



Agenda
Meeting of the Municipal Council
Wednesday, February 8, 2017
WORK SESSION 6:00 PM

Clerk to Call Meeting to Order/Roll Call.

Silent Prayer/Moment of Reflection.

Salute to the Flag.

(Announcement by City Clerk): 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 Star Ledger on January 6, 2016, and posted on the bulletin board the same date. All notices are on file with the City Clerk.

A. Call / Call To Order

Items for Review:

- A. City Manager's Report on Issues Raised at Prior Council Meeting(s)
- B. Special Event Applications
- C. Items to be presented by Mark Steinberg, Esquire:
 - 1. 1105 Main Street, LLC (Dollar Tree Store) - Proposed Encroachments into City ROW
- D. Review of Agenda Items for February 8 Regular Meeting
- E. Matters from City Council
- F. Matters from City Manager
- G. Matters from City Attorney

Regular Meeting Begins at 7 PM

Fasano Properties

P. O. Box 737

Asbury Park, NJ 07712

bstuckey@att.net

732-776-6969

Fax 776-6299

December 15, 2016

John Moor – Mayor
Amy Quinn – Deputy Mayor
Yvonne Clayton
Jesse Kendle
Eilleen Chapman
One Municipal Plaza
Asbury Park, NJ 07712

RE: Right of way improvements for 1105-1107 Main Street and
1183 Main Street development projects.

Council,

On November 14, 2016 Fasano Properties received Preliminary and Final Site Plan Approval for the construction of a Dollar Tree Store at the corner of Main and Third Avenue. We are adding 4,700 square feet to the existing Mattress Store. Also included in the application was a plan to demolish the existing Getty Gas Station and construct a 10,000 square foot mixed use building fronting on Main Street at the corner of 4th Avenue. This building will have 5,000 square feet of retail space and 4 two bedroom apartments on the second floor.

As part of the compliance process we are required to receive the City Council's approval for all public right of way improvements. The public right of way improvements are as follows:

Dollar Tree Store.

- 1- Install new curbing and ADA ramp at the corner of Main and 3rd..
- 2- Install new sidewalks.

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- 3- Install 4 street trees in front of the building on Main Street and 4 on the 3rd Avenue side of the building.
- 4- Install two trash receptacles
- 5- Install one bike rack.
- 6- Install one bench.
- 7- Create grass areas as shown on the plan.
- 8- Construct a 3'6" canopy on the building together with accent lighting, 52 lineal feet on Main Street and lineal feet on 3rd Avenue.

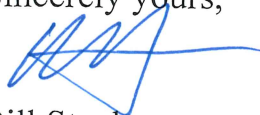
Mixed use building on the former Getty Gas Station site.

- 1- Install new curbing and ADA ramp at the corner of Main and 4th.
- 2- Install new sidewalks.
- 3- Install 4 street trees in front of the building on Main Street and 3 on the 3rd Avenue side of the building.
- 4- Install two trash receptacles
- 5- Install one bike rack.
- 6- Install one bench.
- 7- Create grass areas as shown on the plan.

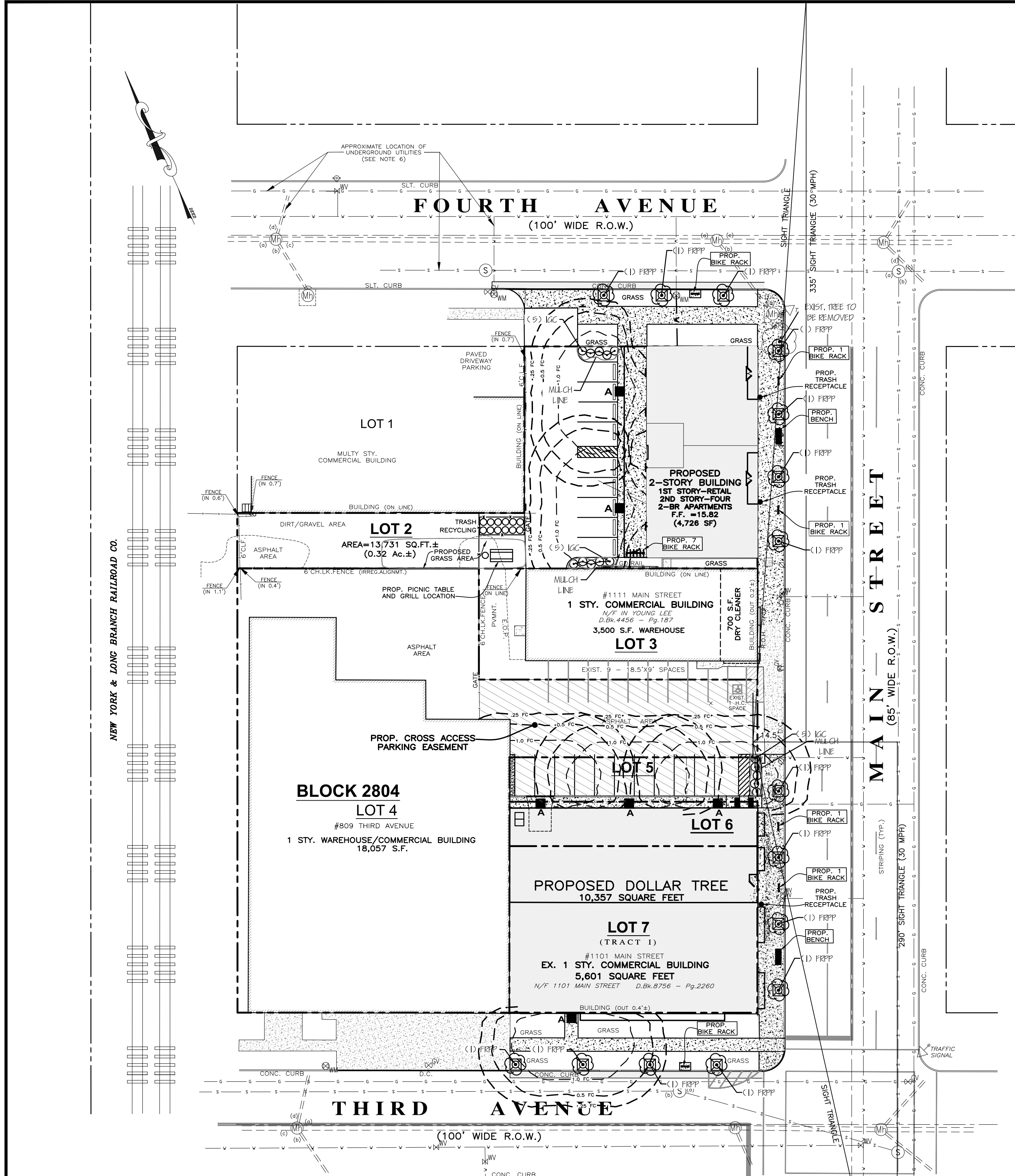
We think these buildings and street scape improvements greatly improve the aesthetics of the block and trust you will too.

I look forward to coming before the Council to talk about the plan and proposed right of way improvements.

Sincerely yours,



Bill Stuckey
Fasano Properties



PLANTING NOTES

1. THIS PLAN SHALL BE USED FOR LANDSCAPE PLANTING PURPOSES ONLY. EXAMINE ALL ENGINEERING DRAWINGS AND FIELD CONDITIONS FOR SPECIFIC LOCATIONS OF UTILITIES, STRUCTURES, ETC. AND NOTIFY THE UNDERSIGNED IN REFERENCE TO ANY DISCREPANCIES THAT MAY OCCUR PRIOR TO PLANTING INSTALLATION.

2. ALL PLANT MATERIAL SHALL CONFORM TO THE STANDARDS OF THE AMERICAN ASSOCIATION OF NURSERMEN OR THE PLANT MATERIAL WILL BE UNACCEPTABLE. ALL PLANT MATERIAL SHALL BE TRUE TO SPECIES, VARIETY, SIZE AND BE CERTIFIED DISEASE AND INSECT FREE. ALL STREET TREES SHALL HAVE 1 CENTRAL LEADER.

3. NO PLANT SUBSTITUTIONS SHALL BE PERMITTED WITH REGARDS TO SIZE, SPECIES, VARIETY, ETC. WITHOUT WRITTEN PERMISSION OF THE UNDERSIGNED OR CITY OFFICIALS. WRITTEN PROOF OF PLANT MATERIAL UNAVAILABILITY MUST BE DOCUMENTED.

4. NO SHADE TREE, STREET TREE, ORNAMENTAL FLOWERING TREE OR EVERGREEN TREE SHALL BE PLANTED CLOSER THAN 5' FROM ANY SIDEWALK, DRIVEWAY, CURB OR UTILITY LOCATION UNLESS SPECIFICALLY DIMENSIONED ON THE LANDSCAPE PLAN.

5. ALL STREET TREES AND SHADE TREES PLANTED NEAR PEDESTRIAN OR VEHICULAR ACCESS SHOULD NOT BE BRANCHED LOWER THAN 7'-0" ABOVE GRADE. ALL PLANT MATERIAL LOCATED WITHIN ANY SIGHT TRIANGLE EASEMENTS SHALL NOT EXCEED A MATURE HEIGHT OF 30' ABOVE THE ELEVATION OF THE ADJACENT CURB. ALL STREET TREES PLANTED IN ANY SIGHT TRIANGLE EASEMENTS SHALL BE PRUNED AS MENTIONED ABOVE. THE STREET TREE CANOPY SHALL BE PRUNED 6'-7" ABOVE GRADE WHEN PLANTED.

6. THE PLANTING PLAN SHALL TAKE PRECEDENCE OVER THE PLANT SCHEDULE SHOULD ANY PLANT QUANTITY DISCREPANCIES OCCUR.

7. ALL PLANT MATERIAL SHALL BE PROPERLY GUYED, STAKED, WRAPPED AND PLANTED IN CONFORMANCE WITH THE TYPICAL PLANTING DETAILS. GUY WIRES SHALL BE ATTACHED TO THE TREE AT A HEIGHT OF TWO-THIRDS THE HEIGHT OF THE TREE AND SHOULD BE LOCATED AT POINTS SO NOT TO SPLIT THE TRUNKS OF MULTI-STEMMED TREES. PROVIDE TWO TREE STAKES PER TREE. UNLESS NOTED OTHERWISE, INSTALL ALL PLANT MATERIAL ON UNDISTURBED GRADE. CUT AND REMOVE ROPE AND BURLAP FROM TOP ONE-THIRD OF THE ROOT BALL.
8. PROVIDE PLANTING PITS AS INDICATED ON PLANTING DETAILS. BACKFILL PLANTING PITS WITH ONE PART EACH OF TOPSOIL, LEAF MULL AND PARENT MATERIAL.

9. ALL PLANT MATERIAL SHALL BEAR THE SAME RELATION TO FINISHED GRADE AS IT BORE TO EXISTING GRADE.

10. NEWLY INSTALLED PLANT MATERIAL SHALL BE WATERED AT THE TIME OF INSTALLATION. REGULAR WATERING SHALL BE PROVIDED TO ENSURE THE ESTABLISHMENT, GROWTH AND SURVIVAL OF ALL PLANTS.

11. ALL PLANT MATERIAL SHALL BE GUARANTEED FOR TWO YEARS AFTER THE DATE OF FINAL ACCEPTANCE BY THE UNDERSIGNED.

12. THE LANDSCAPE CONTRACTOR SHALL PROVIDE A MINIMUM 6" LAYER OF TOPSOIL IN ALL LAWN AREAS AND A MINIMUM OF 12" OF TOPSOIL IN ALL PLANTING AREAS. A FULL SOIL ANALYSIS SHALL BE CONDUCTED AFTER CONSTRUCTION AND PRIOR TO PLANTING TO DETERMINE THE EXTENT OF SOIL AMENDMENT REQUIRED.

13. ALL DISTURBED LAWN AREAS SHALL BE STABILIZED WITH EITHER SOD OR SEED AS INDICATED ON THE LANDSCAPE PLANS. SOD SHALL CONSIST OF A NEW JERSEY CERTIFIED MIXTURE OR AN APPROVED EQUAL. SEED MIXTURE SHALL BE AS LISTED IN THE SEEDING SCHEDULE. ALL DISTURBED LAWN AREAS SHALL BE TOPSOILED, LIMED, FERTILIZED AND FINE GRADED PRIOR TO LAWN INSTALLATION IN ACCORDANCE WITH THE CERTIFIED SOIL EROSION AND SEDIMENT CONTROL PLAN.
14. ALL PLANTING BEDS SHALL RECEIVE A MAX. 4" OF SHREDDED HARDWOOD BARK.

15. ALL EXISTING TREES AND SHRUBS TO BE PRESERVED ON SITE SHALL BE PROTECTED AGAINST CONSTRUCTION DAMAGE BY SNOW FENCING. ALL FENCING SHALL BE PLACED OUTSIDE THE INDIVIDUAL TREE CANOPY. ALL TREES TO REMAIN SHALL BE IDENTIFIED IN THE FIELD PRIOR TO COMMENCEMENT OF CONSTRUCTION, GRADING OR CLEARING. ALL EXISTING VEGETATION BEING PRESERVED AND LOCATED AT THE EDGE OF THE NEW TREELINE, SHALL BE PRUNED AND TRIMMED TO REMOVE ALL DEAD, DISEASED, OR DAMAGED BRANCHES.

16. ALL PLANTING AROUND INDIVIDUAL BUILDINGS, EXCEPT FOR STREET TREES, SHALL BE INSTALLED AND INSPECTED PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY.

17. WIRE BALLED TREES ARE PROHIBITED.

18. IF STREETSCAPE IMPROVEMENTS ARE CONSTRUCTED BY NJDOT PRIOR TO THE INITIATION OF CONSTRUCTION OF THIS PROJECT, THE PROPOSED STREETSCAPE IMPROVEMENTS SHALL NOT BE REQUIRED.

LANDSCAPE MAINTENANCE SCHEDULE

1. All shrub planting beds shall be rototilled and pH adjusted (where necessary) and fertilized. All planting beds shall provide for weed protection in the form of a pre-emergent herbicide. Non-porous black plastic material shall not be utilized. Mulch all trees and shrubs with 3" of double shredded bark mulch. Where bedline is not indicated, mulch individual saucers. Shrub plantings are in a planting bed and defined by a 3" deep edge.

2. All plant material to be guaranteed for two (2) years following installation and replaced in kind. All plant material shall be warranted by the Contractor to be in vigorous growing condition. Provision shall be made for a growth guarantee of one year. In the event the project is a public improvement or under the jurisdiction of public agency, the growth guaranty shall be that which is governed by the Developer's Agreement of provided otherwise on the plans. Plants shall be replaced if dead, not showing active and vigorous growth or otherwise in poor condition. Replacement shall be made at the beginning of the first succeeding planting season and all replacements shall have a growth guaranty equal to the stated above.

Prior to the Owner's inspection and acceptance or rejection of the work, the Contractor shall prepare a written maintenance schedule for the first year for the Owner. The maintenance shall provide sufficient information as to water, fertilizing and other horticultural practices or methods to adequately establish, nurture and grow the plants for the first year. Should the Owner elect to retain the contractor for the purposes of maintenance the plants for the first year, the requirement of a written maintenance schedule submission is deleted, however, the plant growth guaranty still is in place.

The Contractor is advised to periodically check if the Owner is following the maintenance schedule and it is suggested that nonconformities be directed in writing to the Owner.
3. Site contractor shall examine all engineering and field conditions for exact locations of utilities, driveways, drains, swales, etc., and adjust planting accordingly. All trees shall be located five (5) feet from utilities. The contractor shall call N.J. underground utility location service a minimum of three days prior to any excavations. The contractor is advised of the existence of underground utilities on the site. Their exact location shall be verified in the field with the owner or general contractor prior to commencement of any digging operations. In the event they are uncovered, the contractor shall be held responsible for all damage to utilities and such damage shall not result in any additional expenses to the owner. Any damage of unreported lines shall not be the responsibility of the contractor. If there are any conflicts with tree locations they should be planted elsewhere on site.

4. Thoroughly water each plant immediately following planting. Plants shall be thoroughly watered once a week for three weeks following installation. If plants are installed during the growing season (warm weather conditions), additional watering may be necessary and its additional cost must be discussed with the Developer after the first three waterings are completed.

5. All plants shall be neatly pruned or clipped to preserve the natural character of the plants and in a manner appropriate to the particular requirements of each plant and to the satisfaction of the Landscape Architect. No plants shall be pruned or clipped prior to delivery except with the permission of the Landscape Architect. The central leader of all trees should never be removed. Broken or badly bruised branches shall be removed with a clean cut. All pruning shall be done with sharp tools. Cuts over 2" in diameter shall be painted over with an approved tree paint.

6. The trunks of all shade trees shall be chemically treated for borers for the first year. Contractor shall use an insecticide recommended by the Soil Conservation District.

7. Acer Rubrum, Quercus species, Tilia tomentosa, zelkova, liquidambar, crataegus, Betula species, and Cornus florida trees are not to be planted during the Fall season.

8. All disturbed lawn areas and planting areas to be topsoiled four (4) inches (minimum) fine graded, fertilized, limed, strawed, seeded and hydroseeded at the following rates:

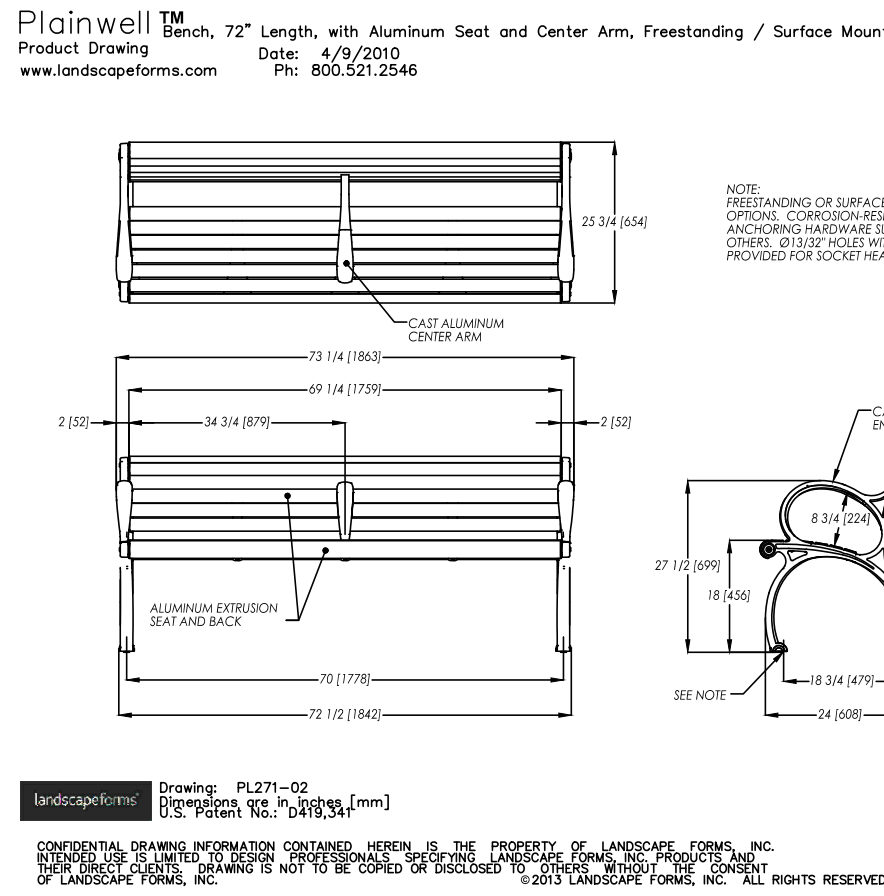
Fertilizer - 10-6-4 50% organic
Lime - 100 lbs./1,000 square feet
Permanent Seed - See Soil Erosion Notes for other types of seed

These specific seed mixtures shall be utilized within the following disturbed areas, Individual Lots (seed or sod): 40% Kentucky Bluegrass, 40% Chewing Fescue, and 20% Perennial Ryegrass at a rate of five (5) lbs./1,000 sf (substitutions approved by developer) and Monmouth County Soil District).

9. Sod may be used for rapid establishment of ground cover, and must be watered by irrigation.

BENCH DETAIL

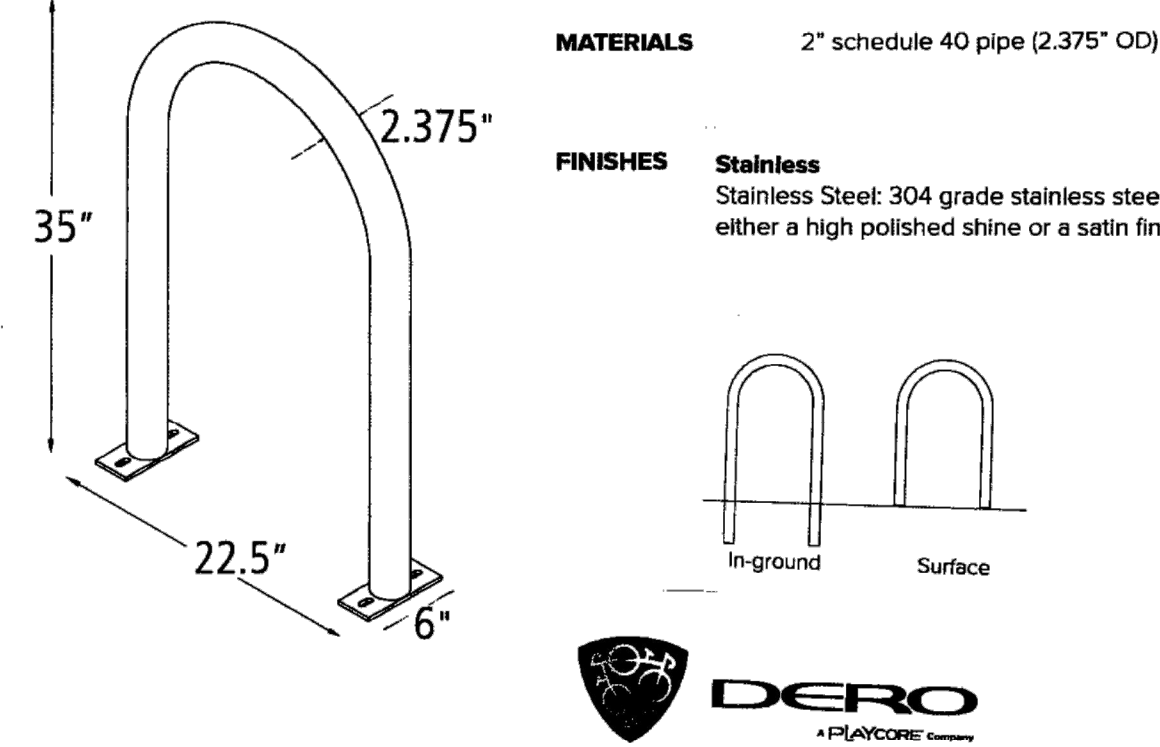
NOT TO SCALE



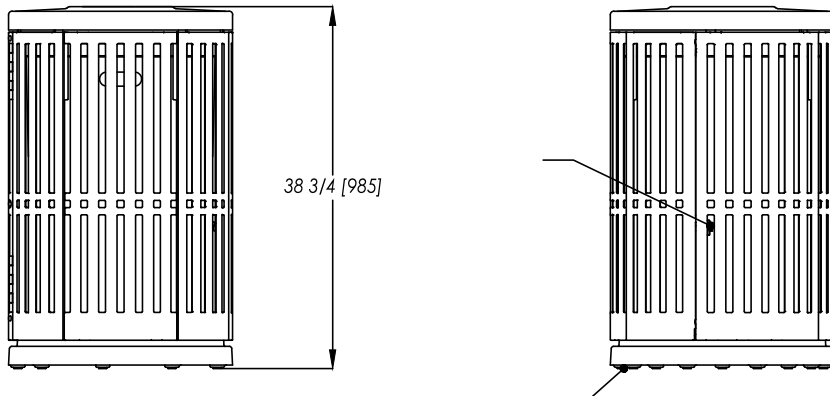
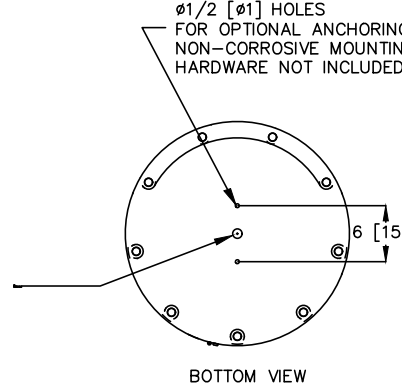
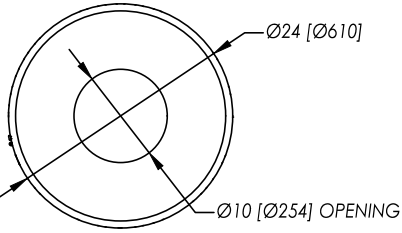
STANDARD HOOP BIKE RACK DETAIL

NOT TO SCALE

** FOR SEVEN BIKE RACK, USE ULTRA PLAY SYSTEMS CONTEMPORARY LOOP INGROUND SEVEN SKU:UPT-580SS



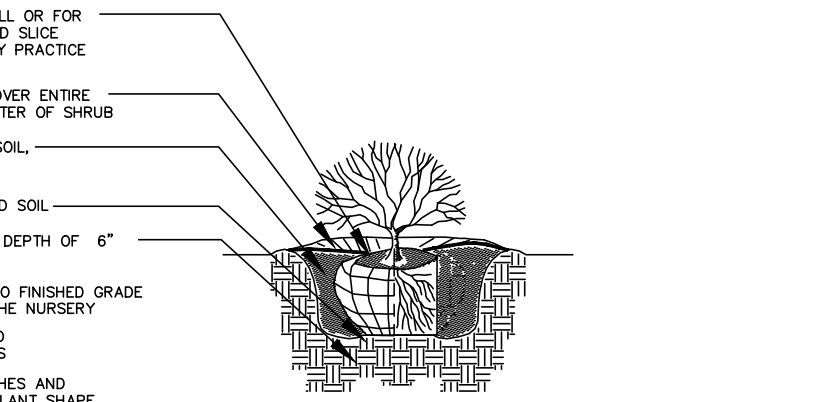
COLOR - SILVER



NOTE: FREESTANDING OR SURFACE MOUNT. OPTIONAL: CORROSION-RESISTANT ANCHORING HARDWARE SUPPLIED BY OTHERS. Ø10 (3/8") HOLES WITH COUNTERBORE PROVIDED FOR SOCKET HEAD CAP SCREWS.

36 GAL TRASH RECEPTACLE DETAIL

NOT TO SCALE



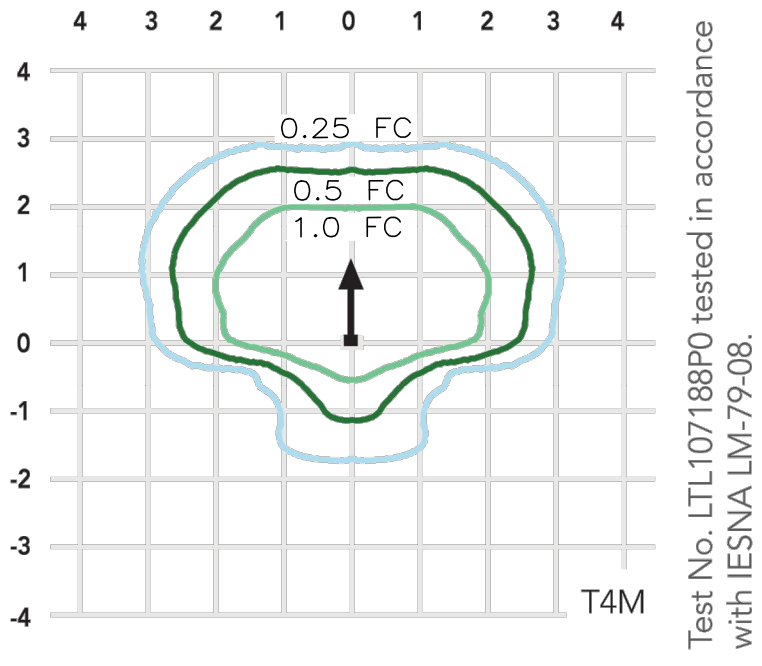
SHRUB PLANTING DETAIL

NOT TO SCALE



PLANT LIST

TYPE	KEY	QUANTITY	BOTANICAL NAME COMMON NAME	SIZE ROOT
DECIDUOUS TREES	FRPP	15	Fraxinus Pennsylvanica	2 1/2 - 3" Cal.
SHRUBS	IGC	10	Green Ash Ilex glabra compacta Compact inkberry Holly	B+B 18-24" B+B



LED WALL MOUNT T4M ISOLUX DETAIL



Specifications

Height: 7-1/8" (18.2 cm)
Width: 16-3/8" (41.6 cm)
Depth: 9-5/16" (23.6 cm)
Weight (max): 30 lbs (13.6 kg)

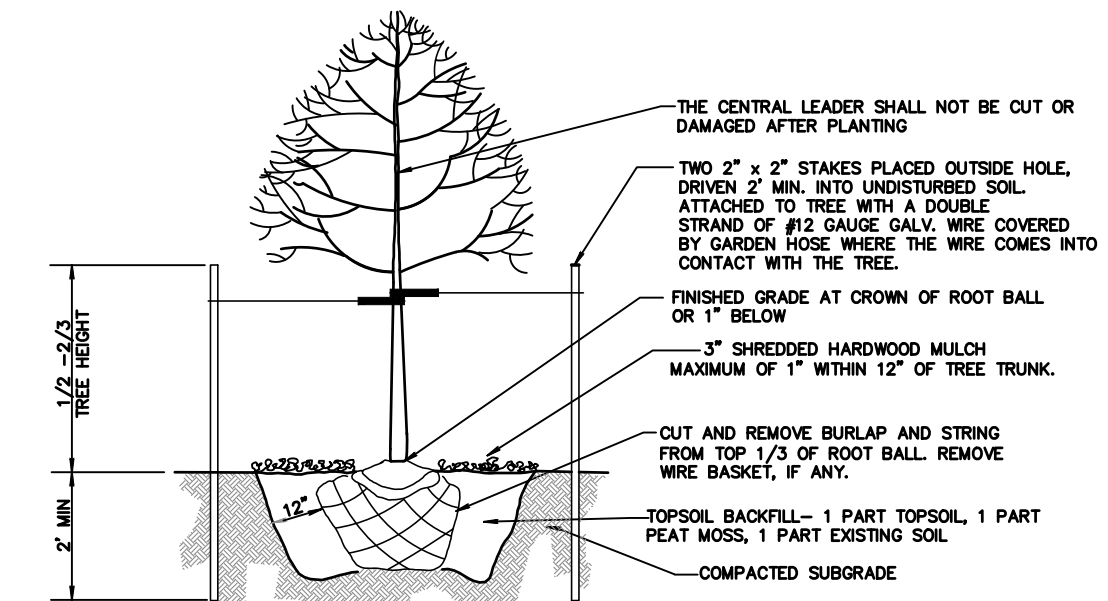


LED WALL MOUNT T4M LAMP DETAIL

N.T.S.

LIGHTING SCHEDULE

FIXTURE	QUANTITY	MOUNTING HEIGHT	DESCRIPTION
A	6	14'	LITHONIA LIGHTING 30C LED WALL MOUNT MODEL # CSXW SERIES 1000 40K -T4M DISTRIBUTION TYPE



TREE PLANTING & STAKING DETAIL

N.T.S.

- NOTES
- ALL PARKING AND SIDEWALKS WITHIN THE PROPOSED DEVELOPMENT MAINTAIN A MINIMUM OF 0.5 FOOT CANTILES
- * NOTES:
- 1.) ALL BUILDING MOUNTED AND ARCHITECTURAL LIGHTING TO BE PROVIDED WITH FINAL ARCHITECTURAL DRAWINGS.
- 2.) ALL SITE LIGHTS ARE TO BE CONTROLLED BY A PHOTOCELL/TIMECLOCK COMBINATION. PHOTOCELLS ARE TO BE EQUIPPED WITH A LIGHT LEVEL SLIDE ADJUSTMENT TO ADJUST SENSITIVITY.
- 3.) TREE GRATE FRAME/EXPANDABLE RINGS SHALL BE FAIRWEATHER SP-48", 18"-16" RING, STEEL, STAINLESS SILVER OR APPROVED EQUAL.

6	1/10/17	REVISED PURSUANT TO CITY COUNCIL REQUEST	DMB
5	12/7/16	RESOLUTION OF COMPLIANCE & ENGINEERS LTR DATED 10-12-2016	DMB
4	10/28/16	REVISED PURSUANT TO FREHOLD SOIL LETTER OF 10/26/16	DMB
3	9/21/16	REVISED PURSUANT TO CITY DIRECTORS COMMENTS AND MEETING OF 9/20/16	DMB
2	8/24/16	REVISED PURSUANT TO CITY COMMENTS, DATED 8/12/16	RJM
1	7/8/16	INCLUDE LOT 2	DMB
NO.	DATE	DESCRIPTION	DRAWN BY
SITE PLAN FOR DOLLAR TREE CORPORATION LOTS 2, 4, 5, 6 AND 7 BLOCK 2804			
CITY OF ASBURY PARK		MONMOUTH COUNTY	
NEW JERSEY		LIGHTING & LANDSCAPING PLAN	
WALTER JOSEPH HOPKIN		N.J. PROFESSIONAL ENGINEER, E.C. No. 40673	
SCALE: 1"= 30'	DRAWN BY: JUL	DATE: 7/5/16	SHEET No: 5 OF 6

RESOLUTION APPROVING THE PRELIMINARY AND FINAL SITE PLAN
APPLICATION, VARIANCES AND DESIGN WAIVERS FOR 1101, 1105 & 1183
MAIN STREET, A/K/A TAX BLOCK 2804, LOTS 2, 5, 6 & 7 FOR 1105 MAIN
STREET, LLC.

WHEREAS, 1105 Main Street, LLC, hereinafter referred to as the applicant, is the owner of the above described properties. The subject properties are located in the Community Shopping Zone of the Main Street Redevelopment Area, hereinafter referred to as the redevelopment area or zone; and

WHEREAS, the application is for preliminary and final site plan approval, bulk variances and design waivers. The applicant proposes the following:

1. The applicant proposes to demolish the existing building on Lot 6 and construct a 4,756-square foot, addition to 1101 Main Street (Lots 6 & 7) to provide a 10,357-square foot retail store. Lot 5 is proposed to be an 11-space surface parking lot, with access thereto provided by a cross access easement over Lot 4 intended to service the retail space used for the Dollar Store. The proposed easement will allow access to the 11 surface parking spaces proposed on Lot 5. Restriping and installation of 2-way drive aisles are proposed as well on Lot 4. The existing 18057 square foot warehouse building located on Third Avenue (frontage on Third Avenue) will remain.
2. Additionally, the applicant is proposing to demolish the existing gas station structure located on Lot 2 and construct a 9,452-square foot, two story mixed use structure with retail or office space located on the first floor and four, two bedroom apartments on the second floor. Nine (9) surface parking spaces are also proposed at the rear of this lot that will be accessed from Fourth Avenue.
3. The applicant proposes loading to occur 2 to 3 times per week between the hours of 11 pm to 6 am. The maximum size truck will be a WB-50. A traffic control person will assist with deliveries to the Dollar Store.
4. The variances requested for Lot 2 are:
 - a. The minimum on-site parking space requirement for this location is 13.5 spaces; the applicant has proposed 9 spaces.
 - b. The applicant is proposing parking stalls that are 9' X 18', where the applicable ordinance requires stalls that are 8.5' X 19'.
5. The design waivers requested for Lot 2 are:
 - a. The area of any building wall facing a public street must have a minimum of 30% of the wall area devoted to window and door openings. The applicant is proposing 21.1% for the Fourth Avenue facade.
 - b. Chain link fences are not permitted in this area. The applicant proposes chain link fences around the proposed trash receptacles and between the proposed picnic area and the "flag pole" alley.
6. The variances requested for proposed for Lots 4, 5, 6 & 7 are:
 - a. A minimum rear yard of zero (0) feet is proposed where 10 feet is required.
 - b. A lot coverage of 99.7% where 90% is the maximum permitted in this area.
 - c. A building frontage of 80% at the front setback line on Third Avenue where 90% is required in this area.
 - d. The minimum on-site parking space requirement for these lots is 21 spaces. The applicant proposes 11 on-site parking spaces for these lots.
 - e. The maximum permitted square footage for signs is 40 square feet. The applicant is proposing a sign of 84 square feet.

- f. The applicant is proposing parking spaces that are 9' X 18.5', where the minimum requirement is 8.5' X 19' for perpendicular parking spaces.
- g. Surface parking lots are required to have a minimum of 10% of the gross area landscaped. The applicant has proposed less than 10% of the parking area to be landscaped.
- h. Parking is only permitted in the rear yard, where side yard parking is proposed.
- 7. The design waivers requested for these lots are:
 - a. New structures are required to be designed with a "horizontal articulation"; the proposed design does not meet this requirement.
 - b. The building on proposed Lot 7.01 does not meet the horizontal articulation requirement of the area requirements.
- 8. Additional variances required if not set forth above for lots 4, 5, 6 & 7 are:
 - a. Minimum rear yard setback of 0 feet, where 10-25 feet is required.
 - b. Maximum lot coverage of 90%, where the applicant proposes 99.7%.
- 9. The synopsis of the variances and design waivers required for this project is as follows:
 - a. Minimum rear yard setback- 10 feet is required where 0 feet is provided on Lots 6 & 7.
 - b. Minimum building frontage- 90% is required where 80% is proposed for Lots 4-7.
 - c. Maximum lot coverage- A maximum of 90% lot coverage is permitted, where 99.7% is proposed for Lots 4-7.
 - d. Parking area location- Parking areas are permitted only in the rear yard area, the applicant has proposed a parking area on Lot 5 in the side yard.
 - e. Minimum parking spaces required- A minimum of 13.1 spaces are required for Lot 2, where 9 spaces are proposed.
 - f. Minimum parking spaces required- A minimum of 21 spaces are required for Lots 4-7, where 11 spaces are provided.
 - g. Maximum wall sign area- Wall signs are permitted to have a maximum area of 40 square feet, where 84 square feet is proposed for the Dollar Store sign(s).
 - h. Maximum signage letter height- Letters of 18" are permitted; the applicant has proposed 36" for the letters on the wall sign proposed on Main Street for Lots 4-7.
 - i. Maximum wall sign mounting height- The top of wall signs cannot exceed 14 feet above the street line; the wall sign(s) proposed for Lots 4—7 along Main Street will reach a maximum of 23.5 feet above the street line.
 - j. Parking stall dimensions- Parking stalls servicing the Dollar Store must be 8.5' X 19.0'; the applicant has proposed 9' X 18.5'.
 - k. Parking stall dimensions- Parking stalls servicing Lot 2 are required to be 8.5' X 19'; the applicant has proposed 9' X 18'.
 - l. Openings and transparency- Any building wall facing a public street must have a minimum wall area equal to 30% devoted to windows and door openings; the applicant has proposed an area equal to 21.2% on Third Avenue and 5.1% on Fourth Avenue dedicated for these uses therefore a design waiver is required.
 - m. Fence materials- Chain link fences are not permitted; the applicant has proposed chain link fences for the trash area enclosure and the area located between the picnic area the "flag pole" portion of Lot 2.
 - n. Horizontal Articulation- This has been addressed above.

- o. Streetscape improvement- The redevelopment plan requires the installation of streetscape improvements. The applicant agreed at the public meeting to install new sidewalks, benches and bike racks in locations to be determined by the applicant and the City Redevelopment Director/Planner (consistent with the statements of the Board members and the representatives of the applicant set forth on the record of the public meeting); and

WHEREAS, the details of the proposed improvements on the subject properties are set forth in the application and in the testimony and plans and maps entered into evidence at the public hearing held on November 14, 2016, all of which are incorporated herein by reference thereto; and

WHEREAS, all jurisdictional requirements have been met and proper notice has been given pursuant to the Municipal Land Use Act and City Ordinances, and the Board has jurisdiction to consider this application; and

WHEREAS, the Board considered this application at a public hearing held on November 14, 2016; and

WHEREAS, Benjamin Fasano under the supervision of James Kissane, a licensed Architect in the State of New Jersey addressed the architectural and design details of the application at the public hearing on behalf of the applicant (Mr. Kissane was also in attendance at the meeting); and

WHEREAS, Walter Hopkins, a licensed Civil Engineer and Professional Planner in the State of New Jersey addressed the engineering and planning details of the application at the public hearing on behalf of the applicant; and

WHEREAS, William Stuckey, vice president of real estate development of the applicant testified on the proposed uses at the premises and the needs of the tenants at the premises at the public hearing; and

WHEREAS, the Board hereby makes the following findings of fact in connection with this application:

1. The proposed uses at the subject properties are permitted by the applicable redevelopment and zoning ordinances.
2. The proposed development will improve the aesthetics of the area.
3. The proposed parking area in combination with the available existing street parking in the immediate area will meet the needs of the project.
4. The redevelopment plan permits street parking to be combined with on-site parking to meet the needs of a project in this area.
5. The variances and design waivers requested are a minimum deviation from the applicable zoning and redevelopment ordinances so long as the applicant complies with the conditions imposed by the Board set forth hereinafter.
6. The applicant has sustained its burden of proof for the granting of the variances and design waivers subject to compliance with the conditions stated hereinafter; and

WHEREAS, the Board after considering the testimony and exhibits at the public hearing has found as a matter of fact and law that the proposed development of the property will be substantially in compliance with the applicable City zoning and development ordinances subject

to compliance with Board imposed conditions, and, that the applicant has met its burden of proof for the grant of the variances and design waivers so long as the conditions hereinafter are met.

NOW THEREFORE BE IT RESOLVED by the Planning Board of the City of Asbury Park that the application for preliminary and final major site plan approval and the bulk variances and design waivers outlined above is hereby approved contingent on the applicant complying with the following conditions:

1. All testimony, evidence and representations made by the witnesses for the applicant at the public hearing are incorporated herein in addition to the contents of this Resolution.
2. The applicant must comply with all of the outstanding or continuing conditions or recommendations if any, set forth in the report(s) issued for the project by the Board Engineer, Jason Fichter, dated October 12, 2016.
3. The applicant must receive the approval of the NJDOT for the for the project, including but not limited to the curb cut(s) located on Main Street, which is a State highway and/or the Monmouth County Planning Board and any other aspect of the project within the jurisdiction of the NJDOT.
4. This approval is subject to the approval of the Mayor and City Council of the City of Asbury Park for any encroachments proposed into any City Rights of Way by the applicant in addition to the proposed loss of parking spaces on Fourth Avenue and/or the blocking of the street by any trucks loading or unloading at the premises.
5. The applicant must submit revised plans to the Board for its review and approval containing the following elements:
 - a. A turning template for the delivery trucks.
 - b. Submission of lighting photometrics to insure no spillage on contiguous properties and no glare affecting motorists.
 - c. Submission of the proposed parking area cross access easement documentation to the Board Engineer and Attorney for review and approval.
 - d. Installation of new sidewalks along the entire project street frontage.
 - e. The installation of 6 bicycle racks (containing a total of 12 bike slots) and the installation of benches in a location to be determined by the City Planner and Transportation Manager and the additional installation of a bike rack (with a 7 bike capacity) that will be located in the parking area at 1183 Main Street.
 - f. The addition of 2 recycling/trash containers in front of the Dollar Store location and in front of Lot 2, (1183 Main street).
 - g. The location of street trees required by the redevelopment plan, spaced 30' on center.
6. The loading and unloading of trucks at the site will take place between the hours of 11 pm and 6 am.
7. No EIFS will be used in this project.
8. The lease between the property owner and the tenant in the building on Lot 2 shall contain a provision that the tenant will comply with the provisions of the redevelopment plan that restrict window signs to a maximum of 20% window coverage. The executed lease must be submitted to the Board attorney for review and compliance with this condition.
9. The existing lots must be consolidated into new lots 2 and 7.01 (which will be determined by the City Tax Assessor). All documentation of the lot consolidations and the cross-access easements for parking and ingress and egress must be submitted to the Board Engineer and Attorney for review and approval.

10. The applicant shall submit to the Board Design Subcommittee for review and approval plans or working drawings for the design, materials and colors proposed for the project.
11. The trash removal for the Dollar Store will be by private contractor. Trash removal for the mixed-use building on Lot 2 shall be by the City of Asbury Park.
12. The Dollar Tree sign will be back lit at night.
13. The applicant will construct or contribute funds for its share of on-site and off-site improvements established by the City pursuant to the Main Street Redevelopment Plan and City Ordinances as directed by the City Engineer and other applicable City agencies having jurisdiction over projects within the Main Street Redevelopment Zone.
14. The applicant shall post performance bond and inspection fees as determined by the Board Engineer and will enter into a developer or redevelopers agreement if required by the City Engineer and the other applicable City agencies having jurisdiction over projects within the Main Street Redevelopment Zone.
15. The applicant shall pay the appropriate water and sewer connection fees as determined by the City Engineer pursuant to City Ordinances.
16. This approval is subject to the approval of any other County, State or Federal Agency having jurisdiction over the project. In the event any other agency having jurisdiction over the project alters the plans and/or approval given to the project by the Planning Board of the City of Asbury Park the applicant shall so notify the Board and will present to the Board said approvals for review and approval by the Board.
17. Taxes, fees and escrow accounts shall be current.
18. The phasing for this project will be as follows (consistent with the phasing plan prepared by Walter Hopkins, P.E.):
 - a. The Dollar Tree project will commence as soon as possible.
 - b. The balance of the project will commence on or before December 31, 2018.
 - c. Any bonding required for this project will be in place consistent with the phasing of the project.
19. The applicant will adhere to the findings of fact and contents of this Resolution set forth above.

A Motion to approve the application subject to compliance with the foregoing conditions was offered by Jim Henry and seconded by Garrett Giberson.

The members of the Board who may vote to adopt this Resolution of memorialization are those members who voted in favor of the motion to approve the application. They are, Garrett Giberson, Anthony Perillo, Yvonne Clayton, Barbara Kryzak, Jim Henry, Sara Anne Towery, Herbert Fehrenbach and John Moor.

Ayes:

Nays:

January 23, 2017.

Barbara VanWagner, Board Secretary

I certify this to be a true copy of a Resolution adopted by the City of Asbury Park Planning Board on January 23, 2017.

Barbara VanWagner, Board Secretary

Cindy Dye

From: Frederick C. Raffetto <fcr@ansellgrimm.com>
Sent: Thursday, February 02, 2017 4:17 PM
To: Cindy Dye
Subject: FW: 1105 Main Street LLC -- Planning Board Site Plan Approval

From: MSteinb517@aol.com [mailto:MSteinb517@aol.com]
Sent: Thursday, February 02, 2017 11:50 AM
To: michael.capabianco@cityofasburypark.com
Cc: Frederick C. Raffetto <fcr@ansellgrimm.com>; michele.alonso@cityofasburypark.com;
whopkin@wjhengineering.com; bstuckey@att.net
Subject: 1105 Main Street LLC -- Planning Board Site Plan Approval

I represent 1105 Main Street LLC whose site plan for the Dollar Tree Store and a mixed use building to replace the old Getty Station, was approved by the Planning Board. As a condition of the approval the Resolution stated:

4. This approval is subject to the approval of the Mayor and Council of the City of Asbury Park for any encroachments proposed into any City Rights of Way by the applicant in addition to the proposed loss of parking spaces on Fourth Avenue and/or blocking of the street by any trucks loading or unloading on the premises.

The approved site plan and architectural plans provide for canopies as part of the building design of the Dollar Tree Store and same encroach approximately 3.5 feet over the property line on both Main Street and Third Avenue. As such the Applicant seeks an approval by the Mayor and City Council for said encroachment which, as in other matters I have handled, will usually require an appearance at a workshop meeting to present the facts and then an Ordinance needs to be introduced thereafter permitting the City to enter into an Easement Agreement and then the execution of said Easement Agreement both of which have been customarily prepared by the City Attorney. The Applicant was informed that this matter could be on the agenda for the Workshop meeting of Wednesday, February 8, 2016. Please confirm date and time and advise what you will need from the Applicant.

Kindly note that the balance of the condition is resolved in that (1) all loading will be from the back of the building through the off street parking lot and (2) there is no loss of parking spaces on Fourth Avenue since the Applicant is using the existing curb cuts and off street parking is being provided for the mixed use building.

Thank you for your consideration.

MARK A. STEINBERG, ESQUIRE
2300 State Highway 66
Suite 203
Neptune, New Jersey 07753
732-774-5665
FAX 732-774-9219

Attachment: Steinberg email (2017-19 : 1105 Main Street, LLC (Dollar Tree Store) - Proposed Encroachments into City ROW)



Agenda
Meeting of the Municipal Council
Wednesday, February 8, 2017
REGULAR MEETING 7:00 PM

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

2017-63 Authorizing a meeting which excludes the public

A. Personnel

1. Medical Coverage Purchase Plan

B. Contract Negotiations

1. Interfaith Neighbors - JAMS Project
2. 1105 Main Street, LLC (Dollar Tree Store) - Proposed Encroachments into City ROW

C. Litigation

1. State of New Jersey v. The Asbury Hotel, et als.

D. Potential Litigation

1. Licensed Site Remediation professional ("LSRP")

E. Attorney-Client Privilege

II. Regular Meeting - 7:00 p.m.

B. Silent Prayer/Moment of Reflection

C. Salute to the Flag

D. 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 6, 2016, and posted on the bulletin board the same date. All notices are on file with the City Clerk.

E. Recognizing Organizers of the Asbury Park Women's March

F. Matters from City Council

G. Matters from City Manager

1. State of the City Address

H. Matters from City Attorney

I. Public Participation

J. Minutes

- Municipal Council - Work Session - Jan 25, 2017 6:00 PM
- Executive Minutes of Jan 25, 2017 4:00 PM
- Municipal Council - Regular Meeting - Jan 25, 2017 7:00 PM

K. 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.

2017-64 Resolution Approving Special Event Applications

2017-65 Resolution Ratifying Appointment to the Parking Committee

2017-66 A Resolution of the City of Asbury Park Releasing the Performance Bond for 527 Lake Avenue (Block 3105, Lot 5 and Accepting Maintenance Guarantee

2017-67 A Resolution Authorizing Approval to Submit a Grant Application and Execute a Grant Contract with the New Jersey Department of Transportation for the Year 2017 (Heck Street Improvements Project)

2017-68 Authorize Submission of a Grant Application to the State of New Jersey, Department of Public Safety, Division of Highway Traffic Safety, under the 2017 Distracted Driving Crackdown. "U Drive. U Text. U Pay." Grant

2017-69 Resolution of the City of Asbury Park Making Application to the New Jersey Local Finance Board Pursuant to N.J.S.A. 40A:3-1 et seq. and Previous Approvals by Said Board

2017-70 Resolution Approving Disposition of Surplus Property

L. Individual Resolutions

2017-71 Resolution Amending Temporary Budget Appropriations for 2017 Budget

- 2017-72 Resolution Approving Payment of Bills
- 2017-73 Resolution Establishing Regulations for the 2017 Beach Season
- 2017-74 Resolution Approving the City of Asbury Park to Enter into a Memorandum of Agreement ("MOU") with the IPS Group for a Free Parking Meter Trial
- 2017-75 Authorizing the City of Asbury Park to Transfer Title to Property Located at 115 De Witt Avenue (Block 1004, Lot 2) to West Side Community Center, Inc.
- 2017-76 A Resolution urging the New Jersey State Legislature to Override Governor Christie's Conditional Veto

M. Ordinances

1. Introduction

- 2017-7 Ordinance Amending and Supplementing Ordinance 2016-19 Establishing a Restricted Parking Space for Use by Handicapped Persons by Amending the Location from 1215 Springwood Avenue, Designated as Block 1103, Lot 48, to 215 Dewitt Avenue, Designated as Block 1006, Lot 10 in the City of Asbury Park, and Amending and Supplementing Section 7-36, Entitled, "Handicapped Parking," Of Chapter VII, "Traffic," of the "Revised General Ordinances of the City of Asbury Park, New Jersey."
- 2017-8 Amending and Supplementing Chapter II "Administration" Section 2-45.3 "Membership" Wesley Lake Commission) of the "Code of the City of Asbury Park, New Jersey."
- 2017-9 An Ordinance Amending and Supplementing Chapter II "Fire Department" Article IX "Fees for Emergency Medical Services" of the "Code of the City of Asbury Park, New Jersey."

2. Second Reading/Public Hearing

- 2017-3 An Ordinance Amending And Supplementing "Chapter XXVI Personnel Policies" Creating Section 26-5 "Mandatory Direct Deposit" of the "Code of the City of Asbury Park, New Jersey."
- 2017-4 An Ordinance Amending and Supplementing Chapter II "Administration", Article V "Departments and Division", Subsection 2-7 "Law Personnel", of the Revised General Ordinances of the City of Asbury Park, Monmouth County, State of New Jersey
- 2017-5 An Ordinance Amending and Supplementing Chapter II "Administration" Article V "Departments and Divisions", Chapter 2-8 Police Department
- 2017-6 An Ordinance Amending and Supplementing Chapter II "Administration" Article XI "Fees" of the "Code of the City of Asbury Park, New Jersey."

N. Adjournment



RESOLUTION NO. 2017-63

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 February 8, 2017 at 7:00 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. Personnel:

1. Medical Coverage Purchase Plan

B. Contract Negotiations:

1. Interfaith Neighbors – JAMS Project
2. 1105 Main Street, LLC (Dollar Tree Store) - Proposed Encroachments into City ROW

C. Litigation:

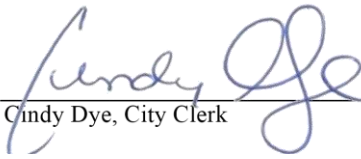
1. State of New Jersey v. The Asbury Hotel, et als.

D. Potential Litigation:

- A. Licensed Site Remediation Professional (“LSRP”)

E. 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.


 Cindy Dye, City Clerk _____ 2/3/2017
 CINDY A. DYE

CITY CLERK



Minutes
Meeting of the Municipal Council
Wednesday, January 25, 2017
WORK SESSION

Attendee Name	Title	Status	Arrived
Eileen Chapman	Councilmember	Present	
Yvonne Clayton	Councilmember	Present	
Jesse Kendle	Councilmember	Present	
Amy Quinn	Deputy Mayor	Present	
John Moor	Mayor	Present	
Cindy Dye	City Clerk	Present	
Michael Capabianco	City Manager	Present	
Frederick Raffetto	City Attorney	Present	

City Clerk Cindy Dye called the meeting to order at 6:00 PM.

City Manager's Report on Issues Raised at Prior Council Meeting(s)

City Manager Capabianco had no issues to discuss.

Special Event Applications

City Manager Capabianco reviewed the applications for the Special Events.

Review of Agenda Items for January 25, 2017 Regular Meeting

City Manager Capabianco reviewed the Council agenda with the City Council.

Matters from City Council

Council Member Chapman recognized the Woman's March on January 21 and thanked the organizers of the event.

Council Member Clayton stated that the Woman's March was a wonderful event and thanked the organizers. The Asbury Park Rotary Club is giving away free computers to those who cannot afford to purchase them. The next expungement workshop is February 4 at 11 a.m. at St. Stephens Church. The Plumbers and Pipefitters local is looking to take 150 applicants into their apprenticeship program. Applications are available on-line or at City Hall. Applicants must apply by February 29.

Council Member Kendle thanked all the organizers of the Woman's March. It was an outstanding event.

Deputy Mayor Quinn stated that she was at the Woman's March in DC. She stated she heard that the Woman's March in Asbury Park was a great event.

Mayor Moor announced the names of the organizers of the Woman's March. He stated that an ad was in the newspaper for IBEW 40 is accepting applications for apprenticeship program as well. He asked it to put on the website.

Matters from City Manager

City Manager Capabianco had no matters to discuss.

Matters from City Attorney

City Attorney Raffetto has no matters.

Regular Meeting begins at 7:00 p.m.

City Clerk Dye announced the regular meeting will begin at 7 p.m. and the Council will break until then.

Respectfully submitted by:

Cindy A. Dye, RMC, City Clerk



Minutes
Meeting of the Municipal Council
Wednesday, January 25, 2017
REGULAR MEETING

Attendee Name	Title	Status	Arrived
Eileen Chapman	Councilmember	Present	
Yvonne Clayton	Councilmember	Present	
Jesse Kendle	Councilmember	Present	
Amy Quinn	Deputy Mayor	Present	
John Moor	Mayor	Present	
Cindy Dye	City Clerk	Present	
Michael Capabianco	City Manager	Present	
Frederick Raffetto	City Attorney	Present	

City Clerk Cindy Dye called the meeting to order at 7:00 PM.

2017-54 Authorizing a meeting which excludes the public

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

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, 2017, and posted on the bulletin board the same date. All notices are on file with the City Clerk.

RECOGNITION OF THE CITY OF ASBURY PARK HIGH SCHOOL 2016 VARSITY FOOTBALL TEAM

The City Council presented a proclamation to the Asbury Park Varsity Football Team and cheerleaders.

RECOGNITION OF THE CITY OF ASBURY PARK SCHOOL BOARD RECOGNITION MONTH

The City Council presented a proclamation to the Asbury Park School Board.

MATTERS FROM CITY COUNCIL

The City Council discussed their matters during the workshop session.

MATTERS FROM CITY MANAGER

The City Manager has no matters.

MATTERS FROM CITY ATTORNEY

The City Attorney has no matters.

PUBLIC PARTICIPATION

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

The following members spoke from the public: Rita Marano, Jordan Modell, Jerry Scarano and Tracy Rogers.

Motion made by Deputy Mayor Quinn to close the meeting to the public. Motion seconded by Council Member Clayton. All were in favor.

MINUTES

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jesse Kendle, Councilmember
SECONDER:	Yvonne Clayton, Councilmember
AYES:	Chapman, Clayton, Kendle, Quinn, Moor

1. Municipal Council - Organizational Meeting - Jan 1, 2017 2:00 PM **Accepted**
2. Minutes of Jan 11, 2017 Executive Session 4:00 PM
3. Municipal Council - Work Session - Jan 11, 2017 6:00 PM **Accepted**
4. Municipal Council - Regular Meeting - Jan 11, 2017 7:00 PM **Accepted**

CONSENT AGENDA RESOLUTIONS

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

2017-55 Special Event Applications

2017-56 Resolution of the City of Asbury Park, County of Monmouth, State of New Jersey, Authorizing Compensation Payment to Lisa Smith upon her Separation of Employment

2017-57 Resolution Approving Application to Opt Out of Paramount Homes Financial Agreement to Fully Disabled Veteran

INDIVIDUAL RESOLUTIONS

2017-51 Identifying of Menu Items as Per the Subsequent Developer Agreement between the City of Asbury Park, Madison Asbury Retail LLC, and Asbury Partners

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jesse Kendle, Councilmember
SECONDER:	Eileen Chapman, Councilmember
AYES:	Chapman, Clayton, Kendle, Quinn, Moor

2017-58 Resolution Authorizing the Payment of Bills
Councilwoman Chapman abstains from PO 16-04005.

RESULT:	ADOPTED [4 TO 1]
MOVER:	Jesse Kendle, Councilmember
SECONDER:	Yvonne Clayton, Councilmember
AYES:	Eileen Chapman, Yvonne Clayton, Jesse Kendle, Amy Quinn
NAYS:	John Moor

2017-59 Resolution Adopting the Personnel Policy for 2017

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

2017-60 Resolution Authorizing the Award of a Load and Pack Refuse

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Amy Quinn, Deputy Mayor
SECONDER:	John Moor, Mayor
AYES:	Chapman, Clayton, Kendle, Quinn, Moor

2017-61 Authorizing Design Services, Project Management and Construction, and Inspection Services to T&M Associates for Improvements to Sanitary Sewer Line under the Railroad Tracks on Springwood Avenue

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

2017-62 Resolution Approving Change Order Number One for the City Hall Generator Project

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	John Moor, Mayor
SECONDER:	Yvonne Clayton, Councilmember
AYES:	Chapman, Clayton, Kendle, Quinn, Moor

ORDINANCES

Introduction

2017-2 Bond Ordinance Providing for Various 2017 Capital Improvements, by and in the City of Asbury Park, in the County of Monmouth, State of New Jersey; Appropriating \$3,000,000 Therefor and Authorizing the Issuance of \$2,857,142 Bonds or Notes of the City to Finance Part of the Cost Thereof

Public hearing is scheduled for March 8, 2017.

RESULT:	INTRODUCED [UNANIMOUS]
	Next: 3/8/2017 7:00 PM
MOVER:	Amy Quinn, Deputy Mayor
SECONDER:	Yvonne Clayton, Councilmember
AYES:	Chapman, Clayton, Kendle, Quinn, Moor

2017-3 An Ordinance Amending And Supplementing “Chapter XXVI Personnel Policies” Creating Section 26-5 “Mandatory Direct Deposit” of the “Code of the City of Asbury Park, New Jersey.”

Public hearing is scheduled for February 8, 2017.

RESULT:	INTRODUCED [UNANIMOUS]
	Next: 2/8/2017 7:00 PM
MOVER:	Amy Quinn, Deputy Mayor
SECONDER:	Yvonne Clayton, Councilmember
AYES:	Chapman, Clayton, Kendle, Quinn, Moor

2017-4 An Ordinance Amending and Supplementing Chapter II “Administration”, Article V “Departments and Division”, Subsection 2-7 “Law Personnel”, of the Revised General Ordinances of the City of Asbury Park, Monmouth County, State of New Jersey

Public hearing is scheduled for February 8, 2017.

RESULT:	INTRODUCED [UNANIMOUS]
	Next: 2/8/2017 7:00 PM
MOVER:	Jesse Kendle, Councilmember
SECONDER:	Eileen Chapman, Councilmember
AYES:	Chapman, Clayton, Kendle, Quinn, Moor

2017-5 An Ordinance Amending and Supplementing Chapter II “Administration” Article V “Departments and Divisions”, Chapter 2-8 Police Department

Public hearing is scheduled for February 8, 2017.

RESULT:	INTRODUCED [UNANIMOUS]
	Next: 2/8/2017 7:00 PM
MOVER:	Amy Quinn, Deputy Mayor
SECONDER:	Eileen Chapman, Councilmember
AYES:	Chapman, Clayton, Kendle, Quinn, Moor

2017-6 An Ordinance Amending and Supplementing Chapter II “Administration” Article XI “Fees” of the “Code of the City of Asbury Park, New Jersey.”

Minutes Acceptance: Minutes of Jan 25, 2017 7:00 PM (Minutes)

Public hearing is scheduled for February 8, 2017.

RESULT:	INTRODUCED [4 TO 1]
	Next: 2/8/2017 7:00 PM
MOVER:	Eileen Chapman, Councilmember
SECONDER:	John Moor, Mayor
AYES:	Eileen Chapman, Yvonne Clayton, Jesse Kendle, John Moor
NAYS:	Amy Quinn

Second Reading/Public Hearing

2017-1 Amending and Supplementing Chapter II “Administration” Section 2-47.6b
“Representation” (Sunset Lake Commission) of the “Code of the City of Asbury Park,
New Jersey.”

Motion made by Council Member Kendle to open Ordinance 2017-01 to the public. Motion
seconded by Mayor Moor. All were in favor

The following members of the public spoke: Rita Marano

Motion made by Council Member Kendle to close Ordinance 2017-01 to the public. Motion
seconded by Council Member Chapman. All were in favor.

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

ADJOURNMENT

The meeting was adjourned at 8:00 PM

Respectfully submitted by:

Cindy A. Dye, RMC, City Clerk

Minutes Acceptance: Minutes of Jan 25, 2017 7:00 PM (Minutes)



RESOLUTION NO. 2017-64

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

RESOLUTION APPROVING SPECIAL EVENT APPLICATIONS

WHEREAS, at work session meeting of the Mayor and Council held on February 8, 2017 the following Special Events Applications were presented for approval by the Director of Recreation:

1. Asbury Park Saint Patrick's Day Parade
2. Westside Citizens Valentine's Day Luncheon
3. Polar Bear Bike Ride

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.

I, CINDY A. DYE, 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. 2017-64 which was finally adopted by the City Council at a meeting held on the 8th day of February, 2017

CERTIFIED BY ME THIS 10th DAY OF February, 2017.

CINDY A. DYE
CITY CLERK



SPECIAL EVENTS PERMIT APPLICATION

Date Received: _____ APP. # _____

Please complete the following information as required by city Ordinance No. 2362 "Entitled Licensing: 3-11." All applications are to be received by the Asbury Park Office of Special Events (1 Municipal Plaza Asbury Park, NJ 07712) no less than 45 Days prior to the event for which permit is being requested. All application fees are non refundable and must be submitted with this application. Contact Leesha Floyd at 732.502.5759 or Leesha.floyd@cityofasburypark.com for additional information. Fax number is 732.775.1483

PLEASE BE AWARE THAT PARK RENTAL FEES & OTHER FEES MAY CHANGE IN 2017

NAME OF EVENT: Asbury Park St Patrick's Parade

DATE(S): March 12, 2017 Rain Date: N/A
HOURS OF EVENT: From 1 pm To: 3 pm

EXACT LOCATION YOU ARE REQUESTING TO STAGE YOUR EVENT: Staging on 4th Ave from Ocean to Hecol St. Parade route: south on Ocean Ave, west on Cookman to end at Main & Grand Stand and stage in Press Plaza (Emory from Cookman to Lake). Floats directed to City Hall parking lot. No parking along Cookman Ave and one side Ocean Ave.

Name of Applicant/Organization: Asbury Park St. Patrick's Day Parade

Address: 1607 4th Ave. Asbury Park, NJ

Contact: Eileen Chapman Phone: 732 915-5087

Fax: _____ Email: _____

Non-Profit? Yes ☒ No ☐ Tax Exempt ID Number: 46-3009002

If yes, please provide non-profit certificate

DESCRIBE IN DETAIL TYPE OF EVENT YOU WILL BE STAGING: Traditional St Patrick's Day Parade to include floats, marchers, auto's, Judging in Press Plaza

On a separate sheet of paper, please provide a detailed description (footprint) of the proposed event and a sketch that shows the area or route to be used along with any proposed structures, tents, fences, barricades, signs, banners restroom facilities and electrical equipment. NOTE: sketch should identify the dimensions of exhibit booths, structures, etc.

OVER

City of Asbury Park Special Events Application

Page Two

WILL APPLICANT REQUIRE A LIQUOR SOCIAL EVENT OR CATERING PERMIT

Yes _____ No ☒ If yes, please explain _____NUMBER OF PEOPLE ANTICIPATED TO ATTEND: 1,000 - 2,000ADMISSION CHARGE? YES _____ NO ☒ IF YES, HOW MUCH _____VENDOR CHARGE? YES ☒ NO _____ IF YES, HOW MUCH very limited number of vendor
costWILL YOU REQUIRE A STREET CLOSING? YES ☒ NO _____ Please Give Details:Staging area closing - 4th from Ocean to Heck
Parade route rolling closures.PROVIDE COMPLETE DETAILS AS TO HOW THE APPLICANT INTENDS TO PROVIDE FOR SECURITY, TRAFFIC CONTROL, CLEAN UP, SEPARATION OF RECYCLABLE MATERIAL AND DISPOAL OF TRASH AND DEBRIS: APPD needed to assist w/ traffic control,volunteer staff will also assist w/ parade traffic flow. There will be no food or drink vendors so clean up should be minimalDESCRIBE ALL CITY RESOURCES AND/OR SERVICES THAT WILL BE REQUIRED TO BE PROVIDED IN CONNECTION WITH THE EVENT: traffic control, "no parking" signs,
barricades to be droppedNOTE: There will be charges for all city services provided. Refer to the attached fee schedule.

*All vendors using tents and/or various cooking devices are required to obtain a vendor's permit from the Asbury Park Bureau of Fire Prevention.

*Asbury Park requires liability insurance. The amount of liability coverage depends upon the size and nature of the event planned. The minimum liability coverage is one million dollars. The City of Asbury Park must be named on the insurance policy as an "additional insured." All insurance policies are to be provided to the Special Events Office not less than 20 days prior to the date of the event.

*All estimated fees and/or costs the City of Asbury Park may incur as a result of the City issuing a special event's permit to stage this event must be paid in advance by certified or cashier's check, not less than 20 business days in advance of the event date.

*If the event insurance policy and all fees are not submitted to the City 20 days prior to the event, the City reserves the right to cancel the event.

Eileen Chapman
Signature of Applicant1/24/17
DateEileen Chapman
Print Name of Applicant

For Special Events Office Use only:

Total Fees Calculated to be paid by Applicant \$ _____ Total Fees Collected \$ _____

SPECIAL EVENTS PERMIT APPLICATION



Date Received: _____ APP. # _____

Please complete the following information as required by city Ordinance No. 2362 "Entitled Licensing: 3-11." All applications are to be received by the Asbury Park Office of Special Events (1 Municipal Plaza Asbury Park, NJ 07712) no less than 45 Days prior to the event for which permit is being requested. All application fees are non refundable and must be submitted with this application. Contact Leesha Floyd at 732.502.5759 or Leesha.floyd@cityofasburypark.com for additional information. Fax number is 732.775.1483

PLEASE BE AWARE THAT PARK RENTAL FEES & OTHER FEES MAY CHANGE IN 2017

NAME OF EVENT: Valentine's Day Party Seniors

DATE(S): February 11, 2017 Rain Date: Ø

HOURS OF EVENT: From 10pm To: 4pm
Set-up & Cleaning 10-1pm Event 1-3pm Clean-up 3-4pm.

EXACT LOCATION YOU ARE REQUESTING TO STAGE YOUR EVENT:

Senior Center, Springwood Avenue

Name of Applicant/Organization: Westside Citizens United & City of Asbury Park

Address: P.O. Box 536 Asbury Park NJ 07712

Contact: NINA M. Summerlin Phone: (732) 807-3204

Fax: _____ Email: westside-citizens-united@gmail.com

Non-Profit? Yes ☒ No ☐ Tax Exempt ID Number: _____

If yes, please provide non-profit certificate

DESCRIBE IN DETAIL TYPE OF EVENT YOU WILL BE STAGING: Senior Valentine's Day Dance, will included buffet Lunch, dancing, give aways.

On a separate sheet of paper, please provide a detailed description (footprint) of the proposed event and a sketch that shows the area or route to be used along with any proposed structures, tents, fences, barricades, signs, banners restroom facilities and electrical equipment. NOTE: sketch should identify the dimensions of exhibit booths, structures, etc.

OVER

City of Asbury Park Special Events Application

Page Two

WILL APPLICANT REQUIRE A LIQUOR SOCIAL EVENT OR CATERING PERMITYes _____ No ☒ If yes, please explain _____NUMBER OF PEOPLE ANTICIPATED TO ATTEND: 75-100 peopleADMISSION CHARGE? YES _____ NO ☒ IF YES, HOW MUCH _____VENDOR CHARGE? YES _____ NO ☒ IF YES, HOW MUCH _____WILL YOU REQUIRE A STREET CLOSING? YES _____ NO ☒ Please Give Details: _____

PROVIDE COMPLETE DETAILS AS TO HOW THE APPLICANT INTENDS TO PROVIDE FOR SECURITY, TRAFFIC CONTROL, CLEAN UP, SEPARATION OF RECYCLABLE MATERIAL AND DISPOAL OF TRASH AND DEBRIS: This event has always been a

Co-sponsored event with the City of Asbury Park. Any services that were offered in the last 9 years by the city to also be offered this year.

DESCRIBE ALL CITY RESOURCES AND/OR SERVICES THAT WILL BE REQUIRED TO BE PROVIDED IN CONNECTION WITH THE EVENT: Always been a city co sponsored

event, same resources from the last 9 years.

NOTE: There will be charges for all city services provided. Refer to the attached fee schedule.

*All vendors using tents and/or various cooking devices are required to obtain a vendor's permit from the Asbury Park Bureau of Fire Prevention.

*Asbury Park requires liability insurance. The amount of liability coverage depends upon the size and nature of the event planned. The minimum liability coverage is one million dollars. The City of Asbury Park must be named on the insurance policy as an "additional insured." All insurance policies are to be provided to the Special Events Office not less than 20 days prior to the date of the event.

*All estimated fees and/or costs the City of Asbury Park may incur as a result of the City issuing a special event's permit to stage this event must be paid in advance by certified or cashier's check, not less than 20 business days in advance of the event date.

*If the event insurance policy and all fees are not submitted to the City 20 days prior to the event, the City reserves the right to cancel the event.

Ms. Nina M. Summerlin
Signature of Applicant

1/30/17
Date

Ms. Nina M. Summerlin (President of Westside Citizens United)
Print Name of Applicant

For Special Events Office Use only:

Total Fees Calculated to be paid by Applicant \$ _____ Total Fees Collected \$ _____



SPECIAL EVENTS PERMIT APPLICATION

Date Received: _____ APP. # _____

*Please complete the following information as required by city Ordinance No. 2362 "Entitled Licensing: 3-11." All applications are to be received by the Asbury Park Office of Special Events (1 Municipal Plaza Asbury Park, NJ 07712) no less than 45 Days prior to the event for which permit is being requested. **All application fees are non refundable and must be submitted with this application.** Contact Leesha Floyd at 732.502.5759 or Leesha.floyd@cityofasburypark.com for additional information. Fax number is 732.775.1483*

PLEASE BE AWARE THAT PARK RENTAL FEES & OTHER FEES MAY CHANGE IN 2017

NAME OF EVENT:

Polar Bear Bike Ride

DATE(S): Saturday, Feb. 11, 2017

Rain Date: none

HOURS OF EVENT: From 12pm To: 2pm

EXACT LOCATION YOU ARE REQUESTING TO STAGE YOUR EVENT:

KulaCafe to Kula Cafe Springwood Ave 3 mile loop Map attached

Name of Applicant/Organization:

NJ Bike and Walk Coalition

Address: 551 Valley Rd Suite 140 Montclair Nj 07043

Contact: Cyndi Steiner Ex Director NJBWC

Phone: 973-886-4142

Fax: None

Email: cyndi.steiner@njbwc.org

Non-Profit? Yes x

Tax Exempt ID Number: 264648049

If yes, please provide non-profit certificate

Attachment: Special Events.Polar Bear Bike Ride application pdf with sig. Cyndi (2017-64 : Special Event Applications)

DESCRIBE IN DETAIL TYPE OF EVENT YOU WILL BE STAGING:**Bike ride for friends and neighbors**

*On a separate sheet of paper, please provide a detailed description (footprint) of the proposed event and a sketch that shows the area or route to be used along with any proposed structures, tents, fences, barricades, signs, banners restroom facilities and electrical equipment. **NOTE:** **sketch should identify the dimensions of exhibit booths, structures, etc.***

None**City of Asbury Park Special Events Application****Page Two****WILL APPLICANT REQUIRE A LIQUOR SOCIAL EVENT OR CATERING PERMIT****No** ☒ **If yes, please explain** _____

NUMBER OF PEOPLE ANTICIPATED TO ATTEND: 20**ADMISSION CHARGE? NO** ☒ **_____****IF YES, HOW MUCH** ☐ **None****VENDOR CHARGE? NO** ☒ **_____****IF YES, HOW MUCH** ☐ **None****WILL YOU REQUIRE A STREET CLOSING? NO** ☒ **_____****Please Give Details:** ☐ **None**

PROVIDE COMPLETE DETAILS AS TO HOW THE APPLICANT INTENDS TO PROVIDE FOR SECURITY, TRAFFIC CONTROL, CLEAN UP, SEPARATION OF RECYCLABLE MATERIAL AND DISPOSAL OF TRASH AND DEBRIS:

None needed

DESCRIBE ALL CITY RESOURCES AND/OR SERVICES THAT WILL BE REQUIRED TO BE PROVIDED IN CONNECTION WITH THE EVENT:

None needed

NOTE: There will be charges for all city services provided. Refer to the attached fee schedule.

*All vendors using tents and/or various cooking devices are required to obtain a vendor's permit from the Asbury Park Bureau of Fire Prevention.

*Asbury Park requires liability insurance. The amount of liability coverage depends upon the size and nature of the event planned. The minimum liability coverage is one million dollars. The City of Asbury Park must be named on the insurance policy as an "additional insured." All insurance policies are to be provided to the Special Events Office not less than 20 days prior to the date of the event.

*All estimated fees and/or costs the City of Asbury Park may incur as a result of the City issuing a special event's permit to stage this event must be paid in advance by certified or cashier's check, not less than 20 business days in advance of the event date.

*If the event insurance policy and all fees are not submitted to the City 20 days prior to the event, the City reserves the right to cancel the event.

2/2/2017



Cynthia Steiner

For Special Events Office Use only:

Total Fees Calculated to be paid by Applicant \$ _____ Total Fees Collected \$ _____

ASBURY PARK SPECIAL EVENT FEE SCHEDULE- Revised November 25, 2015

Fees associated with Special Event Applications as stated in Special Events resolution # 2015-402:

Application Fee: (non refundable)

\$50.00 for non-profits

\$250.00 for all other organizations or groups

\$1,000 for events over 2,000

\$5,000 for events over 15,000

Maintenance Personnel and Equipment fees:

Putting up barricades- 1 man, 1 hour \$50.00

Picking up barricades- 1 man, 1 hour \$50.00

Putting up banner- 2 men, 1 hour \$100.00

Taking down banner- 2 men, 1 hour \$100.00

Use of pickup truck, per hour \$40.00*

Use of dump truck \$85.00*

Use of sweeper, per hour \$75.00*

Use of front end loader, per hour \$80.00*

Use of dozer, per hour \$100.00*

Use of portable float (stage) and steps \$250.00

Use of litter scooter, per hour	\$30.00*
Use of garbage truck, per hour	\$90.00*(plus tipping fees)
Use of bucket, per hour	\$75.00*
Ambulance	\$250.00*
Dumping fee	\$80.00 per ton
Fire Engine or Rescue Truck	\$500.00 per day*
Rack Body Flatbed Truck	\$55.00 per hour
Mason Dump Truck	\$55.00 per hour

Items shown with an asterisk require an additional charge for the operator of the vehicle or equipment, which shall be at the rate of \$50.00 per hour. The above fees include delivery and pick –up during regular working hours (7am-2pm). All charges shall be hourly (except for the use of the portable float/stage and steps) and shall have a minimum charge of one hour. For any increments into the following hours, a one hour charge shall be incurred.

Public Parks:

Sunset	\$600.00 per day
Bradley	\$600.00 per day
Atlantic	\$600.00 per day
Library	\$600.00 per day
Kennedy	\$100.00 per day
Merchants	\$100.00 per day
Springwood	\$100.00 per day

Boardwalk fee: daily fee of \$250.00 per day per block

Beaches: daily fee of \$700.00 for use of the City's beaches in conjunction with any special event within the City. All participants on the beach will also be required to purchase a daily beach badge.

Transportation Center:	\$100.00 per day plus any maintenance fees
Council Chambers:	\$100.00 per day plus any maintenance fees

Large Beach or Park Event: any event that is projected for 500 participants or more will be subject to a different fee structure to cover added city expenses. The daily beach/park fee will vary according to the type of event: Beach Fee: \$2,500.00 Park Fee: \$2,500.00

In addition, a deposit will be required in the amount of \$5,000 to cover any expenses incurred by the city that are not covered by special event fees

For any event with 2501 or more participants, user fees and deposits will be set by the Asbury Park Special Events Committee and approved by the Asbury Park City Council. A separate contract approved by the City Council will govern the operation and fees of said event.

Street Blocking or Closing:

Non-Metered Streets: \$250.00 daily fee per block for any non-metered street blocking or closing.

Metered Streets: The daily charge per block for street blocking or closing will be calculated by: taking the number of metered parking spaces in that block x the current hourly rate in that block (for the specific date of closure) x the daily number of hours the meters are in operation = the daily rate for that block. Either the daily block rate or a minimum of \$250.00, whichever is greater, will be paid by the applicant.

Off Duty Police Officers: 8:00am-12:00am \$75.00 per hour per officer/ 12:00am- 8:00am \$85.00 per hour per officer

EMT/Fire: 8:00am-12:00am \$75.00 per hour/12:00am-8:00am \$85.00 per hour(Fire Inspector/Fire Official regular overtime receive rate)

Lifeguards: \$65.00 per hour

Utility fees: Any and all fees for actual water and electric consumption shall be billed by the Director of Public Maintenance after the conclusion of the event.

Electrician: \$60.00 per hour

Sunset Sign Advertising: the weekly rate to create and post a message for 7 Days is \$250. The rate for a single day special message (birthdays, anniversaries, etc) is \$50

Returned Checks: \$25.00 fee in addition to the reimbursement of the original check amount.

All required fees must be paid in full at least 20 days prior to the event.

The City of Asbury Park is authorized to charge any additional and/or unanticipated fees or expenses which are deemed or become necessary prior to, during or after the special event, as a direct result of the event, from unforeseen circumstances or otherwise.

PLEASE BE AWARE THAT PARK RENTAL FEES & OTHER FEES MAY INCREASE IN 2017



RESOLUTION NO. 2017-65

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

RESOLUTION RATIFYING APPOINTMENT TO THE PARKING COMMITTEE

WHEREAS, the Mayor and City Council of the City of Asbury, by Resolution 2017-39 established the Parking Committee and made appointments to said Committee ; and

WHEREAS, the City Council wishes to make an additional appointment to said Committee.

NOW, THEREFORE, BE AND IT IS HEREBY 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. The following individual is hereby appointed to serve on the Committee:

Appointee

Term to Expire

Jordan Modell

12/31/2017

2. A certified copy of this Resolution shall be provided to Michael N. Capabianco, City Manager.

I, CINDY A. DYE, 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. 2017-65 which was finally adopted by the City Council at a meeting held on the 8th day of February, 2017

CERTIFIED BY ME THIS 9th DAY OF February, 2017.

CINDY A. DYE
CITY CLERK



RESOLUTION NO. 2017-66

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

A RESOLUTION OF THE CITY OF ASBURY PARK RELEASING THE PERFORMANCE BOND FOR 527 LAKE AVENUE (BLOCK 3105, LOT 5 AND ACCEPTING MAINTENANCE GUARANTEE

WHEREAS, InSite Engineering, LLC has inspected 527 Lake Avenue (Block 3105, Lot 5); and

WHEREAS, InSite Engineering, LLC has determined that the condition of the improvements is satisfactory; and

WHEREAS, it is the recommendation of the InSite Engineering, LLC that the City of Asbury Park release the Performance Guarantee in the amount of \$53,487.00 and upon a posting of the two (2) year Maintenance Guarantee in the amount of \$6,685.87, provided that the release of the Performance Bond is contingent upon the payment of all outstanding escrow invoices.

WHEREAS, it is the intention of the City Council and in the best interest of the City of Asbury Park to release the Performance Guarantee and accept a two year Maintenance Guarantee in the amount referenced herein, contingent upon the payment of all outstanding escrow invoices, in accordance with the InSite Engineering, LLC's recommendations.

NOW THEREFORE, BE IT RESOLVED, by the City Council of the city of Asbury Park that the performance guarantee in the amount of \$53,487.00 be released for the improvements described above and accept a two (2) year maintenance guarantee of \$6,685.87 as well.

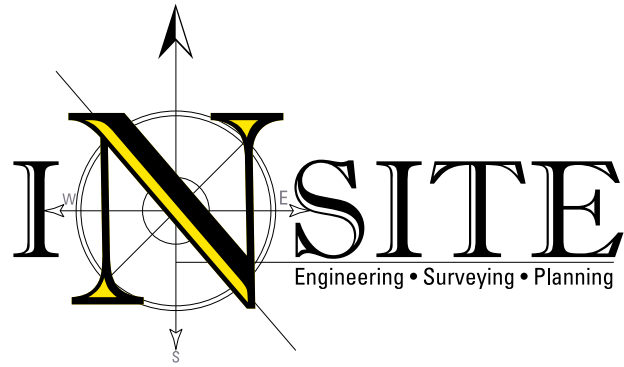
BE IT FURTHER RESOLVED that copies of this resolution shall be provided to the Finance Director, InSite Engineering, LLC, Planning Board Secretary and applicant for their information and attention.

I, CINDY A. DYE, 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. 2017-66 which was finally adopted by the City Council at a meeting held on the 8th day of February, 2017

CERTIFIED BY ME THIS 9th DAY OF February, 2017.

CINDY A. DYE
CITY CLERK

City of Asbury Park Planning Board
 c/o: Barbara Van Wagner
 Board Secretary
 Municipal Complex
 1 Municipal Plaza
 Asbury Park, NJ 07712



Via Email: Barbara.VanWagner@CityofAsburyPark.com

February 1, 2017

Subject: **PERFORMANCE GUARANTEE → MAINTENANCE GUARANTEE**
ABG Establishment, LLC
 Block 3105, Lot 5; 527 Lake Avenue (at Emory Street)
 City of Asbury Park, Monmouth County, NJ

Ms. Van Wagner:

In accordance with our November 28, 2016 “Pole Mounted Site Lights” letter to you, and based on our most recent site visit, we find the site improvements complete for the above-referenced development project. Therefore, in accordance with NJSA 40:55D-53, we recommend releasing the applicant’s Performance Guarantee.

The construction cost estimate itemized in our March 20, 2014 “Performance Guarantees & Inspection Fees” letter to you was \$44,572.50. In accordance with NJSA 40:55D-53a(1), the applicant therefore posted a Performance Guarantee in the amount of \$53,487.00 (i.e. 120% of the construction cost estimate).

In accordance with NJSA 40:55D-53a(2), the City Mayor and Council may now require the applicant to post a Maintenance Guarantee in the amount of \$6,685.87 (i.e. 15% of the construction cost estimate).

Based on the above information, we recommend the Board and City Mayor and Council release the applicant’s Performance Guarantee and proceed with the establishment of the Maintenance Guarantee. The Maintenance Guarantee, shall be held for a period of two (2) years, which period shall commence upon the date of the City Mayor and Council’s acceptance of the site improvements.

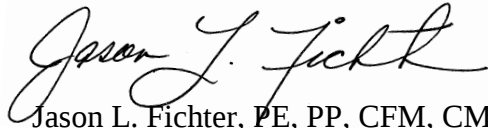
Please note the applicant remains responsible for all site improvements related to this development project. The City and this office shall not be held responsible for any physical improvements related to this development project.

Performance Guarantee → Maintenance Guarantee
City of Asbury Park Planning Board
City of Asbury Park, Monmouth County, NJ

Page 2 of 2
December 16, 2016
Block 3205; Lots 1-12

If you have any questions or require further information, please feel free to contact me anytime by phone or email (Jason@InsiteEng.net).

Sincerely,
InSite Engineering, LLC



Jason L. Fichter, PE, PP, CFM, CME
Planning Board Engineer

InSite Job # 13-580-03

cc: Jack Serpico, Esq., Planning Board Attorney
Herb Fehrenbach, Planning Board Chairman
Michele Alonso, City Planner
Frederick C. Raffetto, Esq., City Attorney

JserpicoLaw@aol.com
Herb@Townsmen.co
Michele.Alonso@cityofasburypark.com
fcr@ansellgrimm.com

Attachment: ABG Establishment Maintenance Bond (2017-66 : Release Performance Guarantee 527 Lake Drive)

InSite Engineering, LLC

1913 Atlantic Avenue, Suite F4 • Wall, NJ 08736
732-531-7100 (ph) • 732-531-7344 (fx) • InSite@InSiteEng.net • www.InSiteEng.net
Licensed in NJ, PA, DE, NY, CT, NC, DC, & CO



RESOLUTION NO. 2017-67

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

A RESOLUTION AUTHORIZING APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE YEAR 2017 (HECK STREET IMPROVEMENTS PROJECT)

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 as follows:

1. The Mayor and Council hereby formally approve the grant application for the above stated project.
2. The City Manager, City Clerk, and City Engineer are hereby authorized to submit an electronic grant application identified as MA-2017-Heck Street Improvements-00412 to the New Jersey Department of Transportation on behalf of the City of Asbury Park.
3. The City Manager is hereby authorized to execute, and the City Clerk to attest, the grant agreement of behalf of the City, and that their signature constitutes acceptance of all the terms and conditions of the grant agreement and approves the execution of said grant agreement.

I, CINDY A. DYE, 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. 2017-67 which was finally adopted by the City Council at a meeting held on the 8th day of February, 2017

CERTIFIED BY ME THIS 9th DAY OF February, 2017.

CINDY A. DYE
CITY CLERK



RESOLUTION NO. 2017-68

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

AUTHORIZE SUBMISSION OF A GRANT APPLICATION TO THE STATE OF NEW JERSEY, DEPARTMENT OF PUBLIC SAFETY, DIVISION OF HIGHWAY TRAFFIC SAFETY, UNDER THE 2017 DISTRACTED DRIVING CRACKDOWN. “U DRIVE. U TEXT. U PAY.” GRANT

WHEREAS, the State of New Jersey, Department of Public Safety, Division of Highway Traffic Safety, has posted the availability of funds for the 2017 Distracted Driving Statewide Crackdown Grant, requiring no matching funds. The available amount of funding to the City of Asbury Park is \$5500, which will be reimbursed to the City of Asbury Park at the conclusion of the enforcement period; and

WHEREAS, the City of Asbury Park Police Department desires to apply for the purposes of participating in a statewide impaired driving enforcement program from April 1, 2017 through April 21, 2017;

THEREFORE, BE IT RESOLVED, by the City Council of the City of Asbury Park that, the Mayor, the Chief Financial Officer and the Acting Chief of Police, be and is hereby authorized to submit an application for funding to the State of New Jersey, Department of Law and Public Safety, Division of Highway Traffic Safety;

BE IT FURTHER RESOLVED that the Mayor, Clerk and Acting Chief of Police are hereby authorized to execute the required grant application and to provide submittals and documentation as required by the State of New Jersey, Department of Public Safety, Division of Highway Traffic Safety; and,

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the City Manager, Chief Financial Officer, and the Acting Chief of Police of the City of Asbury Park.

I, CINDY A. DYE, 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. 2017-68 which was finally adopted by the City Council at a meeting held on the 8th day of February, 2017

CERTIFIED BY ME THIS 9th DAY OF February, 2017.

CINDY A. DYE
CITY CLERK



RESOLUTION NO. 2017-69

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

RESOLUTION OF THE CITY OF ASBURY PARK MAKING APPLICATION TO THE NEW JERSEY LOCAL FINANCE BOARD PURSUANT TO N.J.S.A. 40A:3-1 ET SEQ. AND PREVIOUS APPROVALS BY SAID BOARD

WHEREAS, the City Council of the City of Asbury Park, in the County of Monmouth, State of New Jersey (the "City") desires to adopt a bond ordinance (the "Ordinance") providing for the issuance of one or more series of general improvement bonds of the City in the not to exceed aggregate principal amount of \$2,857,142 (the "Bonds") and notes in anticipation thereof, in order to finance various capital improvements by and in the City; and

WHEREAS, in connection with various previous applications by the City to the Local Finance Board, in the Division of Local Government Services, New Jersey Department of Community Affairs (including specifically its applications in connection with certain bonds and refunding bonds issued under the Municipal Qualified Bond Act, N.J.S.A. 40A:3-1 et seq. (the "MQBA")), the Local Finance Board has heretofore conditioned its approvals upon the undertaking by the City that, for the duration of such bond issues, all future capital authorizations shall require approval from the Local Finance Board; and

WHEREAS, the City believes that:

- (a) it is in the public interest to accomplish such purpose;
- (b) such purpose is in compliance with the requirements of the MQBA;
- (c) said purpose or improvements are for the health, welfare, convenience or betterment of the inhabitants of the City;
- (d) the amounts to be expended for such purpose or improvements are not unreasonable or exorbitant and are consistent with the requirements of the MQBA; and
- (e) the proposal is an efficient and feasible means of providing services for the needs of the inhabitants of the City and will not create an undue financial burden to be placed upon the City; and

WHEREAS, the City Council desires to make application to the Local Finance Board for (i) its approval of the adoption of the Ordinance and the capital authorizations contained therein, and (ii) its approval of the issuance of, and of the proposed maturity schedule for such Bonds, to be issued in the form of "qualified bonds" under the MQBA; and

WHEREAS, the City believes that the maturity schedules contained in the Application to the Local Finance Board are in the best interests of the City.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASBURY PARK, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, as follows:

Section 1. The Application to the Local Finance Board is hereby approved, *nunc pro tunc*, and ratified and the City's Bond Counsel, Chief Financial Officer, City Manager and Financial Advisor, along with other representatives of the City, are hereby authorized to prepare such application, to file such application with the Local Finance Board and to represent the City in matters pertaining thereto.

Section 2. The Clerk is hereby directed to prepare and file a copy of this Resolution and the Ordinance with the Local Finance Board as part of such application.

Section 3. The Local Finance Board is hereby respectfully requested to consider such application and to record its findings, recommendations and/or approvals as provided by the applicable New Jersey Statute, including causing its consent to be endorsed upon a certified copy of the Ordinance.

Section 4. This Resolution shall take effect immediately upon its adoption.

The above resolution was adopted on the following roll call vote:

I, CINDY A. DYE, 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. 2017-69 which was finally adopted by the City Council at a meeting held on the 8th day of February, 2017

CERTIFIED BY ME THIS 9th DAY OF February, 2017.

CINDY A. DYE
CITY CLERK



RESOLUTION NO. 2017-70

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

RESOLUTION APPROVING DISPOSITION OF SURPLUS PROPERTY

WHEREAS, the City of Asbury Park has surplus property; and

WHEREAS, the City Council authorizes the disposition of the following property:

- Three (3) Dell Vostro desktops
- One (1) Dell computer monitor
- Two (2) keyboards and one (1) mouse
- One (1) Scott Eagle X thermal imaging camera with batteries and charger
- One (1) Scott Eagle thermal imager
- One (1) AOC computer monitor
- One (1) Maxon VHF mobile radio
- One (1) Plectron radio receiving unit
- One (1) Motorola Radius M1225 mobile radio
- One (1) ASA PK-88 data controller switch
- One (1) 1997 Dodge Caravan (VIN #: 2B4GP44ROVR343072)

WHEREAS, the equipment will be discarded/recycled as there is no value to these items.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the City of Asbury Park do hereby authorize the disposition of the equipment listed above as they are no longer needed for municipal purposes and is hereby considered surplus.

I, CINDY A. DYE, 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. 2017-70 which was finally adopted by the City Council at a meeting held on the 8th day of February, 2017

CERTIFIED BY ME THIS 9th DAY OF February, 2017.

CINDY A. DYE
CITY CLERK



RESOLUTION NO. 2017-71

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

RESOLUTION AMENDING TEMPORARY BUDGET APPROPRIATIONS FOR 2017 BUDGET

WHEREAS, N.J.S.A 40A:4-20 provides that the Governing Body by a 2/3 vote of the full membership thereof may make emergency temporary appropriations for any purpose for which appropriation may lawfully be made for the period between the beginning of the current fiscal year and the final adoption of the budget for the said year; and

WHEREAS, the previously adopted temporary budget did not provide sufficient funds for the operational costs prior to the final adoption of the 2017 budget.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the City of Asbury Park that the following Emergency Temporary Appropriation for the year 2017 be adopted and a certified copy of this resolution be provided to the Borough's Chief Financial Officer and the Director of Division of Local Government Services, Department of Community Affairs, State of New Jersey.

	<u>FROM</u>	<u>TO</u>
Current Fund:		
Liability Insurance	\$241,500.00	\$541,500.00
Monmouth County - 911/Dispatch Services	0.00	650,852.00

I, CINDY A. DYE, 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. 2017-71 which was finally adopted by the City Council at a meeting held on the 8th day of February, 2017

CERTIFIED BY ME THIS 9th DAY OF February, 2017.

CINDY A. DYE
CITY CLERK



RESOLUTION NO. 2017-72

**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 \$2,972,846.10

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	\$ 2,408,809.10
BOARD OF EDUCATION	\$ 564,037.00
TOTAL VOUCHERS	\$ 2,972,846.10

I, CINDY A. DYE, 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. 2017-72 which was finally adopted by the City Council at a meeting held on the 8th day of February, 2017

CERTIFIED BY ME THIS 9th DAY OF February, 2017.

CINDY A. DYE
CITY CLERK

February 1, 2017
04:55 PM

CITY OF ASBURY PARK
Bill List By Budget Account

2.L.2.a
Page No: 1

P.O. Type: Contract Print Alpha, Revenue, & G/L Accounts: Y Open: N Void: N Paid: N
Format: Condensed Held: Y Aprv: N Rcvd: Y
Range: 6-First to 7-Last Bid: Y State: Y Other: Y Exempt: Y
Rcvd Batch Id Range: First to Last Include Non-Budgeted: Y
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: MAYOR & COUNCIL
Extd: MAYOR & COUNCIL

6-01-20-110-000-299	MAYOR & COUNCIL Misc.					
WBMASON	W.B.MASON CO., INC.	16-04367	OFFICE SUPPLIES	309.80	0.00	
	Extd Total: MAYOR & COUNCIL			309.80		
	Department Total: MAYOR & COUNCIL			309.80		

Department: MUNICIPAL CLERK
Extd: MUNICIPAL CLERK

6-01-20-120-000-202	MUNICIPAL CLERK Office Supplies					
RRDONN	RR DONNELLEY	16-04325	REG 42A 8-1/2 X 11	294.00	0.00	
6-01-20-120-000-217	MUNICIPAL CLERK Ads&Promotion					
NJADV	NJ ADVANCE MEDIA	17-00119	AD 104273940-12172016	145.80	0.00	
	Extd Total: MUNICIPAL CLERK			439.80		
	Department Total: MUNICIPAL CLERK			439.80		

Department: FINANCIAL ADMINISTRATION
Extd: FINANCIAL ADMINISTRATION

6-01-20-130-000-202	FINANCE Office Supplies					
WBMASON	W.B.MASON CO., INC.	16-04311	OFFICE SUPPLIES	163.96	0.00	
6-01-20-130-000-204	FINANCE Outside Services					
EGOSTA	EGOV STRATEGIES	17-00022	Invoice 8-1428	3,950.00	0.00	
	Extd Total: FINANCIAL ADMINISTRATION			4,113.96		
	Department Total: FINANCIAL ADMINISTRATION			4,113.96		

Department: LEGAL SERVICES
Extd: LEGAL SERVICES

6-01-20-155-000-209	LEGAL SERVICES Fees					
LAWOFFS	LAW OFFICE OF STEVEN S.	17-00126	Services for December 2016	6,000.00	0.00	
ANSZAR	ANSELL, GRIMM & AARON, P.C.	17-00161	Services for December 2016	4,045.00	0.00	
				10,045.00		
	Extd Total: LEGAL SERVICES			10,045.00		
	Department Total: LEGAL SERVICES			10,045.00		

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Department: ENGINEERING SERVICES						
Extd: ENGINEERING SERVICES						
6-01-20-165-000-209	ENGINEERING SERVICES Fees					
FREPAR	FRENCH & PARRELLO	17-00193	#104771:SVCS. 11/10-12/22/16	7,402.13	0.00	
	Extd Total: ENGINEERING SERVICES			7,402.13		
	Department Total: ENGINEERING SERVICES			7,402.13		
	CAFR Total:			22,310.69		
Department: PLANNING BOARD						
Extd: PLANNING BOARD						
6-01-21-180-000-201	PLANNING BOARD General Plant					
WATSPR	WATCHUNG SPRING WATER CO., INC.	17-00036	0208275,0038401,0043200:DEL.	64.69	0.00	
	Extd Total: PLANNING BOARD			64.69		
	Department Total: PLANNING BOARD			64.69		
	CAFR Total:			64.69		
Department: CODE ENFORCEMENT AND ADMIN.						
Extd: CODE ENFORCEMENT AND ADMIN.						
6-01-22-195-000-299	CODE ENFORCE Misc.					
WBMASON	W.B.MASON CO., INC.	16-04359	I40634998,CR3864708:UNDER	35.39	0.00	
	Extd Total: CODE ENFORCEMENT AND ADMIN.			35.39		
	Department Total: CODE ENFORCEMENT AND ADMIN.			35.39		
	CAFR Total:			35.39		
Department: UNEMPLOYMENT INSURANCE						
Extd: UNEMPLOYMENT INSURANCE						
6-01-23-225-000-209	UNEMPLOYMENT INSURANCE Fees					
NJLABO	NJ DEPT.OF LABOR:DIV.OF EMPLOY	17-00271	4TH QTR 2016 UNEMPLOYMENT CHRG	5,059.60	0.00	
	Extd Total: UNEMPLOYMENT INSURANCE			5,059.60		
	Department Total: UNEMPLOYMENT INSURANCE			5,059.60		
	CAFR Total:			5,059.60		
Department: POLICE DEPARTMENT						
Extd: POLICE DEPARTMENT						
6-01-25-240-000-201	POLICE General Plant					
WBMASON	W.B.MASON CO., INC.	16-03835	XL High Back Chair, Binder	430.39	0.00	
TOSSOL	TOSHIBA BUSINESS SOLUTION	16-03912	Supples for ABC Cards	1,654.00	0.00	
DELCOM	DELL MARKETING L.P.	16-04245	(2) Laptops & (2) Bags	3,574.02	0.00	
WBMASON	W.B.MASON CO., INC.	16-04310	COPY PAPER 8 1/2 x 11	621.00	0.00	
SIGSEA	SIGNS,SEALED & DELIVERED, INC.	16-04314	#3697:(2) Signs	90.00	0.00	
ATLLOK	ATLANTIC LOCK & SAFE	16-04357	19954	95.00	0.00	
WBMASON	W.B.MASON CO., INC.	16-04372	DESK FOR DET. CARRASQUILLO	299.00	0.00	

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6-01-25-240-000-201 EUGDEL EUGENE DELLO	POLICE General Plant	17-00172	Continued Reimbursement damaged pants	65.00 6,828.41	0.00	
6-01-25-240-000-203 EDWTIR EDWARDS TIRE CO. ASBCIR ASBURY CIRCLE CAR WASH LANASO LANIGAN ASSOCIATES. INC.	POLICE Motor Vehicle	16-04096 16-04160 16-04313	Blanket Repairs/Maintenance Blanket December Car Wash 3 Glock 23 Blue Guns	1,951.87 80.50 165.00 2,197.37	0.00 0.00 0.00	B B
6-01-25-240-000-218 VERZON VERIZON BUSINESS VERIZON VERIZON WIRELESS VERIZON VERIZON WIRELESS ATLTOM ATLANTIC TOMORROWS OFFICE GPO	POLICE Contract.Serv.	17-00168 17-00190 17-00191 17-00200	#201 Z02-8718 121 31y: #9777659363 Current charges #9778118920 Current charges #CNIN580840:Maintenance	1,608.70 76.02 103.74 1,798.55 3,587.01	0.00 0.00 0.00 0.00	
6-01-25-240-000-226 MCDONA KJK RESTAURANTS, LLC	POLICE Bd.ofPrisoners	16-04084	Blanket Prisoner Meals Dec.	155.01	0.00	B
6-01-25-240-000-275 DRASAF DRAEGER SAFETY DIAGNOSTIC,INC	POLICE Traffic Maintenance	16-00440	BLANKET ELECTRONIC SUPPLIES	169.00	0.00	B
Extd Total: POLICE DEPARTMENT				12,936.80		
Department Total: POLICE DEPARTMENT				12,936.80		
Department: FIRE DEPARTMENT						
Extd: FIRE DEPARTMENT						
6-01-25-265-000-201 THEHAR THE HARDWARE STORE WBMASON W.B.MASON CO., INC.	FIRE DEPT. General Plant	16-03073 16-04219	Supplies not to exceed Order #S043920331 Office Suppl	43.91 409.18 453.09	0.00 0.00	B
6-01-25-265-000-203 LAKAUT LAKEWOOD AUTO-ASBURY NAPA MANGEN FRED GRIFFITH	FIRE DEPT. Motor Vehicle	16-00023 17-00070	Blanket PO not to exceed Inv 486528 Rebuilt alternator	112.39 225.00 337.39	0.00 0.00	B
Extd Total: FIRE DEPARTMENT				790.48		
Department Total: FIRE DEPARTMENT				790.48		
CAFR Total:				13,727.28		
Department: STREETS & ROADS MAINTENANCE						
Extd: STREETS & ROADS MAINTENANCE						
6-01-26-290-000-201 STASUP STANDARD SUPPLY CO. INC. MAXR MAX.R ALLAMT ALL AMERICAN TURF INC. GRAING GRAINGER	STREETS & ROAD General Plant	16-00148 16-03497 16-03626 16-03635	Various Supplies #677978:Replacement Bags Various Supplies, Tools, etc Various Supplies, Parts, etc	415.00 1,781.00 1,019.90 1,186.68 4,402.58	0.00 0.00 0.00 0.00	B B B

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Budget Account Vendor	Description	P.O. Id	P.O. Description	Amount	Void Amount	PO Type
6-01-26-290-000-203	STREETS & ROAD	Motor Vehicle				
THEHOS	THE HOSE SHOP	16-00155	Various Supplies/Parts, etc	59.33	0.00	B
TRIOUS	TRIOUS, INC.	16-00501	Automotive Parts, Tools, etc	187.22	0.00	B
TRIOUS	TRIOUS, INC.	16-01748	Automotive Parts, Tools, etc	1,087.44	0.00	B
EDWTIR	EDWARDS TIRE CO.	16-03271	Various Tires, Supplies, etc	341.17	0.00	B
LAKAUT	LAKEWOOD AUTO-ASBURY NAPA	16-04173	A/C Recharge Machine, etc	7,098.00	0.00	
THEHOS	THE HOSE SHOP	16-04334	#104176 Cylinder Repair, etc	739.27	0.00	
THEHOS	THE HOSE SHOP	16-04371	QUOTE #00017480:CR CYLINDER	600.00	0.00	
GRORAD	GROVE RADIATOR WAREHOUSE INC.	16-04391	#14256:REPAIR	128.18	0.00	
SEAWEL	SEABOARD WELDING SUPPLY, INC.	17-00045	#860364 Ace & Oxy Clyinders	70.75	0.00	
				10,311.36		
6-01-26-290-000-205	STREETS & ROAD	Snowstorm Expenses				
PECMAT	PECKHAM MATERIALS CORP.	16-04395	#752354:WINTER	980.00	0.00	
			Extd Total: STREETS & ROADS MAINTENANCE	15,693.94		
			Department Total: STREETS & ROADS MAINTENANCE	15,693.94		
Department:	SOLID WASTE COLLECTION					
Extd:	SOLID WASTE COLLECTION					
6-01-26-305-000-209	SOLID WASTE	Fees				
TRECTY	TREASURER CTY OF MONMOUTH	17-00046	#39063 Reclamation Center	2,514.42	0.00	
MICBEN	MICKEY BENOIT	17-00047	Brush, delivered 12/1, 23 & 29	750.60	0.00	
				3,265.02		
			Extd Total: SOLID WASTE COLLECTION	3,265.02		
			Department Total: SOLID WASTE COLLECTION	3,265.02		
Department:	BUILDINGS & GROUNDS					
Extd:	BUILDINGS & GROUNDS					
6-01-26-310-000-201	BUILDING & GND	General Plant				
ATLLOK	ATLANTIC LOCK & SAFE	16-01217	Service, Supplies/Parts, etc	53.81	0.00	B
AUTBUI	AUTOMATED BUILDING CONTROLS	16-04179	Labor & Material for Repairs	599.00	0.00	
BELPLU	BELMAR PLUMBING & HEATING INC	17-00003	#3136:SR. CNTR. WATER HEATER	240.00	0.00	
				892.81		
			Extd Total: BUILDINGS & GROUNDS	892.81		
			Department Total: BUILDINGS & GROUNDS	892.81		
			CAFR Total:	19,851.77		
Department:	SENIOR CENTER					
Extd:	SENIOR CENTER					
6-01-27-350-000-299	SENIOR CENTER	Misc.				
FRASCA	FRANCIS H. SCALESSA	16-03200	Quote for Yoga 4th Qtr/Blanket	60.00	0.00	B

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6-01-27-350-000-299	SENIOR CENTER Misc.		Continued			
SERSTU ALISON M. BOWIE		16-03486	Quote Ceramic 4th Qtr Blanket	66.00	0.00	B
				126.00		
	Extd Total: SENIOR CENTER			126.00		
	Department Total: SENIOR CENTER			126.00		
	CAFR Total:			126.00		
Department: MUNICIPAL COURT						
Extd: MUNICIPAL COURT						
6-01-43-490-000-202	MUNIC COURT Office Supplies					
AUTO AUTOSHRED		16-03898	#149284:record destruction	1,120.00	0.00	
6-01-43-490-000-245	MUNIC COURT Interpreter					
BEACRA BEATRIZ C. CRANEY		17-00067	#11980:12/30/16 interpreter	130.00	0.00	
BEACRA BEATRIZ C. CRANEY		17-00079	interpreter 12/30/16 9:30am	120.00	0.00	
				250.00		
	Extd Total: MUNICIPAL COURT			1,370.00		
	Department Total: MUNICIPAL COURT			1,370.00		
	CAFR Total:			1,370.00		
CAFR: CURRENT FUND NON BUDGET ACCTS:						
Department: TAXES PAYABLE:						
Extd: TAXES PAYABLE:						
6-01-55-001-000-007	TAX OVERPAYMENTS					
WELLFAR WELLS FARGO REAL ESTATE TAX		16-04143	REFUND OVERPAMENT B3207 L3.31	2,578.19	0.00	
	Extd Total: TAXES PAYABLE:			2,578.19		
	Department Total: TAXES PAYABLE:			2,578.19		
	CAFR Total: CURRENT FUND NON BUDGET ACCTS:			2,578.19		
	Fund Total: CURRENT			65,123.61		
Fund: BEACH						
Department: BEACH UTILITY O/E: OTHER EXPENSES:						
Extd: BEACH UTILITY O/E: OTHER EXPENSES:						
6-05-55-502-000-201	BEACH UTILITY O/E: General Plant					
SUFFREDI SUFFOLK REDI-MIX		16-04377	#164666A Concrete, etc 12/28	636.00	0.00	
	Extd Total: BEACH UTILITY O/E: OTHER EXPENSES:			636.00		
	Department Total: BEACH UTILITY O/E: OTHER EXPENSES:			636.00		
6-05-55-503-000-302	BEACH UTILITY O/E: Unemployment					
NJLABO NJ DEPT.OF LABOR:DIV.OF EMPLOY		17-00271	4TH QTR 2016 UNEMPLOYMENT CHRG	15,874.16	0.00	
	Extd Total:			15,874.16		
	Department Total:			15,874.16		
	CAFR Total:			16,510.16		
	Fund Total: BEACH			16,510.16		

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Budget Account Vendor	Description	P.O. Id	P.O. Description	Amount	Void Amount	PO Type
Fund: PARKING UTILITY: BUDGET:						
Department: PARKING UTILITY O/E: OTHER EXPENSES:						
Extd: PARKING UTILITY O/E: OTHER EXPENSES:						
6-06-55-502-000-201	PARKING UTILITY O/E: General Plant					
GLESUP	GLENCO SUPPLY INC.	16-03988	25 Residential Permit Parking	1,018.75	0.00	
WBMASON	W.B.MASON CO., INC.	16-03992	#S043173536 Office Supplies	181.70	0.00	
INTTRA	INTELLIGENT TRAFFIC SUPPLY	16-03995	#3800:4 8" Trafffic Signs w/	1,462.00	0.00	
INTECH	INTEGRATED TECHNICAL SYSTEMS,	16-04000	(4) 5 Panel Color Ribbon	488.00	0.00	
INTECH	INTEGRATED TECHNICAL SYSTEMS,	16-04098	(3) 880-4084 USB Boss Key	191.00	0.00	
INTECH	INTEGRATED TECHNICAL SYSTEMS,	16-04165	400 Mag Stripe Cards	132.00	0.00	
GLESUP	GLENCO SUPPLY INC.	16-04189	60 Signs & 60 Posts No Parking	2,160.00	0.00	
INTECH	INTEGRATED TECHNICAL SYSTEMS,	16-04312	#1N13488 Repaired Meters 83,36	635.00	0.00	
GLESUP	GLENCO SUPPLY INC.	16-04354	Fold Down Stop Signs	1,320.00	0.00	
GLESUP	GLENCO SUPPLY INC.	16-04355	#17385	504.00	0.00	
ATMMOB	AT&T MOBILITY	17-00167	#287260245452x12272016:	192.40	0.00	
VERIZON	VERIZON WIRELESS	17-00194	#9777842035:12/2-1/1	2,109.72	0.00	
				10,394.57		
	Extd Total: PARKING UTILITY O/E: OTHER EXPENSES:			10,394.57		
	Department Total: PARKING UTILITY O/E: OTHER EXPENSES:			10,394.57		
	CAFR Total:			10,394.57		
	Fund Total: PARKING UTILITY: BUDGET:			10,394.57		
Fund: SEWER UTILITY: BUDGET:						
Department: SEWER UTILITY O/E: OTHER EXPENSES:						
Extd: SEWER UTILITY O/E: OTHER EXPENSES:						
6-07-55-502-000-201	SEWER UTILITY O/E: General Plant					
HACCEM	HACH COMPANY	16-00135	Various Supplies, Parts, etc	275.79	0.00	B
CENJER	CENTRAL JERSEY SUPPLY CO.	16-00137	various Supplies, Parts, etc	1,999.99	0.00	B
GRAING	GRAINGER	16-04233	Quote for Unit Heater #32V242	3,490.95	0.00	
WATENV	WATER ENVIRONMENT FEDERATION	16-04336	2017 Membership Renewal	107.00	0.00	
WATENV	WATER ENVIRONMENT FEDERATION	16-04337	2017 Membership Renewal	107.00	0.00	
WATENV	WATER ENVIRONMENT FEDERATION	16-04338	2017 Membership Renewal	107.00	0.00	
				6,087.73		
6-07-55-502-000-218	SEWER UTILITY O/E: Contract Services					
EURQC	EUROFINS QC, INC.	16-04263	#1840800 Influent/Effluent,etc	232.00	0.00	
EURQC	EUROFINS QC, INC.	16-04378	#1842631 Influent/Effluent,etc	348.00	0.00	
				580.00		
	Extd Total: SEWER UTILITY O/E: OTHER EXPENSES:			6,667.73		
	Department Total: SEWER UTILITY O/E: OTHER EXPENSES:			6,667.73		
6-07-55-506-000-901	ASB.PARTNER-SEWER ASSESS.					
ASBLLC	ASBURY PARTNERS, LLC	16-04397	4TH QTR. 2016 ODOR CONTROL	3,231.74	0.00	
	Extd Total:			3,231.74		
	Department Total:			3,231.74		
	CAFR Total:			9,899.47		
	Fund Total: SEWER UTILITY: BUDGET:			9,899.47		
	Year Total:			101,927.81		

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Fund: CURRENT						
Department: ADMINISTRATION						
Extd: ADMINISTRATION						
7-01-20-100-000-201	ADMINISTRATION General Plant					
PROSCALF PRO SCAFFOLDING, INC.	17-00065 Invoice 2016-09-120			950.00	0.00	
VERIZON VERIZON WIRELESS	17-00391 12/26-1/25/17 INV#9779329419			294.67	0.00	
				1,244.67		
7-01-20-100-000-209	ADMINISTRATION Fees					
MUNCAP MUNICIPAL CAPITAL CORPORATION	17-00005 #16024:PMT. 14 OF 60			415.22	0.00	
7-01-20-100-000-248	ADMINISTRATION Postage					
MARBUS MARLIN BUSINESS BANK	17-00368 #14710385:CONTRACT PAYMENT			397.00	0.00	
	Extd Total: ADMINISTRATION			2,056.89		
	Department Total: ADMINISTRATION			2,056.89		
Department: MUNICIPAL CLERK						
Extd: MUNICIPAL CLERK						
7-01-20-120-000-212	MUNICIPAL CLERK Dues,Subscript.					
REGASO REGISTRARS ASSOC. OF NJ	17-00285 #867:2017 Membership Dues			50.00	0.00	
7-01-20-120-000-217	MUNICIPAL CLERK Ads&Promotion					
THECOA THE NEW COASTER	17-00020 Invoice 47564 Legal Ads			231.97	0.00	
ASBPAK ASBURY PARK PRESS	17-00286 inv.1858077 legal ad 2017-1			60.30	0.00	
				292.27		
	Extd Total: MUNICIPAL CLERK			342.27		
	Department Total: MUNICIPAL CLERK			342.27		
Department: FINANCIAL ADMINISTRATION						
Extd: FINANCIAL ADMINISTRATION						
7-01-20-130-000-201	FINANCE General Plant					
MUNCAP MUNICIPAL CAPITAL CORPORATION	17-00005 #16024:PMT. 14 OF 60			215.55	0.00	
7-01-20-130-000-202	FINANCE Office Supplies					
JOABOO JOANN BOOS	17-00388 REIMB. FIRE KING KEYS			140.00	0.00	
7-01-20-130-000-222	FINANCE Training					
GFOA G.F.O.A. OF NJ	17-00327 Seminar 3/16/17			85.00	0.00	
	Extd Total: FINANCIAL ADMINISTRATION			440.55		
	Department Total: FINANCIAL ADMINISTRATION			440.55		

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Department: COMPUTERIZED DATA PROCESSING						
Extd: COMPUTERIZED DATA PROCESSING						
7-01-20-140-000-218	COMPUTERIZED DATA PROC. Contract Service					
ONSITE	ON-SITE COMPUTER SERVICE	17-00117	#261225063:1ST QTR. 2017	4,500.00	0.00	
Extd Total: COMPUTERIZED DATA PROCESSING				4,500.00		
Department Total: COMPUTERIZED DATA PROCESSING				4,500.00		
Department: TAX ASSESSOR						
Extd: TAX ASSESSOR						
7-01-20-150-000-209	TAX ASSESSOR Fees					
ATTLAN	ATTORNEYS LAND TITLE AGENCIES, 17-00029 Title Search			1,100.00	0.00	
Extd Total: TAX ASSESSOR				1,100.00		
Department Total: TAX ASSESSOR				1,100.00		
Department: DIRECTOR OF COMMUNICATIONS						
Extd: DIRECTOR OF COMMUNICATIONS						
7-01-20-151-000-299	DIRECTOR OF COMMUNICATIONS - Misc Exp					
VERZON	VERIZON BUSINESS	17-00273	#354477004000156:1/13-2/12	104.99	0.00	
VERZON	VERIZON BUSINESS	17-00366	#732774518143534Y:1/22-2/21	41.83	0.00	
VERIZON	VERIZON WIRELESS	17-00391	12/26-1/25/17 INV#9779329419	66.18	0.00	
				80.64		
Extd Total: DIRECTOR OF COMMUNICATIONS				80.64		
Department Total: DIRECTOR OF COMMUNICATIONS				80.64		
Department: LEGAL SERVICES						
Extd: LEGAL SERVICES						
7-01-20-155-000-209	LEGAL SERVICES Fees					
LAWOFFS	LAW OFFICE OF STEVEN S.	17-00377	Services for January 2017	6,000.00	0.00	
Extd Total: LEGAL SERVICES				6,000.00		
Department Total: LEGAL SERVICES				6,000.00		
CAFR Total:				14,520.35		
Department: PLANNING BOARD						
Extd: PLANNING BOARD						
7-01-21-180-000-201	PLANNING BOARD General Plant					
VERIZON	VERIZON WIRELESS	17-00391	12/26-1/25/17 INV#9779329419	125.73	0.00	
Extd Total: PLANNING BOARD				125.73		
Department Total: PLANNING BOARD				125.73		

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Budget Account Vendor	Description	P.O. Id	P.O. Description	Amount	Void Amount	PO Type
Department: ZONING BOARD OF ADJUSTMENT						
Extd: ZONING BOARD OF ADJUSTMENT						
7-01-21-185-000-209	ZONING BOARD Fees					
MUNCAP	MUNICIPAL CAPITAL CORPORATION	17-00005	#16024:PMT. 14 OF 60	200.97	0.00	
	Extd Total: ZONING BOARD OF ADJUSTMENT			200.97		
	Department Total: ZONING BOARD OF ADJUSTMENT			200.97		
	CAFR Total:			326.70		
Department: CODE ENFORCEMENT AND ADMIN.						
Extd: CODE ENFORCEMENT AND ADMIN.						
7-01-22-195-000-299	CODE ENFORCE Misc.					
VERIZON	VERIZON WIRELESS	17-00391	12/26-1/25/17 INV#9779329419	829.68	0.00	
	Extd Total: CODE ENFORCEMENT AND ADMIN.			829.68		
	Department Total: CODE ENFORCEMENT AND ADMIN.			829.68		
Department: CONSTRUCTION CODE OFFICIAL						
Extd: CONSTRUCTION CODE OFFICIAL						
7-01-22-200-000-299	CONSTRUCTION CODE Misc. (In Cap)					
MUNCAP	MUNICIPAL CAPITAL CORPORATION	17-00005	#16024:PMT. 14 OF 60	189.66	0.00	
VERIZON	VERIZON WIRELESS	17-00391	12/26-1/25/17 INV#9779329419	265.57	0.00	
				455.23		
	Extd Total: CONSTRUCTION CODE OFFICIAL			455.23		
	Department Total: CONSTRUCTION CODE OFFICIAL			455.23		
	CAFR Total:			1,284.91		
Department: EMPLOYEE GROUP INSURANCE						
Extd: EMPLOYEE GROUP INSURANCE						
7-01-23-220-000-209	EMPLOYEE GROUP INSURANCE Fees (IN CAP)					
NJSHBP	NJSHBP	17-00278	HEALTH COVERAGE FEBRUARY 2017	501,258.49	0.00	
	Extd Total: EMPLOYEE GROUP INSURANCE			501,258.49		
	Department Total: EMPLOYEE GROUP INSURANCE			501,258.49		
	CAFR Total:			501,258.49		
Department: POLICE DEPARTMENT						
Extd: POLICE DEPARTMENT						
7-01-25-240-000-201	POLICE General Plant					
MUNCAP	MUNICIPAL CAPITAL CORPORATION	17-00005	#16024:PMT. 14 OF 60	298.39	0.00	
7-01-25-240-000-218	POLICE Contract.Serv.					
CABLE	CABLEVISION OF NYC	17-00186	#07866-182313-01-5 current	151.27	0.00	
VERIZON	VERIZON BUSINESS	17-00266	#M150512227-17010 Current	199.21	0.00	
VERIZON	VERIZON BUSINESS	17-00267	#201z02871812131Y Current	1,608.70	0.00	
VERIZON	VERIZON WIRELESS	17-00340	#9778928675 Current charges	1,127.47	0.00	

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7-01-25-240-000-218	POLICE Contract.Serv.		Continued			
VERIZON	VERIZON WIRELESS	17-00391	12/26-1/25/17 INV#9779329419	241.16	0.00	
				3,327.81		
	Extd Total: POLICE DEPARTMENT			3,626.20		
	Department Total: POLICE DEPARTMENT			3,626.20		
Department: FIRE DEPARTMENT						
Extd: FIRE DEPARTMENT						
7-01-25-265-000-201	FIRE DEPT. General Plant					
WESPES	WESTERN PEST SERVICES	17-00074	Inv 4315598B Pest Control Svc	90.00	0.00	
VERIZON	VERIZON WIRELESS	17-00391	12/26-1/25/17 INV#9779329419	631.87	0.00	
				721.87		
7-01-25-265-000-218	FIRE DEPT. Contract.Serv.					
MUNCAP	MUNICIPAL CAPITAL CORPORATION	17-00005	#16024:PMT. 14 OF 60	83.31	0.00	
	Extd Total: FIRE DEPARTMENT			805.18		
Extd: FIRE HYDRANT						
7-01-25-265-266-299	FIRE HYDRANT Misc.					
NJAMER	N.J. AMERICAN WATER CO.	17-00367	HYDRANT SVC. 12/23-1/24	16,230.00	0.00	
	Extd Total: FIRE HYDRANT			16,230.00		
	Department Total: FIRE DEPARTMENT			17,035.18		
	CAFR Total:			20,661.38		
Department: STREETS & ROADS MAINTENANCE						
Extd: STREETS & ROADS MAINTENANCE						
7-01-26-290-000-201	STREETS & ROAD General Plant					
MUNCAP	MUNICIPAL CAPITAL CORPORATION	17-00005	#16024:PMT. 14 OF 60	211.19	0.00	
GRAING	GRAINGER	17-00012	#9333237361:MOTOR	181.88	0.00	
RUTUND	RUTGERS,THE STATE UNIVERSITY	17-00053	#54257 Registration Fee	425.00	0.00	
RUTGOV	RUTGERS,THE STATE UNIV. OF NJ	17-00112	Registration Fee (McClave)	455.00	0.00	
RUTGOV	RUTGERS,THE STATE UNIV. OF NJ	17-00113	Registration Fee (Bianchini)	455.00	0.00	
				1,728.07		
7-01-26-290-000-202	STREETS & ROAD Office Supplies					
GPANJ	GPANJ INC. SYMPOSIUM	17-00207	Conference Registration	395.00	0.00	
7-01-26-290-000-203	STREETS & ROAD Motor Vehicle					
MONGLA	MONMOUTH GLASS CO. INC.	17-00062	#8614 Supply & Install	45.00	0.00	
MONARCH	MONARCH ELECTRIC COMPANY	17-00106	#S107112217 Lever, etc 1/04	7.92	0.00	
				52.92		
7-01-26-290-000-210	STREETS & ROAD Network Fleet					
NETWOR	NETWORKFLEET, INC.	17-00192	Bundled Billing Services - GPS	1,920.00	0.00	B
7-01-26-290-000-218	STREETS & ROAD Contract.Serv.					
SECWOR	SECURITY WORLD INC.	17-00059	#52144 Securall Monitoring Svc	228.00	0.00	

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7-01-26-290-000-218	STREETS & ROAD	Contract.Serv.	Continued			
CABLE	CABLEVISION OF NYC	17-00064	Optimum Online, etc 01/8-02/07	148.00	0.00	
VERIZON	VERIZON WIRELESS	17-00391	12/26-1/25/17 INV#9779329419	851.51	0.00	
				<u>1,227.51</u>		
	Extd Total:	STREETS & ROADS MAINTENANCE		5,323.50		
	Department Total:	STREETS & ROADS MAINTENANCE		5,323.50		
Department: SOLID WASTE COLLECTION						
Extd: SOLID WASTE COLLECTION						
7-01-26-305-000-209	SOLID WASTE Fees					
RUBREC	RUBBERCYCLE LLC	17-00061	#60464 Tires & Tires w/Rims	52.50	0.00	
DELDEM	DELISA DEMOLITION, INC.	17-00141	#105256 Construction Debris	862.83	0.00	
DELDEM	DELISA DEMOLITION, INC.	17-00277	#105465 Construction Debris	2,439.08	0.00	
				<u>3,354.41</u>		
7-01-26-305-000-218	SOLID WASTE	Contract.Serv.				
DELDEM	DELISA DEMOLITION, INC.	17-00280	#106371 Monthly Service	36,333.33	0.00	
	Extd Total:	SOLID WASTE COLLECTION		39,687.74		
	Department Total:	SOLID WASTE COLLECTION		39,687.74		
Department: BUILDINGS & GROUNDS						
Extd: BUILDINGS & GROUNDS						
7-01-26-310-000-201	BUILDING & GND	General Plant				
GRAING	GRAINGER	17-00011	#9333237353:ICE MELT	752.50	0.00	
THEHAR	THE HARDWARE STORE	17-00110	#1127420 Ice Melter & Gas Can	437.27	0.00	
MONARCH	MONARCH ELECTRIC COMPANY	17-00115	#s107097622 Receptacle, etc	4.94	0.00	
				<u>1,194.71</u>		
7-01-26-310-000-218	BUILDING & GND	Contract.Serv.				
WESPES	WESTERN PEST SERVICES	17-00054	#4315424B Monthly Pest Control	230.00	0.00	
SCHLE	SCHINDLER ELEVATOR CORP.	17-00056	#8104443971 Quarterly Billing	327.72	0.00	
				<u>557.72</u>		
	Extd Total:	BUILDINGS & GROUNDS		1,752.43		
	Department Total:	BUILDINGS & GROUNDS		1,752.43		
	CAFR Total:			46,763.67		
Department: SOCIAL SERVICES:						
Extd: SOCIAL SERVICES:						
7-01-27-345-000-201	SOCIAL SERVICES	General Plant				
VERIZON	VERIZON WIRELESS	17-00391	12/26-1/25/17 INV#9779329419	133.03	0.00	
	Extd Total:	SOCIAL SERVICES:		133.03		
	Department Total:	SOCIAL SERVICES:		133.03		

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Department: SENIOR CENTER						
Extd: SENIOR CENTER						
7-01-27-350-000-201	SENIOR CENTER General Plant					
CABLE	CABLEVISION OF NYC	17-00225	07866196932017:	127.18	0.00	
VERIZON	VERIZON WIRELESS	17-00391	12/26-1/25/17 INV#9779329419	64.57	0.00	
				191.75		
	Extd Total: SENIOR CENTER			191.75		
	Department Total: SENIOR CENTER			191.75		
	CAFR Total:			324.78		
Department: RECREATION SERVICES & PROGRAM						
Extd: RECREATION SERVICES & PROGRAM						
7-01-28-370-000-299	RECREATION Misc.					
NJRPA	NJRPA	17-00098	recreation conferenece reg	375.00	0.00	
VERIZON	VERIZON WIRELESS	17-00391	12/26-1/25/17 INV#9779329419	41.91	0.00	
				416.91		
	Extd Total: RECREATION SERVICES & PROGRAM			416.91		
	Department Total: RECREATION SERVICES & PROGRAM			416.91		
	CAFR Total:			416.91		
Department: PUBLIC LIBRARY:						
Extd: PUBLIC LIBRARY:						
7-01-29-390-000-299	PUBLIC LIBRARY Misc.					
ASBFRE	ASBURY PARK FREE PUBLIC LIBRAR	17-00371	FIRST PAYMENT FOR 2017	25,000.00	0.00	
	Extd Total: PUBLIC LIBRARY:			25,000.00		
	Department Total: PUBLIC LIBRARY:			25,000.00		
	CAFR Total:			25,000.00		
Department: LIGHTING						
Extd: LIGHT, HEAT & POWER						
7-01-31-435-435-299	LIGHT, HEAT & POWER Misc.					
NJNATU	N.J. NATURAL GAS CO.	17-00314	SERVICE 12/14-1/17	12,771.40	0.00	
JCPL	JCPL	17-00365	SERVICE 12/23-1/25	11,986.69	0.00	
				24,758.09		
	Extd Total: LIGHT, HEAT & POWER			24,758.09		
Extd: STREET&TRAFFIC LIGHTING						
7-01-31-435-436-299	STREET&TRAFFIC LIGHTING Misc.					
JCPL	JCPL	17-00281	SERVICE 12/20-1/19	19,687.85	0.00	
JCPL	JCPL	17-00344	SERVICE 12/24-1/25	128.66	0.00	

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7-01-31-435-436-299 JCPL JCPL	STREET&TRAFFIC LIGHTING Misc.	17-00365	Continued SERVICE 12/23-1/25	5,269.29 25,085.80	0.00	
	Extd Total: STREET&TRAFFIC LIGHTING			25,085.80		
	Department Total: LIGHTING			49,843.89		
Department: TELEPHONE						
Extd: TELEPHONE						
7-01-31-440-000-299 VERZON VERIZON BUSINESS	TELEPHONE Misc.	17-00123	#152069551000178:1/4-2/3	129.99	0.00	
	Extd Total: TELEPHONE			129.99		
	Department Total: TELEPHONE			129.99		
Department: GASOLINE						
Extd: GASOLINE						
7-01-31-460-000-299 ALLOIL ALLIED OIL, LLC	GASOLINE Misc.	17-00220	#1097431 Diesel Fuel 1/17	1,509.75	0.00	
ALLOIL ALLIED OIL, LLC		17-00246	#1097003 Unleaded Fuel 1/19	5,343.95	0.00	
				6,853.70		
	Extd Total: GASOLINE			6,853.70		
	Department Total: GASOLINE			6,853.70		
	CAFR Total:			56,827.58		
Department: MUNICIPAL COURT						
Extd: MUNICIPAL COURT						
7-01-43-490-000-201 MUNCAP MUNICIPAL CAPITAL CORPORATION	MUNIC COURT General Plant	17-00005	#16024:PMT. 14 OF 60	83.31	0.00	
OFFBUS OFFICE BUSINESS SYSTEMS, INC.		17-00066	video maint. 2/3/17-2/3/18	817.00	0.00	
GREFIN GREATAMERICA FINANCIAL SVCS.		17-00238	#19958634:CURRENT CHARGES	145.00	0.00	
GREFIN GREATAMERICA FINANCIAL SVCS.		17-00372	#19798294:CURRENT CHARGES JAN.	145.00	0.00	
				1,190.31		
7-01-43-490-000-212 LAWDIA LAWYERS DIARY	MUNIC COURT Dues,Subscript.	17-00068	2017 lawyers diary	112.00	0.00	
	Extd Total: MUNICIPAL COURT			1,302.31		
	Department Total: MUNICIPAL COURT			1,302.31		
	CAFR Total:			1,302.31		
CAFR: CURRENT FUND NON BUDGET ACCTS:						
Department: TAXES PAYABLE:						
Extd: TAXES PAYABLE:						
7-01-55-001-000-001 ASBBOA ASBURY PARK BOARD OF EDUCATION	School Taxes Payable	17-00275	FEBRUARY 2017 SCHOOL APPROP.	564,037.00	0.00	

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Budget Account Vendor	Description	P.O. Id	P.O. Description	Amount	Void Amount	PO Type
7-01-55-001-000-002	County Taxes Payable					
COUMON	COUNTY OF MONMOUTH	17-00032	2016 ADDED/OMITTED ASSESSMENTS	35,907.37	0.00	
COUMON	COUNTY OF MONMOUTH	17-00332	1ST QTR-2017 COUNTY TAXES	<u>1,011,327.77</u>	0.00	
				1,047,235.14		
7-01-55-001-000-025	Resrve for Master Plan					
CLACAN	CLARK, CANTON & HINTZ	17-00158	#67238:MASTER PLAN	4,837.48	0.00	
	Extd Total: TAXES PAYABLE:			1,616,109.62		
	Department Total: TAXES PAYABLE:			1,616,109.62		
	CAFR Total: CURRENT FUND NON BUDGET ACCTS:			1,616,109.62		
	Fund Total: CURRENT			2,284,796.70		
Fund:	BEACH					
Department:	BEACH UTILITY O/E: OTHER EXPENSES:					
Extd:	BEACH UTILITY O/E: OTHER EXPENSES:					
7-05-55-502-000-201	BEACH UTILITY O/E: General Plant					
THEHAR	THE HARDWARE STORE	17-00049	#1126962 Uncloger & Batteries	122.07	0.00	
CABLE	CABLEVISION OF NYC	17-00139	Optimum Online, etc	159.63	0.00	
VERIZON	VERIZON WIRELESS	17-00391	12/26-1/25/17 INV#9779329419	<u>95.27</u>	0.00	
				376.97		
7-05-55-502-000-211	BEACH UTILITY O/E: Light & Power					
JCPL	JCPL	17-00282	SERVICE 12/20-1/19	232.90	0.00	
	Extd Total: BEACH UTILITY O/E: OTHER EXPENSES:			609.87		
	Department Total: BEACH UTILITY O/E: OTHER EXPENSES:			609.87		
	CAFR Total:			609.87		
	Fund Total: BEACH			609.87		
Fund:	PARKING UTILITY: BUDGET:					
Department:	PARKING UTILITY O/E: OTHER EXPENSES:					
Extd:	PARKING UTILITY O/E: OTHER EXPENSES:					
7-06-55-502-000-201	PARKING UTILITY O/E: General Plant					
CABLE	CABLEVISION OF NYC	17-00244	#07866-196915-01-3 Current	115.58	0.00	
ATTMOB	AT&T MOBILITY	17-00381	#287260245452x01272017 Current	<u>192.40</u>	0.00	
				307.98		
	Extd Total: PARKING UTILITY O/E: OTHER EXPENSES:			307.98		
	Department Total: PARKING UTILITY O/E: OTHER EXPENSES:			307.98		
	CAFR Total:			307.98		
	Fund Total: PARKING UTILITY: BUDGET:			307.98		
Fund:	SEWER UTILITY: BUDGET:					
Department:	SEWER UTILITY O/E: OTHER EXPENSES:					
Extd:	SEWER UTILITY O/E: OTHER EXPENSES:					
7-07-55-502-000-201	SEWER UTILITY O/E: General Plant					
GRAING	GRAINGER	17-00108	#9319047628 Ballpoint Pen 1/03	27.26	0.00	

Budget Account Vendor	Description	P.O. Id	P.O. Description	Amount	Void Amount	PO Type
7-07-55-502-000-201	SEWER UTILITY O/E: General Plant		Continued			
VERIZON	VERIZON WIRELESS	17-00391	12/26-1/25/17 INV#9779329419	209.82	0.00	
				237.08		
7-07-55-502-000-203	SEWER UTILITY O/E: Motor Vehicle					
LAKAUT	LAKEWOOD AUTO-ASBURY NAPA	17-00048	#510836 2-Ton Aluminum Jack	199.99	0.00	
7-07-55-502-000-211	SEWER UTILITY O/E: Light & Power					
NJNATU	N.J. NATURAL GAS CO.	17-00314	SERVICE 12/14-1/17	13,556.68	0.00	
7-07-55-502-000-218	SEWER UTILITY O/E: Contract Services					
MUNCAP	MUNICIPAL CAPITAL CORPORATION	17-00005	#16024:PMT. 14 OF 60	75.00	0.00	
SECWOR	SECURITY WORLD INC.	17-00060	#52145 Svc Contract Agreement	1,140.00	0.00	
ANSWER	ANSERCOMM	17-00107	#M4541-010917 Answering Svc	159.68	0.00	
CABLE	CABLEVISION OF NYC	17-00219	Optimum Online, etc	100.58	0.00	
				1,475.26		
7-07-55-502-000-220	SEWER UTILITY O/E: Accounting					
AMEWAT	AMERICAN WATER	17-00210	usage data 4000111112 01/31/17	387.68	0.00	
7-07-55-502-000-224	SEWER UTILITY O/E: Sludge Removal					
PASVAL	PASSAIC VALLEY SEWERAGE COM.	17-00272	#513291 Transport of Sludge	10,200.00	0.00	
	Extd Total: SEWER UTILITY O/E: OTHER EXPENSES:			26,056.69		
	Department Total: SEWER UTILITY O/E: OTHER EXPENSES:			26,056.69		
	CAFR Total:			26,056.69		
	Fund Total: SEWER UTILITY: BUDGET:			26,056.69		
	Year Total:			2,311,771.24		
Fund:	GENERAL CAPITAL FUND BUDGET:					
Department:	Alternate Developer Ord #					
Extd:	Recon Foot Bridge-Sunset Lake (Ord#3036)					
C-04-55-995-013-002	Reconstruct Foot Bridge (Ord#3036/2016-1)					
JEHAN	J.E. HANNON INC.	16-03259	BLANKET:REPLACEMENT OF SUNSET	156,776.48	0.00	B
	Extd Total: Recon Foot Bridge-Sunset Lake (Ord#3036)			156,776.48		
	Department Total: Alternate Developer Ord #			156,776.48		
Extd:	2015-39/Roadway and Sewer Improvements					
C-04-55-998-015-006	2015-39/Roadway & Sewer Improvmnts City					
BLAROC	BLACK ROCK ENTERPRISES LLC	16-03663	2015 ROAD IMPROVEMENT PROGRAM	65,457.85	0.00	B
	Extd Total: 2015-39/Roadway and Sewer Improvements			65,457.85		
Extd:	2016/16/VARIOUS 2016 CAPITAL IMPROVEMENT					
C-04-55-998-162-005	2016-16/ADMIN EQUIPMENT, IMPROVEMENTS					
SKYEQU	SKYLANDS AREA FIRE EQUIPMENT	16-02679	#8393:Turnout Gear	31,082.76	0.00	

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C-04-55-998-162-005	2016-16/ADMIN EQUIPMENT,IMPROVEMENTS	Continued				
SHIINT	SHI INTERNATIONAL CORP	16-04216	#B05969027:computer storage	256.00	0.00	
				31,338.76		
	Extd Total: 2016/16/VARIOUS 2016 CAPITAL IMPROVEMENT			31,338.76		
	Department Total:			96,796.61		
	CAFR Total:			253,573.09		
	Fund Total: GENERAL CAPITAL FUND BUDGET:			253,573.09		
Fund:	SEWER CAPITAL FUND BUDGET:					
Extd:	Sewer Plant Improvements - Ord. #3038					
C-08-55-526-013-002	Sewer Plant Improvements - Ord. #3038					
ELEMAI	ELECTRO MAINTENACE INC.	17-00389	GENERATOR REPLACEMENT ORD.3038	209,170.49	0.00	B
	Extd Total: Sewer Plant Improvements - Ord. #3038			209,170.49		
	Department Total:			209,170.49		
	CAFR Total:			209,170.49		
	Fund Total: SEWER CAPITAL FUND BUDGET:			209,170.49		
	Year Total:			462,743.58		
Fund:	GRANT FUND BUDGET:					
G-02-43-871-016-200	2016 NJDHMS Mental Health Grant					
VISNUR	VISITING NURSES ASSN. OF CENTR	16-00661	Nursing Services 2016	3,833.33	0.00	B
WBMASON	W.B.MASON CO., INC.	16-03771	Office Supplies	200.63	0.00	
CARSUR	CARLTON SURGICAL SUPPLY	16-03804	Blanket for Supplements	90.00	0.00	B
				4,123.96		
	Extd Total:			4,123.96		
	Department Total:			4,123.96		
	CAFR Total:			4,123.96		
	Fund Total: GRANT FUND BUDGET:			4,123.96		
	Year Total:			4,123.96		
Fund:	COMMUNITY DEVELOPMENT BLK GRANT BUDGET:					
T-17-73-850-850-806	2016 CDBG - COMMUNITY EVENTS					
ATTHE	AT THE TABLE	17-00127	#710461:Black History Month	2,185.00	0.00	
	Extd Total:			2,185.00		
	Department Total:			2,185.00		
	CAFR Total:			2,185.00		
	Fund Total: COMMUNITY DEVELOPMENT BLK GRANT BUDGET:			2,185.00		
Fund:	TRUST OTHER					
T-20-56-850-854-801	Reserve for Marriage Licenses Due StofNJ					
DEPCHIFA	DEPT.OF CHILDREN & FAMILIES	17-00328	4TH QTR 2016 MARRIAGE/CIVIL	975.00	0.00	
	Extd Total:			975.00		

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Budget Account Vendor	Description	P.O. Id	P.O. Description	Amount	Void Amount	PO Type
T-20-56-850-909-801	Reserve for Tax Sale Premiums					
TWRCST	TWR AS CST FOR EBURY FUND 1NJ	16-04171	PREMIUM TSC-13-00017	100.00	0.00	
TWRCST	TWR AS CST FOR EBURY FUND 1NJ	16-04172	PREMIUM TSC-13-00027	100.00	0.00	
USBLIE	US BANK/LIEN LOGIC FUND I, LLC	16-04303	PREMIUM TSC-16-00171	1,200.00	0.00	
USBLIE	US BANK/LIEN LOGIC FUND I, LLC	16-04304	PREMIUM TSC-16-00182	1,100.00	0.00	
USBLIE	US BANK/LIEN LOGIC FUND I, LLC	16-04305	PREMIUM, TSC-16-00216	1,100.00	0.00	
USBLIE	US BANK/LIEN LOGIC FUND I, LLC	16-04306	PREMIUM TSC-16-00269	500.00	0.00	
TOWDBW	TOWER DBW V1 TRUST 2016-1	16-04309	PREMIUM TSC-16-00195	6,600.00	0.00	
TRYSTN	TRYSTONE CAPITAL ASSETS, LLC	17-00039	PREMIUM TSC-16-00139	1,000.00	0.00	
TRYSTN	TRYSTONE CAPITAL ASSETS, LLC	17-00041	PREMIUM TSC-16-00272	1,000.00	0.00	
USBANCUS	US BANK CUST FOR PHOENIX	17-00042	PREMIUM TSC-15-00069	5,800.00	0.00	
FNANJ	FNA NJ, LLC	17-00071	PREMIUM TSC-16-00029	1,400.00	0.00	
FNANJ	FNA NJ, LLC	17-00072	PREMIUM TSC-16-00236	34,700.00	0.00	
FNANJ	FNA NJ, LLC	17-00073	PREMIUM TSC-16-00225	31,100.00	0.00	
TRYSTN	TRYSTONE CAPITAL ASSETS, LLC	17-00105	PREMIUM TSC-16-00122	1,000.00	0.00	
				86,700.00		
	Extd Total:			86,700.00		
T-20-56-850-915-801	Reserve for Rain Garden					
TOMPIV	TOM PIVINSKI	17-00142	REIMBURSEMENT FOR VAR.SUPPLIES	399.51	0.00	
	Extd Total:			399.51		
	Department Total:			88,074.51		
	CAFR Total:			88,074.51		
	Fund Total: TRUST OTHER			88,074.51		
Fund:	PLANNING & ZONING ESCROW FUND BUDGET:					
CAFR:	PLANNING & ZONING ESCROW FUND BUDGET:					
T-21-00-216-000-299	1ST AVE PAVILION(MADISON ASBURY RETAIL)					
STSHOR	ST SHORTHAND REPORTING SERVICE	17-00383	Invoice # 621296	62.50	0.00	
	Extd Total:			62.50		
	Department Total:			62.50		
T-21-00-249-000-299	901 OCEAN AVE(STONE PONY LIQ. LIC. ,LLC)					
STSHOR	ST SHORTHAND REPORTING SERVICE	17-00383	Invoice # 621296	62.50	0.00	
	Extd Total:			62.50		
	Department Total:			62.50		
T-21-00-357-000-299	GREEN SPACE/FOOD TRUCK (MADISON ASBURY)					
STSHOR	ST SHORTHAND REPORTING SERVICE	17-00383	Invoice # 621296	125.00	0.00	
	Extd Total:			125.00		
	Department Total:			125.00		
T-21-00-368-000-299	613 BANGS AVENUE(DJAER PROPERTIES, LLC)					
STSHOR	ST SHORTHAND REPORTING SERVICE	17-00383	Invoice # 621296	62.50	0.00	
	Extd Total:			62.50		
	Department Total:			62.50		

February 1, 2017
04:55 PM

CITY OF ASBURY PARK
Bill List By Budget Account

2.L.2.a
Page No: 18

Budget Account Vendor	Description	P.O. Id	P.O. Description	Amount	Void Amount	PO Type
Department: RECREATION						
T-21-00-370-000-299	700 COOKMAN AVE(FIFTY-FOUR PIERREPONT)					
STSHOR	ST SHORTHAND REPORTING SERVICE 17-00383 Invoice # 621296			62.50	0.00	
	Extd Total:			62.50		
	Department Total: RECREATION			62.50		
T-21-00-399-000-299	1130 SPRINGWOOD(INTERFAITH NEIGHBORS)					
STSHOR	ST SHORTHAND REPORTING SERVICE 17-00383 Invoice # 621296			125.00	0.00	
	Extd Total:			125.00		
	Department Total:			125.00		
	CAFR Total: PLANNING & ZONING ESCROW FUND BUDGET:			500.00		
	Fund Total: PLANNING & ZONING ESCROW FUND BUDGET:			500.00		
	Year Total:			90,759.51		
Total Charged Lines: 235 Total List Amount: 2,971,326.10 Total Void Amount: 0.00						

Attachment: Bill List 2.8.17 (2017-72 : Payment of Bills)

February 8, 2017 Council Meeting

Balance brought forward from Total List Amount	\$ 2,971,326.10
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Additional Items:

Foley Incorporated	1,520.00
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Total Bill List February 8, 2017	\$ 2,972,846.10
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RESOLUTION NO. 2017-73

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

RESOLUTION ESTABLISHING REGULATIONS FOR THE 2017 BEACH SEASON

NOW, THEREFORE, BE IT RESOLVED BY the City Council of the City of Asbury Park that the dates for the closing of the beaches to the general public and residents of the City of Asbury Park during 2017 between the hours of 9AM and 5PM Monday through Friday and 9AM and 6PM weekends and holidays shall be as follows:

1. All City Beaches from the Ocean Grove border to the Loch Arbour border shall be closed weekends and holidays ONLY on May 27th, 28th, & 29th, June 3rd-4th, and June 10th-11th.
2. All City Beaches from the Ocean Grove border northward to the Loch Arbour border shall be closed from June 17, 2017 thru September 4, 2017.
3. The Beach between the two northern jetties opposite Deal Lake Drive and Eighth Avenue shall be closed from June 17, 2017 through September 4, 2017 for the purpose of surfing only.
4. City Beaches may remain closed on the weekends of September 9-10, 2017 and/or September 16-17, 2017 provided the Beach Supervisor deems conditions are appropriate for bathing.

BE IT FURTHER RESOLVED that the beaches designated closed to the general public and residents of the City of Asbury Park according to the aforementioned schedule are hereby designated as bathing beaches and a surfing beach. The bathing and surfing beaches are only those areas that are protected by ropes, flags, buoys, boats and lifeguards, which are to be provided by the City of Asbury Park during the hours of said beach closing. The areas of the closed beaches that are not designated as bathing or surfing beaches shall be used as sun beaches under the jurisdiction and control of lifeguards and other personnel employed by the Beach Bathing Supervisor.

BE IT FURTHER RESOLVED that seasonal and daily beach passes will be sold in accordance with the fee schedule herein pursuant to City Ordinance (Chapter V Section 5-3.1 entitled "Fees" of the revised general ordinance of the City of Asbury Park) to allow the general public and city residents access and use of beaches that are closed according to the aforementioned schedule.

Fee Schedule 2017

Daily Monday through Friday-\$5 per person

Daily Weekends and Holidays-\$7 per person

Children 12 years of age and under shall be admitted free of charge when accompanied by an adult

Teen Seasonal-13 years of age through 17 years of age-\$20 per person

Adult Seasonal-18 years of age through 61 years of age-\$70 per person

Senior Seasonal-62 years of age and over-\$20 per person

Hotels, Motels, Rooming Houses-\$70 per guest per season

Replacement for Seasonal Badge-\$70 Regular, \$20 Teen, \$20 Senior & \$70 Hotel/Motel

BE IT FURTHER RESOLVED, the Beach Supervisor may lower or eliminate the cost of a beach ticket for special days or use by City Recreation Programs with the concurrence of the City Manager and approval from the Mayor and Council.

BE IT FURTHER RESOLVED that Active Duty Military personnel and their dependents and Disabled Veterans be admitted free to City Beaches upon presentation of a DOD Uniformed Services ID Card or an Award Letter from the Department of Veteran Affairs, respectively.

BE IT FURTHER RESOLVED that Garrett L. Giberson is authorized to execute the NJ Transit 2017 Summer Beach Promotion Agreement, whereby NJ Transit will promote a round-trip transportation beach fee package at a daily rate per persons twelve (12) years or older, from May 27, 2017 through September 4, 2017. NJ Transit will advertise the promotion via its website, the City's website, NJ Transit On-Hold Message, E-Mail Blast, AP Press Release and Quick-Tik Message. NJ Transit, at select ticket offices and ticket vending machines, will sell the special beach packages. NJ Transit will reimburse the City at a daily rate of \$3.50 per ticket returned to NJ Transit.

BE IT FURTHER RESOLVED that Chair Storage Lockers be available to 2017 season beach pass holders at an annual seasonal rental of \$225 per locker-limit of one locker per season pass holder, during the period of the Friday prior to Memorial Day through September 30th. Lockers will be rented on a first come, first serve basis and renters will be given a renewal option for the following year's bathing season.

I, CINDY A. DYE, 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. 2017-73 which was finally adopted by the City Council at a meeting held on the 8th day of February, 2017

CERTIFIED BY ME THIS 9th DAY OF February, 2017.

CINDY A. DYE
CITY CLERK



RESOLUTION NO. 2017-74

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

RESOLUTION APPROVING THE CITY OF ASBURY PARK TO ENTER INTO A MEMORANDUM OF AGREEMENT ("MOU") WITH THE IPS GROUP FOR A FREE PARKING METER TRIAL

WHEREAS, the City of Asbury Park intends to explore new parking meter solutions through a trial program with the IPS Group; and

WHEREAS, the IPS Group has offered to install one parking meter on a trial basis for 120 days for the City to evaluate its performance at no cost; and

WHEREAS, the IPS Group has requested to enter into an Memorandum of Understanding ("MOU") agreement with the City for the purpose of conducting such a trial; and

WHEREAS, the MOU between the City and IPS Group is attached to this Resolution; and

WHEREAS, the City Manager is hereby authorized to sign the MOU; and

WHEREAS, the City Clerk is hereby directed to provided executed copies of the MOU to the IPS Group, City Manager, City Attorney, Fiscal Monitor and Transportation Manage; 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 the City of Asbury Park is hereby authorized to sign the MOU and the City Clerk shall distribute the MOU to the individuals outlined above.

I, CINDY A. DYE, 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. 2017-74 which was finally adopted by the City Council at a meeting held on the 8th day of February, 2017

CERTIFIED BY ME THIS 9th DAY OF February, 2017.

CINDY A. DYE
CITY CLERK

AGREEMENT TO TRIAL PARKING METER EQUIPMENT AND RELATED SERVICES

This Agreement To Trial Parking Meter Equipment And Related Services

("Agreement") is made effective thie February 8th, 2017 (the "Effective Date"), by and between City of Asbury Park, a municipal corporation (the "City"), and IPS GROUP, INC., a Pennsylvania corporation ("IPS"), collectively (the "parties") with reference to the following:

RECITALS

WHEREAS, the City desires to contract with IPS to perform a parking technology field test within the City using the IPS Parking Equipment and related services listed in Attachment A;

Now, therefore, the parties agree as follows:

TERMS AND CONDITIONS

1. Term of Agreement.

- 1.1. **Initial Term.** The term of the Agreement means the period from the Effective Date above and will be in effect for a period of one hundred and twenty (120) days ("Initial Term").
- 1.2. **Option to Extend.** City shall have the option to extend the term of the Agreement for additional thirty (30) day increments, with the mutual written agreement of both parties.

2. IPS Services.

- 2.1. **Scope of Services.** IPS agrees to diligently undertake, perform, and complete all of the services ("Services") described in Attachment A.

3. City Services & Responsibilities. The City agrees to:

- 3.1. Make available to IPS any currently existing documents, data or information required for the performance of the Services, including any material updates therein.
- 3.2. Designate a representative authorized to act on behalf of the City.
- 3.3. Keep, at its own cost and expense, the Equipment in good repair, condition and working order.
- 3.4. Notify IPS of any need for warranty repair work and will coordinate the return process with IPS.
- 3.5. Provide first line of preventative maintenance for all meter mechanisms for the term of this Agreement.
- 3.6. Use the Equipment in the proper manner and shall comply with and conform to all

national, state, and local laws and regulations in any way relating to the possession, use or maintenance of the equipment.

- 3.7. Be fully responsible, at its own cost and expense, to provide and maintain a merchant account and associated merchant account services using a City designated third party provider.

4. Equipment Delivery and Installation.

- 4.1. IPS shall deliver new, fully-tested Equipment. No used or previously owned Equipment will be allowed.
- 4.2. Coordinated installation of all Equipment will take place during standard business hours.
- 4.3. City staff, in conjunction with IPS staff, will inspect parking meter equipment following installation to ensure proper installation and operation. Unless otherwise notified in writing, the Equipment shall be deemed accepted at the time of installation of the Equipment, but no later than ten (10) business days following completed installation or thirty (30) days following delivery, whichever occurs first.

5. Compensation

- 5.1. The City will compensate IPS for the purchase of IPS Equipment and Software, as set forth in Attachment A.
- 5.2. City further agrees to pay to IPS the amounts specified in Attachment A on a Net 30 basis from the date of invoice.
- 5.3. City agrees to promptly notify IPS in writing of any dispute with any invoice, and that invoices for which no such notification is made within 10 business days after receipt of the invoice shall be deemed accepted by the City.
- 5.4. Pricing shall be of no cost to the City during the Trail Period.

6. Warranties.

- 6.1. IPS shall provide a full 12-month warranty on all equipment as described in Attachment A, IPS Limited Warranty, on all Equipment. Extended warranties are available for an additional fee.
- 6.2. IPS shall provide technical support via telephone Mondays through Fridays from 8:00 AM to 4:00 PM PST. IPS shall provide on-site technical support within 24 hours Mondays through Fridays from 8:00 AM to 4:00 PM. IPS shall ensure the availability of current manuals and shall provide all manuals for any future upgraded or new services. IPS does have local offices in NJ for technical support during EST hours
- 6.3. IPS shall bear risk of loss of the Equipment, including any damage sustained during transportation to the delivery site. Risk in the shall pass to City upon

delivery. Transfer of title to Equipment shall pass to City upon payment, if applicable and outside the trial agreement.

- 6.4. THE WARRANTIES CONTAINED IN THE AGREEMENT DOCUMENTS ARE IPS's SOLE AND EXCLUSIVE WARRANTIES. THE EXTENT OF IPS's LIABILITY FOR A WARRANTY CLAIM IS LIMITED TO THE REPAIR OR REPLACEMENT OF THE DEFECTIVE EQUIPMENT. IPS AFFIRMATIVELY EXCLUDES ANY AND ALL OTHER WARRANTIES, CONDITIONS, OR REPRESENTATIONS (EXPRESS OR IMPLIED, ORAL OR WRITTEN), WITH RESPECT TO THE SERVICES PROVIDED INCLUDING ANY AND ALL IMPLIED WARRANTIES OR CONDITIONS OF TITLE, MERCHANTABILITY, OR FITNESS OR SUITABILITY FOR ANY PURPOSE (WHETHER OR NOT IPS KNOWS, HAS REASON TO KNOW, HAS BEEN ADVISED, OR IS OTHERWISE IN FACT AWARE OF ANY SUCH PURPOSE) WHETHER ARISING BY LAW OR BY REASON OF CUSTOM OF THE TRADE.

7. Intellectual Property and Confidential Information.

- 7.1. The City exclusively and solely owns all City Data and the intellectual property therein. IPS further agrees to execute any documents necessary for the City to perfect, memorialize, or record the City's ownership rights in City Data. For purposes of this Agreement, "City Data" means all intellectual property of the City, including but not limited to occupancy data, financial records, programming configurations of the parking meters, GIS location and rates, and other operational data and tailored operational programming.
- 7.2. IPS may not provide or disclose any City Data to any third party without the City's prior written consent.
- 7.3. Any subcontract entered into by IPS relating to this Agreement, to the extent allowed hereunder, must include a like intellectual property provision to ensure that the City's ownership rights in City Data are preserved and protected as intended in this Agreement. Failure of IPS to comply with this requirement or to obtain the compliance of its subcontractors with such obligations constitutes a breach of this Agreement and will subject IPS to damages paid to the City and the imposition of all sanctions allowed by law, including but not limited to termination of this Agreement.
- 7.4. IPS represents and warrants that it owns or has acquired all requisite rights and licenses to use all intellectual property embodied, practiced or employed in IPS Equipment and Software being used by the City.
- 7.5. IPS hereby grants the City, including its departments, commissioners, officials, officers, employees, consultants, and agents (collectively, "City") all the rights and licenses required to use IPS Equipment and Software. Such rights and licenses are non-assignable, non-transferable and non-exclusive, and specific only to use within the City.
- 7.6. All pre-existing and independently developed intellectual property, and any

derivation thereof, including but not limited to designs, models, inventions, processes, methodologies, software, associated documentation, software upgrades, modifications and customizations, copyrightable material and other tangible and intangible materials authored, and combinations thereof, prepared, created, made, delivered, conceived or reduced to practice, in whole or in part, by IPS and provided to the City ("Pre-Existing and Independently Developed IP") will at all times remain the sole and exclusive property of IPS and/or its vendors. Nothing in this Section or elsewhere in this Agreement shall be construed as assigning, selling, conveying, or otherwise transferring any ownership rights or title in IPS Pre-Existing and Independently Developed IP.

- 7.7. IPS understands the nature of public information and the requirement for the City to adhere to all rules and laws that apply to public information, such as the Freedom of Information Act, Public Records Act, and the like. However, the City also understands that the IPS Equipment and Software contain intellectual property, copyrights, and trade secrets that do not exist in the public domain. Therefore, the City agrees that it shall not knowingly agree, assist, or sell any equipment or allow any third party to gain access to equipment, software, or documentation provided by IPS for the purposes of reverse engineering or evaluation without the prior written consent of IPS, or as mandated by applicable law.
- 7.8. The provisions of this Section will survive expiration or termination of this Agreement.

8. Dispute Resolution.

- 8.1. If any dispute arises out of or relates to this Agreement, or the breach thereof, the parties agree to meet and confer and negotiate in good faith prior to initiating a suit for damages. However, this Section does not prohibit the filing of a lawsuit to toll the running of a statute of limitations or to seek injunctive relief. Either party may make a written request for a meeting between representatives of each party within 14 calendar days after receipt of the request or such later period as agreed by the parties. Each party shall include, at a minimum and to the extent possible, one senior level individual with decision-making authority regarding the dispute. The purpose of this and any subsequent meeting is to attempt in good faith to negotiate a resolution of the dispute. If, within 30 calendar days after such meeting, the parties have not succeeded in negotiating a resolution of the dispute, they will proceed directly to mediation via a mutually agreed third party, with the cost of mediation equally shared between the City and IPS or as otherwise agreed to between the parties. Negotiation may be waived by a written agreement signed by both parties, in which event the parties may proceed directly to mediation as described above.

9. Termination of Agreement.

- 9.1. If either the City or IPS violates any material term or condition of this Agreement or fails to fulfill in a timely and proper manner its obligations under this Agreement, then the aggrieved party will give the other party (the “responsible party”) written notice of such failure or violation. The responsible party will correct the violation or failure within 30 calendar days or as otherwise mutually agreed. If the failure or violation is not corrected, this Agreement may be terminated immediately by written notice from the aggrieved party. The option to terminate will be at the sole discretion of the aggrieved party.

10. Insurance.

- 10.1. IPS will provide original certificates of insurance providing evidence of coverage, and, where warranted, naming the City of Asbury Park as an additional insured for the following and with the following minimum limits:
- 10.1.1. Worker’s compensation – Statutory
- 10.1.2. Comprehensive General Liability and Automobile Liability -- \$1 million combined single limit applying to bodily injury, personal injury and property damage. These policies shall be endorsed to name the City, its officers, elected and appointed officials, employees, contractors and agents as a Named Insured under the coverage afforded with respect to the work being performed under the Agreement.
- 10.1.3. Professional Liability (errors and omissions) -- \$1 million per claim and aggregate.
- 10.2. No policy shall be cancelable without thirty (30) days advance notice, (10) days notice for non-payment of premium, to the City of Asbury Park and each policy shall be in a form approved by the Asbury Park City Attorney. In the event that the policy is cancelled prior to the completion of the project, the City of Asbury Park may obtain the required insurance and deduct the premiums from the payments due in terms of the Agreement.
- 10.3. If the policy is a “claims made” policy, Insurance must be maintained and evidence of insurance must be provided up to six (6) months following the completion of the Agreement in order to provide insurance coverage for the hold harmless provisions herein.
- 10.4. As used herein, the term “IPS” includes any administrative sub-contractor, sub-consultant, agent, officer, or employee.

11. Defense and Indemnification.

- 11.1. IPS agrees to defend and indemnify City, its City Council, boards and commissions, officers, agents, and employees (collectively, the “Indemnified Parties”) from and against losses, claims, expenses (including, but not limited to, reasonable attorneys’ fees), costs, liabilities or damages (collectively, “Losses”) arising from IPS’s breach of its obligations under this Agreement, arising from IPS’s acts or

omissions, for any Losses incurred by or asserted against any one or more or all of the Indemnified Parties by reason of damage to property or injury to, or death of, any person, caused by the acts, omissions, or negligence of IPS, its employees, agents or contractors. IPS shall not be responsible for any Losses attributable to acts, omissions, or negligence of the Indemnified Parties.

- 11.2. Notwithstanding the foregoing, this indemnification shall not apply to claims made by third parties in instances in which (a) IPS simply followed the directions or instructions provided by City; (b) City changed, modified or altered the services rendered or tasks performed by IPS such that, absent City's actions, no such claims would have been brought against IPS and/or City; or (c) the claims asserted by a third party derive from the combination of technology and/or intellectual property of IPS when used with City's owned or licensed technology and/or intellectual property such that, absent such combination, no such claims could have independently been brought by or against IPS.
- 11.3. In order for City to obtain the indemnification from IPS specified herein, City must: (a) promptly notify IPS in writing of the claims for which indemnification is sought; (b) provide IPS with copies of all pleadings, writings and documents pertaining to such claim; (c) permit IPS to control the defense of such claim and all settlement discussions in regards to resolving such claim; and (d) provide reasonable cooperation to IPS in regards to the litigation or negotiation of a resolution of such claim. Notwithstanding the foregoing sentence, IPS will not enter into any settlement without City's prior written consent, unless all third party claims against City are released without any further liability on City's part. This paragraph shall survive the termination or expiration of this Agreement.
- 11.4. Nothing in this Agreement shall constitute any form of real or implied revenue guarantee by IPS.
- 11.5. Limits of Liability: NOTWITHSTANDING ANYTHING CONTAINED IN THIS AGREEMENT TO THE CONTRARY, IN NO EVENT SHALL EITHER PARTY BE RESPONSIBLE FOR SPECIAL, INDIRECT, INCIDENTAL, CONSEQUENTIAL, EXEMPLARY OR PUNITIVE DAMAGES OF ANY KIND OR NATURE, INCLUDING WITHOUT LIMITATION, LOST PROFITS, LOST REVENUES OR OTHER MONETARY LOSS, ARISING OUT OF OR RELATED TO THIS AGREEMENT AND ANY ACTIONS OR OMISSIONS WITH RESPECT THERETO, WHETHER OR NOT ANY SUCH MATTERS OR CAUSES ARE WITHIN A PARTY'S CONTROL OR DUE TO NEGLIGENCE OR OTHER FAULT ON THE PART OF A PARTY, ITS AGENTS, AFFILIATES, EMPLOYEES OR OTHER REPRESENTATIVES, AND REGARDLESS OF WHETHER SUCH LIABILITY ARISES IN TORT, CONTRACT, BREACH OF WARRANTY OR OTHERWISE. ANY LIABILITY INCURRED BY IPS IN CONNECTION WITH THIS AGREEMENT SHALL BE LIMITED TO THE CONTRACT VALUE AS SET FORTH IN THIS AGREEMENT.

12. Liens and Taxes.

- 12.1. City shall keep the parking meter equipment free and clear of all levies, liens, and encumbrances, except those created by this Agreement. City shall pay, when due, all charges and taxes (local, state, and federal), which may now or hereafter be imposed in conjunction with this Agreement.

13. Notices.

- 13.1. All notices under this Agreement must be in writing, shall refer to the title and effective date of this Agreement, and shall be sufficient if given personally, sent and confirmed electronically, or mailed certified, return receipt requested, postage prepaid, and at the address hereinafter set forth or to such address as such party may provide in writing from time to time. Any such notice will be deemed to have been received five days subsequent to mailing. Notices shall be sent to the following addresses:

IPS:
IPS Group, Inc.
7737 Kenamar Court.
San Diego, CA 92121
Attn: Chad Randall
chad.randall@ipsgroupinc.com
tel: 858-4040-0607

City:
City of Asbury Park
Municipal Plaza
Asbury Park, NJ 07712
Attn: Michael Capabianco
michael.capabianco@cityofasbury
park.com
Tel: 732-502-2100

14. Relationship of the Parties.

- 14.1. This Agreement shall not be construed as creating an agency, partnership, joint venture or any other form of association between the parties, and both parties shall be and remain independent entities. Neither party has the right or authority, express or implied, to assume or create any obligation of any kind, or to make any representation or warranty, on behalf of the other party or to bind the other party in any respect whatsoever, except as otherwise provided in this Agreement.

15. Assignment.

- 15.1. Should the City enter into an agreement with a third party for parking operations during the term of this Agreement, IPS shall provide that operator the same rights, terms, and conditions as included in this Agreement. Such assignment shall not be effective unless and until the City has provided notice to the IPS of such assignment, and any such third party will be required to adhere to all terms and conditions contained herein.
- 15.2. IPS may not assign, hypothecate or transfer this Agreement or any interest therein directly or indirectly, by operation of law or otherwise without the prior written consent of City, which shall not be unreasonably withheld.

16. General Provisions.

- 16.1. Waiver. A waiver of any breach of this Agreement shall not be deemed a waiver of any subsequent breach of the same or any other term, covenant or condition of this Agreement. No delay or failure on the part of either party to insist on compliance with any provision of this Agreement shall constitute a waiver of such party's right to enforce such provision, no matter

the length of the delay. In the case of any granted waiver by the consenting Party, which must be provided in writing, such waiver shall not constitute a waiver of the same obligation or any other obligation under this Agreement.

16.2. Modification or Amendment. No oral modifications shall be effective and nothing shall be deemed as a modification of this Agreement unless provided in writing and signed by both Parties.

16.3. Entire Agreement. This Agreement sets forth the entire agreement between the parties with respect to the subject matter hereof. Understandings, agreements, representations or warranties not contained in this Agreement, or as written amendment hereto, shall not be binding on either party. Except as provided herein, no alteration of any terms, conditions, delivery, price, quality or specifications of this Agreement shall be binding on either party without the written consent of both parties.

16.4. Integration. This Agreement may be executed in multiple counterparts each of which shall be deemed an original, but all of such taken together shall constitute only one Agreement, superseding all prior understandings, oral or written; and it is expressly understood and that this Agreement does not obligate either party to enter into any other or further agreements.

16.5. Governing Law. This Agreement shall not be construed against either party regardless of which party drafted it. This Agreement shall be construed and enforced according to the laws of the State of California, without regards to conflict-of-laws principles, and all local laws, ordinances, rules, and regulations.

16.6. Venue and Jurisdiction. The City and IPS agree that the venue shall be in San Diego County. Any litigation arising out of this Agreement may only be brought in either the United States District Court, Southern District of California, or the Superior Court of California, County of San Diego, as appropriate. The parties agree that venue exists in either court, and each party expressly waives any right to transfer to another venue. The parties further agree that either court will have personal jurisdiction over the parties to this Agreement.

16.7. Attorney's Fees. If any suit, action, arbitration or other proceeding is instituted upon this Agreement or to enforce rights, judgments or otherwise pursue, defend or litigate issues, or any other controversy arises from this Agreement, the prevailing party shall be entitled to recover from the other party and the other party agrees to pay the prevailing party, in addition to costs and disbursements allowed by law, such sum as the court, arbitrator or other adjudicator may adjudge reasonable as an attorneys fee in such suit, action, arbitration or other proceeding, and in any appeal. Such sum shall include an amount estimated by the court, arbitrator or adjudicator, as the reasonable costs and fees to be incurred in collecting any monetary judgment or award or otherwise enforcing each award, order, judgment or decree entered in such suit, action or other proceeding.

16.8. Force Majeure. If any party is prevented from performing its obligations stated in this Agreement by any event not within the reasonable control of that party, including, but not limited to, acts of God, war, civil disturbance, insurrection, civil commotion, destruction of production facilities or materials by earthquake, fire, flood or storm, labor disturbances

including strikes or lockouts or epidemic, and failures of public utilities (such as internet, cellular network, and electricity), it shall not be in default in the performance of its obligations stated in this Agreement. Provided, however, any party delayed by such an event shall request an extension of time to perform its obligations stated in this Agreement by notifying the party to which it is obligated within ten days following the event. If the notified party agrees that the event was the cause of the delay, the time to perform the obligations stated in this Agreement shall be extended by the number of days of delay caused by the event. If the required notice is not given by the delayed party, no time extension shall be granted. If any event of force majeure exists for a continuous period of more than 120 days, then either party shall be entitled to terminate this Agreement without being liable for any claim from the other party.

- 16.9. Severability. If any provision in this Agreement subsequently is determined to be invalid, illegal or unenforceable, that determination shall not affect the validity, legality or enforceability of the remaining provisions stated in any section or sub-section of this Agreement unless that effect is made impossible by the absence of the omitted provision.
- 16.10. Authorization. Both Parties represent and warrant that the person executing this Agreement on behalf of each Party is an authorized agent who has actual authority to bind each Party to each and every term, condition, and obligation of this Agreement and that all requirements of each Party have been fulfilled to provide such actual authority.
- 16.11. Binding Document. The City and IPS each binds itself, its partners, successors, assigns, and legal representatives to the other party hereto in respect to all covenants, conditions, and obligations contained in the Agreement.
- 16.12. Section Headings. All section headings in this Agreement are for the convenience of reference and are not intended to define or limit the scope of any provision of this Agreement.
- 16.13. Survival of Provisions and Obligations. Any provision of this Agreement, which by its nature must be exercised after termination of this Agreement, will survive termination and remain effective for a reasonable time. Any obligation that accrued prior to termination of this Agreement will survive termination of this Agreement.

SIGNATURE PAGE FOLLOWS

In witness whereof, the parties have caused this Agreement to be executed the day and year first above written.

CITY
a municipal corporation

CONTRACTOR:
IPS GROUP, INC.,
a Pennsylvania corporation

By: _____

By: _____

Printed Name: _____

CHAD P. RANDALL
Chief Operating Officer

Title: _____

ATTACHMENT A

SCOPE OF SERVICES / PRICING**NOTE: Free during trial period**

Multi-Space Product (s)	Qty	Units	Unit Price
MS1 Pay by Space Meter	1	Each	N/A trial
Rental Fee for extended trial period	1	Per unit per month	\$100.00
Secure Wireless Gateway/Data Fee and Meter Management System Software License Fee	1	Per unit per month	\$25.00
Secure Credit Card Payment Gateway Fee	1	Per transaction	\$0.13

NOTE: All pricing does not include any required permits or applicable state or local taxes that are required to be paid by the City currently or in the future.



RESOLUTION NO. 2017-75

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

**AUTHORIZING THE CITY OF ASBURY PARK TO TRANSFER TITLE TO
PROPERTY LOCATED AT 115 DE WITT AVENUE (BLOCK 1004, LOT 2) TO WEST
SIDE COMMUNITY CENTER, INC.**

WHEREAS, a review of the public records reveals that the City of Asbury Park (the “City”) is the apparent owner of record of certain real property located at 115 De Witt Avenue (the “Property”), which is also known and designated as Block 1004, Lot 2 on the Asbury Park City Tax Map (the “Tax Map”), and which was formerly known and designated as Block 89, Lot 6 on the Tax Map; and

WHEREAS, the City’s ownership of the Property was effectuated through an In Rem foreclosure proceeding, which resulted in the entry of a Final Judgment dated March 15, 1996 (the “Final Judgment”); and

WHEREAS, the City has obtained proof that the tax lien which was issued relating to the Property, and which was the basis for the foreclosure of the Property by the City, was satisfied by the prior owner of the Property (West Side Community Center, Inc.); and

WHEREAS, as a result, the Property should not have been included in the Final Judgment; and

WHEREAS, the Mayor and City Council wish to resolve this administrative error by authorizing the City Attorney to undertake the necessary actions to effectuate the transfer of title to the Property back to the prior owner (West Side Community Center, Inc.).

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. The City Attorney is hereby authorized to prepare and file the necessary documents, including but not limited to a Quit Claim Deed, in order to effectuate the transfer of title to the Property back to the prior owner (West Side Community Center, Inc.).
2. The Mayor, the City Clerk, and all other City Officials are hereby authorized to execute said documents, which shall be in a form satisfactory to the City Attorney, in order to effectuate the transfer of title

to the Property back to the prior owner (West Side Community Center, Inc.).

3. A certified copy of this Resolution shall be provided to each of the following:
 - (a) West Side Community Center, Inc.
 - (b) Michael Capabianco, City Manager
 - (c) Tyrone Young, Tax Collector
 - (d) Erick Aguiar, Tax Assessor
 - (e) Michele Alonso, City Planner
 - (f) Harry Haushalter, Esq., Special Tax Counsel
 - (g) Frederick C. Raffetto, Esq., Municipal Attorney

I, CINDY A. DYE, 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. 2017-75 which was finally adopted by the City Council at a meeting held on the 8th day of February, 2017

CERTIFIED BY ME THIS 9th DAY OF February, 2017.

CINDY A. DYE
CITY CLERK



RESOLUTION NO. 2017-76

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

A RESOLUTION URGING THE NEW JERSEY STATE LEGISLATURE TO OVERRIDE GOVERNOR CHRISTIE’S CONDITIONAL VETO

WHEREAS, Although it has been more than 50 years since the Equal Pay Act (1963) and the Civil Rights Act (1964) were passed, pay equality remains an issue; and

WHEREAS, According to the Bureau of Labor Statistics, the median salary for women is about 24 percent less than that of the median male salary-women earn 76 percent of what men earn; and

WHEREAS, Although this wage disparity has decreased since the late 1970s-when it was 62 percent-it reflects the long road to realizing fully equal pay in the workplace; and

WHEREAS, To specifically strengthen protections against employment discrimination in New Jersey and promote equal pay for women, New Jersey State Senate Majority Leader Loretta Weinberg from New Jersey’s 37th Legislative District introduced Senate Bill 992 on February 4, 2016; and

WHEREAS, Senate Bill 992 bill would amend the “Law Against Discrimination,” P.L.1945, c.169 (C.10:5-1 et seq.) (“LAD”) to make it an unlawful employment practice for an employer to discriminate between employees on the basis of sex by paying a rate of compensation, including benefits, to employees of one sex less than the rate paid to employees of the other sex for substantially similar work, when viewed as a composite of skill, effort and responsibility. The bill would also prohibit any employer paying a rate in violation of this bill from reducing the rate of compensation of any employee in order to comply with the bill; and

WHEREAS, Senate Bill 992 gained final approval by the New Jersey State Senate on February 11, 2016. It would then gained final approval by the New Jersey General Assembly on March 14, 2016; and

WHEREAS, Senate Bill 992 was conditionally vetoed by Governor Chris Christie on May 2, 2016. Governor Christie requested several changes to Senate Bill 992 that, in his opinion, would mirror the provisions of the Lilly Ledbetter Act and the established precedent of the New Jersey Supreme Court with regards to the Law Against Discrimination; and

WHEREAS, Members of the New Jersey State Legislature expressed disapproval of

Governor Christie's conditional veto of Senate Bill 992, and have been engaging in attempts to override the Governor's conditional veto, as recently as of January 2017, by securing 2/3 of the majority in both houses of the New Jersey State Legislature; now, therefore,

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

1. This body expresses approval of Senate Bill 992 and disapproval of the bill's conditional veto by Governor Christie.
2. This body respectfully urges the New Jersey State Legislature to override Governor Christie's conditional veto of Senate Bill 992.
3. Copies of this resolution shall be sent to all area legislators as well as the Governor of the State of New Jersey, the Senate President, Senate Majority Leader and Senate Minority Leader of the New Jersey State Senate, and the Assembly Speaker, Assembly Majority Leader and Assembly Minority Leader of the New Jersey General Assembly.

I, CINDY A. DYE, 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. 2017-76 which was finally adopted by the City Council at a meeting held on the 8th day of February, 2017

CERTIFIED BY ME THIS 9th DAY OF February, 2017.

CINDY A. DYE
CITY CLERK



**Asbury Park, New Jersey
ORDINANCE NO. 2017-7**

**ORDINANCE AMENDING AND SUPPLEMENTING ORDINANCE 2016-19
ESTABLISHING A RESTRICTED PARKING SPACE FOR USE BY HANDICAPPED
PERSONS BY AMENDING THE LOCATION FROM 1215 SPRINGWOOD AVENUE,
DESIGNATED AS BLOCK 1103, LOT 48, TO 215 DEWITT AVENUE, DESIGNATED
AS BLOCK 1006, LOT 10 IN THE CITY OF ASBURY PARK, AND AMENDING AND
SUPPLEMENTING SECTION 7-36, ENTITLED, "HANDICAPPED PARKING," OF
CHAPTER VII, "TRAFFIC," OF THE "REVISED GENERAL ORDINANCES OF THE
CITY OF ASBURY PARK, NEW JERSEY."**

WHEREAS, on May 25, 2016, the City Council of the City of Asbury Park adopted Ordinance 2019-16 establishing handicapped parking for 1215 Springwood Avenue, designated as Block 1103, Lot 48; and

WHEREAS, since the time of adoption of Ordinance 2016-19, the requestor of the restricted parking space has moved from 1215 Springwood Avenue, designated as Block 1103, Lot 48 to 215 DeWitt Ave., designated as Block 1006, Lot 10, on the Asbury Park City Tax Map, which handicapped parking space shall begin 145 feet south of the southwest corner of Dewitt Avenue and Mattison Avenue, extending north 20 feet; and

WHEREAS, pursuant to N.J.S.A. 39:4-197.5, a municipality may, by Ordinance, establish restricted parking space(s) in front of residences, schools, hospitals and other public buildings, and in shopping and business districts, for use by persons who have been issued special vehicle identification cards by the Division of Motor Vehicles pursuant to the provisions of N.J.S.A. 39:4-205, when using a motor vehicle on which is displayed a certificate, for which a special vehicle identification card has been issued pursuant to N.J.S.A. 39:4-206; and

WHEREAS, the Asbury Park Police Department has reviewed and approved this request; and

WHEREAS, the City therefore wishes to designate an additional restricted parking space for use by handicapped person(s) at the aforesaid property, and to amend and supplement Section 7-36, entitled, "Handicapped Parking," of Chapter VII, "Traffic," of the "Revised General Ordinances of the City of Asbury Park, New Jersey," accordingly.

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. There is hereby established an additional restricted parking space adjacent to the

property located at 215 DeWitt Ave., designated as Block 1006, Lot 10, on the Asbury Park City Tax Map, which handicapped parking space shall begin 145 feet south of the southwest corner of Dewitt Avenue and Mattison Avenue, extending north 20 feet, in accordance with the requirements set forth in this Ordinance.

2. The City Engineer is hereby designated to determine whether or not the said parking space and the erection of any signs associated therewith conform to the current standards prescribed by the Manual of Uniform Traffic Control Devices for Streets and Highways, as adopted by the Commissioner of Transportation, and any other Department of Transportation rules and regulations governing parking spaces and signs, and shall certify his approval of the same to the Commissioner of Transportation in accordance with the requirements of N.J.S.A. 39:4-8.1.

3. The City is authorized to erect appropriate signage to designate the handicapped parking space established herein and may mark the street appropriately.

4. Any signs erected or street markings employed to identify the subject parking space shall clearly and conspicuously state "Parking for Handicapped Persons Only."

5. Section 7-36, entitled, "Handicapped Parking," of Chapter VII, "Traffic," of the "Revised General Ordinances of the City of Asbury Park, New Jersey," is hereby amended and supplemented to include the following:

<u>Name of Street</u>	<u>Side</u>	<u>Location</u>
DeWitt Avenue	West	215 DeWitt Avenue, in the City, which is also known and designated as Block 1006, Lot 10, on the Asbury Park City Tax Map, which handicapped parking space shall begin 145 feet south of the southwest corner of Dewitt Avenue and Mattison Avenue, extending north 20 feet

6. On or before January 15th of every year (or the first weekday thereafter), the applicant shall provide proof to the City of Asbury Park Police Department that the handicapped parking space is still needed at the subject property. A failure to do so may result in the City's termination of the designated handicapped parking space.

7. The City reserves the right to terminate the designation of the within handicapped parking space at the City's discretion.

8. All other Ordinances or parts of Ordinances that are inconsistent herewith are hereby repealed to the extent of such inconsistencies.

9. 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 that portion of the Ordinance actually adjudged to be invalid, and the remaining portions of this

Ordinance shall be deemed severable therefrom and shall not be affected.

10. This Ordinance shall take effect upon final passage and publication in accordance with the law.

11. A certified copy of this Ordinance shall be provided to the Commissioner of Transportation within thirty (30) days of the adoption thereof.

I, CINDY A. DYE, 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. 2017-7 which was finally adopted by the City Council at a meeting held on the 8th day of February, 2017

CINDY A. DYE
CITY CLERK



**Asbury Park, New Jersey
ORDINANCE NO. 2017-8**

**AMENDING AND SUPPLEMENTING CHAPTER II “ADMINISTRATION” SECTION
2-45.3 “MEMBERSHIP” WESLEY LAKE COMMISSION) OF THE “CODE OF THE
CITY OF ASBURY PARK, NEW JERSEY.”**

NOW, THEREFORE, BE AND IT IS HEREBY ORDAINED, by the Mayor and City Council of the City of Asbury Park (the “City”), in the County of Monmouth and State of New Jersey, that Chapter II “Administration” Section 2-45.3 “Membership” (Wesley Lake Commission) of the “Code of the City of Asbury Park, New Jersey is hereby amended and supplemented as follows (additions indicated by underline and deletions indicated by strikeout):

2-45.3 Membership.

There shall be five members of the Wesley Lake Commission appointed for a term of ~~one~~ three years as follows:

Deputy Mayor or designee,

City Manager or designee,

Superintendent of the Department of Public Works,

One resident appointed by the Mayor and Council,

One resident as an alternate appointed by the Mayor and Council.

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

I, CINDY A. DYE, 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. 2017-8 which was finally adopted by the City Council at a meeting held on the 8th day of February, 2017

CINDY A. DYE
CITY CLERK



**Asbury Park, New Jersey
ORDINANCE NO. 2017-9**

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER II “FIRE DEPARTMENT” ARTICLE IX “FEES FOR EMERGENCY MEDICAL SERVICES” OF THE “CODE OF THE CITY OF ASBURY PARK, NEW JERSEY.”

NOW, THEREFORE, BE AND IT IS HEREBY ORDAINED, by the Mayor and City Council of the City of Asbury Park (the “City”), in the County of Monmouth and State of New Jersey, that Chapter II “Fire Department” Article IX Fees For Emergency Medical Services, Section 2-9.13 “Fees For Emergency Medical Services” of the “Code of the City of Asbury Park, New Jersey is hereby amended:

**CHAPTER II
FEES FOR EMERGENCY MEDICAL SERVICES**

2-9.13 FEES FOR EMERGENCY MEDICAL SERVICES

- a. Ambulance Transportation. There shall be a fee associated with the provision of ambulance transportation in the amount of seven hundred and eighty (\$780.00) dollars.

I, CINDY A. DYE, 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. 2017-9 which was finally adopted by the City Council at a meeting held on the 8th day of February, 2017

CINDY A. DYE
CITY CLERK



**Asbury Park, New Jersey
ORDINANCE NO. 2017-3**

**AN ORDINANCE AMENDING AND SUPPLEMENTING “CHAPTER XXVI
PERSONNEL POLICIES” CREATING SECTION 26-5 “MANDATORY DIRECT
DEPOSIT” OF THE “CODE OF THE CITY OF ASBURY PARK, NEW JERSEY.”**

NOW, THEREFORE, BE AND IT IS HEREBY ORDAINED, by the Mayor and City Council of the City of Asbury Park (the “City”), in the County of Monmouth and State of New Jersey, **CHAPTER XXVI PERSONNEL POLICIES SECTION 26-5 “MANDATORY DIRECT DEPOSIT”** of the “Code of the City of Asbury Park, New Jersey is hereby amended and supplemented in order to add the following:

**CHAPTER XXVI
Mandatory Direct Deposit**

26-5.1 Introduction and enabling legislation

Pursuant to C. 52:14-15f.2b et. seq. P.L. 2013 c. 28, authorizes local governments to mandate direct deposit for governmental employees effective after July 1, 2014

26-5.2 Direct Deposit Required

All full time or biweekly paid employees shall have their net pay deposited via direct deposit.

Seasonal or part time employees are exempt from this requirement but can utilize direct deposit.

26.5.3 Role of the Chief Financial Officer

The Chief Financial Officer shall have the ability to grant limited, good cause waivers to the direct deposit mandate.

I, CINDY A. DYE, 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. 2017-3 which was finally adopted by the City Council at a meeting held on the 8th day of February, 2017

CINDY A. DYE
CITY CLERK



**Asbury Park, New Jersey
ORDINANCE NO. 2017-4**

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER II
“ADMINISTRATION”, ARTICLE V “DEPARTMENTS AND DIVISION”,
SUBSECTION 2-7 “LAW PERSONNEL”, OF THE REVISED GENERAL
ORDINANCES OF THE CITY OF ASBURY PARK, MONMOUTH COUNTY, STATE
OF NEW JERSEY**

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Asbury Park, that Chapter II “Administration”, Article V “Departments and Division”, Subsection 2-7 “Law Personnel” of the Ordinances of the City of Asbury Park is hereby amended and that those portions of the aforesaid set forth below are hereby amended as follows and that those portions of the Ordinance not set forth below shall remain unchanged:

2-7.1 Positions Created.

There are hereby created the positions of City Attorney, Municipal Prosecutor, Municipal Public Defender, and Code Enforcement Prosecutor (collectively, the City’s “law personnel”). In addition to the law personnel positions referenced, the Mayor and Council may appoint such other special counsels as they deem necessary who shall serve at the pleasure of the Mayor and Council. The Mayor and Council shall appoint the City Attorney and all special counsels. All other staff appointments shall be made by the City Manager if such positions are created by the Mayor and Council and the appointees shall serve at the pleasure of the City Manager. All non-staff appointments are to be made by the Mayor and Council (2000 Code §2-7.1; New)

2-7.2 City Attorney.

The City Attorney shall be appointed on an annual basis for a term of one (1) year or until a successor is duly appointed and qualified, and shall serve at the pleasure of the Mayor and Council. (2000 Code §2-7.1; New)

2-7.3 Municipal Prosecutor.

The Municipal Prosecutor shall be appointed by the City Manager if the position is defined as a staff position as per Federal and State regulations. If this position is not a staff position and is qualified as a consultant, then the Mayor and Council shall appoint an attorney to the position for a term of one (1) year or until a successor is duly appointed and qualified. Dependent on the nature of the appointment, there shall be at least one (1) Alternate Prosecutor appointed. The Municipal Prosecutor shall perform those duties as prescribed under N.J.S.A. 2B:25-5. (N.J.S.A. 2B:25-1 et seq.)

2-7.4 Municipal Public Defender; Application Fee.

The Municipal Public Defender shall be appointed by the City Manager if the position is defined as a staff position as per Federal and State regulations. If this position is not a staff position and is qualified as a consultant, then the Mayor and Council shall appoint an attorney to

the position for a term of one (1) year or until a successor is duly appointed and qualified. The Municipal Public Defender shall perform those duties prescribed under N.J.S.A. 2B:24-6.

The Public Defender shall receive a salary if a staff position or a contract if appointed by the Mayor and Council. The Public Defender shall represent defendants in the Municipal Court as directed by the Judge of the Municipal Court. Any person applying for representation by a Municipal Public Defender shall be required to pay an application fee of not more than two hundred (\$200.00) dollars. The Municipal Court may waive any required application fee, in whole or in part, if the court determines, in its discretion, that the application fee represents an unreasonable burden on the person seeking representation.

(2000 Code § 2-35.9; Ord. No. 2673; N.J.S.A. 2B:24-6; New)

2-7.5 Code Enforcement Prosecutor.

The Code Enforcement Prosecutor shall be appointed by the City Manager if the position is defined as a staff position as per Federal and State regulations. If this position is not a staff position and is qualified as a consultant, then the Mayor and Council shall appoint an attorney to the position for a term of one (1) year or until a successor is duly appointed and qualified. The Code Enforcement Prosecutor shall prosecute code violations on behalf of the City.

2-7.6 Other Appointments.

The City Manager may make such other appointments for such positions as created by the Mayor and Council, if the position(s) are defined as staff positions as per Federal and State regulations. (New)

2-7.7 Compensation.

Compensation shall be set by salary ordinance (for staff positions) and/or by contract (for consultant positions) approved by the Mayor and Council. (2000 Code §2-7.2; New)

I, CINDY A. DYE, 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. 2017-4 which was finally adopted by the City Council at a meeting held on the 8th day of February, 2017

CINDY A. DYE
CITY CLERK



**Asbury Park, New Jersey
ORDINANCE NO. 2017-5**

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER II
“ADMINISTRATION” ARTICLE V “DEPARTMENTS AND DIVISIONS”, CHAPTER
2-8 POLICE DEPARTMENT**

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Asbury Park, that Chapter II “Administration, Article V “Departments and Division”, subsection 2-8 “Police Department” of the Ordinances of the City of Asbury Park is hereby amended and that those portions of the aforesaid set forth below are hereby amended as follows and that those portions of the Ordinance not set forth below shall remain unchanged:

2-8.2 Members; Responsibilities.

The Police Department shall not exceed more than the following:

- a. Police Chief; Number of Positions - One (1)
- b. Deputy Police Chief; Number of Positions - One (1)
- c. Captain; Number of Positions - Four (4)
- d. Lieutenants; Number of Positions - Six (6)
- e. Sergeants; Number of Positions - Fifteen (15)
- f. Police Officers Number of Positions - Seventy (70)

The above listing represents the chain of command within the Department, with the Police Chief representing the highest position and the remaining positions falling in descending hierarchical order. The lowest ranking members of the Department shall be the Special Police Officers, if any.

In addition civilian employees including but not limited to laborers, telephone operators, clerks, computer personnel, telecommunications officers, Special Law Enforcement Officer II (SLEO), school traffic guards, and other special police officers may be hired subject to the recommendation of the Chief of Police and/or Director of Public Safety

The establishment of a Table of Organization for the City of Asbury Park Police Department shall not be deemed to require that all positions be filled, but rather the number of sworn officers in each rank and/or position shall not exceed those set forth in this article unless the Table of Organization is amended by the City Council of the City of Asbury and such positions are subject to available funding of such positions by the adoption of a budget and salary ordinance by the City Council of the City of Asbury Park. Any municipal salary ordinance, as amended, and appointment of persons in accordance with this Table of Organization shall be consistent with the foregoing and shall serve to fill the positions allowed pursuant to this section. In the event that a Police Chief is not named, then the next highest ranking officer shall have all

the vested duties of that of a Police Chief.

2-8.6 Divisions.

The Police Department shall consist of the following divisions and such other divisions and/or units as may be designated by the Police Chief:

- a. *Patrol Division.* The Patrol Division shall be headed by a superior officer chosen by the Police Chief, and shall consist of such officers and patrol persons as assigned by the Police Chief to carry out the duties assigned to the Division. The School Crossing Guards and Meter Enforcement Officers shall be part of the Patrol Division. This Division will be responsible for the conduct and operation of the main Police desk and such other duties as determined by the Police Chief.
- b. *Administrative Service Division.* The Administrative Services Division shall be headed by a superior officer chosen by the Police Chief, and shall consist of such officers and patrol persons as assigned by the Police Chief to carry out the duties assigned to the Division, which duties shall be determined by the Police Chief.
- c. *Investigation Division.* The Investigation Division shall be headed by a superior officer chosen by the Police Chief, and shall consist of such other detectives and officers as assigned by the Police Chief to carry out the duties assigned to the Division, which duties shall be determined by the Police Chief. The grade of Detective shall be of a temporary nature and shall apply to patrol persons when assigned by the Police Chief to the Investigation Division of the Department. In the absence of a superior officer, detectives shall rank patrol persons in carrying out their duties.
- d. *Support Services Division.* The Support Services Division shall be headed by a superior officer chosen by the Police Chief and shall consist of staff support to perform duties included but not limited to Records, OPRA, Technical Services, etc.

I, CINDY A. DYE, 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. 2017-5 which was finally adopted by the City Council at a meeting held on the 8th day of February, 2017

CINDY A. DYE
CITY CLERK



**Asbury Park, New Jersey
ORDINANCE NO. 2017-6**

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER II
“ADMINISTRATION” ARTICLE XI “FEES” OF THE “CODE OF THE CITY OF
ASBURY PARK, NEW JERSEY.”**

NOW, THEREFORE, BE AND IT IS HEREBY ORDAINED, by the Mayor and City Council of the City of Asbury Park (the “City”), in the County of Monmouth and State of New Jersey, that Chapter II “Administration” Article XI Fees, Section 2-87 “Payment in lieu of parking” in the Central Business District (CBD)” of the “Code of the City of Asbury Park, New Jersey is hereby created:

**CHAPTER II
FEES**

2-87 Payment in lieu of parking in the Central Business District (CBD)

The payment in lieu of parking shall be \$15,000 per space.

All units that are deemed affordable per HUD standard for Monmouth County for a minimum of ten (10) years shall pay fifty percent (\$7,500) of the fee per space.

The proceeds shall be deposited into a fund established solely for the acquisition, development, expansion or capital repair of public and municipal parking facilities, traffic- or transportation-related capital projects, the provision or operating expenses of transit facilities designed to reduce reliance on private automobiles, programs to facilitate carpooling or ride sharing, and creating a consistent streetscape for all user groups utilizing all modes of transportation by introducing context-sensitive design elements at intersections and corridors, such as parking meters, wayfinding signage, kiosks, trails, sidewalks, crosswalks, streets and similar improvements that connect users to public and municipal parking facilities throughout the City. The proceeds of such fund shall not be considered a part of the municipal general fund.

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

BE IT FURTHER ORDAINED, that 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.

I, CINDY A. DYE, 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. 2017-6 which was finally adopted by the City Council at a meeting held on the 8th day of February, 2017

CINDY A. DYE
CITY CLERK



Minutes
Meeting of the Municipal Council
Wednesday, February 8, 2017
WORK SESSION

Attendee Name	Title	Status	Arrived
Eileen Chapman	Councilmember	Present	
Yvonne Clayton	Councilmember	Present	
Jesse Kendle	Councilmember	Present	
Amy Quinn	Deputy Mayor	Present	
John Moor	Mayor	Present	
Cindy Dye	City Clerk	Present	
Michael Capabianco	City Manager	Present	
Frederick Raffetto	City Attorney	Present	

City Clerk Cindy Dye called the meeting to order at 6:00 PM.

City Manager's Report on Issues Raised at Prior Council Meeting(s)

City Manager Capabianco stated that there were no prior issues to discuss.

Special Event Applications

City Manager Capabianco reviewed the Special Events applications with the Council.

Items to be presented by Mark Steinberg, Esquire:

City Attorney Raffetto provided a brief background on the project. He also stated that due to a personal emergency, the City Planner is not available to attend the meeting this evening.

1. 1105 Main Street, LLC (Dollar Tree Store) - Proposed Encroachments into City ROW

Mark Steinberg, Esquire was present for the presentation of 1105 Main Street, LLC (Dollar Tree Store) - proposed encroachment into the City's right-of-way.

Review of Agenda Items for February 8 Regular Meeting

City Manager Capabianco reviewed the agenda for the February 8 Council meeting.

Matters from City Council

Deputy Mayor Quinn recognized Danny McKee for the Little League fundraiser.

Mayor Moor suggested that we reject the RFP for the City Hall proposals and go back out with modifications.

Council Member Clayton stated that the master plan meeting tomorrow night has been cancelled due to the expected inclement weather.

Matters from City Manager

City Manager Capabianco had no matters to discuss.

Matters from City Attorney

City Attorney Raffetto had no matters.

Regular Meeting Begins at 7 PM

City Clerk Dye announced that the meeting will break until the regular meeting at 7:00 PM.

Respectfully submitted by:

Cindy A. Dye, RMC, City Clerk

Fasano Properties

P. O. Box 737

Asbury Park, NJ 07712

bstuckey@att.net

732-776-6969

Fax 776-6299

December 15, 2016

John Moor – Mayor

Amy Quinn – Deputy Mayor

Yvonne Clayton

Jesse Kendle

Eilleen Chapman

One Municipal Plaza

Asbury Park, NJ 07712

RE: Right of way improvements for 1105-1107 Main Street and
1183 Main Street development projects.

Council,

On November 14, 2016 Fasano Properties received Preliminary and Final Site Plan Approval for the construction of a Dollar Tree Store at the corner of Main and Third Avenue. We are adding 4,700 square feet to the existing Mattress Store. Also included in the application was a plan to demolish the existing Getty Gas Station and construct a 10,000 square foot mixed use building fronting on Main Street at the corner of 4th Avenue. This building will have 5,000 square feet of retail space and 4 two bedroom apartments on the second floor.

As part of the compliance process we are required to receive the City Council's approval for all public right of way improvements. The public right of way improvements are as follows:

Dollar Tree Store.

- 1- Install new curbing and ADA ramp at the corner of Main and 3rd..
- 2- Install new sidewalks.

City Council
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- 3- Install 4 street trees in front of the building on Main Street and 4 on the 3rd Avenue side of the building.
- 4- Install two trash receptacles
- 5- Install one bike rack.
- 6- Install one bench.
- 7- Create grass areas as shown on the plan.
- 8- Construct a 3'6" canopy on the building together with accent lighting, 52 lineal feet on Main Street and lineal feet on 3rd Avenue.

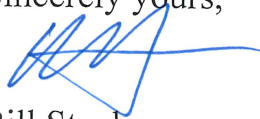
Mixed use building on the former Getty Gas Station site.

- 1- Install new curbing and ADA ramp at the corner of Main and 4th.
- 2- Install new sidewalks.
- 3- Install 4 street trees in front of the building on Main Street and 3 on the 3rd Avenue side of the building.
- 4- Install two trash receptacles
- 5- Install one bike rack.
- 6- Install one bench.
- 7- Create grass areas as shown on the plan.

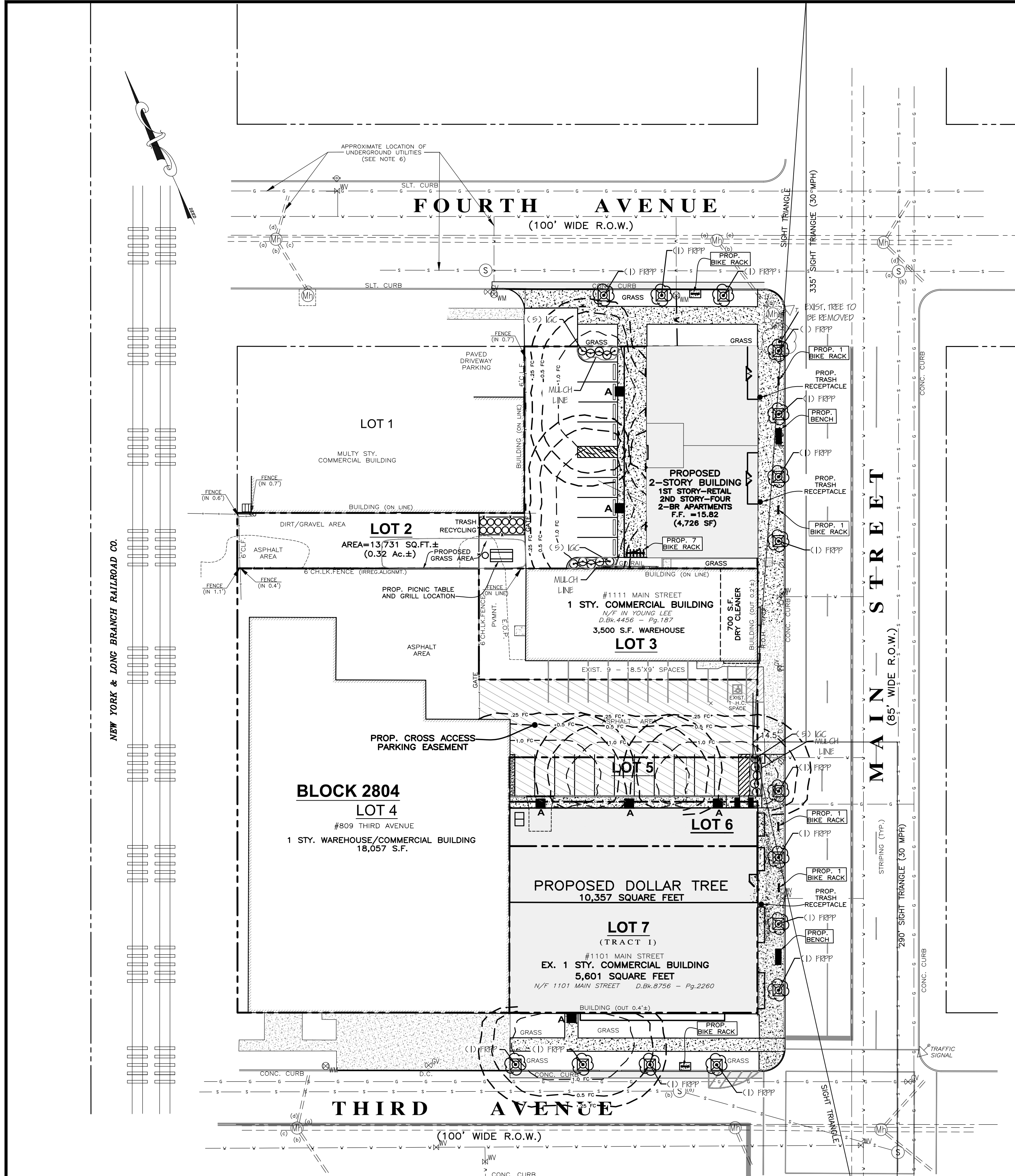
We think these buildings and street scape improvements greatly improve the aesthetics of the block and trust you will too.

I look forward to coming before the Council to talk about the plan and proposed right of way improvements.

Sincerely yours,



Bill Stuckey
Fasano Properties



PLANTING NOTES

1. THIS PLAN SHALL BE USED FOR LANDSCAPE PLANTING PURPOSES ONLY. EXAMINE ALL ENGINEERING DRAWINGS AND FIELD CONDITIONS FOR SPECIFIC LOCATIONS OF UTILITIES, STRUCTURES, ETC. AND NOTIFY THE UNDERSIGNED IN REFERENCE TO ANY DISCREPANCIES OR CONFLICTS PRIOR TO PLANTING INSTALLATION.

2. ALL PLANT MATERIAL SHALL CONFORM TO THE STANDARDS OF THE AMERICAN ASSOCIATION OF NURSEMEN OR THE PLANT MATERIAL WILL BE UNACCEPTABLE. ALL PLANT MATERIAL SHALL BE TRUE TO SPECIES, VARIETY, SIZE AND BE CERTIFIED DISEASE AND INSECT FREE. ALL STREET TREES SHALL HAVE 1 CENTRAL LEADER.

3. NO PLANT SUBSTITUTIONS SHALL BE PERMITTED WITH REGARDS TO SIZE, SPECIES, VARIETY, ETC. WITHOUT WRITTEN PERMISSION OF THE UNDERSIGNED OR CITY OFFICIALS. WRITTEN PROOF OF PLANT MATERIAL UNAVAILABILITY MUST BE DOCUMENTED.

4. NO SHADE TREE, STREET TREE, ORNAMENTAL FLOWERING TREE OR EVERGREEN TREE SHALL BE PLANTED CLOSER THAN 5' FROM ANY SIDEWALK, DRIVEWAY, CURB OR UTILITY LOCATION UNLESS SPECIFICALLY DIMENSIONED ON THE LANDSCAPE PLAN.

5. ALL STREET TREES AND SHADE TREES PLANTED NEAR PEDESTRIAN OR VEHICULAR ACCESS SHOULD NOT BE BRANCHED LOWER THAN 7'-0" ABOVE GRADE. ALL PLANT MATERIAL LOCATED WITHIN ANY SIGHT TRIANGLE EASEMENTS SHALL NOT EXCEED A MATURE HEIGHT OF 30' ABOVE THE ELEVATION OF THE ADJACENT CURB. ALL STREET TREES PLANTED IN ANY SIGHT TRIANGLE EASEMENTS SHALL BE PRUNED AS MENTIONED ABOVE. THE STREET TREE CANOPY SHALL BE PRUNED 6'-7" ABOVE GRADE WHEN PLANTED.

6. THE PLANTING PLAN SHALL TAKE PRECEDENCE OVER THE PLANT SCHEDULE SHOULD ANY PLANT QUANTITY DISCREPANCIES OCCUR.

7. ALL PLANT MATERIAL SHALL BE PROPERLY GUYED, STAKED, WRAPPED AND PLANTED IN CONFORMANCE WITH THE TYPICAL PLANTING DETAILS. GUY WIRES SHALL BE ATTACHED TO THE TREE AT A HEIGHT OF TWO-THIRDS THE HEIGHT OF THE TREE AND SHOULD BE LOCATED AT POINTS SO NOT TO SPLIT THE TRUNKS OF MULTI-STEMMED TREES. PROVIDE TWO TREE STAKES PER TREE. UNLESS NOTED OTHERWISE, INSTALL ALL PLANT MATERIAL ON UNDISTURBED GRADE. CUT AND REMOVE ROPE AND BURLAP FROM TOP ONE-THIRD OF THE ROOT BALL.

8. PROVIDE PLANTING PITS AS INDICATED ON PLANTING DETAILS. BACKFILL PLANTING PITS WITH ONE PART EACH OF TOPSOIL, LEAF MULL AND PARENT MATERIAL.

9. ALL PLANT MATERIAL SHALL BEAR THE SAME RELATION TO FINISHED GRADE AS IT BORE TO EXISTING GRADE.

10. NEWLY INSTALLED PLANT MATERIAL SHALL BE WATERED AT THE TIME OF INSTALLATION. REGULAR WATERING SHALL BE PROVIDED TO ENSURE THE ESTABLISHMENT, GROWTH AND SURVIVAL OF ALL PLANTS.

11. ALL PLANT MATERIAL SHALL BE GUARANTEED FOR TWO YEARS AFTER THE DATE OF FINAL ACCEPTANCE BY THE UNDERSIGNED.

12. THE LANDSCAPE CONTRACTOR SHALL PROVIDE A MINIMUM 6" LAYER OF TOPSOIL IN ALL LAWN AREAS AND A MINIMUM OF 12" OF TOPSOIL IN ALL PLANTING AREAS. A FULL SOIL ANALYSIS SHALL BE CONDUCTED AFTER CONSTRUCTION AND PRIOR TO PLANTING TO DETERMINE THE EXTENT OF SOIL AMENDMENT REQUIRED.

13. ALL DISTURBED LAWN AREAS SHALL BE STABILIZED WITH EITHER SOD OR SEED AS INDICATED ON THE LANDSCAPE PLANS. SOD SHALL CONSIST OF A NEW JERSEY CERTIFIED MIXTURE OR AN APPROVED EQUAL. SEED MIXTURE SHALL BE AS LISTED IN THE SEEDING SCHEDULE. ALL DISTURBED LAWN AREAS SHALL BE TOPSOILED, LIMED, FERTILIZED AND FINE GRADED PRIOR TO LAWN INSTALLATION IN ACCORDANCE WITH THE CERTIFIED SOIL EROSION AND SEDIMENT CONTROL PLAN.

14. ALL PLANTING BEDS SHALL RECEIVE A MAX. 4" OF SHREDDED HARDWOOD BARK.

15. ALL EXISTING TREES AND SHRUBS TO BE PRESERVED ON SITE SHALL BE PROTECTED AGAINST CONSTRUCTION DAMAGE BY SNOW FENCING. ALL FENCING SHALL BE PLACED OUTSIDE THE INDIVIDUAL TREE CANOPY. ALL TREES TO REMAIN SHALL BE IDENTIFIED IN THE FIELD PRIOR TO COMMENCEMENT OF CONSTRUCTION, GRADING OR CLEARING. ALL EXISTING VEGETATION BEING PRESERVED AND LOCATED AT THE EDGE OF THE NEW TREELINE, SHALL BE PRUNED AND TRIMMED TO REMOVE ALL DEAD, DISEASED, OR DAMAGED BRANCHES.

16. ALL PLANTING AROUND INDIVIDUAL BUILDINGS, EXCEPT FOR STREET TREES, SHALL BE INSTALLED AND INSPECTED PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY.

17. WIRE BALLED TREES ARE PROHIBITED.

18. IF STREETSCAPE IMPROVEMENTS ARE CONSTRUCTED BY NJDOT PRIOR TO THE INITIATION OF CONSTRUCTION OF THIS PROJECT, THE PROPOSED STREETSCAPE IMPROVEMENTS SHALL NOT BE REQUIRED.

LANDSCAPE MAINTENANCE SCHEDULE

1. All shrub planting beds shall be rototilled and pH adjusted (where necessary) and fertilized. All planting beds shall provide for weed protection in the form of a pre-emergent herbicide. Non-porous black plastic material shall not be utilized. Mulch all trees and shrubs with 3" of double shredded bark mulch. Where bedline is not indicated, mulch individual saucers. Shrub plantings are in a planting bed and defined by a 3" deep edge.

2. All plant material to be guaranteed for two (2) years following installation and replaced in kind. All plant material shall be warranted by the Contractor to be in vigorous growing condition. Provision shall be made for a growth guarantee of one year. In the event the project is a public improvement or under the jurisdiction of public agency, the growth guaranty shall be that which is governed by the Developer's Agreement of provided otherwise on the plans. Plants shall be replaced if dead, not showing active and vigorous growth or otherwise in poor condition. Replacement shall be made at the beginning of the first succeeding planting season and all replacements shall have a growth guaranty equal to the stated above.

3. Prior to the Owner's inspection and acceptance or rejection of the work, the Contractor shall prepare a written maintenance schedule for the first year for the Owner. The maintenance schedule shall provide sufficient information as to water, fertilizing and other horticultural practices or methods to adequately establish, nurture and grow the plants for the first year. Should the Owner elect to retain the contractor for the purposes of maintenance the plants for the first year, the requirement of a written maintenance schedule submission is deleted, however, the plant growth guaranty still is in place.

4. The Contractor is advised to periodically check if the Owner is following the maintenance schedule and it is suggested that nonconformities be directed in writing to the Owner.

5. Site contractor should examine all engineering and field conditions for exact locations of utilities, driveways, drains, swales, etc., and adjust planting accordingly. All trees shall be located five (5) feet from utilities. The contractor shall call N.J. underground utility location service a minimum of three days prior to any excavations. The contractor is advised of the existence of underground utilities on the site. Their exact location shall be verified in the field with the owner or general contractor prior to commencement of any digging operations. In the event they are uncovered, the contractor shall be held responsible for all damage to utilities and such damage shall not result in any additional expenses to the owner. Any damage of unreported lines shall not be the responsibility of the contractor. If there are any conflicts with tree locations they should be planted elsewhere on site.

6. Thoroughly water each plant immediately following planting. Plants shall be thoroughly watered once a week for three weeks following installation. If plants are installed during the growing season (warm weather conditions), additional watering may be necessary and its additional cost must be discussed with the Developer after the first three waterings are completed.

7. The trunks of all shade trees shall be chemically treated for borers for the first year. Contractor shall use an insecticide recommended by the Soil Conservation District.

8. All disturbed lawn areas and planting areas to be topsoiled four (4) inches (minimum) fine graded, fertilized, limed, strawed, seeded and hydroseeded at the following rates:

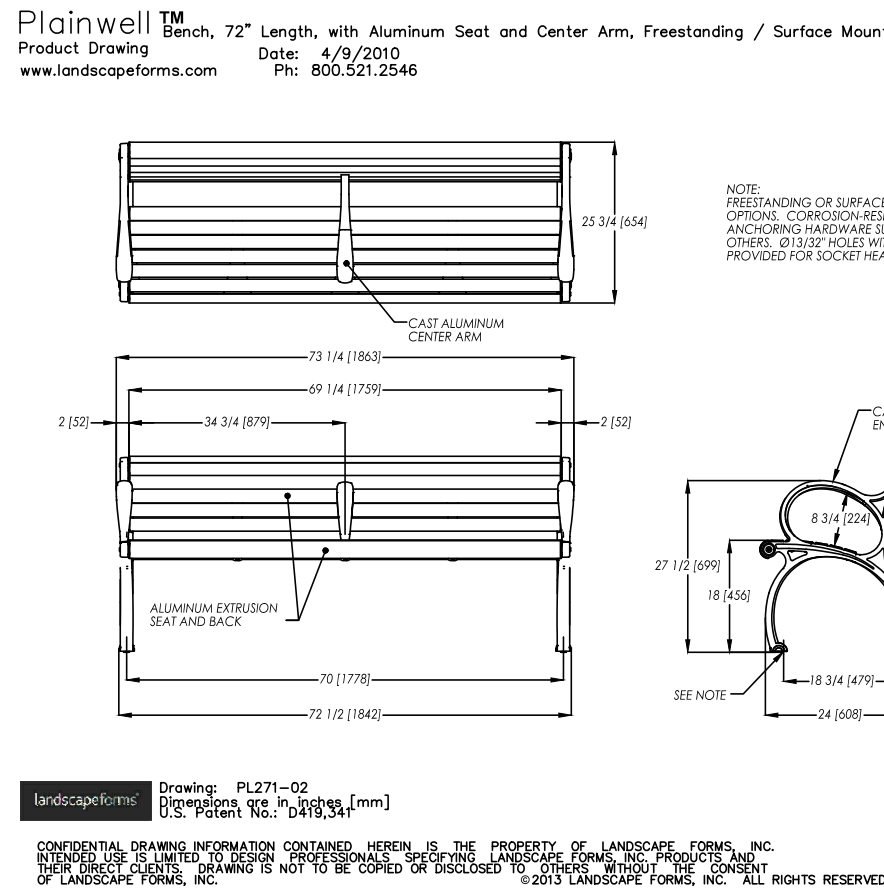
Fertilizer - 10-6-4 50% organic
Lime - 100 lbs./1,000 square feet
Permanent Seed - See Soil Erosion Notes for other types of seed

These specific seed mixtures shall be utilized within the following disturbed areas, Individual Lots (seed or sod): 40% Kentucky Bluegrass, 40% Chewing Fescue, and 20% Perennial Ryegrass at a rate of five (5) lbs./1,000 sf (substitutions approved by developer) and Monmouth County Soil District).

9. Sod may be used for rapid establishment of ground cover, and must be watered by irrigation.

BENCH DETAIL

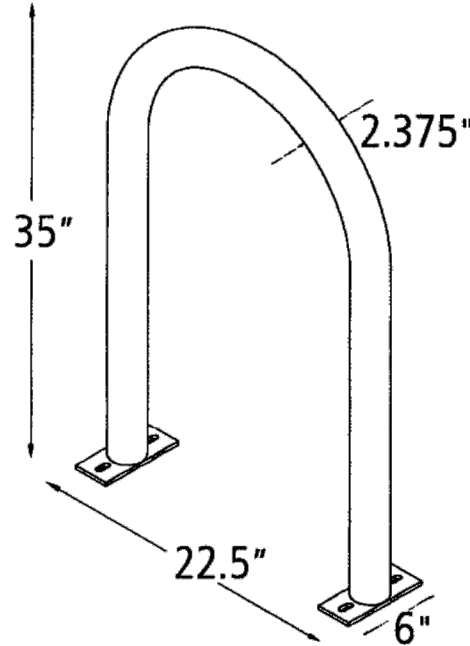
NOT TO SCALE



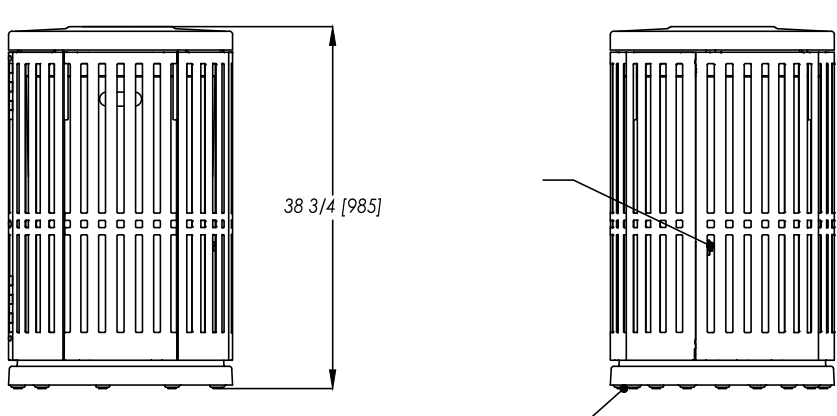
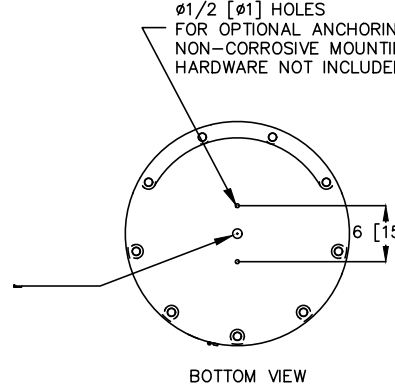
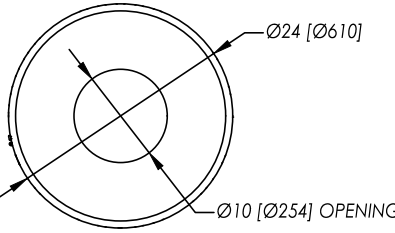
STANDARD HOOP BIKE RACK DETAIL

NOT TO SCALE

** FOR SEVEN BIKE RACK, USE ULTRA PLAY SYSTEMS CONTEMPORARY LOOP INGROUND SEVEN SKU: UPT-580SS



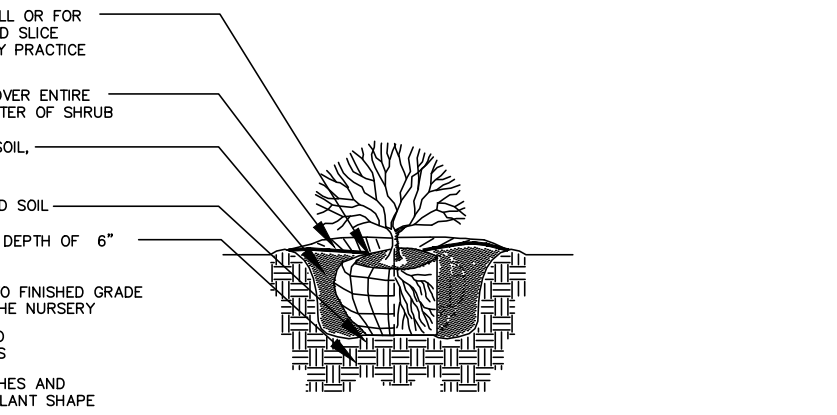
COLOR - SILVER



NOTE: FREESTANDING OR SURFACE MOUNT. OPTIONS: CORROSION-RESISTANT ANCHORING HARDWARE SUPPLIED BY OTHERS. Ø10/32" HOLES WITH COUNTERBORE PROVIDED FOR SOCKET HEAD CAP SCREWS.

36 GAL TRASH RECEPTACLE DETAIL

NOT TO SCALE



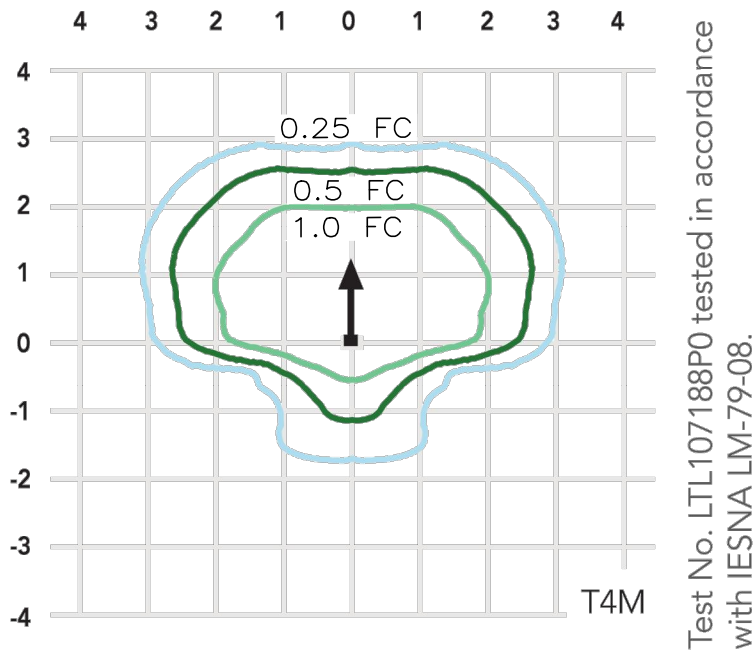
SHRUB PLANTING DETAIL

NOT TO SCALE



PLANT LIST

TYPE	KEY	QUANTITY	BOTANICAL NAME COMMON NAME	SIZE ROOT
DECIDUOUS TREES	FRPP	15	Fraxinus Pennsylvanica	2 1/2" - 3" Cal.
SHRUBS	IGC	10	Green Ash Ilex glabra compacta Compact inkberry Holly	B+B 18-24" B+B

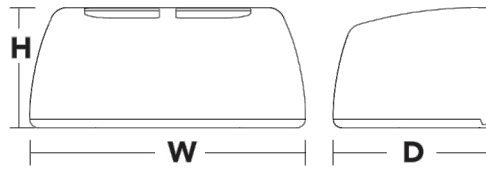


LED WALL MOUNT T4M ISOLUX DETAIL



Specifications

Height: 7-1/8" (19.2 cm)
Width: 16-3/8" (41.6 cm)
Depth: 9-5/16" (23.6 cm)
Weight (max): 30 lbs (13.6 kg)

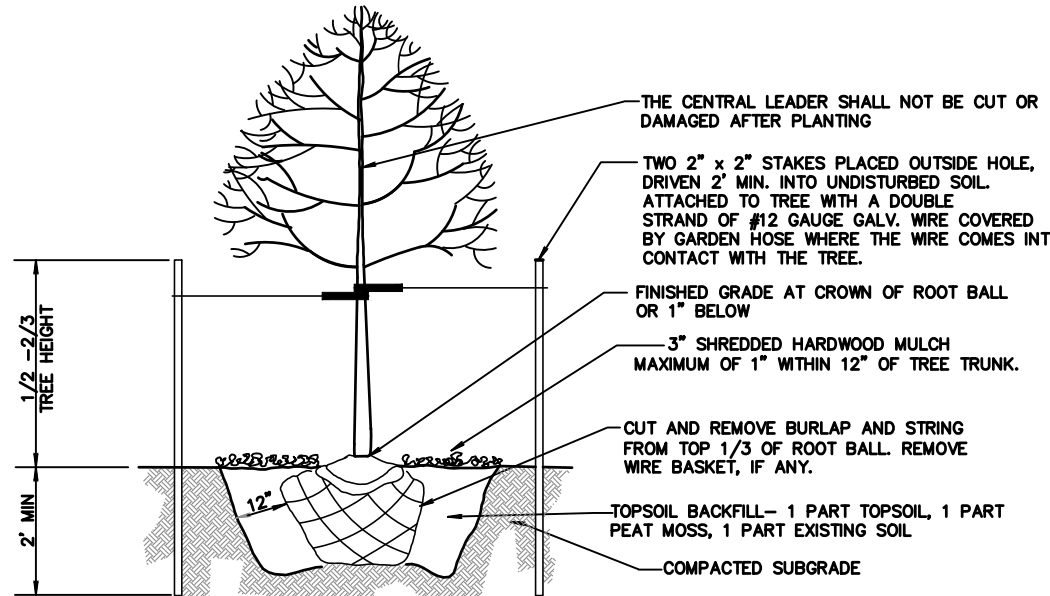


LED WALL MOUNT T4M LAMP DETAIL

N.T.S.

LIGHTING SCHEDULE

FIXTURE	QUANTITY	MOUNTING HEIGHT	DESCRIPTION
A	6	14'	LITHONIA LIGHTING 30C LED WALL MOUNT MODEL # CSXW SERIES 1000 40K -T4M DISTRIBUTION TYPE



TREE PLANTING & STAKING DETAIL

N.T.S.

- NOTES
- ALL PARKING AND SIDEWALKS WITHIN THE PROPOSED DEVELOPMENT MAINTAIN A MINIMUM OF 0.5 FOOT CANDLE
- * NOTES:
- 1.) ALL BUILDING MOUNTED AND ARCHITECTURAL LIGHTING TO BE PROVIDED WITH FINAL ARCHITECTURAL DRAWINGS.
- 2.) ALL SITE LIGHTS ARE TO BE CONTROLLED BY A PHOTOCELL/TIMECLOCK COMBINATION. PHOTOCELLS ARE TO BE EQUIPPED WITH A LIGHT-LEVEL SLIDE ADJUSTMENT TO ADJUST SENSITIVITY.
- 3.) TREE GRATE FRAME/EXPANDABLE RINGS SHALL BE FAIRWEATHER SP-48", 18"-16" RING, STEEL, STAINLESS SILVER OR APPROVED EQUAL.

6	1/10/17	REVISED PURSUANT TO CITY COUNCIL REQUEST	DMB
5	12/7/16	RESOLUTION OF COMPLIANCE & ENGINEERS LTR DATED 10-12-2016	DMB
4	10/28/16	REVISED PURSUANT TO FREHOLD SOIL LETTER OF 10/26/16	DMB
3	9/21/16	REVISED PURSUANT TO CITY DIRECTORS COMMENTS AND MEETING OF 9/20/16	DMB
2	8/24/16	REVISED PURSUANT TO CITY COMMENTS, DATED 8/12/16	RJM
1	7/8/16	INCLUDE LOT 2	DMB
NO.	DATE	DESCRIPTION	DRAWN BY
SITE PLAN FOR DOLLAR TREE CORPORATION LOTS 2, 4, 5, 6 AND 7 BLOCK 2804			
CITY OF ASBURY PARK		MONMOUTH COUNTY	
NEW JERSEY		LIGHTING & LANDSCAPING PLAN	
WALTER JOSEPH HOPKIN		N.J. PROFESSIONAL ENGINEER, E.C. No. 40673	
SCALE: 1"= 30'	DRAWN BY: JUL	DATE: 7/5/16	SHEET No: 5 OF 6

RESOLUTION APPROVING THE PRELIMINARY AND FINAL SITE PLAN
APPLICATION, VARIANCES AND DESIGN WAIVERS FOR 1101, 1105 & 1183
MAIN STREET, A/K/A TAX BLOCK 2804, LOTS 2, 5, 6 & 7 FOR 1105 MAIN
STREET, LLC.

WHEREAS, 1105 Main Street, LLC, hereinafter referred to as the applicant, is the owner of the above described properties. The subject properties are located in the Community Shopping Zone of the Main Street Redevelopment Area, hereinafter referred to as the redevelopment area or zone; and

WHEREAS, the application is for preliminary and final site plan approval, bulk variances and design waivers. The applicant proposes the following:

1. The applicant proposes to demolish the existing building on Lot 6 and construct a 4,756-square foot, addition to 1101 Main Street (Lots 6 & 7) to provide a 10,357-square foot retail store. Lot 5 is proposed to be an 11-space surface parking lot, with access thereto provided by a cross access easement over Lot 4 intended to service the retail space used for the Dollar Store. The proposed easement will allow access to the 11 surface parking spaces proposed on Lot 5. Restriping and installation of 2-way drive aisles are proposed as well on Lot 4. The existing 18057 square foot warehouse building located on Third Avenue (frontage on Third Avenue) will remain.
2. Additionally, the applicant is proposing to demolish the existing gas station structure located on Lot 2 and construct a 9,452-square foot, two story mixed use structure with retail or office space located on the first floor and four, two bedroom apartments on the second floor. Nine (9) surface parking spaces are also proposed at the rear of this lot that will be accessed from Fourth Avenue.
3. The applicant proposes loading to occur 2 to 3 times per week between the hours of 11 pm to 6 am. The maximum size truck will be a WB-50. A traffic control person will assist with deliveries to the Dollar Store.
4. The variances requested for Lot 2 are:
 - a. The minimum on-site parking space requirement for this location is 13.5 spaces; the applicant has proposed 9 spaces.
 - b. The applicant is proposing parking stalls that are 9' X 18', where the applicable ordinance requires stalls that are 8.5' X 19'.
5. The design waivers requested for Lot 2 are:
 - a. The area of any building wall facing a public street must have a minimum of 30% of the wall area devoted to window and door openings. The applicant is proposing 21.1% for the Fourth Avenue facade.
 - b. Chain link fences are not permitted in this area. The applicant proposes chain link fences around the proposed trash receptacles and between the proposed picnic area and the "flag pole" alley.
6. The variances requested for proposed for Lots 4, 5, 6 & 7 are:
 - a. A minimum rear yard of zero (0) feet is proposed where 10 feet is required.
 - b. A lot coverage of 99.7% where 90% is the maximum permitted in this area.
 - c. A building frontage of 80% at the front setback line on Third Avenue where 90% is required in this area.
 - d. The minimum on-site parking space requirement for these lots is 21 spaces. The applicant proposes 11 on-site parking spaces for these lots.
 - e. The maximum permitted square footage for signs is 40 square feet. The applicant is proposing a sign of 84 square feet.

- f. The applicant is proposing parking spaces that are 9' X 18.5', where the minimum requirement is 8.5' X 19' for perpendicular parking spaces.
- g. Surface parking lots are required to have a minimum of 10% of the gross area landscaped. The applicant has proposed less than 10% of the parking area to be landscaped.
- h. Parking is only permitted in the rear yard, where side yard parking is proposed.
- 7. The design waivers requested for these lots are:
 - a. New structures are required to be designed with a "horizontal articulation"; the proposed design does not meet this requirement.
 - b. The building on proposed Lot 7.01 does not meet the horizontal articulation requirement of the area requirements.
- 8. Additional variances required if not set forth above for lots 4, 5, 6 & 7 are:
 - a. Minimum rear yard setback of 0 feet, where 10-25 feet is required.
 - b. Maximum lot coverage of 90%, where the applicant proposes 99.7%.
- 9. The synopsis of the variances and design waivers required for this project is as follows:
 - a. Minimum rear yard setback- 10 feet is required where 0 feet is provided on Lots 6 & 7.
 - b. Minimum building frontage- 90% is required where 80% is proposed for Lots 4-7.
 - c. Maximum lot coverage- A maximum of 90% lot coverage is permitted, where 99.7% is proposed for Lots 4-7.
 - d. Parking area location- Parking areas are permitted only in the rear yard area, the applicant has proposed a parking area on Lot 5 in the side yard.
 - e. Minimum parking spaces required- A minimum of 13.1 spaces are required for Lot 2, where 9 spaces are proposed.
 - f. Minimum parking spaces required- A minimum of 21 spaces are required for Lots 4-7, where 11 spaces are provided.
 - g. Maximum wall sign area- Wall signs are permitted to have a maximum area of 40 square feet, where 84 square feet is proposed for the Dollar Store sign(s).
 - h. Maximum signage letter height- Letters of 18" are permitted; the applicant has proposed 36" for the letters on the wall sign proposed on Main Street for Lots 4-7.
 - i. Maximum wall sign mounting height- The top of wall signs cannot exceed 14 feet above the street line; the wall sign(s) proposed for Lots 4—7 along Main Street will reach a maximum of 23.5 feet above the street line.
 - j. Parking stall dimensions- Parking stalls servicing the Dollar Store must be 8.5' X 19.0'; the applicant has proposed 9' X 18.5'.
 - k. Parking stall dimensions- Parking stalls servicing Lot 2 are required to be 8.5' X 19'; the applicant has proposed 9' X 18'.
 - l. Openings and transparency- Any building wall facing a public street must have a minimum wall area equal to 30% devoted to windows and door openings; the applicant has proposed an area equal to 21.2% on Third Avenue and 5.1% on Fourth Avenue dedicated for these uses therefore a design waiver is required.
 - m. Fence materials- Chain link fences are not permitted; the applicant has proposed chain link fences for the trash area enclosure and the area located between the picnic area the "flag pole" portion of Lot 2.
 - n. Horizontal Articulation- This has been addressed above.

- o. Streetscape improvement- The redevelopment plan requires the installation of streetscape improvements. The applicant agreed at the public meeting to install new sidewalks, benches and bike racks in locations to be determined by the applicant and the City Redevelopment Director/Planner (consistent with the statements of the Board members and the representatives of the applicant set forth on the record of the public meeting); and

WHEREAS, the details of the proposed improvements on the subject properties are set forth in the application and in the testimony and plans and maps entered into evidence at the public hearing held on November 14, 2016, all of which are incorporated herein by reference thereto; and

WHEREAS, all jurisdictional requirements have been met and proper notice has been given pursuant to the Municipal Land Use Act and City Ordinances, and the Board has jurisdiction to consider this application; and

WHEREAS, the Board considered this application at a public hearing held on November 14, 2016; and

WHEREAS, Benjamin Fasano under the supervision of James Kissane, a licensed Architect in the State of New Jersey addressed the architectural and design details of the application at the public hearing on behalf of the applicant (Mr. Kissane was also in attendance at the meeting); and

WHEREAS, Walter Hopkins, a licensed Civil Engineer and Professional Planner in the State of New Jersey addressed the engineering and planning details of the application at the public hearing on behalf of the applicant; and

WHEREAS, William Stuckey, vice president of real estate development of the applicant testified on the proposed uses at the premises and the needs of the tenants at the premises at the public hearing; and

WHEREAS, the Board hereby makes the following findings of fact in connection with this application:

1. The proposed uses at the subject properties are permitted by the applicable redevelopment and zoning ordinances.
2. The proposed development will improve the aesthetics of the area.
3. The proposed parking area in combination with the available existing street parking in the immediate area will meet the needs of the project.
4. The redevelopment plan permits street parking to be combined with on-site parking to meet the needs of a project in this area.
5. The variances and design waivers requested are a minimum deviation from the applicable zoning and redevelopment ordinances so long as the applicant complies with the conditions imposed by the Board set forth hereinafter.
6. The applicant has sustained its burden of proof for the granting of the variances and design waivers subject to compliance with the conditions stated hereinafter; and

WHEREAS, the Board after considering the testimony and exhibits at the public hearing has found as a matter of fact and law that the proposed development of the property will be substantially in compliance with the applicable City zoning and development ordinances subject

to compliance with Board imposed conditions, and, that the applicant has met its burden of proof for the grant of the variances and design waivers so long as the conditions hereinafter are met.

NOW THEREFORE BE IT RESOLVED by the Planning Board of the City of Asbury Park that the application for preliminary and final major site plan approval and the bulk variances and design waivers outlined above is hereby approved contingent on the applicant complying with the following conditions:

1. All testimony, evidence and representations made by the witnesses for the applicant at the public hearing are incorporated herein in addition to the contents of this Resolution.
2. The applicant must comply with all of the outstanding or continuing conditions or recommendations if any, set forth in the report(s) issued for the project by the Board Engineer, Jason Fichter, dated October 12, 2016.
3. The applicant must receive the approval of the NJDOT for the for the project, including but not limited to the curb cut(s) located on Main Street, which is a State highway and/or the Monmouth County Planning Board and any other aspect of the project within the jurisdiction of the NJDOT.
4. This approval is subject to the approval of the Mayor and City Council of the City of Asbury Park for any encroachments proposed into any City Rights of Way by the applicant in addition to the proposed loss of parking spaces on Fourth Avenue and/or the blocking of the street by any trucks loading or unloading at the premises.
5. The applicant must submit revised plans to the Board for its review and approval containing the following elements:
 - a. A turning template for the delivery trucks.
 - b. Submission of lighting photometrics to insure no spillage on contiguous properties and no glare affecting motorists.
 - c. Submission of the proposed parking area cross access easement documentation to the Board Engineer and Attorney for review and approval.
 - d. Installation of new sidewalks along the entire project street frontage.
 - e. The installation of 6 bicycle racks (containing a total of 12 bike slots) and the installation of benches in a location to be determined by the City Planner and Transportation Manager and the additional installation of a bike rack (with a 7 bike capacity) that will be located in the parking area at 1183 Main Street.
 - f. The addition of 2 recycling/trash containers in front of the Dollar Store location and in front of Lot 2, (1183 Main street).
 - g. The location of street trees required by the redevelopment plan, spaced 30' on center.
6. The loading and unloading of trucks at the site will take place between the hours of 11 pm and 6 am.
7. No EIFS will be used in this project.
8. The lease between the property owner and the tenant in the building on Lot 2 shall contain a provision that the tenant will comply with the provisions of the redevelopment plan that restrict window signs to a maximum of 20% window coverage. The executed lease must be submitted to the Board attorney for review and compliance with this condition.
9. The existing lots must be consolidated into new lots 2 and 7.01 (which will be determined by the City Tax Assessor). All documentation of the lot consolidations and the cross-access easements for parking and ingress and egress must be submitted to the Board Engineer and Attorney for review and approval.

10. The applicant shall submit to the Board Design Subcommittee for review and approval plans or working drawings for the design, materials and colors proposed for the project.
11. The trash removal for the Dollar Store will be by private contractor. Trash removal for the mixed-use building on Lot 2 shall be by the City of Asbury Park.
12. The Dollar Tree sign will be back lit at night.
13. The applicant will construct or contribute funds for its share of on-site and off-site improvements established by the City pursuant to the Main Street Redevelopment Plan and City Ordinances as directed by the City Engineer and other applicable City agencies having jurisdiction over projects within the Main Street Redevelopment Zone.
14. The applicant shall post performance bond and inspection fees as determined by the Board Engineer and will enter into a developer or redevelopers agreement if required by the City Engineer and the other applicable City agencies having jurisdiction over projects within the Main Street Redevelopment Zone.
15. The applicant shall pay the appropriate water and sewer connection fees as determined by the City Engineer pursuant to City Ordinances.
16. This approval is subject to the approval of any other County, State or Federal Agency having jurisdiction over the project. In the event any other agency having jurisdiction over the project alters the plans and/or approval given to the project by the Planning Board of the City of Asbury Park the applicant shall so notify the Board and will present to the Board said approvals for review and approval by the Board.
17. Taxes, fees and escrow accounts shall be current.
18. The phasing for this project will be as follows (consistent with the phasing plan prepared by Walter Hopkins, P.E.):
 - a. The Dollar Tree project will commence as soon as possible.
 - b. The balance of the project will commence on or before December 31, 2018.
 - c. Any bonding required for this project will be in place consistent with the phasing of the project.
19. The applicant will adhere to the findings of fact and contents of this Resolution set forth above.

A Motion to approve the application subject to compliance with the foregoing conditions was offered by Jim Henry and seconded by Garrett Giberson.

The members of the Board who may vote to adopt this Resolution of memorialization are those members who voted in favor of the motion to approve the application. They are, Garrett Giberson, Anthony Perillo, Yvonne Clayton, Barbara Kryzak, Jim Henry, Sara Anne Towery, Herbert Fehrenbach and John Moor.

Ayes:

Nays:

January 23, 2017.

Barbara VanWagner, Board Secretary

I certify this to be a true copy of a Resolution adopted by the City of Asbury Park Planning Board on January 23, 2017.

Barbara VanWagner, Board Secretary

Cindy Dye

From: Frederick C. Raffetto <fcr@ansellgrimm.com>
Sent: Thursday, February 02, 2017 4:17 PM
To: Cindy Dye
Subject: FW: 1105 Main Street LLC -- Planning Board Site Plan Approval

From: MSteinb517@aol.com [mailto:MSteinb517@aol.com]
Sent: Thursday, February 02, 2017 11:50 AM
To: michael.capabianco@cityofasburypark.com
Cc: Frederick C. Raffetto <fcr@ansellgrimm.com>; michele.alonso@cityofasburypark.com;
whopkin@wjhengineering.com; bstuckey@att.net
Subject: 1105 Main Street LLC -- Planning Board Site Plan Approval

I represent 1105 Main Street LLC whose site plan for the Dollar Tree Store and a mixed use building to replace the old Getty Station, was approved by the Planning Board. As a condition of the approval the Resolution stated:

4. This approval is subject to the approval of the Mayor and Council of the City of Asbury Park for any encroachments proposed into any City Rights of Way by the applicant in addition to the proposed loss of parking spaces on Fourth Avenue and/or blocking of the street by any trucks loading or unloading on the premises.

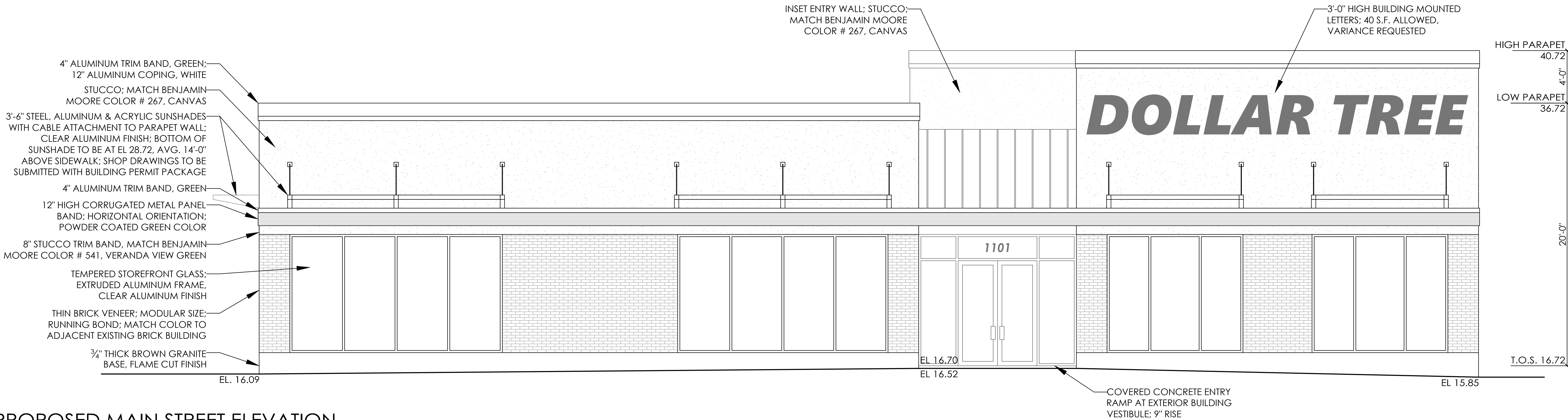
The approved site plan and architectural plans provide for canopies as part of the building design of the Dollar Tree Store and same encroach approximately 3.5 feet over the property line on both Main Street and Third Avenue. As such the Applicant seeks an approval by the Mayor and City Council for said encroachment which, as in other matters I have handled, will usually require an appearance at a workshop meeting to present the facts and then an Ordinance needs to be introduced thereafter permitting the City to enter into an Easement Agreement and then the execution of said Easement Agreement both of which have been customarily prepared by the City Attorney. The Applicant was informed that this matter could be on the agenda for the Workshop meeting of Wednesday, February 8, 2016. Please confirm date and time and advise what you will need from the Applicant.

Kindly note that the balance of the condition is resolved in that (1) all loading will be from the back of the building through the off street parking lot and (2) there is no loss of parking spaces on Fourth Avenue since the Applicant is using the existing curb cuts and off street parking is being provided for the mixed use building.

Thank you for your consideration.

MARK A. STEINBERG, ESQUIRE
2300 State Highway 66
Suite 203
Neptune, New Jersey 07753
732-774-5665
FAX 732-774-9219

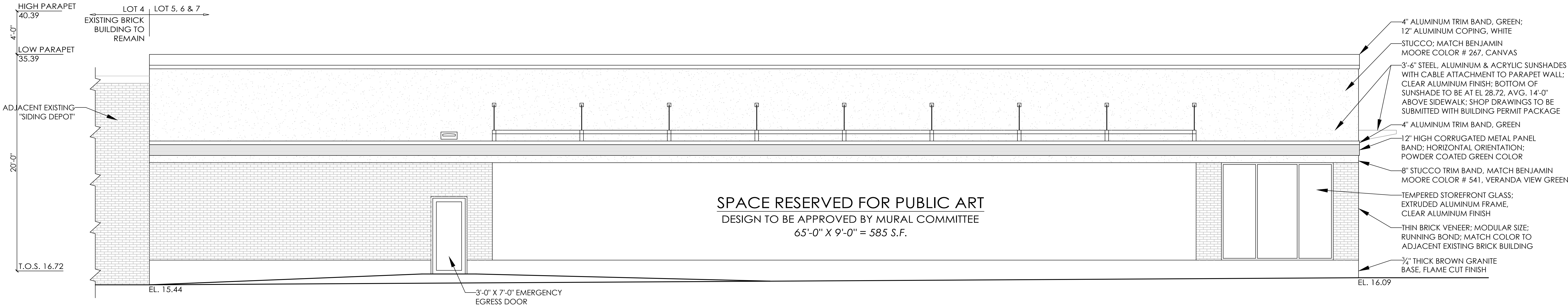
Attachment: Steinberg email (2017-19 : 1105 Main Street, LLC (Dollar Tree Store) - Proposed Encroachments into City ROW)



PERCENT GLAZING	
MAIN STREET:	2065 S.F. TOTAL 598 S.F. GLASS 28.95% TOTAL
THIRD AVENUE:	2292 S.F. TOTAL 117 S.F. GLASS 585 S.F. MURAL 5.1% TOTAL (30.62% TOTAL WITH MURAL)

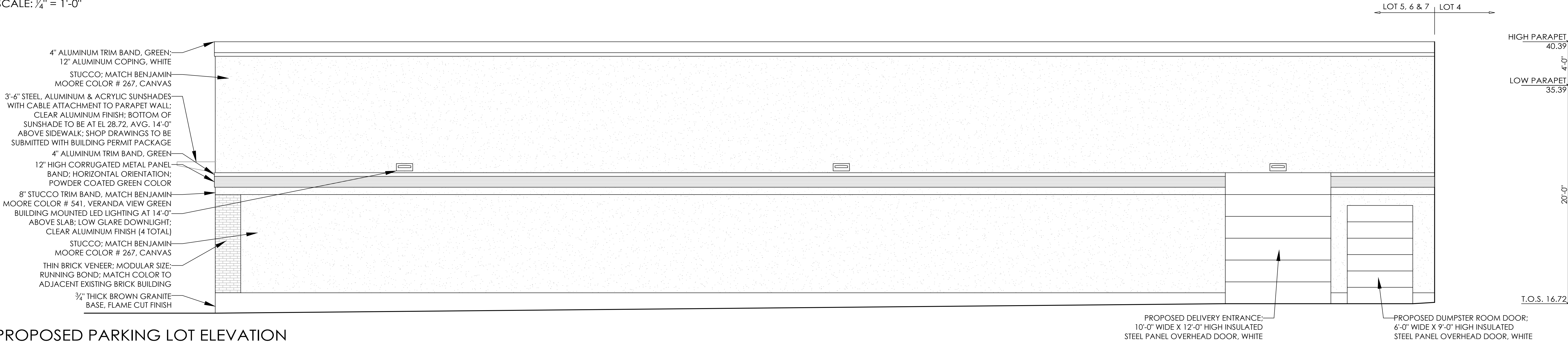
PROPOSED MAIN STREET ELEVATION

SCALE: ¼" = 1'-0"



PROPOSED THIRD AVENUE ELEVATION

SCALE: ¼" = 1'-0"



PROPOSED PARKING LOT ELEVATION

SCALE: ¼" = 1'-0"

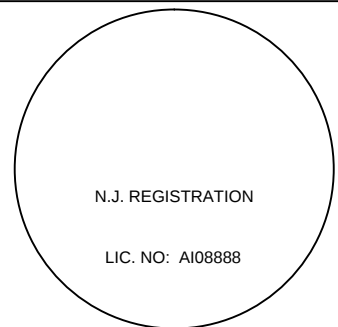
REVISION 9/22/16: DOLLAR TREE LOGO REMOVED FROM MAIN STREET ELEVATION;
LED LIGHTING ELEMENT REMOVED FROM SUNSHADE AWNING

PROJECT: PROPOSED ADDITION AT:
1101 MAIN STREET, ASBURY PARK, NJ 07712
BLOCK: 2804 LOT: 5, 6 & 7
CONST. CLASSIFICATION: 5-A
IBC USE GROUP: M
EXISTING AREA: 5601 G.S.F. PROPOSED AREA: 10357 G.S.F. TOTAL VOLUME: 186426 C.F.

OWNER: THIRD AVENUE PARTNERS, LLC - LOT 4
1101 MAIN STREET, LLC - LOTS 5 -7
APPLICANT: 1105 MAIN STREET, LLC
PAT FASANO
1105 MAIN STREET
ASBURY PARK, NJ 07712

JAMES P. KISSANE
ARCHITECT

605 FRANKLIN BLVD., SOMERSET, N.J. 08873
OFFICE: 732-828-7027 FAX: 732-828-4680 EMAIL: BALCONYD@GMAIL.COM



DATE: 7-13-16
SCALE: AS NOTED
DWN.: BVF
JOB NO.: 16-003
DWG. NO.: A-3



Minutes
Meeting of the Municipal Council
Wednesday, February 8, 2017
REGULAR MEETING

Executive Session - 4:00 p.m.

2017-63 Authorizing a meeting which excludes the public

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jesse Kendle, Councilmember
SECONDER:	Eileen Chapman, Councilmember
AYES:	Chapman, Clayton, Kendle, Quinn, Moor

Attendee Name	Title	Status	Arrived
Eileen Chapman	Councilmember	Present	
Yvonne Clayton	Councilmember	Present	
Jesse Kendle	Councilmember	Present	
Amy Quinn	Deputy Mayor	Present	
John Moor	Mayor	Present	
Cindy Dye	City Clerk	Present	
Michael Capabianco	City Manager	Present	
Frederick Raffetto	City Attorney	Present	

City Clerk Cindy Dye called the meeting to order at 7:00 PM.

RECOGNIZING ORGANIZERS OF THE ASBURY PARK WOMEN'S MARCH

The City Council presented a proclamation to the organizers of the Asbury Park Woman's March.

MATTERS FROM CITY COUNCIL

The City Council presented their matters during the workshop meeting.

MATTERS FROM CITY MANAGER

1. State of the City Address

City Manager Capabianco presented the State of the City address.

MATTERS FROM CITY ATTORNEY

City Attorney Raffetto had no matters to bring before the Council.

PUBLIC PARTICIPATION

Motion made by Council Member Kendle and seconded by Deputy Mayor Quinn to open the meeting to the public.

There were no members who spoke during the public portion of the meeting.

Motion made by Deputy Mayor Quinn and seconded by Council Member Kendle to close the public portion of the meeting.

MINUTES

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Yvonne Clayton, Councilmember
SECONDER:	Jesse Kendle, Councilmember
AYES:	Chapman, Clayton, Kendle, Quinn, Moor

1. Municipal Council - Work Session - Jan 25, 2017 6:00 PM
2. Executive Minutes of Jan 25, 2017 4:00 PM
3. Municipal Council - Regular Meeting - Jan 25, 2017 7:00 PM

CONSENT AGENDA RESOLUTIONS

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

- 2017-64 Resolution Approving Special Event Applications
- 2017-65 Resolution Ratifying Appointment to the Parking Committee
- 2017-66 A Resolution of the City of Asbury Park Releasing the Performance Bond for 527 Lake Avenue (Block 3105, Lot 5 and Accepting Maintenance Guarantee
- 2017-67 A Resolution Authorizing Approval to Submit a Grant Application and Execute a Grant Contract with the New Jersey Department of Transportation for the Year 2017 (Heck Street Improvements Project)
- 2017-68 Authorize Submission of a Grant Application to the State of New Jersey, Department of Public Safety, Division of Highway Traffic Safety, under the 2017 Distracted Driving Crackdown. "U Drive. U Text. U Pay." Grant
- 2017-69 Resolution of the City of Asbury Park Making Application to the New Jersey Local Finance Board Pursuant to N.J.S.A. 40A:3-1 et seq. and Previous Approvals by Said Board

2017-70 Resolution Approving Disposition of Surplus Property

INDIVIDUAL RESOLUTIONS

2017-71 Resolution Amending Temporary Budget Appropriations for 2017 Budget

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jesse Kendle, Councilmember
SECONDER:	Eileen Chapman, Councilmember
AYES:	Chapman, Clayton, Kendle, Quinn, Moor

2017-72 Resolution Approving Payment of Bills

Council Member Chapman abstains from PO 16-00148.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Amy Quinn, Deputy Mayor
SECONDER:	Jesse Kendle, Councilmember
AYES:	Chapman, Clayton, Kendle, Quinn, Moor

2017-73 Resolution Establishing Regulations for the 2017 Beach Season

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jesse Kendle, Councilmember
SECONDER:	Eileen Chapman, Councilmember
AYES:	Chapman, Clayton, Kendle, Quinn, Moor

2017-74 Resolution Approving the City of Asbury Park to Enter into a Memorandum of Agreement ("MOU") with the IPS Group for a Free Parking Meter Trial

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Amy Quinn, Deputy Mayor
SECONDER:	Jesse Kendle, Councilmember
AYES:	Chapman, Clayton, Kendle, Quinn, Moor

2017-75 Authorizing the City of Asbury Park to Transfer Title to Property Located at 115 De Witt Avenue (Block 1004, Lot 2) to West Side Community Center, Inc.

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

2017-76 A Resolution urging the New Jersey State Legislature to Override Governor Christie's Conditional Veto

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Amy Quinn, Deputy Mayor
SECONDER:	Jesse Kendle, Councilmember
AYES:	Chapman, Clayton, Kendle, Quinn, Moor

ORDINANCES

Introduction

- 2017-7 Ordinance Amending and Supplementing Ordinance 2016-19 Establishing a Restricted Parking Space for Use by Handicapped Persons by Amending the Location from 1215 Springwood Avenue, Designated as Block 1103, Lot 48, to 215 Dewitt Avenue, Designated as Block 1006, Lot 10 in the City of Asbury Park, and Amending and Supplementing Section 7-36, Entitled, “Handicapped Parking,” Of Chapter VII, “Traffic,” of the “Revised General Ordinances of the City of Asbury Park, New Jersey.”

Public hearing for this ordinance is scheduled for February 22, 2017.

RESULT:	INTRODUCED [UNANIMOUS]
	Next: 2/22/2017 7:00 PM
MOVER:	Amy Quinn, Deputy Mayor
SECONDER:	Yvonne Clayton, Councilmember
AYES:	Chapman, Clayton, Kendle, Quinn, Moor

- 2017-8 Amending and Supplementing Chapter II “Administration” Section 2-45.3 “Membership” Wesley Lake Commission) of the “Code of the City of Asbury Park, New Jersey.”

Public hearing for this ordinance is scheduled for February 22, 2017.

RESULT:	INTRODUCED [UNANIMOUS]
	Next: 2/22/2017 7:00 PM
MOVER:	Jesse Kendle, Councilmember
SECONDER:	Amy Quinn, Deputy Mayor
AYES:	Chapman, Clayton, Kendle, Quinn, Moor

- 2017-9 An Ordinance Amending and Supplementing Chapter II “Fire Department” Article IX “Fees for Emergency Medical Services” of the “Code of the City of Asbury Park, New Jersey.”

Public hearing is scheduled for this ordinance on February 22, 2017.

RESULT:	INTRODUCED [UNANIMOUS]
	Next: 2/22/2017 7:00 PM
MOVER:	Eileen Chapman, Councilmember
SECONDER:	Amy Quinn, Deputy Mayor
AYES:	Chapman, Clayton, Kendle, Quinn, Moor

Second Reading/Public Hearing

- 2017-3 An Ordinance Amending And Supplementing “Chapter XXVI Personnel Policies” Creating Section 26-5 “Mandatory Direct Deposit” of the “Code of the City of Asbury Park, New Jersey.”

Motion made by Deputy Mayor Quinn and seconded by Council Member Chapman to open Ordinance 2017-3 to the public.

No one from the public spoke.

Motion made by Deputy Mayor Quinn and seconded by Council Member Clayton to close Ordinance 2017-3 to the public.

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

2017-4 An Ordinance Amending and Supplementing Chapter II “Administration”, Article V “Departments and Division”, Subsection 2-7 “Law Personnel”, of the Revised General Ordinances of the City of Asbury Park, Monmouth County, State of New Jersey

Motion made by Deputy Mayor Quinn and seconded by Council Member Chapman to open Ordinance 2017-4 to the public.

No one from the public spoke.

Motion made by Deputy Mayor Quinn and seconded by Council Member Clayton to close Ordinance 2017-4 to the public.

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

2017-5 An Ordinance Amending and Supplementing Chapter II “Administration” Article V “Departments and Divisions”, Chapter 2-8 Police Department

Motion made by Deputy Mayor Quinn and seconded by Mayor Moor to open Ordinance 2017-5 to the public.

No one from the public spoke.

Motion made by Council Member Chapman and seconded by Council Member Clayton to close Ordinance 2017-5 to the public.

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

2017-6 An Ordinance Amending and Supplementing Chapter II “Administration” Article XI “Fees” of the “Code of the City of Asbury Park, New Jersey.”

Motion made by Deputy Mayor Quinn and seconded by Council Member Chapman to open Ordinance 2017-6 to the public.

No one from the public spoke.

Motion made by Council Member Kendle and seconded by Council Member Clayton to close Ordinance 2017-6 to the public.

RESULT:	ADOPTED [4 TO 1]
MOVER:	Eileen Chapman, Councilmember
SECONDER:	Yvonne Clayton, Councilmember
AYES:	Eileen Chapman, Yvonne Clayton, Jesse Kendle, John Moor
NAYS:	Amy Quinn

ADJOURNMENT

The meeting was adjourned at 7:30 PM

Respectfully submitted by:

Cindy A. Dye, RMC, City Clerk