



Agenda
Meeting of the Municipal Council
Thursday, October 8, 2015

I. Executive Session – 4:30 p.m.

Resolution 2015-346 Authorizing a Meeting which Excludes the Public

A. Personnel Matters:

1. City Manager Position
2. Director of Communications Position
3. Director of Public Works
4. Code Enforcement Department

B. Contract Negotiations:

1. Lake Group SP, LLC – Overlook Park (Block 3105, Lot 1) Proposed Property Transfer – Pam Brodowski of BRB Valuation & Consulting Services
2. Carter Sackman - Savoy Theater
3. Shared Services Agreement with the County of Monmouth for Dispatch Services (Police, Fire and EMS)
4. 700 Cookman Ave. – 5 Year PILOT Request

C. Litigation:

1. Famularo Disciplinary Proceeding
2. Robert Ricks v. City of Asbury Park (Eric Nemeth, Esquire)
3. Fazio v. City of Asbury Park (Eric Nemeth, Esquire)

II. Work Session – 6:30 p.m.

- A. Clerk to Call Work Session to Order/Roll Call.
- B. Review/Follow-Up Regarding Any Issues Addressed at Work Session of Wednesday, October 7, 2015.
- C. Matters from City Council.
- D. Matters from City Manager.
- E. Matters from City Attorney

III. Regular Meeting – 7:00 p.m.

- A. Clerk to Call Meeting to Order/Roll Call.

- B. Silent Prayer/Moment of Reflection.
- C. Salute to the Flag
- D. **(Announcement by City Clerk):** As to compliance 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 2, 2015, and posted on the bulletin board the same date. All notices are on file with the City Clerk.

E. **PROCLAMATIONS**

- a. Recognizing Second Baptist Church
- b. Recognizing Cathedral International Asbury Park

F. **Public Participation (Announcement by City Clerk):**

May I have a motion to open the public comment portion of the meeting with a 3-minute time limit for each speaker. Take Motion.

[The Public is expected to conduct themselves in a proper manner. Any derogatory, abusive, or threatening statements will not be permitted. The Chair will immediately rule such conduct out of order and, after appropriate warning, may terminate any further comments from that speaker.]

G. **Acceptance of Minutes:**

- September 16, 2015 – Special Executive Session
- September 21, 2015 – Workshop Meeting
- September 23, 2015 – Executive Session Meeting
- September 23, 2015 – Regular Meeting
- September 24, 2015 – Special Executive Session
- September 29, 2015 – Special Executive Session

H. **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.]

- 2015-347 Approving Special Events/Wedding Applications as Presented on October 7, 2015
- 2015-348 Resolution Authorizing the Payment of Payroll in the Amount of \$893,447.39
- 2015-349 Resolution Approving Catering Permit for AP Thirty Property Holdings, LLC for October 17, 2015

- 2015-350 Resolution Approving Catering Permit for AP Thirty Property Holdings, LLC for January 30 and January 31, 2016
- 2015-351 Resolution Accepting 2016 Mental Health Grant
- 2015-352 Resolution Authorizing and/or Ratifying Receipt of Bids for Solid Waste and Recyclable Materials Collection Services.

I. Individual Resolutions

- 2015-353 Resolution Authorizing the Payment of Bills in the Amount of \$1,403,860.16
- 2015-354 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 2015 Budget of the City of Asbury Park Pursuant to N.J.S.A. 40A:4-87 (Chapter 159)
- 2015-355 Resolution Authorizing the Purchase Three (3) Police 2016 Chevrolet Impala 4 Door Sedans
- 2015-356 Resolution Authorizing the Purchase a 2016 Police Interceptor AWD Utility Vehicle
- 2015-357 Resolution Authorizing the Purchase a 2016 Ford Expedition SSV 4X4 for Police Department Firearms Unit
- 2015-358 Resolution Establishing and Adopting a Complete Streets Policy for the City of Asbury Park
- 2015-359 Resolution of the Mayor and City Council of the City of Asbury Park Determining that the Proposed Housing Project, Known as Renaissance Village Will Address an Existing Housing Need in the City of Asbury Park for Home Financing for the Project
- 2015-360 Resolution of Need from the City of Asbury Park Boston Way Village, LLC Boston Way Village Housing Development
- 2015-361 Award of Bid for Roof replacement at the Wastewater Treatment Plant

J. Ordinances:

1. First Reading/Introduction:

- 2015-40 An Ordinance Vacating Lake Court Right of Way Asbury Park, New Jersey
- 2015-41 An Ordinance Vacating Unnamed Alley South of Sewall Avenue Right of Way Asbury Park, New Jersey

[Set Public Hearing Date for Each Ordinance Introduced.]

K. Adjournment.



MINUTES
Meeting of the Municipal Council
Thursday, October 8, 2015
WORK SESSION AND REGULAR MEETING

City Clerk Dye called the meeting to order at 6:30 p.m.

The following Council Members were present: Council Member Yvonne Clayton, Council Member Jesse Kendle, Council Member Joe Woerner and Mayor John Moor. Also present were: City Attorney Frederick Raffetto, Acting Deputy City Manager Kevin Keddy and City Clerk Cindy Dye. Deputy Mayor Amy Quinn was absent

City Clerk Dye announced the following: "As to compliance 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 Star Ledger on January 2, 2015, and posted on the bulletin board the same date. All notices are on file with the City Clerk."

Work Session

REVIEW/FOLLOW-UP REGARDING ANY ISSUES ADDRESSED AT WORK SESSION OF WEDNESDAY, OCTOBER 7, 2015

Acting Deputy City Manager Keddy announced that due to the absence of Acting City Manager Nuccio followed-up will be done at the October 28 regular meeting.

MATTERS FROM CITY COUNCIL

Council Member Woerner provided an update regarding the Bradley Cove appraisal.

Council Member Clayton question that there has been work done on the corner of Memorial and Springwood Avenue and questioned when it will be completed. She announced that the Quality of Life Committee will be holding Pride in the Park and City-wide Clean up on October 10. The artwork in the lobby was done by the children of Asbury Park and will be rotating every week to promote Pride in the Park. She also announced that the Quality of Life Committee in conjunction with the American Red Cross will be distributing smoke detectors on October 17 between 9 a.m. and 3 p.m. The Quality of Life will also be placing recycling videos on APTV.

Council Member Kendle suggested that random drug testing be performed on City employees

Mayor Moor stated that in conjunction with Councilman Kendle's request, he is also suggesting a fit for duty policy for employees.

CODE ENFORCEMENT DEPARTMENT (from Executive Session)

Acting Deputy Manager Keddy stated that the Administration would like to look into outsourcing the Code Enforcement Department. All of Council concurred that this should be looked into.

MATTERS FROM CITY MANAGER - None

MATTERS FROM CITY ATTORNEY

City Attorney Raffetto announced that proposals were received for the Turnkey Parking and that they will be reviewed by the Parking Committee.

REGULAR MEETING

The City Clerk announced as in compliance 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 2, 2015, and posted on the bulletin board the same date. All notices are on file with the City Clerk.

PROCLAMATIONS

- a. Recognizing Second Baptist Church
- b. Recognizing Cathedral International Asbury Park

Councilwoman Clayton read the proclamations into the record.

PUBLIC PARTICIPATION

Motion made by Council Member Kendle and seconded by Council Member Woerner to open the meeting to the public. All were in favor.

City Clerk Dye made the following announcement: “The Public is expected to conduct themselves in a proper manner. Any derogatory, abusive, or threatening statements will not be permitted. The Chair will immediately rule such conduct out of order and, after appropriate warning, may terminate any further comments from that speaker.”

The following members of the public spoke: Tim Harris, Werner Baumgartner, Rita Marano, Lori Ross, Tracy Rogers and Jerry Scarano.

Motion made by Council Member Kendle and seconded by Council Member Clayton to close the public portion of the meeting. All were in favor.

ACCEPTANCE OF MINUTES:

- September 16, 2015 – Special Executive Session
- September 21, 2015 – Workshop Meeting
- September 23, 2015 – Executive Session Meeting
- September 23, 2015 – Regular Meeting

- September 24, 2015 – Special Executive Session
- September 29, 2015 – Special Executive Session

	MOTION	SECOND	AYES	NAYES	ABSTAIN
Council Member Clayton			X		
Council Member Jesse Kendle	X		X		
Council Member Joe Woerner		X	X		
Deputy Mayor Amy Quinn ABSENT					
Mayor John Moor			X		

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.]

2015-347 Approving Special Events/Wedding Applications as Presented on
October 7, 2015

Resolution of the City of Asbury Park 2015-347

WHEREAS, AT WORK SESSION MEETING OF THE Mayor and Council held on October 7, 2015, the following Special Events Applications were presented for approval by the Director of Commerce:

1. Crucial Catch Day
2. Asbury Park Sidewalk sale
3. Bond Street Block Party
4. The Bier Run
5. Jersey Shore Rescue Mission annual coat giveaway & Thanksgiving meal

WHEREAS, the Mayor and Council have determined to approve said applications, so long as all requirements of the City's "special Events" Ordinance (Section 4-10 of the City Code) have been satisfied by the respective applicants, as well as any other requirements imposed by the City's Police Department and/or Special events Committee.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the City of Asbury Park, in the County of Monmouth, State of New Jersey, that all the above referenced Special Events Applications are hereby approved, so long as all requirements of the City's "Special Events" Ordinance (Section 4-10 of the City Code) have been satisfied by the respective applicants, as well as any other requirements imposed by the City's Police Department and/or Special events Committee.

2015-348 Resolution Authorizing the Payment of Payroll in the Amount of
\$893,447.39

**Resolution #2015-348
City of Asbury Park
County of Monmouth
State of New Jersey**

**RESOLUTION AUTHORIZING THE PAYMENT OF PAYROLL IN THE AMOUNT OF
\$893,447.39**

WHEREAS, the September 30, 2015 payroll in the amount of \$893,447.39, has been approved by the Chief Financial Officer and has subsequently been audited and found correct; and

BE IT RESOLVED, that the payroll payable totaling \$893,447.39 is hereby authorized to be paid, and;

BE IT FURTHER RESOLVED, that proper officers are hereby authorized to execute payment of said payroll.

2015-349 Resolution Approving Catering Permit for AP Thirty Property Holdings,
LLC for October 17, 2015

Resolution# 2015-349

**APPROVING CATERING PERMIT FOR DB VENTURES, LLC FOR
AN EVENT ON OCTOBER 17, 2015**

HEREBY BE IT RESOLVED, by the Mayor and City Council of the City of Asbury Park, that the application for a Catering Permit submitted by **AP Thirty Holdings, LLC** for an event held at Carousel and Casino Buildings, 700 Ocean Avenue, Asbury Park, on October 17, 2015, as approved by the Chief of Police on October 1, 2015, is hereby approved.

2015-350 Resolution Approving Catering Permit for AP Thirty Property Holdings,
LLC for January 30 and January 31, 2016

Resolution# 2015-350

**APPROVING CATERING PERMIT FOR DB VENTURES, LLC FOR
AN EVENT ON JUNE 13, 2015**

HEREBY BE IT RESOLVED, by the Mayor and City Council of the City of Asbury Park, that the application for a Catering Permit submitted by **AP Thirty Holdings, LLC** for an event held at Convention Hall, Board Walk, Asbury Park, on January 30, 2016 and January 31, 2016, as approved by the Chief of Police on September 30, 2015, is hereby approved.

2015-351 Resolution Accepting 2016 Mental Health Grant

Resolution #2015-351

**MENTAL HEALTH GRANT
January 1, 2016 – December 31, 2016**

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 \$114,972 for the provision of mental health and system advocacy services to the residents of Asbury Park for the period January 1, 2016 through December 31, 2016.

BE IT RESOLVED, that the Mayor and Council of the City of Asbury Park hereby authorize the City Manager and The Director of Community Relations & 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, 2016 and terminating on December 31, 2016.

2015-352 Resolution Authorizing and/or Ratifying Receipt of Bids for Solid Waste and Recyclable Materials Collection Services.

**Resolution #2015-352
City of Asbury Park
County of Monmouth
State of New Jersey**

**AUTHORIZING AND/OR RATIFYING RECEIPT OF BIDS FOR SOLID WASTE AND
RECYCLABLE MATERIALS COLLECTION SERVICES.**

WHEREAS, the City's current contract for the collection and disposal of solid waste and recyclable materials from properties located within the City shall expire as of December 31, 2015; and

WHEREAS, the New Jersey "Local Public Contracts Law," N.J.S.A. 40A:11-1, *et seq.* (the "Act"), requires that all advertisements for bids relating to contracts for the collection and disposal of municipal solid waste shall be published in an official newspaper of the contracting unit circulating in the County or municipality, and in at least one (1) newspaper of general circulation published in the State, not less than sixty (60) days prior to the date fixed for receiving said bids [N.J.S.A. 40A:11-23a].

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, 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 the City hereby authorizes and/or ratifies the preparation of specifications and advertisement for bids for solid waste and recyclable materials collection services for a three (3) year period, commencing as of January 1, 2016 and terminating as of December 31, 2018, and the City is hereby authorized to receive said bids after proper advertisement in accordance with the Act.
2. That the Chief Financial Officer, the Qualified Purchasing Agent, and any other relevant City employees and/or professionals are hereby authorized and directed to undertake all actions in furtherance of the same.
3. That a certified copy of this Resolution shall be provided to each of the following:
 - a. Anthony Nuccio, Acting City Manager
 - b. Richard J. Gartz, CPA, RMA, CMFO, CFO
 - c. Tracy Lizardi, Treasurer, QPA
 - d. Frederick C. Raffetto, Esq., City Attorney

	MOTION	SECOND	AYES	NAYES	ABSTAIN
Council Member Clayton			X		
Council Member Jesse Kendle	X		X		
Council Member Joe Woerner		X	X		
Deputy Mayor Amy Quinn ABSENT					
Mayor John Moor			X		

I. Individual Resolutions

2015-353 Resolution Authorizing the Payment of Bills in the Amount of \$1,403,860.16

**Resolution #2015-353
City of Asbury Park
County of Monmouth
State of New Jersey**

**RESOLUTION AUTHORIZING THE PAYMENT OF BILLS IN THE AMOUNT OF
\$1,403,860.16**

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 \$1,403,860.16 to be paid and:

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	\$ 850,882.16
BOARD OF EDUCATION	\$ 552,978.00
TOTAL VOUCHERS	\$1,403,860.16

	MOTION	SECOND	AYES	NAYES	ABSTAIN
Council Member Clayton			X		
Council Member Jesse Kendle		X	X		
Council Member Joe Woerner			X		
Deputy Mayor Amy Quinn ABSENT					
Mayor John Moor	X		X		

2015-354 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 2015 Budget of the City of Asbury Park Pursuant to N.J.S.A. 40A:4-87 (Chapter 159)

**Resolution #2015-354
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 2015 BUDGET OF THE CITY OF ASBURY PARK
PURSUANT TO N.J.S.A. 40A:4-87 (CHAPTER 159)**

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 a 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 2015 in the sum of \$52,746.00 (City of Asbury Park - \$27,511.00, Township of Neptune - \$14,305.00 and City of Long Branch - \$10,930.00), which is now available from the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, 2015 Edward Byrne Memorial Justice Assistance Grant.

BE IT FURTHER RESOLVED, that a like sum of \$52,746.00 is hereby appropriated under the following caption:

General Appropriations:

Operations Excluded from "CAPS":

Public & Private Programs Offset by Revenues:

Edward Byrne Memorial Justice Assistance Grant:

Police:

Other Expenses \$52,746.00

BE IT FURTHER RESOLVED, by the Mayor and City Council of the City of Asbury Park, that the City Clerk be and she is hereby authorized to provide a certified copy of this resolution to the City Chief Financial Officer for filing with the Director of the Division of Local Government Services in compliance with the required submission guidelines and the City Auditor.

	MOTION	SECOND	AYES	NAYES	ABSTAIN
Council Member Clayton	X		X		
Council Member Jesse Kandle		X	X		
Council Member Joe Woerner			X		
Deputy Mayor Amy Quinn ABSENT					
Mayor John Moor			X		

2015-355 Resolution Authorizing the Purchase Three (3) Police 2016 Chevrolet Impala 4 Door Sedans

**Resolution #2015-355
City of Asbury Park
County of Monmouth
State of New Jersey**

**RESOLUTION AUTHORIZING THE PURCHASE THREE (3) POLICE 2016
CHEVROLET IMPALA 4 DOOR SEDANS**

WHEREAS, the City has determined that the purchase of three Police 4 door sedans is reasonable and necessary; and,

WHEREAS, the purchase of goods and services by local contracting units is authorized by the New Jersey Local Public Contracts Law, N.J.S.A. 40A: 11-12; and

WHEREAS, Hertrich Fleet Services Inc. of Milford, Delaware has been awarded a New Jersey State Contract (A88729) for the purchase of this type of vehicle; and

WHEREAS, the Qualified Purchasing Agent indicates that the utilization of this contract is consistent with the New Jersey State bidding procedures and that it represents the best price and other factors available to the City at this time; and,

WHEREAS, sufficient funds exist in General Capital Account Number C-04-55-998-014-002 to purchase Police vehicles, as per the attached Certification of Funds.

NOW THEREFORE BE IT RESOLVED, that the Mayor and Council of the City of Asbury Park, in the County of Monmouth, and in the State of New Jersey hereby ratifies and

approves the use of New Jersey State Contract A88729 with Hertrich Fleet Services Inc. of Milford, Delaware in the amount of \$57,713.70 for the purchase of three Police 4 door sedans.

	MOTION	SECOND	AYES	NAYES	ABSTAIN
Council Member Clayton			X		
Council Member Jesse Kendle	X		X		
Council Member Joe Woerner		X	X		
Deputy Mayor Amy Quinn ABSENT					
Mayor John Moor			X		

2015-356 Resolution Authorizing the Purchase a 2016 Police Interceptor AWD Utility Vehicle

**Resolution #2015-356
City of Asbury Park
County of Monmouth
State of New Jersey**

RESOLUTION AUTHORIZING THE PURCHASE A 2016 POLICE INTERCEPTOR AWD UTILITY VEHICLE

WHEREAS, the City has determined that the purchase of a Police Interceptor AWD Utility Vehicle is reasonable and necessary; and,

WHEREAS, the purchase of goods and services by local contracting units is authorized by the New Jersey Local Public Contracts Law, N.J.S.A. 40A: 11-12; and

WHEREAS, Chas A. Winner Inc d/b/a Winner Ford of Cherry Hill, New Jersey has been awarded a New Jersey State Contract (A88728) for the purchase of this type of vehicle; and

WHEREAS, the Qualified Purchasing Agent indicates that the utilization of this contract is consistent with the New Jersey State bidding procedures and that it represents the best price and other factors available to the City at this time; and,

WHEREAS, sufficient funds exist in General Capital Account Number C-04-55-998-014-002 to purchase Police vehicles, as per the attached Certification of Funds.

NOW THEREFORE BE IT RESOLVED, that the Mayor and Council of the City of Asbury Park, in the County of Monmouth, and in the State of New Jersey hereby ratifies and approves the use of New Jersey State Contract A88728 with Chas A. Winner Inc d/b/a Winner Ford of Cherry Hill, New Jersey in the amount of \$25,663.00 for the purchase of a Police Interceptor AWD Utility Vehicle.

	MOTION	SECOND	AYES	NAYES	ABSTAIN
Council Member Clayton	X		X		
Council Member Jesse Kendle		X	X		
Council Member Joe			X		

Woerner					
Deputy Mayor Amy Quinn ABSENT					
Mayor John Moor			X		

2015-357 Resolution Authorizing The Purchase A 2016 Ford Expedition Ssv
4x4 For Police Department Firearms Unit

Resolution #2015-357
City of Asbury Park
County of Monmouth
State of New Jersey

**RESOLUTION AUTHORIZING THE PURCHASE A 2016 FORD EXPEDITION SSV
4x4 FOR POLICE DEPARTMENT FIREARMS UNIT**

WHEREAS, the City has determined that the purchase of a Police Firearms Unit Vehicle is reasonable and necessary; and,

WHEREAS, the purchase of goods and services by local contracting units is authorized by the New Jersey Local Public Contracts Law, N.J.S.A. 40A: 11-12; and

WHEREAS, Beyer Ford of Morristown, New Jersey has been awarded a New Jersey State Contract (A88730) for the purchase of this type of vehicle; and

WHEREAS, the Qualified Purchasing Agent indicates that the utilization of this contract is consistent with the New Jersey State bidding procedures and that it represents the best price and other factors available to the City at this time; and,

WHEREAS, sufficient funds exist in General Capital Account Number C-04-55-998-014-002 to purchase Police vehicles, as per the attached Certification of Funds.

NOW THEREFORE BE IT RESOLVED, that the Mayor and Council of the City of Asbury Park, in the County of Monmouth, and in the State of New Jersey hereby ratifies and approves the use of New Jersey State Contract A88730 with Beyer Ford of Morristown, New Jersey in the amount of \$28,299.00 for the purchase of a Police Firearms Unit Vehicle.

	MOTION	SECOND	AYES	NAYES	ABSTAIN
Council Member Clayton		X	X		
Council Member Jesse Kandle	X		X		
Council Member Joe Woerner			X		
Deputy Mayor Amy Quinn ABSENT					
Mayor John Moor			X		

2015-358 Resolution Establishing and Adopting a Complete Streets Policy for the
City of Asbury Park

Resolution # 2015-358

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

**RESOLUTION ESTABLISHING AND ADOPTING A COMPLETE STREETS POLICY
FOR THE CITY OF ASBURY PARK**

WHEREAS, a Complete Street is defined as a means to provide safe access for all users by designing and operating a comprehensive, integrated, connected multi-modal network of transportation options; and

WHEREAS, the benefits of Complete Streets include improving safety for pedestrians, bicyclists, children, older citizens, non-drivers and the mobility challenged as well as those that cannot afford a car or choose to live car free; providing connections to bicycling and walking trip generators such as employment, education, residential, recreation, retail centers and public facilities; promoting healthy lifestyles; creating more livable communities; reducing traffic congestion and reliance on carbon fuels thereby reducing greenhouse gas emissions; and saving money by incorporating sidewalks, bike lanes, safe crossings and transit amenities into the initial design of a project, thus sparing the expense of retrofits later; and

WHEREAS, the Asbury Park Mayor and Municipal Council wishes to implement a Complete Streets policy through the planning, design, construction, maintenance and operation of new and retrofit transportation facilities, enabling safe access and mobility of pedestrians, bicyclists, transit users of all ages and abilities; and

WHEREAS, it is the intent of the Board of Chosen Freeholders that to the extent practicable, the Asbury Park Complete Streets policy shall include all road, bridge, and building projects in the municipality.

NOW, THEREFORE, be it resolved that the Mayor and Municipal Council adopts the following Complete Streets Policy with the following goals and objectives:

1. Create a comprehensive, integrated, connected multi-modal network by facilitating connections to bicycling and walking trip generators such as employment, education, residential, recreational and public facilities, as well as retail and transit centers.
2. Provide safe and accessible accommodations for existing and future pedestrian, bicycle and transit facilities.
3. Establish a checklist of pedestrian, bicycle and transit accommodations such as accessible sidewalks curb ramps, crosswalks, countdown pedestrian signals, signs, curb extensions, pedestrian scale lighting, bike lanes, and shoulders for consideration in each project where county jurisdiction applies.
4. Establishment of a procedure to evaluate resurfacing projects for Complete Streets inclusion according to length of project, local support, environmental constraints,

right-of-way limitations, funding resources, and bicycle and/or pedestrian compatibility.

5. Transportation facilities constructed for long-term use shall anticipate likely future demand for bicycling and walking facilities and not preclude the provision of future improvements.
6. Designs shall address the need for bicyclists and pedestrians to cross corridors, as well as travel along them, in a safe, accessible and convenient manner; therefore, the design of intersections, interchanges and bridges shall anticipate use by bicyclists and pedestrians.
7. Bicycle and pedestrian facilities shall be designed and constructed to the best currently available standards and practices including the New Jersey Roadway Design Manual, the AASHTO Guide for the Development of Bicycle Facilities, AASHTO's Guide for the Planning, Design and Operation of Pedestrian Facilities, the Manual of Uniform Traffic Control Devices and others as related.
8. Provisions shall be made for pedestrians and bicyclists when closing roads, bridges or sidewalks for construction projects as outlined in NJDOT Policy #705 - Accommodating Pedestrian and Bicycle Traffic During Construction.
9. Improvements shall also consider connections for Safe Routes to Schools, Safe Routes to Transit, Transit Villages, trail crossings and areas or population groups with limited transportation options.
10. Improvements shall comply with Title VII Environmental Justice, Americans with Disabilities Act (ADA) and complement the context of the surrounding community.
11. Exemptions to the Complete Streets Policy shall be presented for final decision to the Mayor and Council in writing and documented with supporting data that indicates the reason for the decision and are limited to the following:
 - a) Non-motorized users are prohibited on the roadway
 - b) Scarcity of population, travel and attractors, both existing and future, indicate an absence of need for such accommodations.
 - c) Detrimental environmental or social impacts outweigh the need for these accommodations.
 - d) Cost of accommodations is excessively disproportionate to cost of project.
 - e) The safety or timing of a project is compromised by the inclusion of Complete Streets.
 - f) An exemption other than those listed above must be documented with supporting data and must be approved by the Mayor and Council.

BE IT FURTHER RESOLVED, that a certified copy of this Resolution shall be sent to the Monmouth County Board of Chosen Freeholders and all Departments and Agencies having a

responsibility for or connection with projections covered by the City of Asbury Park Complete Streets Policy.

	MOTION	SECOND	AYES	NAYES	ABSTAIN
Council Member Clayton		X	X		
Council Member Jesse Kendle			X		
Council Member Joe Woerner	X		X		
Deputy Mayor Amy Quinn ABSENT					
Mayor John Moor			X		

2015-359 Resolution of the Mayor and City Council of the City of Asbury Park Determining that the Proposed Housing Project, Known as Renaissance Village Will Address an Existing Housing Need in the City of Asbury Park for Home Financing for the Project

Resolution # 2015-359

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

RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF ASBURY PARK DETERMINING THAT THE PROPOSED HOUSING PROJECT, KNOWN AS RENAISSANCE VILLAGE WILL ADDRESS AN EXISTING HOUSING NEED IN THE CITY OF ASBURY PARK FOR HOME FINANCING FOR THE PROJECT

WHEREAS, Springwood Avenue Associates, L.P. (hereinafter referred to as the “Sponsor”) proposes to construct Renaissance Village, an affordable, mixed income family housing project comprising sixty-four units of which sixty three (63) will be affordable on three parcels of land in five (5) buildings (hereinafter referred to as the “Project”) within the City of Asbury Park (hereinafter referred to as the “Municipality”) on sites described as part of Block 702, Lots 2, 3 and 4; Block 803, Lots 21-29 and Block 1205, Lots 13-21 as shown on the Official Assessment Map of the City of Asbury Park, Monmouth County and commonly known as Renaissance Village, Asbury Park, Monmouth County, New Jersey, 07712 and;

WHEREAS, the Project will contain sixty-three (63) units affordable to families whose income do not exceed 60% of Monmouth County’s Median Income; plus one (1) non-income producing unit to be occupied by a live-on-site superintendent; and

WHEREAS, the Project will be subject to the County of Monmouth HOME Investment Partnership Act Program (hereinafter “HOME Program”); and

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

NOW, THEREFORE BE IT RESOLVED by the Mayor and City Council of the City of Asbury Park that:

- (1) The Mayor and Council find and determine that Renaissance Village, as proposed by the Sponsor, meets or will meet an existing housing need; and
- (2) The Mayor and Council does hereby adopt the within Resolution and makes the determination and findings herein contained by virtue of, pursuant to, and in conformity within the provisions of the HOME Program to enable the County of Monmouth to process the Sponsor's application for HOME Program funding to finance the Project.

	MOTION	SECOND	AYES	NAYES	ABSTAIN
Council Member Clayton	X		X		
Council Member Jesse Kendle			X		
Council Member Joe Woerner		X	X		
Deputy Mayor Amy Quinn ABSENT					
Mayor John Moor			X		

2015-360 Resolution of Need from the City of Asbury Park Boston Way Village, LLC Boston Way Village Housing Development

Resolution # 2015-360

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

**RESOLUTION OF NEED FROM THE CITY OF ASBURY PARK
BOSTON WAY VILLAGE, LLC
BOSTON WAY VILLAGE HOUSING DEVELOPMENT**

WHEREAS, Boston Way Village, LLC (hereinafter referred to as the "Sponsor") proposes to construct 100 units of affordable housing for families with low and moderate incomes (hereinafter referred to as the "Project") pursuant to the provisions of the New Jersey Housing and Mortgage Finance Agency Law of 1983, as amended (N.J.S.A. 55:14K-1 et seq.), the rules promulgated thereunder (the foregoing hereinafter collectively referred to as the "HMFA Requirements") within the City of Asbury Park (hereinafter referred to as the "Municipality") on a site described as Block 702, Lot 1 as shown on the Official Assessment Map of the City of Asbury Park, Monmouth County; and

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

WHEREAS, the Project will or may be subject to requirements of the New Jersey Department of Community Affairs (hereinafter referred to as the “Department of Community Affairs”), Neighborhood Preservation Balanced Housing Program in accordance with N.J.S.A. 52:27D-320 and applicable rules promulgated thereunder at N.J.A.C. 5:43-1.1 et seq. and the mortgage and other loan documents executed between the Sponsor and the Commissioner of the Department of Community Affairs; and

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

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Asbury Park (the “Council”) that:

1. The Council finds and determines that Boston Way Village Housing Development, the 100-unit family housing Project proposed by the Sponsor meets or will meet an existing housing need.
2. The Council finds and determines that Boston Way Village Housing Development, the 100-unit family housing project proposed by the Sponsor, meets all or part of the municipality’s low and moderate income housing obligation.
3. The Council does hereby adopt the within Resolution and makes the determination and findings herein contained by virtue of, pursuant to, and in conformity with the provisions of the HMFA Law to enable the Agency to process the Sponsor’s application for Agency funding to finance the Project.

	MOTION	SECOND	AYES	NAYES	ABSTAIN
Council Member Clayton	X		X		
Council Member Jesse Kendle		X	X		
Council Member Joe Woerner			X		
Deputy Mayor Amy Quinn ABSENT					
Mayor John Moor			X		

2015-361 Award of Bid for Roof replacement at the Wastewater Treatment Plant

Resolution # 2015-361

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

**RESOLUTION AWARDING BID FOR WASTEWATER
TREATMENT PLANT ROOF REPLACEMENT**

WHEREAS, there is a need for the replacement of the Wastewater Treatment Plant roof;
and

WHEREAS, the City of Asbury Park issued a Notice to Bidders for purposes of receiving sealed bids in accordance with the Specifications, Proposal and Contract Documents prepared the City Engineer; and

WHEREAS, on September 30, 2015 eight (8) bids were received by the City Clerk; and

WHEREAS, the lowest bid was received from Cypreco Industries, 1420 9th Avenue, Neptune, NJ 07753, in the amount of \$813,823.00; and

WHEREAS, the City Engineer has reviewed the bid package submitted by Cypreco Industries, and has noted no deficiencies; therefore, by letter dated October 1, 2015, the City Engineer has recommended that the City award the contract to Cypreco Industries on its low bid; and

WHEREAS, the Chief Financial Officer has certified the availability of funds.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the City of Asbury Park that the contract for the above work is hereby awarded to Cypreco Industries with their offices located at 1420 9th Avenue, Neptune, New Jersey 07753, on their low bid of \$813,823.00, as set forth in the bid specification for the Wastewater Treatment Plant Roof Replacement.

	MOTION	SECOND	AYES	NAYES	ABSTAIN
Council Member Clayton		X	X		
Council Member Jesse Kandle	X		X		
Council Member Joe Woerner			X		
Deputy Mayor Amy Quinn ABSENT					
Mayor John Moor			X		

J. Ordinances:

1. First Reading/Introduction:

2015-40 An Ordinance Vacating Lake Court Right of Way Asbury Park, New Jersey

The City Clerk read by title Ordinance 2015-40.

	MOTION	SECOND	AYES	NAYES	ABSTAIN
Council Member Clayton		X	X		
Council Member Jesse Kandle	X		X		
Council Member Joe Woerner			X		
Deputy Mayor Amy Quinn ABSENT					
Mayor John Moor			X		

Public hearing is scheduled for October 28, 2015.

2015-41 An Ordinance Vacating Unnamed Alley South of Sewall Avenue Right of
Way Asbury Park, New Jersey

The City Clerk read by title Ordinance 2015-41.

	MOTION	SECOND	AYES	NAYES	ABSTAIN
Council Member Clayton			X		
Council Member Jesse Kendle	X		X		
Council Member Joe Woerner			X		
Deputy Mayor Amy Quinn ABSENT					
Mayor John Moor		X	X		

Public hearing is scheduled for October 28, 2015.

A motion was made to adjourn the meeting made by Council Member Kendle and seconded by Council Member Woerner. All were in favor.

The meeting was adjourned.

Respectfully submitted by:

Cindy A. Dye, RMC, City Clerk