (100) amp breaker on a two hundred eight (208) or two hundred forty (240) volt AC circuit.
- c. Direct-current fast charger (DCFC) operates on a sixty (60) amp or higher breaker on a four hundred eighty (480) volt or higher three phase circuit with special grounding equipment. DCFC stations can also be referred to as rapid charging stations that are typically characterized by industrial grade electrical outlets that allow for faster recharging of electric vehicles.

ELECTRIC VEHICLE

Shall mean any vehicle that is licensed and registered for operation on public and private highways, roads, and streets, and operates either partially or exclusively using an electric motor powered by an externally charged on-board battery.

ELECTRIC VEHICLE SUPPLY/SERVICE EQUIPMENT OR (EVSE)

Shall mean the equipment, including the cables, cords, conductors, connectors, couplers, enclosures, attachment plugs, power outlets, power electronics, transformer, switchgear, switches and controls, network interfaces, point of sale equipment, and associated apparatus designed and used for the purpose of transferring energy from the electric supply system to a plug-in electric vehicle. "EVSE" may deliver either alternating current or, consistent with fast charging equipment standards, direct current electricity. "EVSE" is synonymous with "electric vehicle charging station."

MAKE-READY PARKING SPACE

Shall mean the pre-wiring of electrical infrastructure at a parking space, or set of

parking spaces, to facilitate easy and cost-efficient future installation of Electric Vehicle Supply Equipment or Electric Vehicle Service Equipment, including, but not limited to, Level Two EVSE and direct current fast chargers. Make Ready includes expenses related to service panels, junction boxes, conduit, wiring, and other components necessary to make a particular location able to accommodate Electric Vehicle Supply Equipment or Electric Vehicle Service Equipment on a “plug and play” basis. “Make-Ready” is synonymous with the term “charger ready,” as used in P.L.2019, c.362 (C.48:25-1 et al.).

PRIVATE EVSE

Shall mean an EVSE that has restricted access to specific users (e.g., single and two-family homes, executive parking fleet parking with no access to the general public).

PUBLICLY-ACCESSIBLE EVSE

Shall mean an EVSE that is publicly available (e.g., park & ride, public parking lots and garages, on-street parking, shopping center parking, non-reserved parking in multi-family parking lots, etc.).

2. That Section 30-57.6, currently entitled “Reserved,” of Article II, “Basic Definitions and Interpretations,” of Chapter 30, “Land Development Regulations,” of the “Code of the City of Asbury Park, New Jersey,” is hereby established to read as follows:

§ 30-57.6 Electric Vehicle Supply/Service Equipment.

- a. Purpose. The purpose of this section is to promote and encourage the use of electric vehicles by requiring the safe and efficient installation of EVSE and Make-Ready parking spaces through municipal parking regulations and other standards. EVSE and Make-Ready parking spaces will support the State’s transition to an electric transportation sector, reducing automobile air pollution, greenhouse gas emissions, and storm water runoff contaminants. The goals are to:
 1. Provide adequate and convenient EVSE and Make-Ready parking spaces to serve the needs of the traveling public.
 2. Provide opportunities for residents to have safe and efficient personal EVSE located at or near their place of residence.
 3. Provide the opportunity for non-residential uses to supply EVSE to their customers and employees.
 4. Create standard criteria to encourage and promote safe, efficient, and cost-effective electric vehicle charging opportunities in all zones and settings for convenience of service to those that use electric vehicles.
- b. Approvals and Permits.

1. An application for development submitted solely for the installation of EVSE or Make-Ready parking spaces shall be considered a permitted accessory use and permitted accessory structure in all zoning or use districts within the City and shall not require a variance pursuant to N.J.S.A. 40:55D-70.
2. EVSE and Make-Ready Parking Spaces installed pursuant to Section d. below in development applications that are subject to site plan approval are considered a permitted accessory use as described in 1. above.
3. All EVSE and Make-Ready parking spaces shall be subject to applicable local and/or Department of Community Affairs permit and inspection requirements.
4. The Zoning Officer and/or Transportation Manager shall enforce all signage and installation requirements described in this section. Failure to meet the requirements in this section shall be subject to the same enforcement and penalty provisions as other violations of the City of Asbury Park's land use regulations.
5. An application for development for the installation of EVSE or Make-Ready spaces at an existing gasoline service station, an existing retail establishment, or any other existing building shall not be subject to site plan or other land use board review, shall not require variance relief pursuant to N.J.S.A. 40:55D-1, *et seq.*, or any other law, rule, or regulation, and shall be approved through the issuance of a zoning permit by the zoning officer, provided the application meets the following requirements:
 - (a) The proposed installation does not violate bulk requirements applicable to the property or the conditions of the original final approval of the site plan or subsequent approvals for the existing gasoline service station, retail establishment, or other existing building;
 - (b) All other conditions of prior approvals for the gasoline service station, the existing retail establishment, or any other existing building continue to be met; and
 - (c) The proposed installation complies with the construction codes adopted in or promulgated pursuant to the "State Uniform Construction Code Act," P.L.1975, c.217 (N.J.S.A. 52:27D-119, *et seq.*), any safety standards concerning the installation, and any State rule or regulation concerning electric vehicle charging stations.
6. All installations of EVSE or Make-Ready spaces shall require a zoning permit pursuant to this chapter. Completeness shall be determined in accordance with the requirements of the New Jersey Municipal Land Use Law, N.J.S.A. 40:55D-1, *et seq.*
7. EVSE and Make-Ready parking spaces installed at a gasoline service station, an

existing retail establishment, or any other existing building shall be subject to applicable local and/or Department of Community Affairs inspection requirements.

8. A permitting application solely for the installation of electric vehicle supply equipment permitted as an accessory use shall not be subject to review based on parking requirements.
- c. Requirements for New Installation of EVSE and Make-Ready Parking Spaces.
1. As a condition of preliminary site plan approval, for each application involving a multiple dwelling with five or more units of dwelling space, which shall include a multiple dwelling that is held under a condominium or cooperative form of ownership, a mutual housing corporation, or a mixed-use development, the developer or owner, as applicable, shall:
 - (a) Prepare as Make-Ready parking spaces at least 15 percent of the required off-street parking spaces, and install EVSE in at least one-third of the 15 percent of Make-Ready parking spaces;
 - (b) Within three years following the date of the issuance of the certificate of occupancy, install EVSE in an additional one-third of the original 15 percent of Make-Ready parking spaces; and
 - (c) Within six years following the date of the issuance of the certificate of occupancy, install EVSE in the final one-third of the original 15 percent of Make-Ready parking spaces.
 - (d) Throughout the installation of EVSE in the Make-Ready parking spaces, at least five percent of the electric vehicle supply equipment shall be accessible for people with disabilities.
 - (e) Nothing in this subsection shall be construed to restrict the ability to install electric vehicle supply equipment or Make-Ready parking spaces at a faster or more expansive rate than as required above.
 2. As a condition of preliminary site plan approval, each application involving a parking lot or garage not covered in 1. above shall:
 - (a) Install at least one Make-Ready parking space if there will be 50 or fewer off-street parking spaces.
 - (b) Install at least two Make-Ready parking spaces if there will be 51 to 75 off-street parking spaces.
 - (c) Install at least three Make-Ready parking spaces if there will be 76 to 100 off-street parking spaces.

- (d) Install at least four Make-Ready parking spaces, at least one of which shall be accessible for people with disabilities, if there will be 101 to 150 off-street parking spaces.
- (e) Install at least four percent of the total parking spaces as Make-Ready parking spaces, at least five percent of which shall be accessible for people with disabilities, if there will be more than 150 off-street parking spaces.
- (f) In lieu of installing Make-Ready parking spaces, a parking lot or garage may install EVSE to satisfy the requirements of this subsection.
- (g) Nothing in this subsection shall be construed to restrict the ability to install electric vehicle supply equipment or Make-Ready parking spaces at a faster or more expansive rate than as required above.
- (h) Notwithstanding the provisions of Section c.2(e) above, a retailer that provides 25 or fewer off-street parking spaces or the developer or owner of a single-family home shall not be required to provide or install any electric vehicle supply equipment or Make-Ready parking spaces.

d. Minimum Parking Requirements.

- 1. All parking spaces with EVSE and Make-Ready equipment shall be included in the calculation of minimum required parking spaces, pursuant to Section 30-59 (Parking and Loading Standards), as well as the individual parking requirements per zone or applicable redevelopment plan.
- 2. A parking space prepared with EVSE or Make-Ready equipment shall count as at least two parking spaces for the purpose of complying with a minimum parking space requirement. This shall result in a reduction of no more than 10 percent of the total required parking.
- 3. All parking space calculations for EVSE and Make-Ready equipment shall be rounded up to the next full parking space.
- 4. Additional installation of EVSE and Make-Ready parking spaces above what is required in Section c.2(d) above may be encouraged, but shall not be required in development projects.

e. Standards for All New EVSE and Make-Ready Parking Spaces.

- 1. Location and layout of EVSE and Make-Ready parking spaces is expected to vary based on the design and use of the primary parking area. It is expected flexibility will be required to provide the most convenient and functional service to users. Standards and criteria should be considered guidelines and flexibility should be allowed when alternatives can better achieve objectives for provision of this

service.

2. Installation.

- (a) Installation of EVSE and Make-Ready parking spaces shall meet the electrical subcode of the Uniform Construction Code, N.J.A.C. 5:23-3.16.
- (b) Each EVSE or Make-Ready parking space that is not accessible for people with disabilities shall be not less than 9 feet wide or 18 feet in length. Exceptions may be made for existing parking spaces or parking spaces that were part of an application that received prior site plan approval.
- (c) To the extent practical, the location of accessible parking spaces for people with disabilities with EVSE and Make Ready equipment shall comply with the general accessibility requirements of the Uniform Construction Code, N.J.A.C. 5:23, and other applicable accessibility standards.
- (d) Each EVSE or Make-Ready parking space that is accessible for people with disabilities shall comply with the sizing of accessible parking space requirements in the Uniform Construction Code, N.J.A.C. 5:23, and other applicable accessibility standards.

3. EVSE Parking.

- (a) Publicly-accessible EVSE shall be reserved for parking and charging electric vehicles only. Electric vehicles shall be connected to the EVSE.
- (b) Electric vehicles may be parked in any parking space designated for parking, subject to the restrictions that would apply to any other vehicle that would park in that space.
- (c) Publicly- accessible ESVE shall be included in Section 7-43.3 (Electric Vehicle Charging Areas) or the Municipal Code.
- (d) Public Parking. Pursuant to N.J.S.A. 40:48-2, publicly-accessible EVSE parking spaces shall be monitored by the municipality's police department and enforced in the same manner as any other parking regulations. It shall be a violation of this Section to park or stand a non-electric vehicle in such a space, or to park an electric vehicle in such a space when it is not connected to the EVSE. Any non-electric vehicle parked or standing in an EVSE parking space or any electric vehicle parked and not connected to the EVSE shall be subject to fine and/or impoundment of the offending vehicle as described in the general penalty provisions of this Municipal Code or Section 7-43.2 (Guidelines Related to Parking for Electric Vehicles Only). Signage indicating the penalties for violations shall comply with Section 5. below. Any vehicle parked in such a space shall make the appropriate payment for the space and

observe the time limit for the underlying parking area, if applicable.

- (e) Private Parking. The use of EVSE shall be monitored by the property owner or designee.

4. Safety.

- (a) Each publicly-accessible EVSE shall be located at a parking space that is designated for electric vehicles only and identified by green painted pavement and/or curb markings, a green painted charging pictograph symbol, and appropriate signage pursuant to Section 5 below.
- (b) Where EVSE is installed, adequate site lighting and landscaping shall be provided in accordance with the City of Asbury Park's ordinances and regulations.
- (c) Adequate EVSE protection such as concrete-filled steel bollards shall be used for publicly-accessible EVSE. Non-mountable curbing may be used in lieu of bollards if the EVSE is setback a minimum of 24 inches from the face of the curb. Any stand-alone EVSE bollards should be 3 to 4-feet high with concrete footings placed to protect the EVSE from accidental impact and to prevent damage from equipment used for snow removal.
- (d) EVSE outlets and connector devices shall be no less than 36 inches and no higher than 48 inches from the ground or pavement surface where mounted, and shall contain a cord management system as described in e. below. Equipment mounted on pedestals, lighting posts, bollards, or other devices shall be designated and located as to not impede pedestrian travel, create trip hazards on sidewalks, or impede snow removal.
- (e) Each EVSE shall incorporate a cord management system or method to minimize the potential for cable entanglement, user injury, or connector damage. Cords shall be retractable or have a place to hang the connector and cord a safe and sufficient distance above the ground or pavement surface. Any cords connecting the charger to a vehicle shall be configured so that they do not cross a driveway, sidewalk, or passenger unloading area.
- (f) Where EVSE is provided within a pedestrian circulation area, such as a sidewalk or other accessible route to a building entrance, the EVSE shall be located so as not to interfere with accessibility requirements of the Uniform Construction Code, N.J.A.C. 5:23, and other applicable accessibility standards.
- (g) Publicly-accessible EVSEs shall be maintained in all respects, including the functioning of the equipment. A 24-hour on-call contact shall be provided on the equipment for reporting problems with the equipment or access to it. To allow for maintenance and notification, the City of Asbury Park shall require

the owners/designee of publicly-accessible EVSE to provide information on the EVSE's geographic location, date of installation, equipment type and model, and owner contact information.

5. Signs.

- (a) Publicly-accessible EVSE shall have posted regulatory signs, as identified in this section, allowing only charging electric vehicles to park in such spaces. For purposes of this section, "charging" means that an electric vehicle is parked at an EVSE and is connected to the EVSE. If time limits or vehicle removal provisions are to be enforced, regulatory signs including parking restrictions shall be installed immediately adjacent to, and visible from the EVSE. For private EVSE, installation of signs and sign text is at the discretion of the owner.
- (b) All regulatory signs shall comply with visibility, legibility, size, shape, color, and reflectivity requirements contained within the Federal Manual on Uniform Traffic Control Devices as published by the Federal Highway Administration.
- (c) Wayfinding or directional signs, if necessary, shall be permitted at appropriate decision points to effectively guide motorists to the EVSE parking space(s). Wayfinding or directional signage shall be placed in a manner that shall not interfere with any parking space, drive lane, or exit and shall comply with (b) above.
- (d) In addition to the signage described above, the following information shall be available on the EVSE or posted at or adjacent to all publicly-accessible EVSE parking spaces:
 - (1) Hours of operations and/or time limits if time limits or tow-away provisions are to be enforced by the municipality or owner/designee;
 - (2) Whether or not usage fees and/or parking fees are applicable and where they can be purchased; and
 - (3) Contact information (telephone number) for reporting when the equipment is not operating or other problems.

6. Usage Fees.

- a. In addition to any parking fees, the fee to use both publicly-accessible and private EVSE spaces within the municipality shall be no more than \$0.50 for each kilowatt hour that the electric vehicle is connected to the EVSE.
- b. This fee may be amended by an ordinance adopted by the governing body.

3. That subsection 30-61.3, entitled "Prohibited Signs," of Section 30-61, "Signs," of Article V, "Development Standards," of Chapter 30, "Land Development Regulations," of the

“Code of the City of Asbury Park, New Jersey,” is hereby amended and supplemented as follows (additions are shown with underline):

§ 30-61.3. Prohibited Signs.

The following signs and sign types are prohibited within the City and shall not be erected. Any lawfully existing permanent sign or sign type that is among the prohibited signs and sign types listed below shall be deemed a nonconforming sign subject to the provisions of § 30-61.3.

- a. Billboards.
- b. Revolving signs.
- c. Flashing, sparkling or glittering signs or signs having accent lights that flash, sparkle or glitter.
- d. Animated signs.
- e. Wind signs.
- f. Portable signs, except for those specifically permitted (i.e. sandwich board sign).
- g. Roof signs.
- h. Abandoned and discontinued signs.
- i. Snipe signs; bandit signs.
- j. Projecting signs, except as expressly allowed.
- k. Bus bench advertising signs; bus shelter advertising signs that exceed 25% of the area of the vertical face of a bus shelter structure.
- l. Signs that emit smoke, visible vapor or smoke, sound, odor, or visible particles or gaseous matter.
- m. Signs that obstruct, conceal, hide or otherwise obscure from view any official traffic or governmental sign, signal or device.
- n. Signs within a sight triangle.
- o. Signs in the public right-of-way, other than traffic control device signs, warning signs, safety signs, EVSE signs as specified in Section 30-57.6 of the City Code, or those specifically permitted, such as a sandwich board sign. Signs placed illegally in such locations shall be subject to removal by the City.

- p. Signs other than a traffic control sign that use the word "stop" or "danger" or present or imply the need or requirement of stopping or the existence of danger, or which copy or imitate any official traffic control device signs, and which are adjacent to the right-of-way of any road, street or highway.
- q. Signs prohibited by State or Federal law.
- r. Vehicle sign or signs that have a total sign area on any vehicle in excess of 10 square feet, when the vehicle is not regularly used in the conduct of the business or activity advertised on the vehicle, and is visible from a street right-of-way within 100 feet of the vehicle, and is parked for more than five consecutive hours within 100 feet of any street right-of-way. A vehicle shall not be considered "regularly used in the conduct of the business or activity" if the vehicle is used primarily for advertising, or for the purpose of advertising, or for the purpose of providing transportation for owners or employees of the business or activity advertised on the vehicle.
- s. Signs located on real property without the permission of the property owner.
- t. Beacon signs, except as required by Federal or State law.
- u. Intermittent signs.
- v. Signs located, painted or affixed on a bridge, abutment, walls, fences, water tower, storage tower, communications tower, other utility or any accessory structure that are visible from a public street or roadway or from an adjacent residential use.
- w. Signs with changeable copy/graphics that exhibit any one of the following characteristics:
 - 1. Change more frequently than once every 24 hours.
 - 2. Exceed 12 square feet in area.
 - 3. Are accessory to a principal use that is not specifically permitted.
 - 4. Would otherwise constitute a prohibited or nonconforming sign.
 - 5. Transition between messages using scrolling, fading, dissolving, pixilation, zooming, wiping, moving copy or any graphic effect other than an instantaneous static replacement of the message.
 - 6. Contain/exhibit more than a single color of copy/graphics.
 - 7. Contain/exhibit more than a single-color background.
 - 8. Contain/exhibit a background color that is lighter in contrast to the copy/graphics

color.

9. Contain/exhibit copy consisting of more than a single font type.
 10. Are located in a residential district.
 - x. Banners, except in the case of temporary "grand opening" events as regulated herein.
 - y. Signs containing a message that states or implies that a property may be used for any purpose not permitted in the zoning district or by duly authorized variance in which said sign is located under the provisions of this section.
 - z. Public property and rights-of-way. Any sign installed or placed on public property, except in conformance with the requirements of this section, shall be forfeited to the public and subject to removal. In addition to other remedies that may be imposed under this section, the City shall have the right to recover from the owner or person placing such sign the full costs of removal and disposal of such sign. No sign other than traffic control or similar official governmental signs shall be erected within or project over the right-of-way of any public street or sidewalk, except as hereinafter provided.
4. That all other provisions of Chapter 30 of the City Code which are not referenced in this Ordinance shall remain unaffected/unchanged and remain in full force and effect.
 5. That all parts and provisions of any Ordinance which are inconsistent with the provisions of this Ordinance shall be repealed to the extent of such inconsistency.
 6. That the provisions of this Ordinance shall be severable. In the event that any portion of this Ordinance is found to be invalid for any reason by any Court of competent jurisdiction, such judgment shall be limited in its effect only to the portion of the Ordinance actually adjudged invalid and shall not be deemed to affect the operation of any other portion thereof, which shall remain in full force and effect.
 7. That this Ordinance shall take effect upon final passage and publication in accordance with the law, following the required twenty (20) day period after adoption, as set forth in N.J.S.A. 40:69A-181(b).

I, LISA ESPOSITO, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of ORDINANCE NO. 2023-34 which was finally adopted by the City Council at a meeting held on the 25th day of October, 2023

LISA ESPOSITO

CITY CLERK

**RESOLUTION OF THE CITY OF ASBURY PARK PLANNING BOARD
MEMORIALIZING THE ADOPTION OF STATE OF NEW JERSEY
ELECTRIC VEHICLE ORDINANCE**

WHEREAS, the City Council of the City of Asbury Park authorized the Planning Board by Resolution No. 2023-372, dated July 13, 2023, to undertake a review of proposed amendments to the City Land Development Regulations which Ordinance Amendments were created by the Mayor and City Council. The specific sections of Land Use Ordinances to be amended are set forth in the above referenced Resolution which is attached hereto and made a part hereof and pertain to Electrical Vehicles; and

WHEREAS, the Municipal Land Use Act, NJSA 40:55D-1 et seq and specifically Section 26 requires that the Planning Board prepare and transmit a report back to the Governing Body; and

WHEREAS, said statute does further require that the report of the Planning Board shall include an identification of any provision or provisions set forth in the proposed ordinance amendments which is or are inconsistent with the current City Master Plan and contain recommendations concerning those inconsistencies and any other matters as the Board deems appropriate; and

WHEREAS, the Board conducted a public hearings on the proposed amendment(s) on September 18, 2023; and

WHEREAS, the Board received reports and commentary from the City Transportation Director, James Bonanno.

NOW, THEREFORE BE IT RESOLVED, by the Planning Board of the City of Asbury Park that it hereby finds that the proposed Ordinance Amendment(s) reviewed are consistent with the City Master Plan; and

BE IT FURTHER RESOLVED that the Board hereby directs its Secretary to transmit this Resolution (and the recommendations hereinafter set forth) to the Clerk of the City of Asbury Park pursuant to the Statute first mentioned above forthwith for consideration by the Mayor and Council of the City of Asbury Park.

The Board makes the following recommendations:

1. The Board recommends that the fee or fees charged for both public and private usage be the same maximum of \$0.50 per KWH (Page 9, #6).
2. The Board recommends that the word "regulations" be added to Section 3, EVSE Parking (d) Public Parking as follows:
"EVSE parking spaces shall be monitored by the municipality's police department and enforced in the same manner as any other parking regulations".

Jennifer Souder offered a motion to adopt the foregoing Resolution. The motion was duly seconded by Jim Henry.

The members in attendance at the meeting who voted in favor of the motion are Jennifer Souder, Jim Henry, Michael Goonan, Yvonne Clayton, Eric Galipo, Barbara Krzak and Daniel Sciannameo.

James Bonanno did not participate as a Board member since he presented the amendments to the Board on behalf of the City of Asbury Park.

Ayes: COUNCILWOMAN CLAYTON, ERIC GALIPO, JIM HENRY,
DANIEL SCIANNAMEO, JENNIFER SOUDER, MICHAEL GOONAN
Nays: NONE

Abstain: JAMES BONANNO

October 2, 2023.



Marie Rodrigues, Board Secretary

I certify this to be a true copy of the Resolution adopted by the City of Asbury Park Planning Board on October 2, 2023.



Marie Rodrigues, Board Secretary



**Asbury Park, New Jersey
ORDINANCE NO. 2023-35**

**ORDINANCE OF THE CITY OF ASBURY PARK, IN THE COUNTY OF
MONMOUTH, STATE OF NEW JERSEY, AUTHORIZING THE EXECUTION OF A
FIRST AMENDMENT OF THE AMENDED AND RESTATED SPECIAL ASSESSMENT
AGREEMENT BETWEEN THE CITY OF ASBURY PARK AND K. HOVNANIAN'S
COVE AT ASBURY PARK URBAN RENEWAL, LLC WITH REGARD TO
INFRASTRUCTURE IMPROVEMENTS ON BLOCK 3801, LOTS 1.01, 1.03 AND 1.05
(FORMERLY BLOCK 3203, LOTS 1-4, P/O LOTS 5&15, 16-19 AND BLOCK 3206,
LOTS 1-3, P/O LOT 4) (THE COVE) WITHIN THE ASBURY PARK WATERFRONT
REDEVELOPMENT AREA**

WHEREAS, pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A1 et seq. (the “Redevelopment Law” or the “Act”) and that certain redevelopment plan dated as of June 5, 2002 (as amended and supplemented from time to time, the “Redevelopment Plan”), the City of Asbury Park (the “City”), in the County of Monmouth, State of New Jersey, and Asbury Partners, LLC (the “Master Developer”) entered into that certain “Amended and Restated Redeveloper and Land Disposition Agreement” dated October 28, 2002 (as the same may be amended and supplemented in accordance with its terms, the “Redeveloper Agreement”) with respect to the Waterfront Redevelopment Area, as defined therein; and

WHEREAS, in order to finance the cost of the infrastructure improvements contemplated by the Redeveloper Agreement, the City previously determined that the cost of the infrastructure improvements should be assessed pursuant to N.J.S.A. 40:56-1 et seq. (the “Local Improvements Law”) and/or pursuant to an assessment agreement under the Redevelopment Area Bond Financing Law pursuant to N.J.S.A. 40A:12A-64 et seq. (the “RAB Law”); and

WHEREAS, pursuant to Section 7.1 of the Redeveloper Agreement, the Master Developer is responsible for the costs of certain wastewater, stormwater, roadway, streetscape, utility and other infrastructure improvements (the “Infrastructure Improvements”) within the Waterfront Redevelopment Area, including with respect to Block 3801, Lots 1.01, 1.03 and 1.05 (formerly Block 3203, Lots 1-4, P/O Lots 5&15, 16-19 and Block 3206, Lots 1-3, P/O Lot 4) (“The Cove” or the “Property”), which Infrastructure Improvements, in whole or in part, constitute (i) redevelopment projects (collectively, the “Infrastructure Redevelopment Project”) to be undertaken pursuant to the Redevelopment Plan in the Waterfront Redevelopment Area, all as contemplated by the Redevelopment Law and RAB Law, and (ii) local improvements within the meaning, and for the purposes set forth in the Local Improvement Law for which a special assessment may be imposed; and

WHEREAS, pursuant to the RAB Law, a municipality may issue bonds (as issued pursuant to an Ordinance, the “RABs”) to finance redevelopment projects pursuant to a

redevelopment plan within an area in need of redevelopment, which RABs may be secured by, among other things, a special assessment on certain property within an area in need of redevelopment; and

WHEREAS, by ordinance (the “Original Special Assessment Ordinance”) of the City Council of the City of Asbury Park (the “City Council”), the City previously entered into a Special Assessment Agreement (the “Original Special Assessment Agreement”) with K. Hovnanian’s Cove at Asbury Park Urban Renewal, LLC (the “Entity”), as a subsequent developer (and following the execution of a Subsequent Developer Agreement (“SDA”) by and among the City, Master Developer and the Entity, as same has been amended, describing the Project to be implemented upon the Property), for the Special Assessment of certain Infrastructure Improvements, as listed in Exhibit A of the Original Special Assessment Agreement, a full and complete copy of which is on file with the City Clerk; and

WHEREAS, the Original Special Assessment Agreement also provided for the issuance by the City on June 4, 2021 of and secured its \$3,375,000 original aggregate principal amount of Redevelopment Area Bonds, Series 2021A (Waterfront Redevelopment Area Infrastructure Project) (the “Series 2021A Bonds”); and

WHEREAS, pursuant to the Original Special Assessment Ordinance, the City and the Entity amended and restated the Original Special Assessment Agreement and entered into the Amended and Restated Special Assessment Agreement, dated June 3, 2021 (referred to herein as the “Original Special Assessment Agreement”), amending, Exhibit A, a full and complete copy of which is on file with the City Clerk; and

WHEREAS, the Original Special Assessment Agreement was recorded with the Monmouth County Clerk; and

WHEREAS, all such capitalized terms that are not otherwise defined herein shall have the meaning set forth in the Original Special Assessment Agreement; and

WHEREAS, the amount of the Special Assessment to be imposed was based on the Sales Price(s) of the unit(s), with such Sales Price(s) having been estimated for purposes of inclusion in the Original Special Assessment Agreement; and

WHEERAS, Exhibit A to the Original Special Assessment Agreement identifies the costs of the Infrastructure Improvements associated with the Project, which costs are included in the calculation of the Special Assessment, including but not limited to the hard costs of construction, the costs of engineering, planning and design, the cost of construction management services and other soft costs and costs of issuance related thereto; and

WHEREAS, since the Parties entered into the agreements referenced hereinabove, the Units within the Project have in the aggregate sold for Unit Prices higher than previously estimated in the Original Special Assessment Agreement, thereby generating excess Special Assessment (“Surplus Special Assessment”), all as detailed in Attachment 2 to the hereinafter defined First Amendment, resulting in a new Exhibit D to the hereinafter defined Special Assessment Agreement; and

WHEREAS, according to applicable law, the Original Special Assessment Agreement, the Indenture and related agreements and approvals, Surplus Special Assessment may be utilized by the City to finance or refinance additional Infrastructure Improvements, which shall occur by applying the Surplus Special Assessment to and securing the City's not to exceed \$2,000,000 aggregate principal amount of Redevelopment Area Bonds, Series 2023A (Waterfront Redevelopment Area Infrastructure Project) (the "Series 2023A Bonds"); and

WHEREAS, accordingly, the City and the Entity desire to enter into a First Amendment of the Original Special Assessment Agreement (the "First Amendment" and together with the Original Special Assessment Agreement, the "Special Assessment Agreement") to supplement Exhibit A to the Original Special Assessment Agreement (presently allocated to the Series 2021A Bonds on the first page of Exhibit A, which remains unchanged by this Amendment) with a second page to be allocated to the Series 2023A Bonds in order to account for the utilization of the Surplus Special Assessment to finance or refinance additional Infrastructure Improvements; and

WHEREAS, accordingly the aggregate amount of Special Assessment made and levied against all property subject to the Original Special Assessment Authorizing Ordinance remains unchanged by this ordinance (with only the allocation of the Surplus Special Assessment to the Series 2023A Bonds being implemented by this Amendment).

NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF ASBURY PARK, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, AS FOLLOWS:

Section 1. The defined terms set forth in the recitals contained in this ordinance, along with the recitals, are incorporated by reference as it is set forth at length herein.

Section 2. The purpose of this special assessment ordinance is to authorize the First Amendment amending all or a portion of the cost of the Infrastructure Improvements to be developed financed, refinanced, and constructed on or benefiting the Property in accordance with the requirements of the Redeveloper Agreement. The Infrastructure Improvements will consist of the design, financing, refinancing, construction and installation of the various Infrastructure Improvements, including but not limited to, wastewater, stormwater, streetscape and utility improvements, including all work necessary therefor and incidental thereto with respect to the Property.

Section 3. Notice had previously been given to the owners of the Property that the City intended to make and levy special assessments against all such Property in the amount and at the time that such Infrastructure Improvements have been completed or at such later time as the City may determine. The aggregate amount of Special Assessment made and levied against all property subject to the Original Special Assessment Authorizing Ordinance remains unchanged by this ordinance (with only the allocation of the Surplus Special Assessment to the Series 2023A Bonds being implemented by the First Amendment).

Section 4. The Mayor is hereby authorized and directed to determine all matters and terms in connection with the First Amendment which shall be in the form attached hereto with

such changes, insertions, and omissions thereto as the Mayor, after consultation with counsel to the City and redevelopment counsel to the City, deems, in the Mayor's sole discretion, to be necessary or desirable for the Mayor's execution thereof, which execution thereof (by manual or facsimile signature of the Mayor) shall conclusively evidence the Mayor's consent to the First Amendment and any such changes thereto. The Mayor, the City Manager, the Chief Financial Officer, the City Clerk and any other City official, officer or professional, including but not limited to, redevelopment counsel, bond counsel, the financial advisor and the auditor to the City, are each hereby authorized and directed to deliver such documents and take such other actions as necessary to facilitate the transactions contemplated hereby, and to refrain from taking such actions as necessary to facilitate the transactions contemplated hereby, in consultation with, as applicable, redevelopment counsel, bond counsel, the financial advisor and the auditor to the City, and any and all actions taken heretofore with respect to the transactions contemplated hereby are hereby ratified and confirmed.

Section 5. Nothing in this ordinance is intended to abrogate or in any way limit the (i) general application of that certain ordinance adopted by the City on February 20, 2013 and entitled "An Ordinance of the City of Asbury Park, in the County of Monmouth, New Jersey, Providing for the Special Assessment of the Cost of Certain Wastewater, Stormwater, Roadway, Streetscape, Utility and Other Infrastructure Improvements in Portions of the Prime Renewal Area and the Boardwalk Area within the Asbury Park Waterfront Redevelopment Area and Establishment of a Mechanism for Payment of the Cost Thereof" or (ii) the specific application of the Original Special Assessment Authorizing Ordinance. All provisions of such ordinances with respect to the Series 2021A Bonds shall apply with respect to the Series 2023A Bonds, except the amounts and as otherwise set forth in the First Amendment. Except as otherwise amended by the First Amendment, the terms of the Original Special Assessment Agreement shall remain in full force and effect.

Section 6. The City is hereby authorized to enter into the First Amendment with the Entity.

Section 7. This ordinance shall take effect as provided by law.

I, LISA ESPOSITO, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of ORDINANCE NO. 2023-35 which was finally adopted by the City Council at a meeting held on the 25th day of October, 2023

LISA ESPOSITO
CITY CLERK



**Asbury Park, New Jersey
ORDINANCE NO. 2023-36**

**ORDINANCE OF THE CITY OF ASBURY PARK, IN THE COUNTY OF
MONMOUTH, STATE OF NEW JERSEY, AUTHORIZING THE EXECUTION OF A
FIRST AMENDMENT OF THE SPECIAL ASSESSMENT AGREEMENT BETWEEN
THE CITY OF ASBURY PARK AND AP BLOCK 176 VENTURE URBAN RENEWAL
LLC WITH REGARD TO INFRASTRUCTURE IMPROVEMENTS ON BLOCK 4002,
LOT 1 (KNOWN AS THE “OCEAN CLUB”) WITHIN THE ASBURY PARK
WATERFRONT REDEVELOPMENT AREA**

WHEREAS, pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A1 et seq. (the “Redevelopment Law” or the “Act”) and that certain redevelopment plan dated as of June 5, 2002 (as amended and supplemented from time to time, the “Redevelopment Plan”), the City of Asbury Park (the “City”), in the County of Monmouth, State of New Jersey, and Asbury Partners, LLC (the “Master Developer”) entered into that certain “Amended and Restated Redeveloper and Land Disposition Agreement” dated October 28, 2002 (as the same may be amended and supplemented in accordance with its terms, the “Redeveloper Agreement”) with respect to the Waterfront Redevelopment Area, as defined therein; and

WHEREAS, in order to finance the cost of the infrastructure improvements contemplated by the Redeveloper Agreement, the City previously determined that the cost of the infrastructure improvements should be assessed pursuant to N.J.S.A. 40:56-1 et seq. (the “Local Improvements Law”) and/or pursuant to an assessment agreement under the Redevelopment Area Bond Financing Law pursuant to N.J.S.A. 40A:12A-64 et seq. (the “RAB Law”); and

WHEREAS, pursuant to Section 7.1 of the Redeveloper Agreement, the Master Developer is responsible for the costs of certain wastewater, stormwater, roadway, streetscape, utility and other infrastructure improvements (the “Infrastructure Improvements”) within the Waterfront Redevelopment Area, including with respect to Block 4002, Lot 1 (“Ocean Club” or the “Property”), which Infrastructure Improvements, in whole or in part, constitute (i) redevelopment projects (collectively, the “Infrastructure Redevelopment Project”) to be undertaken pursuant to the Redevelopment Plan in the Waterfront Redevelopment Area, all as contemplated by the Redevelopment Law and RAB Law, and (ii) local improvements within the meaning, and for the purposes set forth in the Local Improvement Law for which a special assessment may be imposed; and

WHEREAS, pursuant to the RAB Law, a municipality may issue bonds (as issued pursuant to an Ordinance, the “RABs”) to finance redevelopment projects pursuant to a redevelopment plan within an area in need of redevelopment, which RABs may be secured by, among other things, a special assessment on certain property within an area in need of redevelopment; and

WHEREAS, by ordinance (the “Original Special Assessment Ordinance”) of the City Council of the City of Asbury Park (the “City Council”), the City previously entered into a Special Assessment Agreement dated December 29, 2016 (the “Original Special Assessment Agreement”) with AP Block 176 Venture Urban Renewal LLC (the “Entity”), as a subsequent developer (and following the execution of a Subsequent Developer Agreement (“SDA”) by and among the City, Master Developer and the Entity, as same has been amended, describing the Project to be implemented upon the Property), for the Special Assessment of certain Infrastructure Improvements, as listed in Exhibit A of the form of the Original Special Assessment Agreement, a full and complete copy of which is on file with the City Clerk; and

WHEREAS, the Original Special Assessment Agreement also provided for the issuance by the City on December 29, 2016 of and secured its (i) \$13,460,000 original aggregate principal amount of Redevelopment Area Bonds, Series 2016A (Block 4002 Infrastructure Project-Residential) (Non-Recourse) (the “Series 2016A Bonds”) and (ii) \$2,335,000 original aggregate principal amount of Redevelopment Area Bonds, Series 2016B (Block 4002 Infrastructure Project-Residential) (Non-Recourse) (the “Series 2016B Bonds” and together with the 2016A Bonds, the “Series 2016 Bonds”); and

WHEREAS, the Original Special Assessment Agreement was recorded with the Monmouth County Clerk; and

WHEREAS, all such capitalized terms that are not otherwise defined herein shall have the meaning set forth in the Original Special Assessment Agreement; and

WHEREAS, the amount of the Special Assessment to be imposed was based on the Sales Price(s) of the unit(s), with such Sales Price(s) having been estimated for purposes of inclusion in the Original Special Assessment Agreement; and

WHEREAS, Exhibit A to the Original Special Assessment Agreement identifies the costs of the Infrastructure Improvements associated with the Project, which costs are included in the calculation of the Special Assessment, including but not limited to the hard costs of construction, the costs of engineering, planning and design, the cost of construction management services and other soft costs and costs of issuance related thereto; and

WHEREAS, since the Parties entered into the Original Special Assessment Agreement, the Units within the Project have in the aggregate sold for Unit Prices higher than previously estimated in the Original Special Assessment Agreement, thereby generating excess Special Assessment (the “Surplus Special Assessment”), all as detailed in Attachment 2 to the hereinafter defined First Amendment, resulting in a new Exhibit F to the hereinafter defined Special Assessment Agreement; and

WHEREAS, according to applicable law, the Original Special Assessment Agreement, the Indenture, and related agreements Surplus Special Assessment may be utilized by the City to finance or refinance additional Infrastructure Improvements, which shall occur by applying the Surplus Special Assessment to and securing the City’s not to exceed \$4,500,000 aggregate principal amount of Redevelopment Area Bonds, Series 2023A (Block 4002 Infrastructure Project-Residential) (Non-Recourse) (the “Series 2023A Bonds”); and

WHEREAS, accordingly, the City and the Entity desire to enter into a First Amendment of the Original Special Assessment Agreement (the “First Amendment” and together with the Original Special Assessment Agreement, the “Special Assessment Agreement”) to supplement Exhibit A to the Original Special Assessment Agreement (presently allocated to the Series 2016A Bonds on the first page of Exhibit A, and to the Series 2016B Bonds on the second page of Exhibit A, both of which remain unchanged by the First Amendment) with a third page to be allocated to the Series 2023A Bonds in order to account for the utilization of the Surplus Special Assessment to finance or refinance additional Infrastructure Improvements; and

WHEREAS, accordingly the aggregate amount of Special Assessment made and levied against all property subject to the Original Special Assessment Authorizing Ordinance remains unchanged by this ordinance (with only the allocation of the Surplus Special Assessment to the Series 2023A Bonds being implemented by this Amendment).

NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF ASBURY PARK, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, AS FOLLOWS:

Section 1. The defined terms set forth in the recitals contained in this ordinance, along with the recitals, are incorporated by reference as it is set forth at length herein.

Section 2. The purpose of this special assessment ordinance is to authorize the First Amendment amending all or a portion of the cost of the Infrastructure Improvements to be developed financed, refinanced, and constructed on or benefiting the Property in accordance with the requirements of the Redeveloper Agreement. The Infrastructure Improvements will consist of the design, financing, refinancing, construction and installation of the various Infrastructure Improvements, including but not limited to, wastewater, stormwater, streetscape and utility improvements, including all work necessary therefor and incidental thereto with respect to the Property.

Section 3. Notice had previously been given to the owners of the Property that the City intended to make and levy special assessments against all such Property in the amount and at the time that such Infrastructure Improvements have been completed or at such later time as the City may determine. The aggregate amount of Special Assessment made and levied against all property subject to the Original Special Assessment Authorizing Ordinance remains unchanged by this ordinance (with only the allocation of the Surplus Special Assessment to the Series 2023A Bonds being implemented by the First Amendment).

Section 4. The Mayor is hereby authorized and directed to determine all matters and terms in connection with the First Amendment which shall be in the form attached hereto, with such changes, insertions and omissions thereto as the Mayor, after consultation with counsel to the City and redevelopment counsel to the City, deems, in the Mayor’s sole discretion, to be necessary or desirable for the Mayor’s execution thereof, which execution thereof (by manual or facsimile signature of the Mayor) shall conclusively evidence the Mayor’s consent to the First Amendment and any such changes thereto. The Mayor, the City Manager, the Chief Financial Officer, the City Clerk and any other City official, officer or professional, including but not limited to, redevelopment counsel, bond counsel, the financial advisor and the auditor to the

City, are each hereby authorized and directed to deliver such documents and take such other actions as are necessary to facilitate the transactions contemplated hereby, and to refrain from taking such actions as necessary to facilitate the transactions contemplated hereby, in consultation with, as applicable, redevelopment counsel, bond counsel, the financial advisor and the auditor to the City, and any and all actions taken heretofore with respect to the transactions contemplated hereby are hereby ratified and confirmed.

Section 5. Nothing in this ordinance is intended to abrogate or in any way limit the (i) general application of that certain ordinance adopted by the City on February 20, 2013 and entitled “An Ordinance of the City of Asbury Park, in the County of Monmouth, New Jersey, Providing for the Special Assessment of the Cost of Certain Wastewater, Stormwater, Roadway, Streetscape, Utility and Other Infrastructure Improvements in Portions of the Prime Renewal Area and the Boardwalk Area within the Asbury Park Waterfront Redevelopment Area and Establishment of a Mechanism for Payment of the Cost Thereof” or (ii) the specific application of the Original Special Assessment Authorizing Ordinance. All provisions of such ordinances with respect to the Series 2016 Bonds shall apply with respect to the Series 2023A Bonds, except the amounts and as otherwise set forth in the First Amendment. Except as otherwise amended by the First Amendment, the terms of the Original Special Assessment Agreement shall remain in full force and effect.

Section 6. The City is hereby authorized to enter into the First Amendment with the Entity.

Section 7. This ordinance shall take effect as provided by law.

I, LISA ESPOSITO, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of ORDINANCE NO. 2023-36 which was finally adopted by the City Council at a meeting held on the 25th day of October, 2023

LISA ESPOSITO
CITY CLERK



**Asbury Park, New Jersey
ORDINANCE NO. 2023-37**

**ORDINANCE OF THE CITY OF ASBURY PARK AMENDING SECTION 28-3,
ENTITLED “FOOD HANDLING ESTABLISHMENTS,” OF CHAPTER 28, “HEALTH
REGULATIONS,” OF “THE CODE OF THE CITY OF ASBURY PARK.”**

WHEREAS, in response to the COVID-19 pandemic (the “pandemic”), and following the adoption of P.L. 2020, c. 42 by the State Legislature, the Mayor and Council of the City of Asbury Park (the “City”) adopted Ordinance No. 2021-13 on April 14, 2021; and

WHEREAS, Ordinance No. 2021-13 restricted and limited the fees charged to restaurants by third-party food takeout and delivery service applications and internet websites for takeout and delivery services; and

WHEREAS, the intent of Ordinance No. 2021-13 was to mitigate and reduce the financial hardship that was being suffered by restaurants as a result of the restrictions that had been imposed on dine-in services during the pandemic; and

WHEREAS, the express language of Ordinance No. 2021-13 limits its application to the time period while the State of Emergency caused by the pandemic remains in effect; and

WHEREAS, though the Public Health Emergency previously declared by Governor Philip D. Murphy due to the pandemic has been terminated, the State of Emergency relating to the pandemic continues to exist and has not been lifted by the Governor; and

WHEREAS, the provisions of Ordinance No. 2021-13 therefore remain in effect at the current time; and

WHEREAS, notwithstanding, the Mayor and Council of the City have determined that current circumstances no longer warrant the continued maintenance of the restrictions imposed pursuant to Ordinance No. 2021-13; and

WHEREAS, as such, the Mayor and Council of the City now wish to repeal Ordinance No. 2021-13, and to revise Chapter 28, entitled “Health Regulations,” of “The Code of the City of Asbury Park” (also referenced as the “City Code”) accordingly; and

WHEREAS, the revisions are set forth in the within Ordinance.

NOW, THEREFORE, BE AND IT IS HEREBY ORDAINED, by the Mayor and City Council of the City of Asbury Park, in the County of Monmouth and State of New Jersey, that Section 28-3, entitled “Food Handling Establishments,” of Chapter 28, “Health Regulations,” of

“The Code of the City of Asbury Park” is hereby amended and supplemented as follows (additions are shown with underline; deletions are shown with ~~strikeout~~):

Chapter 28. Health Regulations

§ 28-3. FOOD HANDLING ESTABLISHMENTS.

§ 28-3.1. Definitions.

As used in this chapter:

APPROVED

Shall mean any article of food or drink, a source of food or drink, a method, a device, or a piece of equipment which meets the requirements of the Health Officer/Chief Code Enforcement Officer or their designee of the City, or the State Department of Health.

EMPLOYEE

Shall mean any person who handles food or drink during preparation or servicing, or who comes in contact with any eating or cooking utensil, or who is employed in a room in which food or drink is prepared or served.

ENFORCING OFFICIAL

Shall mean the Health Officer/Chief Code Enforcement Officer or their designee or other official possessing a license issued by the State Department of Health under the provisions of N.J.S.A. 26:1a-41, ~~except that for violations of Section 28 3.7 below, the Municipal Emergency Management Coordinator shall be the Enforcing Official.~~

~~INTERNET WEBSITE~~

~~Shall mean, for the purposes of this Section, any online food ordering and delivery service that allows a consumer to place an order for takeout or delivery from a restaurant.~~

RETAIL FOOD HANDLING ESTABLISHMENT

Shall mean a restaurant, tavern, box lunch establishment, bakery, meat market, delicatessen, luncheonette, caterer, soda fountain, food vending vehicle, and any other place in which food or drink is prepared or stored for public consumption, distribution, or sale at retail, including any vehicle used in connection therewith and all places where water for drinking or culinary purposes is available for public use.

SANITIZE

Shall mean the rendering of eating and drinking utensils free from disease-producing bacteria so that they have been so cleansed and disinfected as to have a total bacterial count of not more than one hundred (100) per utensil when sampled in accordance with approved method in an approved laboratory.

~~THIRD PARTY FOOD TAKEOUT AND DELIVERY SERVICE APPLICATION~~

~~Shall mean any online food ordering and delivery service that allows a consumer to place an order for takeout or delivery from a restaurant.~~

UTENSIL

Shall mean any kitchenware, tableware, glassware, cutlery, containers, or other equipment with which food or drink comes in contact.

§ 28-3.2. Certificates of Approval.

- a. No person shall operate a retail food handling establishment unless a Certificate or approval of an existing Certificate to operate same shall have been issued by the Health Officer/Chief Code Enforcement Officer or their designee. The certificate shall not be issued except after inspection of the premises proposed to be operated are found to be in full compliance with this chapter. Such Certificate or approval of an existing Certificate shall be posted in a conspicuous place in such establishment.
- b. There shall be charge of five (\$5.00) dollars for such Certificate or approval of an existing Certificate.
- c. Certificates issued or approved under the provision of this chapter expire annually on December 31. Application for renewal shall be submitted with the required fee prior to January 1.
 - 1.
- d. A person conducting an itinerant retail food handling establishment shall secure a Certificate; or if such person is the holder of a Certificate issued by the Health Officer/Chief Code Enforcement Officer or his designee of another jurisdiction, the Certificate may be approved by the Health Officer/Chief Code Enforcement Officer or their designee and there shall be a fee of five (\$5.00) dollars charged for such approval.

§ 28-3.3. Certificates, Revocation and Transfer.

- a. A Certificate or approval of Certificate may be suspended or revoked for a violation by the holder of any provisions of this chapter, after an opportunity for a hearing by the Mayor and Council.
- b. A Certificate or approval of a Certificate issued by another Board of Health is not transferable.

§ 28-3.4. Mercantile License.

The City Clerk shall not issue a Mercantile License to any applicant for any retail food handling establishment unless and until the applicant produces a Certificate issued by the Health Officer/Chief Code Enforcement Officer or their designee in accordance with this section.

§ 28-3.5. Inspection of Retail Food Handling Establishments.

The Enforcing Official shall inspect, as often as he/she deems necessary, every retail food handling establishment. The person operating a retail food handling establishment shall permit access to all parts of the establishment and shall make available all records of food purchased upon request of the Enforcing Official.

§ 28-3.6. Closure for Infection.

If the Enforcing Official has reason to believe that any retail food handling establishment is or may be a source of food-borne infection, he/she shall advise the owner, manager, or employees thereof accordingly and order appropriate action to be taken, which will eliminate the source of infection. In the event such action is not taken immediately, he/she may order such establishment to be closed and post a statement in a conspicuous place at the entrance thereof, stating "The sale of food or drink in this establishment is forbidden - Health Officer of the City of Asbury Park," which order shall be effective and statement shall remain posted until the action ordered to eliminate the source of food-borne infection has been completed. The Enforcing Official, who believes an employee of any retail food handling establishment is ill or infected with a disease, or may be a carrier of a disease, which may be transmitted through food, may order him/her to leave the establishment and order the employer to prohibit such employee from returning to work until permission is granted to return by the Health Officer/Chief Code Enforcement Officer or their designee.

§ 28-3.7. ~~Third Party Food Takeout and Delivery Service Application and Internet Website Fees; Limitations.~~ Reserved.

- a. ~~During such times when the restrictions imposed by P.L. 2020, c. 42 (also known as "S. 2437") on third party food takeout and delivery service application and internet website fees are not in effect (per the express terms of S. 2437) and the State of Emergency caused by COVID-19 remains in effect, it shall be unlawful for any third party food takeout and delivery service application or internet website to charge a service fee to a retail food handling establishment for takeout or delivery service greater than:~~
 1. ~~15% of the cost of the individual order; or~~
 2. ~~5% of the cost of the individual order when the order is delivered by an employee of the retail food handling establishment or an independent contractor with whom the retail food handling establishment has contracted directly.~~
- b. ~~It shall be unlawful to reduce the compensation rates or gratuities paid to a delivery service driver because of the limits on fees imposed by this section.~~
- c. ~~Notwithstanding any existing agreement in effect prior to the effective date of this section, it shall be unlawful for a third party food takeout and delivery service application or internet website to charge a retail food handling establishment a fee per order greater than the fee allowed by this section for services, including but not limited to, fees for promotions, advertising, marketing, or delivery. Any fees in a pre-existing agreement greater than those~~

~~permitted by this section shall be void and unenforceable against a retail food handling establishment.~~

- d. ~~The provisions of this section shall not be construed to limit the right of any retail food handling establishment to choose by agreement to pay an additional 5% percent of the cost of the individual order to access additional advertising or other services offered by any third-party food takeout and delivery service application or internet website. However, any retail food handling establishment that chooses to pay a service fee that is greater than the fee set forth in the provisions of this section shall be required to affirmatively elect to pay that fee regardless of any contract that is in effect on the effective date of this section.~~
- e. ~~For the purpose of paragraph d, the parties to an agreement to pay for additional services may define the term "cost of an order" to include tips, service charges and any additional fees associated with an individual order.~~
- f. ~~The Municipal Emergency Management Coordinator shall be responsible for enforcement of the provisions of the within § 28-3.7 of this chapter.~~

§ 28-3.8. Penalty.

Any person who violates any provision of or order promulgated under this chapter shall, upon conviction, be liable to the penalty stated in Chapter 1, Section 1-5. ~~With regard to violations of § 28-3.7 above, each order for which a fee charged exceeds the fee permitted by § 28-3.7 shall be considered a separate offense.~~

BE IT FURTHER ORDAINED, that all other provisions of Chapter 28 of the City Code which are not referenced in this Ordinance shall remain unaffected/unchanged and remain in full force and effect.

BE IT FURTHER ORDAINED, that all parts and provisions of any Ordinance which are inconsistent with the provisions of this Ordinance shall be repealed to the extent of such inconsistency.

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

BE IT FURTHER ORDAINED, that this Ordinance shall take effect upon final passage and publication in accordance with the law, following the required twenty (20) day period after adoption, as set forth in N.J.S.A. 40:69A-181(b).

I, LISA ESPOSITO, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of ORDINANCE NO.

2023-37 which was finally adopted by the City Council at a meeting held on the 25th day of October, 2023

LISA ESPOSITO
CITY CLERK



**Asbury Park, New Jersey
ORDINANCE NO. 2023-30**

**ORDINANCE OF THE CITY OF ASBURY PARK, IN THE COUNTY OF
MONMOUTH, STATE OF NEW JERSEY, PROVIDING FOR THE SPECIAL
ASSESSMENT OF THE COST OF CERTAIN WASTEWATER, STORMWATER,
ROADWAY, STREETScape, UTILITY AND OTHER INFRASTRUCTURE
IMPROVEMENTS ON BLOCK 4105, LOTS 1 AND 4, AND A PORTION OF BLOCK
4105 LOT 3, TO BE KNOWN AS BLOCK 4105, LOT 1 (FOLLOWING COMPLETION
OF THE SUBDIVISION) WITHIN THE ASBURY PARK WATERFRONT
REDEVELOPMENT AREA AND ESTABLISHING A MECHANISM FOR PAYMENT
OF THE COST THEREOF**

WHEREAS, pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A1 et seq. (the “Redevelopment Law” or the “Act”) and that certain redevelopment plan dated as of June 5, 2002 (as amended and supplemented from time to time, the “Redevelopment Plan”), the City of Asbury Park (the “City”), in the County of Monmouth, State of New Jersey, and Asbury Partners, LLC (the “Master Developer”) entered into that certain “Amended and Restated Redeveloper and Land Disposition Agreement” dated October 28, 2002 (as the same may be amended and supplemented in accordance with its terms, including, without limitation, by amendments dated August 1, 2018 and October 3, 2019, the “Redeveloper Agreement”) with respect to the Waterfront Redevelopment Area, as defined therein; and

WHEREAS, in order to finance the cost of the infrastructure improvements contemplated by the Redeveloper Agreement, the City has determined that the cost of the infrastructure improvements should be assessed pursuant to N.J.S.A. 40:56-1 et seq. (the “Local Improvements Law”) and/or pursuant to an assessment agreement under the Redevelopment Area Bond Financing Law pursuant to N.J.S.A. 40A:12A-64 et seq. (the “RAB Law”); and

WHEREAS, pursuant to Section 7.1 of the Redeveloper Agreement, the Master Developer is responsible for the costs of certain wastewater, stormwater, roadway, streetscape, utility and other infrastructure improvements within the Waterfront Redevelopment Area (the “Infrastructure Improvements”), including with respect to Block 4105, Lots 1 and 4, and a portion of Block 4105 Lot 3, to be known as Block 4105, Lot 1 following completion of the Subdivision as contemplated by the Subsequent Developer Agreement and the Planning Board’s Resolution of Approval, dated August 21, 2023 (the “Property”), which Infrastructure Improvements, in whole or in part, constitute

(i) redevelopment projects (collectively, the “Infrastructure Redevelopment Project”) to be undertaken pursuant to the Redevelopment Plan in the Waterfront Redevelopment Area, all as contemplated by the Redevelopment Law and RAB Law, and

(ii) local improvements within the meaning, and for the purposes set forth in the Local Improvement Law for which a special assessment may be imposed; and

WHEREAS, Somerset Asbury Park Urban Renewal, LLC (the “Subsequent Developer”), the Master Developer and the City entered into a Subsequent Developer

Agreement, dated January 25, 2023, pursuant to which the Subsequent Redeveloper assumed certain rights and obligations of the Master Developer; and

WHEREAS, pursuant to the RAB Law, a municipality may issue bonds (as issued in connection with this Ordinance, the “RABs”) to finance redevelopment projects pursuant to a redevelopment plan within an area in need of redevelopment, which RABs may be secured by, among other things, a special assessment on certain property within an area in need of redevelopment and on a tax-exempt or taxable basis.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF ASBURY PARK, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, AS FOLLOWS:

Section 1. The defined terms set forth in the recitals contained in this Ordinance are incorporated by reference as it is set forth at length herein.

Section 2. The purpose of this special assessment ordinance is to establish a mechanism for imposing special assessments of all or a portion the cost of the Infrastructure Improvements to be developed, financed and constructed on or benefiting the Property in accordance with the requirements of the Redevelopment Agreement. The Infrastructure Improvements will consist of the design, financing, construction and installation of various infrastructure improvements, including but not limited to, wastewater, stormwater, roadway, streetscape and utility improvements undertaken in the Waterfront Redevelopment Area, including all work, materials and equipment necessary therefor and incidental thereto with respect to the Property.

Section 3. Notice is hereby given to the owners of the Property that the City intends to make and levy special assessments against all such Property in the amount and at the time that such Infrastructure Improvements have been completed or at such later time as the City may determine. The estimated aggregate cost of such Infrastructure Improvements for the Property subject to this ordinance is \$14,300,000 (subject to the actual costs of such Infrastructure Improvements at the time of installation as certified to the City Engineer), provided that the special assessments for any Property affected by this ordinance shall be made and levied in the manner provided by law and shall be as nearly as possible in proportion to and not in excess of the peculiar benefit, advantage or increase in value that the Property shall be deemed to receive by reason of the Infrastructure Improvements.

Section 4. The following additional matters are hereby determined, declared, recited and stated:

(a) The amount of any special assessment (“Special Assessment”) levied against the Property shall be determined, at the option of the owner of the Property, in accordance with:

(i) the procedure set forth in the Local Improvements Law; or

(ii) pursuant to a special assessment agreement entered into by and between the City and the affected property owner under N.J.S.A. 40A:12A-66 of the RAB Law (the “Special Assessment Agreement”).

(b) Whether levied under the Local Improvements Law or a Special Assessment Agreement under Section 66 of the RAB Law, the Special Assessments shall be paid over a 30 year period in quarterly installments payable at the time and in the manner that generally applicable property taxes are required to be paid in the City, with legal interest:

(a) charged on the portion of the Special Assessments allocable to the RABs from the date of issuance through the date that all of the RABs are no longer outstanding, with such legal interest meaning the interest rate on the RABs;

(b) charged on the portion of the Special Assessments allocable to the RABs with respect to any installment not paid when due, with such legal interest meaning the highest

rate of interest permitted under New Jersey law in the case of unpaid taxes or tax liens until paid; and

(c) charged on the portion of the Special Assessments not allocable to the RABs with respect to any installment not paid when due, with such legal interest meaning the highest rate of interest permitted under New Jersey law in the case of unpaid taxes or tax liens until paid, or such lesser portion as may be determined by the City. The first such installment shall commence on the first business day of the quarter immediately following

(i) the determination of the peculiar benefit, advantage or increase in value which particular lot or Property shall be deemed to have received as a result of the Infrastructure Improvements, as required to under N.J.S.A. 40:56-27 or

(ii) with respect to the Property, at the time set forth in a Special Assessment Agreement under the RAB Law provided that any owner of land so assessed shall, with respect to the portion of the Special Assessments allocable to the RABs, have the privilege of paying the whole of such allocable portion of any Special Assessment or any balance of installments with accrued interest thereon at any time. Such Special Assessment shall remain a lien upon the affected Property described herein until the Special Assessment, with all installments and accrued interest thereon, applicable the particular Property shall be paid and satisfied.

(c) No portion of the cost of the Infrastructure Improvements shall be paid from funds raised from the municipal tax levy or other available funds of the City.

(d) Any Special Assessment levied pursuant to Section 4(a)(ii) of this ordinance shall be subject to the terms and conditions set forth in a Special Assessment Agreement to be entered into by the City and the affected property owner substantially in the form attached hereto as Exhibit A, together with such additions, deletions, modifications or revisions as may be required in consultation with counsel to the City to facilitate the transaction contemplated hereby. Any Special Assessment Agreement executed from time to time, and pursuant to which Special Assessment payments are securing bonds issued under the RAB Law, shall be recorded in accordance with the requirements of the RAB Law. The Mayor is hereby authorized and directed to execute the Special Assessment Agreement and the City Clerk is hereby authorized and directed to attest to such signature, and to affix the corporate seal of the City upon the Special Assessment Agreement.

(e) The City hereby determines that:

(i) it shall have the right to charge Owner(s) of the Property legal interest (a) charged on the portion of the Special Assessments allocable to the RABs from the date of issuance through the date that all of the RABs are no longer outstanding, with such legal interest meaning the interest rate on the RABs;

(b) charged on the portion of the Special Assessments allocable to the RABs with respect to any installment not paid when due, with such legal interest meaning the highest rate of interest permitted under New Jersey law in the case of unpaid taxes or tax liens until paid; and

(c) charged on the portion of the Special Assessments not allocable to the RABs with respect to any installment not paid when due, with such legal interest meaning the highest rate of interest permitted under New Jersey law in the case of unpaid taxes or tax liens until paid, or such lesser portion as may be determined by the City; and

(ii) in lieu of the levy of the special assessment described herein pursuant to the Local Improvements Law, the special assessment may be charged, collected and otherwise applied in the manner set forth in the Special Assessment Agreement.

Section 5. The Mayor is hereby authorized and directed to determine all matters and terms in connection with the Special Assessment or the Special Assessment Agreement, all in consultation with the counsel to the City, and the manual or facsimile signature of the Mayor upon any documents shall be conclusive as to all such determinations. The Mayor, the City Manager, the Chief Financial Officer, the City Clerk and any other City official, officer or professional, including but not limited to, redevelopment counsel, bond counsel, the financial advisor and the auditor to the City, are each hereby authorized and directed to execute and deliver such documents as are necessary to facilitate the transactions contemplated hereby, and to take such actions or refrain from such actions as are necessary to facilitate the transactions contemplated hereby, in consultation with, as applicable, redevelopment counsel, bond counsel, the financial advisor and the auditor to the City, and any and all actions taken heretofore with respect to the transactions contemplated hereby are hereby ratified and confirmed.

Section 6. Nothing in this ordinance is intended to abrogate or in any way limit the general application of that certain ordinance adopted by the City on February 20, 2013 and entitled “An Ordinance of the City of Asbury Park, in the County of Monmouth, New Jersey, Providing for the Special Assessment of the Cost of Certain Wastewater, Stormwater, Roadway, Streetscape, Utility and Other Infrastructure Improvements in Portions of the Prime Renewal Area and the Boardwalk Area within the Asbury Park Waterfront Redevelopment Area and Establishment of a Mechanism for Payment of the Cost Thereof”.

Section 7. This ordinance shall take effect as provided by law.

I, LISA ESPOSITO, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of ORDINANCE NO. 2023-30 which was finally adopted by the City Council at a meeting held on the 25th day of October, 2023

LISA ESPOSITO
CITY CLERK



**Asbury Park, New Jersey
ORDINANCE NO. 2023-31**

**ORDINANCE OF THE CITY OF ASBURY PARK AUTHORIZING THE EXECUTION
OF A FINANCIAL AGREEMENT WITH SOMERSET ASBURY PARK URBAN
RENEWAL, LLC AND GRANTING A TAX EXEMPTION**

WHEREAS, the New Jersey Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 *et seq.* (the “Act”) authorizes municipalities to determine whether certain parcels of land in the municipality qualify as areas “in need of redevelopment”; and

WHEREAS, the Act confers certain contract, planning, and financial powers upon a Redevelopment Entity, as that term is defined in the Act, in order to implement redevelopment plans adopted pursuant thereto; and

WHEREAS, the City of Asbury Park (the “City”), in the County of Monmouth, State of New Jersey, has elected to exercise these redevelopment entity powers directly, as permitted by Section 4 of the Act; and

WHEREAS, on June 5, 2002, the City adopted the “Asbury Park Waterfront Redevelopment Plan (Plan IV)” (as amended and supplemented from time to time, the “Redevelopment Plan”) with respect to the “Asbury Park Waterfront Redevelopment Area,” as defined in the Redevelopment Plan (the “Redevelopment Area”); and

WHEREAS, pursuant to the Act, including Section 8 thereof (N.J.S.A. 40A:12A-8), a municipality is permitted to contract with a redeveloper to undertake redevelopment projects pursuant to a redevelopment plan within an area in need of redevelopment, as all such terms are defined in the Act; and

WHEREAS, the City and Asbury Partners, LLC (the “Master Developer”) entered into that certain “Amended and Restated Redeveloper and Land Disposition Agreement” dated October 28, 2002 (as the same has been amended and supplemented in accordance with its terms, including, without limitation, by amendments dated August 1, 2018 and October 3, 2019, the “Redeveloper Agreement”); and

WHEREAS, Somerset Asbury Park Urban Renewal, LLC (the “Entity”), the Master Developer and the City entered into a Subsequent Developer Agreement, dated January 25, 2023, pursuant to the Redeveloper Agreement and Redevelopment Plan, and the Entity intends to redevelop a mixed-use building containing market-rate, multi-family for-sale condominiums, containing 155 residential condominium dwelling units, including a ground floor lobby and associated areas, indoor and outdoor recreation space, inclusive of 268 parking spaces located in a multi-level parking structure and allocated to the residential condominium dwelling units, with 10 of such spaces reserved for use by Wonder Bar Employees as contemplated by the Subsequent Developer Agreement), along with 9,390 square feet of ground floor retail and commercial space, including a restaurant and related event space, along the Ocean Avenue Frontage, and related site improvements (the “Project”) located on Block 4105, Lots 1 and 4, and a portion of Block 4105 Lot 3, to be known as Block 4105, Lot 1 following completion of the Subdivision as contemplated by the Subsequent Developer Agreement and the Planning Board’s

Resolution of Approval, dated August 21, 2023 (the “Project Site”) and in accordance with all Governmental Approvals (as defined herein); and

WHEREAS, the Entity has been qualified by the State of New Jersey to do business as an urban renewal entity under the provisions of the Long Term Tax Exemption Law, N.J.S.A. 40A:20-1 et seq. (the “LTTE Law”), and was created for the development, operation and maintenance of the Project; and

WHEREAS, in order to improve the feasibility of the construction, operation and maintenance of the Project, on February 21, 2023 the Entity made application to the City requesting a long term tax exemption and financial agreement with respect to the Project (the “Application”) pursuant to the LTTE Law, which Application is on file with the City Clerk; and

WHEREAS, the Entity has represented to the City that the Project would not be feasible in its intended scope but for the provision of financial assistance by the City; and

WHEREAS, after review of the Application, the City Manager recommended that the Application be approved on such terms as set forth in a proposed form of financial agreement (the “Financial Agreement”) substantially in the form attached hereto as Exhibit A and by this reference incorporated herein, together with such additions, deletions, modifications or revisions as may be required in consultation with counsel to the City to facilitate the transaction contemplated hereby, and

WHEREAS, the City Council has reviewed the Application and the terms of the Financial Agreement, and wishes to approve the Application on such terms, subject to the designation of the Entity as a Subsequent Developer, as such term is defined in the Redevelopment Agreement, and the execution of an agreement with the Entity as a Subsequent Developer in accordance with the Redevelopment Agreement, which is expected to occur simultaneously herewith and

WHEREAS, the City hereby finds that the relevant benefits of the Project to the redevelopment of the Redevelopment Area outweigh the costs, if any, associated with the tax exemption, and in fact increase City revenues over current levels by granting the long-term tax exemption for the Project, which relevant benefits are further described in the Application and the Financial Agreement; and

WHEREAS, the City hereby determines that the assistance provided to the Project pursuant to the Financial Agreement will be a significant inducement for the Entity to proceed with the Project and that based on information set forth in the Application, the Project would not be feasible without such assistance.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the City Council of the City of Asbury Park, in the County of Monmouth, State of New Jersey as follows:

I. GENERAL The aforementioned recitals are incorporated herein as though fully set forth at length.

II. EXECUTION OF FINANCIAL AGREEMENT AUTHORIZED (a) The Mayor is hereby authorized and directed to execute the Financial Agreement, substantially in the form as it has been presented to the City Council, and attached hereto as Exhibit A, subject to additions, deletions, modifications, or revisions deemed necessary and appropriate in consultation with counsel. (b) The Clerk of the City is hereby authorized and directed, upon the execution of the Financial Agreement in accordance with the terms of Section II (a) hereof, to attest to the signature of the Mayor upon such document and is hereby further authorized and directed to affix the corporate seal of the City upon such document. (c) The City Clerk shall file certified

copies of this ordinance and the Financial Agreement with the Tax Assessor of the City. In accordance with P.L. 2015, c. 247, within ten calendar days following the later of the effective date of this Ordinance or the execution of the Financial Agreement by the Entity, the City Clerk also shall transmit a certified copy of this Ordinance and the Financial Agreement to the chief financial officer of Monmouth County and to the Monmouth County Counsel for informational purposes.

III. SEVERABILITY If any part of this Ordinance shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Ordinance.

IV. ACTION REGARDING FINANCIAL AGREEMENT The Mayor is hereby authorized and directed to determine all matters and terms in connection with the Financial Agreement, all in consultation with the counsel to the City, and the manual or facsimile signature of the Mayor upon any documents shall be conclusive as to all such determinations. The Mayor, the City Manager, the Chief Financial Officer, the City Clerk and any other City official, officer or professional, including but not limited to, redevelopment counsel, bond counsel, the financial advisor and the auditor to the City, are each hereby authorized and directed to execute and deliver such documents as are necessary to facilitate the transactions contemplated hereby, and to take such actions or refrain from such actions as are necessary to facilitate the transactions contemplated hereby, in consultation with, as applicable, redevelopment counsel, bond counsel, the financial advisor and the auditor to the City, and any and all actions taken heretofore with respect to the transactions contemplated hereby are hereby ratified and confirmed.

V. AVAILABILITY OF THE ORDINANCE A copy of this Ordinance shall be available for public inspection at the offices of the City.

VI. EFFECTIVE DATE This Ordinance shall take effect according to law.

I, LISA ESPOSITO, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of ORDINANCE NO. 2023-31 which was finally adopted by the City Council at a meeting held on the 25th day of October, 2023

LISA ESPOSITO
CITY CLERK



Minutes
Meeting of the Municipal Council
Wednesday, October 25, 2023
REGULAR MEETING

Executive Session - 4:00 p.m.

2023-481 Resolution Authorizing a meeting which excludes the public

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Eileen Chapman, Councilmember
SECONDER:	Yvonne Clayton, Councilmember
AYES:	Ahbez-Anderson, Chapman, Clayton, Quinn, Moor

Workshop Session - 6:00 p.m.

Call to Order/Roll Call

Attendee Name	Title	Status	Arrived
Angela Ahbez-Anderson	Councilmember	Present	
Eileen Chapman	Councilmember	Present	
Yvonne Clayton	Councilmember	Present	
Amy Quinn	Deputy Mayor	Present	
John Moor	Mayor	Present	
Donna Vieiro	City Manager	Present	
Frederick Raffetto	City Attorney	Present	
Lisa Esposito	City Clerk	Present	
Anthony Cucci	Deputy City Clerk	Present	

City Clerk Lisa Esposito called the meeting to order at 6:05 PM.

Silent Prayer/Moment of Reflection

Salute to the Flag

Announcement - Open Public Meetings Act

PROCLAMATION

1. Proclamation Recognizing Seacoast Missionary Baptist Association

ITEMS TO BE PRESENTED:

Mayor and Council presented a proclamation to the Seacoast Missionary Baptist Association.

2. Presentation by APTV Committee - 2022 JAG Awards

Deputy Mayor Quinn and the APTV Committee presented the 2022 JAG Awards to the following: Muata Greene, John Kaplow, Adam Worth, Nicole Amatucci, Nate McCallister, and Tom Cheseck.

3. Presentation by Rudowsky Development - 1001 First Avenue

Kevin Kennedy Esq. of Asbury First, LLC and Engineer of Rudowsky Development, Luke Rudowsky presented a redevelopment proposal for property located at 1001 First Avenue.

Matters from City Council

Council member Ahbez-Anderson stated, The Asbury Park Recreation Department will host Trunk or Treat and that will be next Tuesday from 4:30 PM to 6:00 PM. Bring your little ghosts and goblins out to have a spooktacular time. Candy will be given so wear your best costumes.

Council member Chapman stated, The City has a food assistance program free meal kit give away on Saturday, 10/28, from 10:00 AM to 12:00 PM at City Hall. You should register with the Department of Community and Cultural Affairs or email Cassandra.Dickerson@cityofasburypark.com

Council member Clayton stated, October is Breast Cancer Awareness month and we just want to alert everyone to please take care of your health. It is not just a disease that affects women, but also affects men. Do what you need to do to take care of your health. If you have an issue please go to your doctor it has been thirteen years since I was diagnosed in October. I am living proof that early detection you can go on and live.

Deputy Mayor Quinn had no matters at this time.

Mayor Moor stated, The presentation is not being voted on tonight. It is an opportunity to get feedback from everybody within 200 feet of the project was notified by the applicant. I know there are some people here that want to ask those questions. It is going to help the city make up their minds, it is going to help the developer make up their minds if they have to change anything. When it gets to the public session that is going to be the time for you to ask those questions. But no vote will be taken tonight on this project.

Matters from City Manager

City Manager, Donna Vieiro stated, Our Social Services Department has moved to the Transportation Center so anyone seeking services, the new location is over here, it is no longer in City Hall.

Matters from City Attorney

City Attorney, Frederick Raffetto had no matters at this time.

PUBLIC PARTICIPATION

A motion was made by Council member Ahbez-Anderson and seconded by Council member Chapman to open the meeting to the public. All were in favor. The following members of the public spoke: Sylvia Sylvia made a comment about the new location of the Social Services Department; Rick Mortlock, David Swanson, Mick Marzocki, Sonia Spina, Jordan Modell, Jill Wright, Darryl Hammary, Kerri Martin all made comments about the redevelopment presentation for 1001 First Avenue; Felicia Simmons made a comment about the redevelopment presentation for 1001 First Avenue, the Asbury Park Police department and the West Side Community Center; Nancy Phillips made a comment about housing in Asbury Park; and Sean McGrath made a comment about Summer Time Surf School.

A motion to close the meeting to the public was made by Mayor Moor and seconded by Council member Chapman. All were in favor.

MINUTES

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Angela Ahbez-Anderson, Councilmember
SECONDER:	Eileen Chapman, Councilmember
AYES:	Ahbez-Anderson, Chapman, Clayton, Quinn, Moor

1. Municipal Council- Executive Meeting October 11, 2023 4:00 PM
2. Municipal Council - Regular Meeting - Oct 11, 2023 6:00 PM

CONSENT AGENDA RESOLUTIONS

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Amy Quinn, Deputy Mayor
SECONDER:	Yvonne Clayton, Councilmember
AYES:	Ahbez-Anderson, Chapman, Clayton, Quinn, Moor

- 2023-482 Resolution of the City of Asbury Park, County of Monmouth, State of New Jersey Providing for the Insertion of Special Items of Revenue in the 2023 Budget of the City of Asbury Park Pursuant to N.J.S.A. 40A:4-87 (Chapter 159) - Affordable Housing Alliance Inc. Educational and Recreational Enrichment Grant
- 2023-483 Resolution of the City of Asbury Park, County of Monmouth, State of New Jersey Providing for the Insertion of Special Items of Revenue in the 2023 Sewer Budget of the City of Asbury Park Pursuant to N.J.S.A. 40A:4-87 (Chapter 159) - American Rescue Plan
- 2023-484 Resolution of the City of Asbury Park, County of Monmouth, State of New Jersey Providing for the Insertion of Special Items of Revenue in the 2022 Budget of the City of

Asbury Park Pursuant to N.J.S.A. 40A:4-87 (Chapter 159) - Affordable Housing Alliance Inc. Educational and Recreational Enrichment Grant

2023-485 Resolution of the City of Asbury Park, County of Monmouth, State of New Jersey Providing for the Insertion of Special Items of Revenue in the 2023 Current Fund Budget of the City of Asbury Park Pursuant to N.J.S.A. 40A:4-87 (Chapter 159) - American Rescue Plan

2023-486 Resolution Authorizing the Acceptance of Funding from the State of New Jersey, Department of Human Services, Division of Mental Health Services for the Year 2024 Mental Health Grant

INDIVIDUAL RESOLUTIONS

2023-487 Resolution Approving Payment of Bills

PO's 23-02593, 23-02690, 23-02725, 23-02723 were removed from the bill list.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	John Moor, Mayor
SECONDER:	Amy Quinn, Deputy Mayor
AYES:	Ahbez-Anderson, Chapman, Clayton, Quinn, Moor

2023-462 Resolution Authorizing the Mayor & City Council to Execute a Subordination of Mortgage for Laura and Jorge Bonifaz for Property located at 915 Sunset Avenue, Asbury Park

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Amy Quinn, Deputy Mayor
SECONDER:	Yvonne Clayton, Councilmember
AYES:	Ahbez-Anderson, Chapman, Clayton, Quinn, Moor

2023-476 Resolution Authorizing The Utilization Of Project Labor Agreements, On A Project-By-Project Basis, For Public Works Projects Undertaken By The City Involving Costs In Excess Of Five Million Dollars (\$5,000,000.00).

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Eileen Chapman, Councilmember
SECONDER:	John Moor, Mayor
AYES:	Ahbez-Anderson, Chapman, Clayton, Quinn, Moor

2023-477 Resolution Adopting An Affirmative Marketing Plan For The City Of Asbury Park

Motion to Table Resolution 2023-477 was made by Deputy Mayor Quinn and seconded by Council member Chapman.

RESULT: DEFEATED (UNANIMOUS)

AYES: Ahbez-Anderson, Chapman, Clayton, Quinn, Moor.

RESULT:	WITHDRAWN [UNANIMOUS]
MOVER:	John Moor, Mayor
SECONDER:	Amy Quinn, Deputy Mayor
AYES:	Ahbez-Anderson, Chapman, Clayton, Quinn, Moor

2023-488 Resolution Authorizing the Purchase of a Water Pump Needed at the Wastewater Treatment Plant

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	John Moor, Mayor
SECONDER:	Eileen Chapman, Councilmember
AYES:	Ahbez-Anderson, Chapman, Clayton, Quinn, Moor

2023-489 Resolution Authorizing the Purchase of Electricity - 50% Green Supply Services for Public Use on an Online Auction Website

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Eileen Chapman, Councilmember
SECONDER:	Yvonne Clayton, Councilmember
AYES:	Ahbez-Anderson, Chapman, Clayton, Quinn, Moor

2023-490 Resolution Authorizing the Purchase of Records Management Software for the Fire Department

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Amy Quinn, Deputy Mayor
SECONDER:	Eileen Chapman, Councilmember
AYES:	Ahbez-Anderson, Chapman, Clayton, Quinn, Moor

2023-491 Resolution Authorizing the Purchase of Loader Forks Needed for the Beach Department

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Amy Quinn, Deputy Mayor
SECONDER:	John Moor, Mayor
AYES:	Ahbez-Anderson, Chapman, Clayton, Quinn, Moor

2023-492 Resolution Awarding Bid for Traffic Control Signage

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Amy Quinn, Deputy Mayor
SECONDER:	Yvonne Clayton, Councilmember
AYES:	Ahbez-Anderson, Chapman, Clayton, Quinn, Moor

2023-493 Resolution Authorizing a Professional Services Contract to CDM Smith for Engineering Services for Design of Phase I Wastewater Treatment Plant Improvements

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Amy Quinn, Deputy Mayor
SECONDER:	Angela Ahbez-Anderson, Councilmember
AYES:	Ahbez-Anderson, Chapman, Clayton, Quinn, Moor

2023-494 Resolution Amending a Contract with Air System Maintenance for the Installation of Two VFD's for the New Chilled Water Pumps at The Municipal Building

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Amy Quinn, Deputy Mayor
SECONDER:	Yvonne Clayton, Councilmember
AYES:	Ahbez-Anderson, Chapman, Clayton, Quinn, Moor

2023-495 Resolution Rescinding Resolution 2023-432, Awarding a Contract to Millenium Communications Group for Security Cameras in Various Locations within Asbury Park

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Yvonne Clayton, Councilmember
SECONDER:	Amy Quinn, Deputy Mayor
AYES:	Ahbez-Anderson, Chapman, Clayton, Quinn, Moor

2023-496 Resolution Of Support Authorizing A New Jersey Department Of Transportation Safe Routes To School Program Grant Application

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Angela Ahbez-Anderson, Councilmember
SECONDER:	Amy Quinn, Deputy Mayor
AYES:	Ahbez-Anderson, Chapman, Clayton, Quinn, Moor

2023-497 Resolution of the Mayor and City Council of The City of Asbury Park to Enter into a Fourth Amendment of the Subsequent Developer Agreement With AP Block 4001 Venture Urban Renewal, LLC to Extend the Outside Approvals Date in Connection With the Development of Property Located at Block 4001, Lots 2-15 (Currently Block 4001, Lots 2.01, 2.02 and 2.03)

RESULT:	ADOPTED [4 TO 1]
MOVER:	Yvonne Clayton, Councilmember
SECONDER:	John Moor, Mayor
AYES:	Angela Ahbez-Anderson, Eileen Chapman, Yvonne Clayton, John Moor
NAYS:	Amy Quinn

2023-498 Resolution of the Mayor and City Council of The City of Asbury Park to Approve the Execution of a Memorandum of Understanding Regarding the Submission of An Application for a Grant Pursuant to the Boardwalk Restoration Fund for Certain Improvements to the Asbury Park Boardwalk and for the Partial Repair and Restoration of the Paramount Theater, the Grand Arcade and Convention Hall

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Angela Ahbez-Anderson, Councilmember
SECONDER:	Yvonne Clayton, Councilmember
AYES:	Ahbez-Anderson, Chapman, Clayton, Quinn, Moor

ORDINANCES

Introduction

2023-32 Ordinance of The City of Asbury Park Amending and Supplementing Section 4-1, Entitled “Business Licenses,” of Chapter 4 “General Licensing,” of “The Code of the City of Asbury Park.”

RESULT:	INTRODUCED [UNANIMOUS]
	Next: 11/8/2023 6:00 PM
MOVER:	Eileen Chapman, Councilmember
SECONDER:	John Moor, Mayor
AYES:	Ahbez-Anderson, Chapman, Clayton, Quinn, Moor

2023-33 Ordinance of the City of Asbury Park Amending and Supplementing Section 4-9 Entitled “Display of Merchandise In Public Areas; Outdoor/Sidewalk Cafes,” of Chapter 4, “General Licensing,” of “The Code of the City of Asbury

RESULT:	INTRODUCED [UNANIMOUS]
	Next: 11/8/2023 6:00 PM
MOVER:	Angela Ahbez-Anderson, Councilmember
SECONDER:	Eileen Chapman, Councilmember
AYES:	Ahbez-Anderson, Chapman, Clayton, Quinn, Moor

2023-34 Ordinance Of The City Of Asbury Park Authorizing And Encouraging Electric Vehicle Supply/Service Equipment (EVSE) & Make-Ready Parking Spaces, And Amending Chapter 30, “Land Development Regulations,” Of The “Code Of The City Of Asbury Park” In Certain Respects.

RESULT:	INTRODUCED [UNANIMOUS]
	Next: 11/8/2023 6:00 PM
MOVER:	Amy Quinn, Deputy Mayor
SECONDER:	Eileen Chapman, Councilmember
AYES:	Ahbez-Anderson, Chapman, Clayton, Quinn, Moor

2023-35 Ordinance Of The City Of Asbury Park, In The County Of Monmouth, State Of New Jersey, Authorizing The Execution Of A First Amendment Of The Amended And Restated Special Assessment Agreement Between The City Of Asbury Park And K. Hovnanian’s Cove At Asbury Park Urban Renewal, LLC With Regard To Infrastructure Improvements On Block 3801, Lots 1.01, 1.03 And 1.05 (Formerly Block 3203, Lots 1-4, P/O Lots 5&15, 16-19 And Block 3206, Lots 1-3, P/O Lot 4) (The Cove) Within The Asbury Park Waterfront Redevelopment Area

RESULT:	INTRODUCED [UNANIMOUS]
	Next: 11/8/2023 6:00 PM
MOVER:	Eileen Chapman, Councilmember
SECONDER:	Amy Quinn, Deputy Mayor
AYES:	Ahbez-Anderson, Chapman, Clayton, Quinn, Moor

2023-36 Ordinance Of The City Of Asbury Park, In The County Of Monmouth, State Of New Jersey, Authorizing The Execution Of A First Amendment Of The Special Assessment Agreement Between The City Of Asbury Park And AP Block 176 Venture Urban Renewal LLC With Regard To Infrastructure Improvements On Block 4002, Lot 1 (Known As The “Ocean Club”) Within The Asbury Park Waterfront Redevelopment Area

RESULT:	INTRODUCED [UNANIMOUS]
	Next: 11/8/2023 6:00 PM
MOVER:	Amy Quinn, Deputy Mayor
SECONDER:	Eileen Chapman, Councilmember
AYES:	Ahbez-Anderson, Chapman, Clayton, Quinn, Moor

2023-37 Ordinance Of The City Of Asbury Park Amending Section 28-3, Entitled “Food Handling Establishments,” Of Chapter 28, “Health Regulations,” Of “The Code Of The City Of Asbury Park.”

RESULT:	INTRODUCED [3 TO 2]
	Next: 11/8/2023 6:00 PM
MOVER:	Eileen Chapman, Councilmember
SECONDER:	Yvonne Clayton, Councilmember
AYES:	Eileen Chapman, Yvonne Clayton, John Moor
NAYS:	Angela Ahbez-Anderson, Amy Quinn

Second Reading/Public Hearing

2023-30 Ordinance Of The City Of Asbury Park, In The County Of Monmouth, State Of New Jersey, Providing For The Special Assessment Of The Cost Of Certain Wastewater, Stormwater, Roadway, Streetscape, Utility And Other Infrastructure Improvements On Block 4105, Lots 1 And 4, And A Portion Of Block 4105 Lot 3, To Be Known As Block 4105, Lot 1 (Following Completion Of The Subdivision) Within The Asbury Park Waterfront Redevelopment Area And Establishing A Mechanism For Payment Of The Cost Thereof

A motion to open 2023-30 to the public was made by Mayor Moor and seconded by Council member Chapman. All were favor. No members of the public spoke.

A motion to close 2023-30 to the public was made by Council member Clayton seconded Council member Chapman . All were in favor.

RESULT:	ADOPTED [3 TO 2]
MOVER:	Eileen Chapman, Councilmember
SECONDER:	Yvonne Clayton, Councilmember
AYES:	Eileen Chapman, Yvonne Clayton, John Moor
NAYS:	Angela Ahbez-Anderson, Amy Quinn

2023-31 Ordinance Of The City Of Asbury Park Authorizing The Execution Of A Financial Agreement With Somerset Asbury Park Urban Renewal, LLC And Granting A Tax Exemption

A motion to open 2023-31 to the public was made by Council member Chapman and seconded by Mayor Moore All were in favor. No members of the public spoke

A motion to close 2023-31 to the public was made by Deputy Mayor Quinn and seconded by Council member Chapman. All were in favor.

RESULT:	ADOPTED [3 TO 2]
MOVER:	Amy Quinn, Deputy Mayor
SECONDER:	Eileen Chapman, Councilmember
AYES:	Eileen Chapman, Yvonne Clayton, John Moor
NAYS:	Angela Ahbez-Anderson, Amy Quinn

ADJOURNMENT

The meeting was adjourned at 7:32 PM

A motion to close the meeting was made by Deputy Mayor Quinn and seconded Council member Chapman. Meeting adjourned at 7:32 PM.

Respectfully submitted by:

Lisa Esposito, City Clerk