



Agenda
Meeting of the Municipal Council
Wednesday, July 17, 2024
REGULAR MEETING 6:00 PM

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

2024-348 Resolution Authorizing a meeting which excludes the public

A. Public Safety

1. Public Safety Director

B. Contract Negotiations

1. 1012 Asbury Avenue Redevelopment & Financial Draft Agreements

C. Attorney-Client Privilege

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

Call to Order/Roll Call

Silent Prayer/Moment of Reflection

Salute to the Flag

Announcement - Open Public Meetings Act

As to comply with the "Open Public Meetings Act," Chapter 231, P.L. 1975, adequate Notice of this meeting has been provided in the following manner: The Annual Notice was forwarded to the Asbury Park Press, The Coaster and The Star Ledger on January 22, 2024, and posted on the bulletin board the same date. All notices are on file with the City Clerk.

Special Event Applications:

Items to be Presented:

Matters from City Council

Matters from City Manager

Matters from City Attorney

III. **Regular Meeting**

A. Public Participation

B. Minutes

- Municipal Council- Executive Meeting June 26, 2024 4:00 PM
- Municipal Council - Regular Meeting - Jun 26, 2024 6:00 PM

C. Consent Agenda Resolutions

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

2024-349 Resolution Approving Special Event Applications

2024-350 Resolution Authorizing the Mayor & City Council to Execute a Discharge of Mortgage for Olusola Okunseinde for Property located at 709 Third Avenue, Asbury Park

2024-351 Resolution Authorizing the Mayor and City Council to Execute a Discharge of Mortgage for Timothy Harris for Property located at 1218 Summerfield Avenue, Asbury Park

2024-352 Resolution Authorizing Appointments to the Sunset Lake Commission

D. Individual Resolutions

2024-353 Resolution Approving Payment of Bills

2024-354 Resolution Authorizing the Repairs of Influent Pump #2 at the Wastewater Treatment Plant

2024-355 Resolution Authorizing Professional Services to The Rodger's Group (Lexipol) for Online Police Training

2024-356 Resolution Approving Change Order #5 for the New Fire Department Headquarters

2024-357 Resolution Authorizing The Submission Of An Application To New Jersey Urban Enterprise Zone Authority ("UEZA") To Fund An Outside Consultant To Develop A Five Year Preliminary Zone Development Plan

2024-358 Resolution Authorizing And Approving The Submittal Of A Grant Application And Execute A Grant Contract With The New Jersey Department Of Transportation For The Langford Street Roadway Improvements – Phase 1 Project

2024-359 Resolution Authorizing And Approving The Submittal Of A Grant Application And Execute A Grant Contract With The New Jersey

Department Of Transportation For The City Of Asbury Park
Transportation Center Canopy Repairs

- 2024-360 Resolution Authorizing The Execution Of A Shared Services Agreement Between The City Of Asbury Park And Asbury Park Public Library Concerning Use Of City Engineer
- 2024-361 Resolution Of The Mayor And Council Of The City Of Asbury Park, Acting As The Redevelopment Entity, Authorizing A Temporary Cellular Installation On The Northeast Corner Of Block 4306, Lots 1 And 2 (1695 Kingsley Street), Within The Waterfront Redevelopment Area
- 2024-362 Resolution Authorizing The Execution Of A Memorandum Of Agreement With Participating Entities For The Asbury Park Lifeguard Tournament And Approving The Issuance Of A Special Events Permit Relating To The Event
- 2024-363 Resolution Authorizing The Execution Of A First Amendment To The Employment Agreement With The Deputy City Manager
- 2024-364 Resolution Of The Mayor And City Council Of Asbury Park Authorizing The City Of Asbury Park To Enter Into A Land Development Agreement With Madison Asbury Retail, LLC For The Construction Of Rest Rooms On Green Acres Lots 1.07 And 1.14 Of Block 4502

E. Ordinances

1. Introduction

- 2024-25 Ordinance Establishing A Restricted Parking Space For Use By Handicapped Persons 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.”
- 2024-26 Bond Ordinance Providing For The Acquisition Of Various Vehicles And Capital Equipment, Appropriating \$3,975,000 Therefor And Authorizing The Issuance Of \$3,776,250 Bonds And Notes To Finance A Portion Of The Costs Thereof, Authorized In And By The City Of Asbury Park, In The County Of Monmouth, New Jersey

2. Second Reading/Public Hearing

- 2024-24 Ordinance Amending The Main Street Redevelopment Plan

F. Adjournment

**RESOLUTION NO. 2024-348****RESOLUTION AUTHORIZING A MEETING WHICH EXCLUDES THE PUBLIC**

BE IT RESOLVED by the Mayor and Council of the City of Asbury Park that this body will hold a meeting on July 17, 2024 at 6:00 PM in the Council Chambers located at 1 Municipal Plaza, Asbury Park, New Jersey, that will be limited only to consideration of an items or items with respect to which the public may be excluded pursuant to section 7b of the Open Public Meetings Act.

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

A. Public Safety:

1. Public Safety Director

B. Contract Negotiations:

1. 1012 Asbury Avenue Redevelopment & Financial Draft Agreements

C. Attorney-Client Privilege:

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

LISA ESPOSITO
CITY CLERK



Minutes
Meeting of the Municipal Council
Wednesday, June 26, 2024
REGULAR MEETING

Executive Session - 4:00 p.m.

2024-312 Resolution Authorizing a meeting which excludes the public

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

Workshop Session - 6:00 p.m.

Call to Order/Roll Call

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

City Clerk Lisa Esposito called the meeting to order at 6:00 PM.

Silent Prayer/Moment of Reflection

Salute to the Flag

Announcement - Open Public Meetings Act

SPECIAL EVENT APPLICATIONS:

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

ITEMS TO BE PRESENTED:

1. Presentation- Asbury Park Affordable Housing Coalition
Tracy Rogers of the Asbury Park Housing Coalition , and Derek Bloom of Monmouth Housing Coalition presented an affordable housing review with Mayor and Council.

Matters from City Council

Council member Ahbez-Anderson stated, good evening, also the Women's Mentoring Program has been on hiatus. A lot of things have been going on so we will reconvene in September and I will make the announcement in August, at the August board meeting.

Council member Chapman stated, I just wanted to let everyone know that Music Mondays in Springwood Park begins on July 1st and will run every Monday through this summer. It's free, come on out and hear some great music.

Council member Clayton had no matters at this time.

Deputy Mayor Quinn had no matters at this time.

Mayor Moor had no matters at this time.

Matters from City Manager

City Manager, Lillian Nazzaro had no matters at this time.

Matters from City Attorney

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

PUBLIC PARTICIPATION

A motion was made by Council member Chapman and seconded by Council member Ahbez-Anderson to open the meeting to the public. All were in favor. The following members of the public spoke: Kerry Butch made a comment about affordable housing; Polli Schildge, Matthew Sigman, Laurie, Eric Galipo, Michael Sodano, Kathleen, and Jason Ursino made comments about 1201 Memorial Drive Redevelopment Plan; Kathleen Mumma made a comment about walking, biking, and traffic; Nancy Sabino made a comment about speed cameras; Michael Kirshner made a comment about traffic issues; and Rita Marano made a comment about the TRC meeting and housing.

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

MINUTES

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

1. Municipal Council- Executive Meeting June 12, 2024 4:00 PM
2. Municipal Council - Regular Meeting - Jun 12, 2024 6:00 PM **Accepted**

CONSENT AGENDA RESOLUTIONS

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

- 2024-313 Resolution Approving Special Event Applications
- 2024-314 Resolution to Refund Overpaid Municipal Charges for Various Properties
- 2024-315 Resolution To Adjust Sewer Charges On Various Accounts
- 2024-316 Resolution Authorizing the Disposition of Surplus Property
- 2024-317 Resolution Approving 2024-2025 Alcoholic Beverage Control License for 1211 Main Street, LLC in the City of Asbury Park, County of Monmouth, New Jersey
- 2024-343 Resolution Approving 2024-2025 Alcoholic Beverage Control License for ABG Liquor Holdings, LLC-d/b/a/ Asbury Festhalle & Biergarten in the City of Asbury Park, County of Monmouth, New Jersey
- 2024-344 Resolution Approving 2024-2025 Alcoholic Beverage Control License for Georg EE, Inc.-d/b/a/ Georgies in the City of Asbury Park, County of Monmouth, New Jersey
- 2024-345 Resolution Approving 2024-2025 Alcoholic Beverage Control License for AP Restaurant V LLC d/b/a Swim Crush, in the City of Asbury Park, County of Monmouth, New Jersey

INDIVIDUAL RESOLUTIONS

- 2024-318 Resolution Approving Payment of Bills

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

- 2024-319 Resolution Authorizing Payment for Emergency Sewer Repairs Needed at 1124 First Avenue

Minutes Acceptance: Minutes of Jun 26, 2024 6:00 PM (Minutes)

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

2024-320 Resolution Authorizing the Purchase of a Commercial Lawn Mower for the Department of Public Works

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

2024-321 Resolution Approving Change Order #1 the Transportation Center Renovations project

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

2024-322 Resolution Authorizing and Awarding to LEW Environmental Services for Lead-Based Paint Inspection and Testing Services

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

2024-323 Resolution Authorizing The City Of Asbury Park To Execute A License Agreement To Permit A Limited Encroachment Into The Right-Of-Way Area Adjacent To The Property Located At 608 Fourth Avenue (Block 2806, Lot 5), Relating To A Techo-Bloc Retaining Wall Situated Along The Eastern Side Yard Of The Property In Asbury Park, New Jersey

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

2024-324 Resolution Authorizing The Execution Of An Employer Participation Agreement Between The City Of Asbury Park And Hospital Central Services, Inc. ("HCSC")

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

2024-325 Resolution Authorizing The City Of Asbury Park To Participate In Intra-County Mutual Aid And Assistance Agreements With Participating Units In The County Of Monmouth

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

2024-326 Resolution Authorizing a Service Agreement for Fleet Management Technologies

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

2024-327 Resolution Authorizing Execution of a Shared Services Agreement with Passaic Valley Sewerage Commission for Sludge Disposal

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

2024-328 Resolution Authorizing Funding to Community Affairs Resource Center for the Administering of Rental & Utility Assistance with Community Development Block Grant (CDBG) Funding

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

2024-329 Resolution Awarding of a Contract to Millenium Communications Group for Security Cameras in Various Locations within Asbury Park with Community Development Block Grant (CDBG) Funding

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

2024-330 Resolution Authorizing Funding to Coastal Habitat for Humanity for the Administering of Home Repair and Renovation Program with Community Development Block Grant (CDBG) Funding

RESULT: ADOPTED [4 TO 0]
MOVER: Yvonne Clayton, Councilmember
SECONDER: Eileen Chapman, Councilmember
AYES: Eileen Chapman, Yvonne Clayton, Amy Quinn, John Moor
ABSTAIN: Angela Ahbez-Anderson

2024-290 Resolution Approving Asbury Park Social Services Listing on the NJ Resource Pilot Program

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

2024-331 Resolution of The Mayor And City Council Of Asbury Park Authorizing The City Of Asbury Park To Enter Into A Subsequent Developer Agreement With Asbury Partners, LLC And APW Redeveloper, LLC Regarding Residential Development On Block 4306,

Lots 1 Through 8 (200- 210 Eighth Avenue, 201-209 Seventh Avenue and 1604 Webb Avenue) And Referring The Matter To The Planning Board For Appropriate Approvals

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

2024-333 Resolution Accepting Donation of A Ford F-350 Rescue Vehicle For Fire Department Use From The Borough Of West Long Branch

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

2024-334 Resolution Authorizing The City Of Asbury Park To Execute A License Agreement To Permit The City To Store A Fire Truck In The Parking Lot Of 1012 Third Avenue, In The City Of Asbury Park, New Jersey

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

2024-335 Resolution Authorizing a Professional Services Contract with Arcari + Iovino for Professional Architectural Services of the Boardwalk Restrooms

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

2024-336 Resolution Approving 2024-2025 Alcoholic Beverage Control License for Ohana Kitschen Company-d/b/a/ The Break, Low Dive, Aloha Market in the City of Asbury Park, County of Monmouth, New Jersey

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

2024-337 Resolution Approving 2024-2025 Alcoholic Beverage Control License for House of Independents, LLC in the City of Asbury Park, County of Monmouth, New Jersey

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

2024-338 Resolution Approving 2024-2025 Alcoholic Beverage Control License for Stone Pony Liquor License , LLC-d/b/a/ The Stone Pony in the City of Asbury Park, County of Monmouth, New Jersey

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

2024-339 Resolution Approving a Liquor License with Special Conditions for Johnny Mac House of Spirits, LLC d/b/a Johnny Mac's for the 2024-2025 Licensing Year

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

2024-340 Resolution Approving a Liquor License with Special Conditions for Bond Street Bar & Grill, LLC (d/b/a Bond Street Bar and Grill, Capitoline and Loteria) for the 2023-2024 Licensing Year

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

2024-341 Resolution Approving A Liquor License Renewal With Special Conditions For Steinbach Liquor License, LLC Trading As- Asbury Ale House/ Lola's Cafe/ Mainstay For The 2024-2025 Licensing Term

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

2024-342 Resolution Approving a Liquor License with Special Conditions for Porta at Asbury Park, LLC d/b/a Porta for the 2024-2025 Licensing Year

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

2024-346 Resolution Of The City Of Asbury Park Referring The Proposed "Amended Redevelopment Plan For 1201 Memorial Drive" Dated June 26, 2024, In Accordance With The Local Redevelopment And Housing Law, N.J.S.A. 40A:12A

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

2024-347 Resolution Expressing Affordable Housing Need Regarding 1012 Asbury Avenue Apartments Project

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

ORDINANCES

Introduction

2024-24 Ordinance Amending The Main Street Redevelopment Plan

RESULT:	INTRODUCED [UNANIMOUS]
	Next: 7/17/2024 6:00 PM
MOVER:	John Moor, Mayor
SECONDER:	Eileen Chapman, Councilmember
AYES:	Ahbez-Anderson, Chapman, Clayton, Quinn, Moor

Second Reading/Public Hearing

2024-11 Ordinance of the City of Asbury Park Approving and Adopting a Redevelopment Plan for Property Located at 1201 Memorial Drive (Block 203, Lot 5)

A motion to open 2024-11 to the public was made by Council and seconded by Council member Chapman. All were favor. No members of the public spoke: Brady Roaff, Polli Schildge, Eric Galipo, Nancy Sabino, and Michael Sodano.

A motion to close 2024-11 to the public was made by Mayor Moor and seconded by Deputy Mayor Quinn. All were in favor.

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

2024-21 Ordinance of The City of Asbury Park Amending and Supplementing Section 30-45, Entitled "Submission of Applications For Development," of Article IV, "Application For Development," and Section 30-60 Entitled "Signs" of Article V "Development Standards" of Chapter 30, "Land Development Regulations," of "The Code of The City Of Asbury Park."

A motion to open 2024-21 to the public was made by Deputy Mayor Quinn and seconded by Council member Clayton. All were favor. No members of the public spoke.

A motion to close 2024-21 to the public was made by Mayor Moor and seconded by Council member Chapman. All were in favor.

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

2024-22 Ordinance Approving and Adopting an Amendment to the CBD Redevelopment Plan for 614 Cookman Avenue

A motion to open 2024-22 to the public was made by Deputy Mayor Quinn and seconded by Council member Chapman. All were favor. No members of the public spoke.

A motion to close 2024-22 to the public was made by Deputy Mayor Quinn and seconded by Council member Ahbez-Anderson. All were in favor.

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

2024-23 Ordinance of The City Of Asbury Park Amending And Supplementing Section 30-24, Entitled “Fees,” of Chapter 30, “Land Development Regulations,” Of “The Code Of The City Of Asbury Park.”

A motion to open 2024-23 to the public was made by Deputy Mayor Quinn and seconded by Council member Chapman. All were favor. No members of the public spoke.

A motion to close 2024-23 to the public was made by Deputy Mayor Quinn and seconded by Council member Ahbez-Anderson. All were in favor.

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

2024 Municipal Budget Public Hearing

2024-332 Resolution to Adopt the 2024 Municipal Budget

A motion to open the 2024 Municipal Budget Hearing to the public was made by Council member Ahbez-Anderson and seconded by Council member Chapman. All were favor. The following members of the public spoke: Rita Marano and Kerry Butch. A motion to close the 2024 Municipal Budget Hearing to the public was made by Council member Ahbez-Anderson and seconded by Council member Chapman. All were in favor.

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

ADJOURNMENT

The meeting was adjourned at 8:26 PM

A motion to close the meeting was made by Council member Clayton and seconded Council member Chapman. Meeting adjourned at 8:26 PM.

Respectfully submitted by:

Minutes Acceptance: Minutes of Jun 26, 2024 6:00 PM (Minutes)

Lisa Esposito, City Clerk

Minutes Acceptance: Minutes of Jun 26, 2024 6:00 PM (Minutes)



RESOLUTION NO. 2024-349

**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 July 17, 2024 the following Special Events Applications were presented for approval by the Director of Recreation:

1. National Night Out
2. Bobbi Brown Pop up
3. Tauger Wedding
4. IFN Launch Center Anniversary Celebration
5. AP Lifeguard Tournament

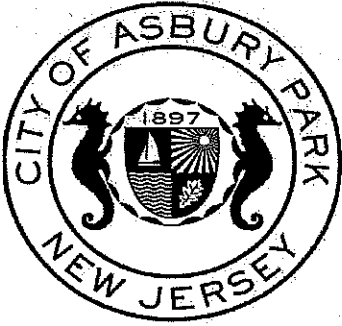
WHEREAS, the Mayor and Council have determined to approve said applications, so long as all requirements of the City's "Special Events" Ordinance (Section 4-10 of the City Code) have been satisfied by the respective applicants, as well as any other requirements imposed by the City's Police Department 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, LISA ESPOSITO, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of RESOLUTION NO. 2024-349 which was finally adopted by the City Council at a meeting held on the 17th day of July, 2024

CERTIFIED BY ME THIS 18th DAY OF July, 2024.

LISA ESPOSITO
CITY CLERK



Date Application Received: _____

Application Fee Paid: _____

CITY OF ASBURY PARK

SPECIAL EVENT APPLICATION FORM

Please complete the following information as required by City Ordinance 2021-6 General Licensing: 4-10

All applications and appropriate application fees are to be received by the Asbury Park Special Events Department no less than 30 days prior to the event for which the permit is being requested. Application fees are non-refundable. Applications should be emailed to: Leesha.floyd@cityofasburypark.com (732-502-5759) or mailed to the Department of Special Events 1 Municipal Plaza Asbury Park, NJ 07712 Attn: Leesha Floyd.

- All applications must be reviewed by the Special Events Committee. This may require the organizer/applicant to attend one or more special event meetings.
- Applications must be formally approved by the City Council after initial approval from the Special Events Committee.
- A **refundable** \$500.00 deposit may be required in connection with events held on City property in case of damage.
- A certificate of insurance naming the City of Asbury Park (1 Municipal Plaza Asbury Park, NJ 07712) its officers, employees, contractors, agents and representatives harmless from and against any and all liability. Minimum liability coverage of one million dollars (for some events more coverage will be required) must be provided 10 days prior to event. The applicant name/organization on insurance must match the applicant name/organization completing the application.

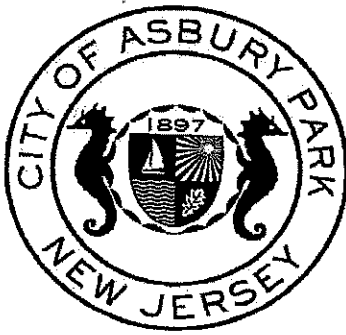
All fees and certificate of insurance must be submitted 10 days prior to the event. Failure to do so can result in the termination of your event.

Date of Event: August 6, 2024Rain Date: NoneTime of Event: 500P to 800P Setup time: 100PM Break-down time: 800pmName of Event: National Night Out - Asbury ParkLocation of Event: Springwood Park

Type of Event (check all that apply):

- | | | |
|--|--------------------------------------|--|
| ☒ Festival | ☐ Parade | ☐ Foot Race |
| ☐ Wedding* | ☐ Beach Event | ☐ Concert |
| ☐ Bike Ride/Race | ☐ Triathlon | ☐ Multi Day Event |
| ☐ Rally/Demonstration | ☐ Swim Event | ☐ Other: _____ |

*Wedding applicants only need to complete page 6.



Date Application Received: _____

Application Fee Paid: _____

CITY OF ASBURY PARK

SPECIAL EVENT APPLICATION FORM

Please complete the following information as required by City Ordinance 2021-6 General Licensing: 4-10

All applications and appropriate application fees are to be received by the Asbury Park Special Events Department no less than 30 days prior to the event for which the permit is being requested. Application fees are non-refundable. Applications should be emailed to: Leesha.floyd@cityofasburypark.com (732-502-5759) or mailed to the Department of Special Events 1 Municipal Plaza Asbury Park, NJ 07712 Attn: Leesha Floyd.

- All applications must be reviewed by the Special Events Committee. This may require the organizer/applicant to attend one or more special event meetings.
- Applications must be formally approved by the City Council after initial approval from the Special Events Committee.
- A **refundable** \$500.00 deposit may be required in connection with events held on City property in case of damage.
- A certificate of insurance naming the City of Asbury Park (1 Municipal Plaza Asbury Park, NJ 07712) its officers, employees, contractors, agents and representatives harmless from and against any and all liability. Minimum liability coverage of one million dollars (for some events more coverage will be required) must be provided 10 days prior to event. The applicant name/organization on insurance must match the applicant name/organization completing the application.

All fees and certificate of insurance must be submitted 10 days prior to the event. Failure to do so can result in the termination of your event.

Date of Event: Saturday 8/17/24 Rain Date: _____

Time of Event: 10:00 AM to 6:00 PM Setup time: 9am Break-down time: 7pm

Name of Event: Bobbi Brown Pop Up

Location of Event: Cookman Ave & Emory Street

Type of Event (check all that apply):

- ☐ Festival
☐ Wedding*
☐ Bike Ride/Race
☐ Rally/Demonstration

- ☐ Parade
☐ Beach Event
☐ Triathlon
☐ Swim Event

- ☐ Foot Race
☐ Concert
☐ Multi Day Event

☒ Other: Glass truck pop up event

*Wedding applicants only need to complete page 6.



Wedding Ceremony Application

Park/Beach Rental Fee (nonrefundable): \$500.00 (for up to 3 hours of use) \$700.00 (for 3-8 hours of use)

Make checks payable to "The City of Asbury Park" 1 Municipal Plaza AP, NJ 07712 Attn: Leesha Floyd

Between Memorial Day and Labor Day, 6pm is the earliest ceremonies can begin on any beach.

- A certificate of insurance naming the City of Asbury Park (1 Municipal Plaza Asbury Park, NJ 07712) as an additionally insured in the amount of one million dollars. (If you are a homeowner, some insurance companies will allow you to add a one day rider to your home insurance policy or a one day policy can be purchased from any insurance company. Insurance policies must be provided 10 day prior to the ceremony)
- Alcohol is prohibited on City beaches
- Firework displays are prohibited w/o pre-approval from the City & proper documentation being provided to the City
- Applications and fees must be received by the Special Events Department 30 days prior to your event

Wedding Date: 9/28/24 OR 9/29/24 Ceremony start time: 6:00 End time: 7:00
Setup time: 5:00 (breakdown and cleanup must be within 2 hours of the conclusion of the ceremony)
Location of Ceremony: Sunset Park (St Johns Island)

☐ YES ☒ NO Will reserved parking spaces be requested? If so, how many spaces _____ where _____. Please visit www.cityofasburypark.com to purchase parking spaces (waterfront spaces cannot be reserved between Memorial Day & Labor Day)

Applicant 1- Name & Address: Justine Tauger
221 Treutland Ave
Nashville, TN 37207

Contact #: (973) 723-1170 Email Address: justinetauger@gmail.com

Applicant 2- Name & Address: _____

Contact #: _____ Email Address: _____

of people in wedding party: 2 # of people attending wedding: 25

Will any of the following items be used (check all that apply):

☐ Pa system

☒ Archway - POSSIBLY

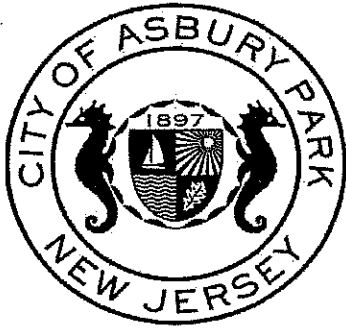
☐ Other structures:

☐ Chairs

☐ Canopy/tent (if larger than 30x30, a permit is required)

I understand and agree by applying for this permit I am responsible for the conduct of attendees, and that any violation of the rules can result in the immediate termination of your event. I also understand that I am responsible for the cleanup of the area where my event is held and that no cooking or alcohol are allowed on the beach. If it becomes necessary for the City to care for the area, I am liable for all costs incurred. Lastly I understand all fees are non-refundable.

Attachment: cm 71724 (2024-349 : Special Event Applications)



Date Application Received: _____

Application Fee Paid: _____

CITY OF ASBURY PARK

SPECIAL EVENT APPLICATION FORM

Please complete the following information as required by City Ordinance 2021-6 General Licensing: 4-10

All applications and appropriate application fees are to be received by the Asbury Park Special Events Department no less than 30 days prior to the event for which the permit is being requested. Application fees are non-refundable. Applications should be emailed to: Leesha.floyd@cityofasburypark.com (732-502-5759) or mailed to the Department of Special Events 1 Municipal Plaza Asbury Park, NJ 07712 Attn: Leesha Floyd.

- All applications must be reviewed by the Special Events Committee. This may require the organizer/applicant to attend one or more special event meetings.
- Applications must be formally approved by the City Council after initial approval from the Special Events Committee.
- A **refundable** \$500.00 deposit may be required in connection with events held on City property in case of damage.
- A certificate of insurance naming the City of Asbury Park (1 Municipal Plaza Asbury Park, NJ 07712) its officers, employees, contractors, agents and representatives harmless from and against any and all liability. Minimum liability coverage of one million dollars (for some events more coverage will be required) must be provided 10 days prior to event. The applicant name/organization on insurance must match the applicant name/organization completing the application.

All fees and certificate of insurance must be submitted 10 days prior to the event. Failure to do so can result in the termination of your event.

Date of Event: July 12, 2024 Rain Date: _____

Time of Event: 2 p to 5 p Setup time: 1 p Break-down time: 5 p

Name of Event: IPN Launch Ctr Anniversary Celebration

Location of Event: 100 block Atkins Ave

Type of Event (check all that apply):

- | | | |
|--|--------------------------------------|---|
| ☐ Festival | ☐ Parade | ☐ Foot Race |
| ☐ Wedding* | ☐ Beach Event | ☐ Concert |
| ☐ Bike Ride/Race | ☐ Triathlon | ☐ Multi Day Event |
| ☐ Rally/Demonstration | ☐ Swim Event | ☒ Other: <u>Community Event</u> |

*Wedding applicants only need to complete page 6.

Attachment: cm 71724 (2024-349 : Special Event Applications)



Date Application Received: _____

Application Fee Paid: _____

CITY OF ASBURY PARK**SPECIAL EVENT APPLICATION FORM**

Please complete the following information as required by City Ordinance 2021-6 General Licensing: 4-10

All applications and appropriate application fees are to be received by the Asbury Park Special Events Department no less than 30 days prior to the event for which the permit is being requested. Application fees are non-refundable. Applications should be emailed to: Leesha.floyd@cityofasburypark.com (732-502-5759) or mailed to the Department of Special Events 1 Municipal Plaza Asbury Park, NJ 07712 Attn: Leesha Floyd.

- All applications must be reviewed by the Special Events Committee. This may require the organizer/applicant to attend one or more special event meetings.
- Applications must be formally approved by the City Council after initial approval from the Special Events Committee.
- A **refundable** \$500.00 deposit may be required in connection with events held on City property in case of damage.
- A certificate of insurance naming the City of Asbury Park (1 Municipal Plaza Asbury Park, NJ 07712) its officers, employees, contractors, agents and representatives harmless from and against any and all liability. Minimum liability coverage of one million dollars (for some events more coverage will be required) must be provided 10 days prior to event. The applicant name/organization on insurance must match the applicant name/organization completing the application.

All fees and certificate of insurance must be submitted 10 days prior to the event. Failure to do so can result in the termination of your event.

Date of Event: 7/17/24Rain Date: 7/18/24

Time of Event: 6 pm to 8pm Setup time: 5 pm Break-down time: 8:30 pm

Name of Event: Asbury Park Lifeguard TournamentLocation of Event: 3rd Ave beach Asbury Park Beachfront

Type of Event (check all that apply):

- | | | |
|--|--------------------------------------|---|
| ☐ Festival | ☐ Parade | ☐ Foot Race |
| ☐ Wedding* | ☐ Beach Event | ☐ Concert |
| ☐ Bike Ride/Race | ☐ Triathlon | ☐ Multi Day Event |
| ☐ Rally/Demonstration | ☐ Swim Event | ☐ Other: <u>Lifeguard Tournament</u> |

*Wedding applicants only need to complete page 6.



13. ☐ YES ☒ NO Will you be hiring a licensed professional security company?

If Yes, please complete:

Company Name: _____ Contact name: _____
Phone #: _____ Cell #: _____
Email address: _____

The Asbury Park Police Department will review all security plans. Plans must meet city, state and Homeland Security guidelines and policies. SORA (Security Officer's Registration Act) license required for all security companies. A copy the of the security company's contract may be requested.

14. ☐ YES ☒ NO Do you intend to hire Asbury Park Officers for your event?

If yes, how many? _____ AP Police Department will review application and determine if and how many officers need to be hired.

15. ☒ YES ☐ NO Will you have sponsors for your event? If so, Please list below them:

Low Dive	
The Break	
Wonderbar	
Asbury Park Jujitsu	
Style Rocket	
Wanderlust	

Photos of sponsor advertisement will need to be provided

16. ☐ YES ☒ NO Will food be provided? All food vendors should contact the Fire Department to determine if any fire permits are required. The Monmouth County Health Department will be on site to inspect all food vendors to ensure proper protocols are in place and being followed. (See attached form from Monmouth County Health Dept)

17. ☐ YES ☒ NO Will you be hiring EMTs? AP Fire Department will review application and determine if and how many EMTs need to be hired.

18. ☐ YES ☒ NO Will you be hiring lifeguards? AP Beach Safety Supervisor will determine if and how many lifeguards will need to be hired.

19. ☐ YES ☒ NO Does your event have any tents or canopies?

- ☐ Tents ☐ Canopies
- If yes, how many? _____ Sizes(sq ft) _____

All events utilizing tents and/or canopies should contact the Fire Department to determine if any fire permits are required



20. ☐ YES ☒ NO Will street closures be required? If yes, please identify what streets and the times the closure required _____

AP City ordinance requires the hiring of an off duty officers if a street is closed. Additional charges will include barricades and street blocking fee (see fee schedule)

21. ☐ YES ☒ NO Will electricity be needed? If yes, explain how will this be provided: _____

Generators require a permit from the Construction department

22. ☐ YES ☒ NO Will this event have staging or platforms? If Yes, please provide the following:

- Size and Height of stage or platform _____
- Name of stage provider _____

Depending on the size of the stage our construction department may require engineering reports & permits

23. ☐ YES ☒ NO Will you require reserved parking spaces for your event?

If yes, how many: _____ and where _____

Please visit www.cityofasburypark.com to purchase reserved parking spaces.

24. ☐ YES ☐ NO Will any area be fenced off? Please explain _____

Name of Fence Provider: _____

Be sure to request a sprinkler head map for City parks.

25. ☐ YES ☒ NO Do you plan to provide portable restrooms? If yes, how many? _____

Number of ADA restrooms _____. Please indicate on your site plan where these restrooms will be located. Estimated # of units: up to 500 people-5 units; 1000 people- 8 units; 2500 people-15 units

➤ Restroom Provider: _____

26. ☒ YES ☐ NO Will you have your own cleanup crew? # _____

If trash, food debris or anything else is left behind from your event, security deposit will be forfeited

27. ☐ YES ☒ NO Will you hire DPW staff to cleanup? See fee schedule for fees. Depending on the event, The City reserves the right to require DPW staff be hired. Certain venues require the hiring of DPW staff

28. ☐ YES ☒ NO Will you require use of the City's trash cans? If yes, how many? _____

☐ YES ☒ NO Recyclable cans? _____ If yes, how many? _____

Recycling is required at all events. Failure to do so may result in State and local fines



29. ☐ YES ☒ NO Will you be renting a dumpster? If yes, what size: _____
 How many: _____ Delivery Date: _____ Pickup Date: _____ Please indicate
 on your site plan where dumpsters will be located.
 ➤ Name of Company providing dumpster: _____

30. Please explain how you will provide cleanup, disposal and removal of trash and debris associated your event:

_____ DPW staff will be on their normal shift.

As mentioned on page 1, a \$500 refundable deposit(refunds will take at least 4 weeks to receive) will required for all events held on City property. Deposit is forfeited if debris, trash, recyclables etc. are not removed. The applicant is responsible for all cleanup of any items associated with your event. The City will provide trash and recyclable containers for your use.

All fees and are estimated only may be adjusted as needed.

The City reserves the right to revoke the permit for the following reasons including but not limited to: the nature of the event changes or expands without consent of the City; if State or Federal Executive Orders prohibits events from occurring; public safety or health are called into question; proper permits are not obtained by applicant; if all fees are not paid in full and insurance is not provided 10 days prior to the event.


 Signature of Applicant

Joseph Bongiovanni
 Printed Name of Applicant


 Date

Beach Safety Supervisor
 Title



Individual Resolutions
Meeting of the Municipal Council
Wednesday, July 17, 2024
RESOLUTION SUMMARY

2024-350

Discharge of Mortgage for Olusola Okunseinde for Property located at 709 Third Avenue:
\$36,828



RESOLUTION NO. 2024-350

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

**RESOLUTION AUTHORIZING THE MAYOR & CITY COUNCIL TO EXECUTE A
DISCHARGE OF MORTGAGE FOR OLUSOLA OKUNSEINDE FOR PROPERTY
LOCATED AT 709 THIRD AVENUE, ASBURY PARK**

WHEREAS, the City of Asbury Park, through its Regional Contribution Agreement (RCA) Program, executed a mortgage to Olusola Okunseinde in the total amount of \$36,828 for repairs to 709 Third Avenue, Asbury Park, Block 2805 Lot 14, which was recorded at the Office of Monmouth County Clerk, Book OR-9077, Page 6512; and

WHEREAS, the City agreed to grant the borrower an interest free deferred payment loan in the amount of \$36,828 on December 3, 2013 for a period of ten years; and

WHEREAS, Olusola Okunseinde has satisfied the requirements of said loan and is requesting a Discharge of Mortgage for 709 Third Avenue; and

NOW THEREFORE BE IT RESOLVED by the City Council of Asbury Park that the Mayor and City Clerk be and hereby are authorized to execute a Discharge of the Mortgage by the City with respect to 709 Third Avenue, Asbury Park.

I, LISA ESPOSITO, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of RESOLUTION NO. 2024-350 which was finally adopted by the City Council at a meeting held on the 17th day of July, 2024

CERTIFIED BY ME THIS 18th DAY OF July, 2024.

LISA ESPOSITO
CITY CLERK

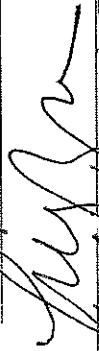
Discharge of Mortgage

A certain Mortgage dated December 3, 2013, was made by City of Asbury Park
1 Municipal Plaza, Asbury Park, NJ 07712
to Olusola Okunseinde, 709 Third Avenue Asbury Park, NJ 07712

This Mortgage was made to secure payment of \$ 36,828 and interest. It was recorded or registered in the office of the county recording officer of Monmouth County, State of New Jersey, on August 19, 2014, in Mortgage Book 9077 on Page 6512.

1. This Mortgage has been PAID IN FULL or otherwise SATISFIED and DISCHARGED. It may now be discharged of record. This means that this Mortgage is now canceled and void.
2. I sign and CERTIFY to this Discharge of Mortgage on July 5th 2024.

Witnessed or Attested by:

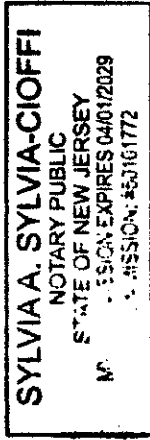

Lillian L. Wozzard, Esq. City Manager (Seal)
City of Asbury Park


Lisa Esposito, City Clerk (Seal)

STATE OF NEW JERSEY, COUNTY OF Monmouth SS:
I CERTIFY that on July 5th 2024

personally came before me and stated to my satisfaction that this person (or if more than one, each person):

- (a) was the maker of the attached instrument;
- (b) executed this instrument as his or her own act.





Print name and title below signature

STATE OF NEW JERSEY, COUNTY OF Monmouth SS:
I CERTIFY that on July 5th 2024

Lillian L. Wozzard, Esq. City Manager

personally came before me and stated to my satisfaction that this person (or if more than one, each person):

- (a) was the maker of the attached instrument;
- (b) was authorized to and did execute this instrument as City Manager the entity named in this instrument; and,
- (c) executed this instrument as the act of the entity named in this instrument.

RECORD AND RETURN TO:
The City of Asbury Park
1 Municipal Plaza
Asbury Park, NJ 07712
Attn: Community Development


Lillian L. Wozzard, Esq. City Manager
City of Asbury Park
Print name and title below signature

(For Recorder's Use Only)



Individual Resolutions
Meeting of the Municipal Council
Wednesday, July 17, 2024
RESOLUTION SUMMARY

2024-351

Discharge of Mortgage for Timothy Harris for Property located at 1218 Summerfield Avenue:
\$20,182



RESOLUTION NO. 2024-351

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

**RESOLUTION AUTHORIZING THE MAYOR AND CITY COUNCIL TO EXECUTE A
DISCHARGE OF MORTGAGE FOR TIMOTHY HARRIS FOR PROPERTY
LOCATED AT 1218 SUMMERFIELD AVENUE, ASBURY PARK**

WHEREAS, the City of Asbury Park, through its Regional Contribution Agreement (RCA) Program, executed a mortgage to Timothy Harris in the total amount of \$20,182 for repairs to 1218 Summerfield Avenue, Asbury Park, Block 1306 Lot 3, which was recorded at the Office of Monmouth County Clerk, Book OR-9065, Page 7221; and

WHEREAS, the City agreed to grant the borrower an interest free deferred payment loan in the amount of \$20,182 on January 28, 2014 for a period of ten years; and

WHEREAS, Timothy Harris has satisfied the requirements of said loan and is requesting a Discharge of Mortgage for 1218 Summerfield Avenue; and

NOW THEREFORE BE IT RESOLVED by the City Council of Asbury Park that the Mayor and City Clerk be and hereby are authorized to execute a Discharge of the Mortgage by the City with respect to 1218 Summerfield Avenue, Asbury Park.

I, LISA ESPOSITO, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of RESOLUTION NO. 2024-351 which was finally adopted by the City Council at a meeting held on the 17th day of July, 2024

CERTIFIED BY ME THIS 18th DAY OF July, 2024.

LISA ESPOSITO
CITY CLERK

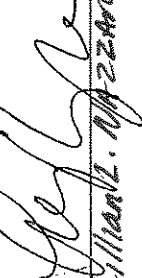
Discharge of Mortgage

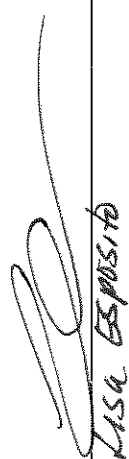
A certain Mortgage dated January 28, 2014 was made by City of Asbury Park
1 Municipal Plaza, Asbury Park, N.J. 07712
to Timothy Harris, 13 Roberta Drive, Neptune NJ 07753
P.O. 1218 Sunnyside Avenue, Asbury Park NJ 07712
This Mortgage was made to secure payment of \$ 20,182 and interest. It was recorded or
registered in the office of the county recording officer of Monmouth County, State of New Jersey, on
May 16, 2014, in Mortgage Book OL-9065 on Page 7221.

1. This Mortgage has been PAID IN FULL or otherwise SATISFIED and DISCHARGED. It may now be
discharged of record. This means that this Mortgage is now canceled and void.

2. I sign and CERTIFY to this Discharge of Mortgage on July 5th 2024.

Witnessed or Attested by:


Lillian L. Narzard, Esq. City Manager (Seal)


Lisa Espinoza (Seal)

STATE OF NEW JERSEY, COUNTY OF Monmouth SS:
I CERTIFY that on July 5th 2024

personally came before me and stated to my satisfaction that this person (or if more than one, each person):
(a) was the maker of the attached instrument;
(b) executed this instrument as his or her own act.

SYLVIA A. SYLVIA-CIOFFI
NOTARY PUBLIC
STATE OF NEW JERSEY
MY COMMISSION EXPIRES 04/01/2029
COMMISSION: #50101772


Print name and title below signature

STATE OF NEW JERSEY, COUNTY OF Monmouth SS:
I CERTIFY that on July 5th 2024

personally came before me and stated to my satisfaction that this person (or if more than one, each person):
(a) was the maker of the attached instrument;
(b) was authorized to and did execute this instrument as
City of Asbury Park
the entity named in this instrument; and,
(c) executed this instrument as the act of the entity named in this instrument.

Lillian L. Narzard, Esq. City Manager

City Manager

RECORD AND RETURN TO:
The City of Asbury Park
1 Municipal Plaza
Asbury Park NJ 07712
Attn: Community Development
CSB


Lillian L. Narzard, Esq. City Manager
Print name and title below signature

(For Recorder's Use Only)



Individual Resolutions
Meeting of the Municipal Council
Wednesday, July 17, 2024
RESOLUTION SUMMARY

2024-352

Appointments to the Sunset Lake Commission: Diana Pittet



RESOLUTION NO. 2024-352

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

RESOLUTION AUTHORIZING APPOINTMENTS TO THE SUNSET LAKE COMMISSION

WHEREAS, pursuant to Section 2-47 of the “Revised General Ordinances of the City of Asbury Park, New Jersey,” a Sunset Lake Commission (the “Commission”) has been duly created in and for the City of Asbury Park (the “City”); and

WHEREAS, the Mayor and Council now wish to appoint certain individuals to serve on the Committee, in accordance with the provisions set forth in the Section referenced above.

WHEREAS, the terms of the Committee members shall begin January 15, 2024 and shall expire January 15, 2026, or as of the date of the 2026 Council Reorganization Meeting, whichever is later.

NOW, THEREFORE, BE IT RESOLVED, that the following individuals are hereby appointed to serve on the Sunset Lake Commission:

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. That the following individual(s) are hereby appointed to serve on the Commission:

Appointee

Diana Pittet -Alternate #2 Member

I, LISA ESPOSITO, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of RESOLUTION NO. 2024-352 which was finally adopted by the City Council at a meeting held on the 17th day of July, 2024

CERTIFIED BY ME THIS 18th DAY OF July, 2024.

LISA ESPOSITO
CITY CLERK



Individual Resolutions
Meeting of the Municipal Council
Wednesday, July 17, 2024
RESOLUTION SUMMARY

2024-353

Resolution authorizing the payment of bills in the amount of \$3,750,207.80



RESOLUTION NO. 2024-353

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

RESOLUTION APPROVING PAYMENT OF BILLS

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

BE IT RESOLVED, that these vouchers payable totaling \$3,750,207.80

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	\$ <u>3,750,207.80</u>
TOTAL VOUCHERS	\$ <u>3,750,207.80</u>

I, LISA ESPOSITO, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of RESOLUTION NO. 2024-353 which was finally adopted by the City Council at a meeting held on the 17th day of July, 2024

CERTIFIED BY ME THIS 18th DAY OF July, 2024.

LISA ESPOSITO
CITY CLERK



Individual Resolutions
Meeting of the Municipal Council
Wednesday, July 17, 2024
RESOLUTION SUMMARY

2024-354

Resolution authorizing the repairs of Influent Pump #2 at the Wastewater Treatment Plant in the amount of \$19,650.00 utilizing Sewer O&E funds.



RESOLUTION NO. 2024-354

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

RESOLUTION AUTHORIZING THE REPAIRS OF INFLUENT PUMP #2 AT THE WASTEWATER TREATMENT PLANT

WHEREAS, the City has a need to repair influent pump #2 at the Wastewater Treatment Plant; and

WHEREAS, the City has obtained the attached quote from G.J. Oliver, Inc. totaling \$19,650.00 from the North Jersey Wastewater Cooperative Pricing System Contract #B369; and

WHEREAS, the City of Asbury Park is desirous of awarding the repairs of influent pump #2 to G.J. Oliver, Inc. in the amount of \$19,650.00; and

WHEREAS, the Chief Financial Officer has certified that funds are available in the following account 4-07-55-502-000-206. The maximum dollar value of the pending contract is as set forth in the resolution.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the City of Asbury Park (the “City”), in the County of Monmouth, State of New Jersey authorize the repairs to influent pump #2 in the amount of \$19,650.00 and a copy of this Resolution shall be provided to the Deputy Director Department of Public Works, City Manager, CFO and Director of Purchasing.

I, LISA ESPOSITO, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of RESOLUTION NO. 2024-354 which was finally adopted by the City Council at a meeting held on the 17th day of July, 2024

CERTIFIED BY ME THIS 18th DAY OF July, 2024.

LISA ESPOSITO
CITY CLERK



50 Industrial Road
 Alpha Industrial Park
 Phillipsburg, NJ 08865
 Phone: 908-454-9743 Ext. 321
 Fax: 908-454-0927
 Email: Greg.zabit@gjoliver.net

July 2, 2024

**Asbury Park Department of Public Works
 9 Main Street
 Asbury Park, NJ 07712**

Attention: Rudy Corona

Ref: Fairbanks Morris Effluent Pump #2

G.J.O. Quote No.: JO24-103-R

Rudy,

Following the disassembly cleaning and inspections of the subject pump and all of the components, we compiled a report with our findings and recommendations for repairs. This quote outlines the costs for the recommended repairs, some being optional.

Repairs

Impeller:

Blend rough edges and high spots on the flow path surfaces.

Balance to 4W/N.

Shaft:

Prepare and fit a sleeve onto the shaft to restore the seal land.

Make a new packing sleeve and fit it to the shaft.

Volute:

Oversize tap the 3 NPT ports and install bushings to bring them down to the required size.

Back Head:

Bore the stuffing box and install a 316ss sleeve to restore the required size.

Hardware and misc.

Qty	Description	Recommendations
1	Bolt, Impeller	Replace with new
4	Rope packing rings	Replace with new
1	Lantern ring	Replace with new
1	Stuffing box water line	Replace with new
1	Lower lip seal	Replace with new
1	Lower radial bearing	Replace with new
1	Upper thrust bearing	Replace with new
1	Upper lip seal	Replace with new
1	Discharge pressure gauge	Replace with a valve, customer to add a gauge
1	Gaskets, All flanges	Replace with new

Assembly

Coat the exterior surfaces with industrial epoxy matching color to original and assemble complete with all the new parts listed above.

Pricing for the basic repair:

Materials\$2,760.00
 Labor \$15,050.00
 Total \$17,810.00 ←

Optional upgrades 1

Coat the internal area of the volute, the impeller flowpath surfaces, the wetted side of the back head and the exposed area of the shaft with a high-performance polymer composite coating. (Very wear resistant epoxy paint)

Pricing:

Materials\$540.00
 Labor \$1,300.00
 Total \$1,840.00 ←

Optional upgrades 2

Coat the internal area of the volute, the impeller flowpath surfaces, the wetted side of the back head and the exposed area of the shaft with a premium corrosion resistant, hydrophobic coating. (Brushable metal/ceramic **Belzona**)

Pricing:

Materials	\$2,396.00
Labor	\$1,300.00
Total	\$3,696.00

Delivery:

4 to 6 weeks ARO.

Terms:

Prices are estimates developed using the terms of the North Jersey Wastewater Cooperative Pricing System Contract B-369.]

G.J. Oliver, Inc. appreciates this opportunity and trust you find this proposal acceptable, however, should you have any questions or require any additional information please do not hesitate to contact me.

Regards;

Greg Zabit
G.J. Oliver, Inc.

BASIC REPAIR \$17810.00
OPTION 1 \$1840.00

TOTAL \$19,650.00



Individual Resolutions
Meeting of the Municipal Council
Wednesday, July 17, 2024
RESOLUTION SUMMARY

2024-355

Resolution authorizing a professional service to the Rodger's Group (Lexipol) for online Police training module 2024 -2025 totaling \$21,383.80 from the Police O&E budget line.



RESOLUTION NO. 2024-355

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

RESOLUTION AUTHORIZING PROFESSIONAL SERVICES TO THE RODGER'S GROUP (LEXIPOL) FOR ONLINE POLICE TRAINING

WHEREAS, the City has a need for training modules that are specifically designed to meet the New Jersey Attorney General's mandatory In-Service requirements; and

WHEREAS, the City has obtained the attached invoice from the Rodger's Group (Lexipol) totaling \$21,383.80; and

WHEREAS, this professional service is exempt from public bidding as per N.J.S.A. 40A:11-5(1)(dd) Professional Services; and

WHEREAS, the City Manager is hereby authorized to sign any contracts with the vendor; and

WHEREAS, the Chief Financial Officer has certified that funds are available in the Current Fund 4-01-25-240-000-237; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of Asbury Park, County of Monmouth, State of New Jersey, authorizing professional services related to the Police Department online training Modules to The Rodger's Group (Lexipol) in the amount of \$21,383.80; and

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

I, LISA ESPOSITO, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of RESOLUTION NO. 2024-355 which was finally adopted by the City Council at a meeting held on the 17th day of July, 2024

CERTIFIED BY ME THIS 18th DAY OF July, 2024.

LISA ESPOSITO
CITY CLERK



Invoice

#INVLHI11235260

6/1/2022

Bill To

Asbury Park Police Department
1 Municipal Plz
Asbury Park NJ 07712
United States

End User

Asbury Park Police Department

Terms

Net 30

Due Date

7/1/2024

PO #**Contract Term**

7/1/2024 to 6/30/2025

Description**Qty****Rate****Amount**

TRG Online Training

1

\$21,383.80

\$21,383.80

Subtotal

\$21,383.80

91 Sworn Officers
32 SLEO
12 Module Package

Tax Total (%)

\$0.00

Invoice Total

\$21,383.80

Amount Paid

\$0.00

Amount Due

\$21,383.80

[Click here to submit your accounting inquiry](#)

Lexipol now has an easier way for you to view/pay your invoices. Please set up/login to your account today at LEXIPOL CUSTOMER PORTAL. If you have difficulty logging in, please click on the reset password link, reset your password, and attempt logging in again.

Please Make Checks Payable to:
Lexipol, LLC
2611 Internet Blvd, Suite 100
Frisco, Tx 75034-9085

Attachment: LEXIPOL - THE RODGER'S GROUP ONLINE TRAINING INVOICE (2024-355 : Authorizing Professional Services to The Rodger's



Individual Resolutions
Meeting of the Municipal Council
Wednesday, July 17, 2024
RESOLUTION SUMMARY

2024-356

Resolution approving change order #5 for New Fire Department Headquarters in an additional amount of \$17,655.84. This change order is for costs to expand parking lot for NJ Transit handicap parking. Change order 4 results in a new contract amount of \$18,261,038.04.



RESOLUTION NO. 2024-356

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

RESOLUTION APPROVING CHANGE ORDER #5 FOR THE NEW FIRE DEPARTMENT HEADQUARTERS

WHEREAS, the City Council of Asbury Park awarded a contract to Wallace Bros., Inc. on February 27, 2023 for a New Fire Department Headquarters via Resolution #2023-144; and

WHEREAS, the original contract amount approved by the City Council was in the sum of eighteen million eight-four thousand dollars (\$18,084,000.00); and

WHEREAS, the City has approved via Resolution 2023-471 Change Order #1 resulting in an additional amount of sixty-nine thousand seven hundred six dollars and thirty-one cents (\$69,706.31) to the contract; and

WHEREAS, the City has approved via Resolution 2023-525 Change Order #2 resulting in an additional amount of ten thousand six hundred thirty-one dollars and thirty-one cents (\$10,631.31) to the contract; and

WHEREAS, the City has approved via Resolution 2024-176 Change Order #3 resulting in an additional amount of twelve thousand six hundred six dollars and thirteen cents (\$12,606.13) to the contract; and

WHEREAS, the City has approved via Resolution 2024-217 Change Order #4 resulting in an additional amount of sixty-six thousand four hundred thirty-eight dollars and forty-five cents (\$66,438.45) to the contract; and

WHEREAS, the City Engineer is requesting Change Order #5 in the amount of \$17,655.84 and represents an increase to the original contract sum with a new contract amount of eighteen million two hundred sixty-one thousand thirty-eight dollars and four cents (\$18,261,038.04); and

WHEREAS, the change order is for costs to expanded the parking lot for NJ Transit handicap parking; and

WHEREAS, the Chief Financial Officer has certified that funds are available in C-04-55-998-176-001 within the Capital Fund and the maximum dollar value of the pending change

orders is as set forth in this resolution; and

WHEREAS, said certification has designated specifically the line-item appropriation(s) of the official budget to which the contract will be officially charged.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of Asbury Park, County of Monmouth and State of New Jersey that Change Order 5 shall not exceed seventeen thousand six hundred fifty-five dollars and eighty-four cents (\$17,655.84).

BE IT FURTHER RESOLVED that the City Mayor is hereby authorized to execute Change Order Number 5 on behalf of the City of Asbury Park.

BE IT FURTHER RESOLVED that the contract between the parties referred to above shall be amended to reflect the changes approved herein.

BE IT FURTHER RESOLVED that a certification of availability of funds shall be attached to the original copy of this resolution and kept in the files of the City Clerk.

BE IT FURTHER RESOLVED that a copy of this Resolution be provided the CFO, Wallace Bros., Inc., City Engineer, City Manager and Director of Purchasing.

I, LISA ESPOSITO, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of RESOLUTION NO. 2024-356 which was finally adopted by the City Council at a meeting held on the 17th day of July, 2024

CERTIFIED BY ME THIS 18th DAY OF July, 2024.

LISA ESPOSITO
CITY CLERK



June 20, 2024

(via email)

Ms. JoAnn Boos, CFO
City of Asbury Park
1 Municipal Plaza
Asbury Park, NJ 07712

**RE: Asbury Park Fire Department Headquarters
Change Order #5_revised
T&M File No.: ASPK-00789
ASPK PO No.: 23-02172**

Enclosed, please find Change Orders #005, dated 06/19/24, in the total amount of seventeen thousand six hundred fifty-five dollars and eighty four cents (\$17,655.84) from Wallace Brothers Inc., the General Contractor for the referenced project.

This change order represents costs as follows:

Change Request No.	Description	Value
015	Cost to relocate the Asbury Park Fire House electrical transformer to accommodate the expanded parking lot for NJ Transit handicap parking.	\$17,655.84
Total		\$17,655.84

We have reviewed the work represented in this change order with Shore Point Architects and their design consultants, and they confirmed that the changes are recommended, and the costs are reasonable; therefore, we recommend approval of Change Orders #005 in the total amount of \$17,655.84. If you concur, please sign and return one copy of the attached Change Order for our records and distribution.

If you have any questions, please do not hesitate to contact us.

T&M Associates

Elizabeth Lawler, CCM
Group Manager

cc: Lillian Nazzaro, Esq., City Manager
Tracy Lizardi, City of Asbury Park Director of Purchasing
Chief Keddy, Asbury Park Fire Department
Stephen J. Carlidge and Brian Koczan, Shore Point Architecture
Jason Harzold & Ryszard Wojnarski, T&M Associates

\\Tandmassociates.local\Public\Projects\ASPK\00789\Change Orders\Change Orders\Change Order #5\June 2024 Change Order 5\ASPK00789 Change Order No. 5 Cover Letter_revised06.19.24.docx

Attachment: ASPK00789 Change Order No. 5 Cover Letter_revised06.19.24 (2024-356 : Change Order #5 for Fire Department Headquarters)



Document G731™ – 2019

Change Order, Construction Manager as Adviser Edition

PROJECT: (name and address)
New Asbury Park Fire Department
Headquarters

OWNER: (name and address)

The City of Asbury Park
One Municipal Plaza
Asbury Park, NJ 07712

CONTRACTOR: (name and address)

Wallace Brothers, Inc.
400 Chambers Bridge Road, Brick, NJ
08723

CONTRACT INFORMATION:
Contract For: General Construction

Date: May 5, 2023

ARCHITECT: (name and address)

Shore Point Architecture, PA
108 South Main Street
Ocean Grove, NJ 07756

CHANGE ORDER INFORMATION:
Change Order Number: 005

Date: 06/19/24

CONSTRUCTION MANAGER: (name and address)

T&M Associates
1144 Hooper Avenue, Suite 202
Toms River, NJ 08753

THE CONTRACT IS CHANGED AS FOLLOWS:

(Insert a detailed description of the change and, if applicable, attach or reference specific exhibits. Also include agreed upon adjustments attributable to executed Construction Change Directives.)

Change Order includes costs as described below and in the attached approved PCO Numbers:

#000015	Cost to relocate the Asbury Park Fire House transformer to accommodate the expanded parking lot for NJ Transit handicap parking.	\$17,655.84
---------	--	-------------

All of the above are expressly incorporated herein and are made a part hereof

The original Contract Sum was	\$ 18,084,000.00
Net change by previously authorized Change Orders	\$ 159,382.20
The Contract Sum prior to this Change Order was	\$ 18,243,382.20
The Contract Sum will be increased by this Change Order in the amount of	\$ 17,655.84
The new Contract Sum including this Change Order will be	\$ 18,261,038.04

The Contract Time will be increased by Zero (0) days.

The Contractor's Work shall be substantially complete on

NOTE: This Change Order does not include adjustments to the Contract Sum or Guaranteed Maximum Price, or the Contract Time, that have been authorized by Construction Change Directive until the cost and time have been agreed upon by both the Owner and Contractor, in which case a Change Order is executed to supersede the Construction Change Directive.

NOT VALID UNTIL SIGNED BY THE ARCHITECT, CONSTRUCTION MANAGER, CONTRACTOR, AND OWNER.

Shore Point Architecture, PA

ARCHITECT (Firm name)

Stephen J. Carlidge

SIGNATURE

Stephen J. Carlidge, AIA

PRINTED NAME AND TITLE

6/19/24

DATE:

Wallace Brothers, Inc.

CONTRACTOR (Firm name)

T&M Associates

CONSTRUCTION MANAGER (Firm name)

E. Lawler

SIGNATURE

Elizabeth Lawler, CCM, Group Manager

PRINTED NAME AND TITLE

June 20, 2024

DATE:

The City of Asbury Park

OWNER (Firm name)

AIA Document G731 – 2019 (formerly G701™ CMA – 1992). Copyright © 1992 and 2019. All rights reserved. "The American Institute of Architects," "American Institute of Architects," "AIA," the AIA Logo, and "AIA Contract Documents" are trademarks of The American Institute of Architects. This document was produced at 13:35:38 ET on 06/19/2024 under Order No. 2114455512 which expires on 08/22/2024, is not for resale, is licensed for one-time use only, and may only be used in accordance with the AIA Contract Documents® Terms of Service. To report copyright violations, e-mail docinfo@aiacontracts.com.

User Notes:

(3B9ADA53)

Attachment: ASPK00789 Change Order No. 5 Cover Letter revised 06.19.24 (2024-356 : Change Order #5 for Fire Department Headquarters)


SIGNATURE
Steven Dawson, President
PRINTED NAME AND TITLE
6.20.24
DATE:

SIGNATURE
PRINTED NAME AND TITLE
DATE:





Individual Resolutions
Meeting of the Municipal Council
Wednesday, July 17, 2024
RESOLUTION SUMMARY

2024-357

In December 2023, NJ Urban Enterprise Zone Authority ("UEZA") pursuant to N.J.S.A. § 52:27H et seq., re-established the requirement for Municipalities to develop a Five-Year Master Plan for approving project proposals under an updated Five-Year Preliminary Zone Development Plan.



RESOLUTION NO. 2024-357

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

RESOLUTION AUTHORIZING THE SUBMISSION OF AN APPLICATION TO NEW JERSEY URBAN ENTERPRISE ZONE AUTHORITY ("UEZA") TO FUND AN OUTSIDE CONSULTANT TO DEVELOP A FIVE YEAR PRELIMINARY ZONE DEVELOPMENT PLAN

WHEREAS, The City of Asbury Park desires to apply for and obtain a grant from the New Jersey Urban Enterprise Zone Authority (UEZA) in an amount not to exceed \$125,000 to fund an outside consultant to develop a Five Year Preliminary Zone Development Urban Enterprise Zone Plan (UEZ); and

WHEREAS, A Five Year Plan is required by the Urban Enterprise Zone Authority (UEZA) as prescribed in PL 2021, c.197 (August 17, 2021) which outlines requirements for Municipality UEZ plans;

WHEREAS, funds for the consulting services are available for this purpose and are specifically allowed in the UEZ legislation C52:27H-68 (5) b.(1); and

WHEREAS, without a Five Year Plan in place, in future years, the City will not be able access the funds allocated to the City as part of the annual UEZ funding;

WHEREAS, the UEZA requires the municipal approval of the submission of an application to UEZA.

NOW, THEREFORE BE IT RESOLVED that: the Council of the City of Asbury Park does hereby authorize the application for a grant in an amount not to exceed \$125,000.

I, LISA ESPOSITO, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of RESOLUTION NO. 2024-357 which was finally adopted by the City Council at a meeting held on the 17th day of July, 2024

CERTIFIED BY ME THIS 18th DAY OF July, 2024.

LISA ESPOSITO
CITY CLERK

UEZA FIVE YEAR MASTER PLAN GUIDELINES

General Statement –

The Urban Enterprise Zone legislation approved in 2021 reestablished the Urban Enterprise Zone Authority (“UEZA”) and authorized the preparation of new zone development plans for each Urban Enterprise Zone municipality, or zone development corporation (“UEZ Entity”) whose zone development plan was approved more than five years prior to the effective date of P.L.2021, c.197 (August 17, 2021). A UEZ Entity having a previously approved zone development plan five years prior to the effective date of the current legislation can now prepare a Five-Year Plan in accordance with the regulatory structure set forth in N.J.S.A. 52:27H-68. Since many of the Urban Enterprise Zones have plans that have expired, the legislation allows UEZ Entities to develop new preliminary zone development plans.

UEZ Entities can formulate new preliminary zone development plans either by the zone development corporation or by the governing body of the municipality, with the assistance of those officers and agencies of the municipality, as the governing body may see fit. In formulating an updated preliminary zone development plan pursuant to this section, the UEZ entity shall consult with representatives of diverse Statewide or regional business organizations that represent the interests of minority businesses as defined in section 2 of P.L. 1986, c. 195 (N.J.S.A. 52:27H-21.18), which organizations shall have no less than 30 days to review a preliminary zone development plan and submit comments to the UEZ entity.

UEZ entities can initiate one of three different options to develop a Five-Year Plan. These options are detailed below as follows:

Option 1 – Enterprise Zone Assistance Fund (EZAF) - Request to fund the RFP Preliminary Zone Development Plan process using an outside consultant.

Urban Enterprise Zone Communities shall take the following steps to obtain approval from the UEZA to hire an outside consultant to complete its preliminary zone development plan using EZAFs. Procedural steps are as follows:

1. Submit a Letter of Request to the UEZA requesting authorization to present a Request for Proposal (RFP) to the Board to complete a Five-Year Plan using EZAF. The letter shall be in the form of a memo addressed to the members of the UEZA on the letterhead of the municipality or development zone corporation and should clearly state the amount of EZAF funds requested. The draft RFP shall be included with the request and must be submitted prior to

issuing the RFP. The Letter of Request shall also include the signed resolution(s) and/or approval(s) from the local municipality and/or the UEZ entity authorizing the request of funds from the UEZA for the RFP. Included in the Letter of Request shall be an estimate for the costs associated with formulating the preliminary zone development plan in an amount not to exceed 10% of the municipality's zone assistance fund or \$125,000, whichever is greater, which amount shall include amounts to retain the consultant to formulate the plan.

2. The UEZA shall review the request for funding to determine if the request is reasonable. The UEZA shall also review the proposed RFP and recommend modifications, if necessary. Modifications to the RFP will be required if the RFP fails to include the following items:

- a) A project overview that provides a statement of the current condition of the UEZ municipality, its challenges, and its successes as it relates to the UEZ program objectives.
- b) A scope of services for the consultant, which includes, but is not limited to details about the Urban Enterprise Zone (demographics, location, business outreach, and any other pertinent information); UEZ accomplishments and benefits (i.e., employment and sales); a vision for the future, goals, and objectives for the Zone; and marketing.
- c) A requirement that proposals include the company's approach to accomplishing the scope of work; information about the company including assigned team members qualified to work on this assignment; a schedule, including key target dates; and itemized fees for the entire scope of services, with a total "not to exceed" amount.
- d) A plan for internal evaluation by the UEZ Entity to ensure the plan meets the scope and other conditions of the RFP.

The UEZA will determine when to release funding, if after reviewing the proposed RFP and request for funding the UEZA determines that the request is reasonable. The UEZA will pay the UEZ Entity and not the vendor upon an executed contract. UEZA will withhold payment, for non-compliance, if necessary.

3. If there are no responses to the RFP, or if the RFP is challenged, or if the RFP responses are unsuccessful such that the UEZ Entity will need to reissue its RFP, the criteria above must be met. If the UEZ Entity exhausts the maximum amount allocated to it for the issuance of an RFP from its EZAF, the UEZ Entity will need to self-fund the remainder of the costs associated with issuing another RFP.

4. In the event a UEZ Entity incurs expenses related to the preparation of the preliminary zone development plan that is greater than the amount initially approved, the UEZ Entity may request reimbursement from its EZAF, provided that the UEZ entity has not reached its statutory maximum and the UEZA determines that the expenses are reasonable based on documentation satisfactory to the UEZA.

5. To request approval of a completed preliminary zone development plan, the UEZ Entity must submit to the UEZA a Letter of Request for Preliminary Zone Development Plan Approval, (to be distinguished from the Letter of Request under #1), above, which:

- a. Attaches the final issued RFP, with all addenda, for the consultant that developed the plan;
- b. Describes the evaluation process that resulted in the selected consultant;
- c. Attaches the selected consultant's proposal;
- d. Attaches the proposed preliminary zone development plan; and
- e. Attaches proof that in formulating an updated preliminary zone development plan pursuant to this section, the UEZ Entity consulted with representatives of diverse Statewide or regional business organizations that represent the interests of minority businesses as defined in section 2 of P.L. 1986, c. 195 (N.J.S.A. 52:27H-21.18), which organizations had no less than 30 days to review the preliminary zone development plan and submit comments to the UEZ entity or governing body.

6. Within fourteen (14) days of receiving a Letter of Request to Approve a Preliminary Zone Development Plan, the UEZA shall approve and certify the preliminary zone development plan, unless it finds material deficiencies in the plan based on the requirements in N.J.S.A. 52:27H-68(a). The UEZA shall provide a corrective action plan to the UEZ Entity if the UEZA finds material deficiencies with a preliminary zone development plan. An example of a material deficiency would be the failure to include the boundaries of the enterprise zone or findings of fact concerning the economic and social conditions existing in the urban enterprise zone and the municipality's policy and intentions for addressing these conditions.

7. The final, approved zone development plan shall be the plan that is administered in that zone, and certification of the plan will enable the municipality to access assistance from the enterprise zone assistance fund described in section 10 of P.L.2021, c.197 (N.J.S.A. 52:27H-88).

Option 2 – Enterprise Zone Assistance Fund (EZAF) - Request to fund the Preliminary Zone Development Plan process using municipal employees and/or employees of the UEZ Entity. The governing body of a municipality or zone development corporation choosing to develop a preliminary zone development plan without a consultant may use EZAF funds to pay its employees to develop a Preliminary Zone Development Plan. UEZ entities who choose this option shall follow the steps outlined below:

1. Submit a Letter of Request to the UEZA requesting authorization to complete a Five-Year Plan using EZAF. The letter shall be in the form of a memo addressed to the members of the UEZA on the letterhead of the municipality or development zone corporation and should clearly state the amount of EZAF funds requested. The amount requested must not to exceed 10% of the municipality's zone assistance fund

or \$125,000, whichever is greater. The Letter of Request shall also include the signed resolution(s) and/or approval(s) from the local municipality and/or the local UEZ Entity authorizing the request of funds from the UEZA to complete the Five-Year Plan.

2. The Letter of Request must demonstrate that the UEZ Entity employees have sufficient relevant experience and expertise to develop the plan, including, but not limited to, training and certification from the UEZA (which includes 8 hours of training per year as required by law). The Letter must also demonstrate how the UEZ Entity will track the time that employees spend on developing the plan, separate from all other work of such employees.
3. The UEZA shall determine whether the UEZ entity has employees with sufficient experience and expertise to develop the plan and whether the request for funding is reasonable. If so, the UEZA will approve the request and determine when to release the funding.
4. In the event the UEZ Entity incurs expenses related to the preparation of the preliminary zone development plan in excess of the amount initially approved, the UEZ Entity may request reimbursement from its EZAF, provided that the UEZ Entity has not reached its statutory maximum, and the UEZA determines that the expenses are reasonable based on documentation satisfactory to the UEZA.
5. To request approval of a completed preliminary zone development plan, the UEZ Entity must submit to the UEZA a Letter of Request for Preliminary Zone Development Plan Approval (to be distinguished from the Letter of Request under #1), above which:
 - a. Attaches the final issued RFP, with all addenda, for the consultant that developed the plan;
 - b. Describes the evaluation process that resulted in the selected consultant;
 - c. Attaches the selected consultant's proposal;
 - d. Attaches the proposed preliminary zone development plan; and
 - e. Attaches proof that in formulating an updated preliminary zone development plan pursuant to this section, the UEZ Entity consulted with representatives of diverse Statewide or regional business organizations that represent the interests of minority businesses as defined in section 2 of P.L. 1986, c. 195 (N.J.S.A. 52:27H-21.18), which organizations had no less than 30 days to review the preliminary zone development plan and submit comments to the UEZ entity or governing body.
6. Within fourteen (14) days of receiving a Letter of Request to Approve a Preliminary Zone Development Plan, the UEZA shall approve and certify the preliminary zone development plan, unless it finds material deficiencies in the preliminary zone development plan based on the requirements in N.J.S.A. 52:27H-68(a). The UEZA shall provide a corrective action plan to the UEZ Entity if the UEZA finds material

deficiencies with a preliminary zone development plan. An example of a material deficiency would be the failure to include the boundaries of the enterprise zone or findings of fact regarding the economic and social conditions existing in the urban enterprise zone and the municipality's policy and intentions for addressing these conditions.

7. The final, approved zone development plan shall be the plan that is administered in that zone, and certification of the plan will enable the municipality to access assistance from the enterprise zone assistance fund described in section 10 of P.L.2021, c.197 (N.J.S.A. 52:27H-88).

Option 3 – Request to Proceed with Developing a Preliminary Zone Development Plan without Zone Assistance Funds

UEZ Entities that do not wish to go through either of the EZAF approval processes described above may opt to self-fund its own Preliminary Zone Development Plan. This option is detailed below as follows:

1. Submit a memo on the municipality or corporation letterhead addressed to the members of the UEZA informing the UEZA that they are self-funding the development of a preliminary zone development plan.
2. A UEZ Entity that chooses to self-fund the development plan process cannot access funds from its EZAF later to fund the costs already incurred for the preliminary zone development plan.
3. To request approval of a completed preliminary zone development plan, the UEZ Entity must submit a Letter of Request to Approve a Preliminary Zone Development Plan to the UEZA that:
 - a. Attaches the final issued RFP, with all addenda, for the consultant that developed the plan, if the plan was developed by a consultant;
 - b. Describes the evaluation process that resulted in the selected consultant, if the plan was developed by a consultant.
 - c. Describes the training, expertise, and experience of the municipal or corporation employees involved in developing the preliminary zone development plan, if the plan was developed by employees;
 - d. Attaches the selected consultant's proposal if the plan was developed by a consultant;
 - e. Attaches the proposed preliminary zone development plan; and
 - f. Attaches proof that in formulating an updated preliminary zone development plan pursuant to this section, the UEZ Entity consulted with representatives of diverse Statewide or regional business organizations that represent the interests of minority businesses as defined in section 2 of P.L. 1986, c. 195 (N.J.S.A. 52:27H-

21.18), which organizations had no less than 30 days to review the preliminary zone development plan and submit comments to the UEZ Entity.

4. Within fourteen (14) days of receiving a complete Letter of Request to Approve a Preliminary Zone Development Plan, the UEZA shall approve and certify the preliminary zone development plan, unless it finds material deficiencies in the preliminary zone development plan based on the requirements in N.J.S.A. 52:27H-68(a). The UEZA shall provide a corrective action plan to the UEZ Entity if the UEZA finds material deficiencies with a preliminary zone development plan. An example of a material deficiency would be the failure to include the boundaries of the enterprise zone or findings of fact regarding the economic and social conditions existing in the urban enterprise zone and the municipality's policy and intentions for addressing these conditions.
5. The final, approved zone development plan shall be the plan that is administered in that zone, and certification of the plan will enable the municipality to access assistance from the enterprise zone assistance fund described in section 10 of P.L.2021, c.197 (N.J.S.A. 52:27H-88).

Additional Considerations:

All Urban Enterprise Zone Communities are subject to procurement, compliance, ethics, and other legal requirements.

The Guidelines will take effect upon the affirmative vote of the Urban Enterprise Zone Authority Board



Individual Resolutions
Meeting of the Municipal Council
Wednesday, July 17, 2024
RESOLUTION SUMMARY

2024-358

Resolution authorizing the submission of a grant application to the New Jersey Department of Transportation intended for the repaving of Langford Street between Prospect Avenue and Asbury Avenue



RESOLUTION NO. 2024-358

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

RESOLUTION AUTHORIZING AND APPROVING THE SUBMITTAL OF A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE LANGFORD STREET ROADWAY IMPROVEMENTS – PHASE 1 PROJECT

NOW, THEREFORE BE IT RESOLVED, the City Council of the City of Asbury Park, Monmouth County, New Jersey, does hereby formally approve the grant application for the above stated project.

NOW, THEREFORE BE IT FURTHER RESOLVED, that the Mayor, City Council, City Manager, City Engineer and City Clerk are hereby authorized to submit an electronic grant application identified as MA-2025-Langford Street Roadway Improvements-Phase 1-00367 to the New Jersey Department of Transportation on behalf of the City of Asbury Park.

NOW, THEREFORE BE IT FURTHER RESOLVED, that the Mayor, City Manager, and Clerk are hereby authorized to sign the grant agreement on behalf of the City of Asbury Park and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

I, LISA ESPOSITO, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of RESOLUTION NO. 2024-358 which was finally adopted by the City Council at a meeting held on the 17th day of July, 2024

CERTIFIED BY ME THIS 18th DAY OF July, 2024.

LISA ESPOSITO
CITY CLERK

CITY OF ASBURY PARK
ONE MUNICIPAL PLAZA
ASBURY PARK, NEW JERSEY 07712

PHONE: (732) 775-2100
WWW.CITYOFASBURY PARK.COM



JOHN MOOR, MAYOR
AMY QUINN, DEPUTY MAYOR
ANGELA AHBEZ-ANDERSON, COUNCILMEMBER
EILEEN CHAPMAN, COUNCILMEMBER
YVONNE CLAYTON, COUNCILMEMBER

LILLIAN L. NAZZARO, ESQ., CITY MANAGER
LISA ESPOSITO, RMC, CITY CLERK

7/1/2024

To: City Council Members

From: James Bonanno

Subject: FY 2025 Municipal Aid Grant – Repaving of Langford Street

City Council Members,

Resolution ID#6056 authorizes and supports a Municipal Aid Grant application to the New Jersey Department of Transportation. The grant is planned to be used to repave Langford Street between Prospect Avenue and Asbury Avenue, upgrade pedestrian ramps at intersection to be ADA compliant, provide select sidewalk replacement where in disrepair and upgrade all storm inlets to current NJDEP standards. This project will not include the repair or replacement of any sanitary sewer or will it construct new curbing and sidewalks the full length of the roadway.

The condition of Langford Streets pavement as outlined in the City of Asbury Park Road Condition Assessment performed in 2019 was scored 29 out of 100 and is currently the lowest scoring roadway that is not already planned for reconstruction or repaving.

In June 2024, T&M Associated estimated the completion of this work would cost \$1,382,568.00. This grant application is requesting \$1,382,568.00 in state funding to complete the above mentioned repaving and upgrades to Langford Street between Prospect Avenue and Asbury Avenue.

I am available to answer any further questions or provide additional information if needed.

Thank you,

James Bonanno
Director of Transportation
732-502-5762

James.Bonanno@cityofasburypark.com

Attachment: Memo to City Council - FY25 Municipal Aid Grant (2024-358 : FY25 Municipal Aid Grant - Langford Street)



Individual Resolutions
Meeting of the Municipal Council
Wednesday, July 17, 2024
RESOLUTION SUMMARY

2024-359

Resolution authorizing the submission of a grant application to the New Jersey Department of Transportation intended to rehabilitate the existing Canopies located at the City of Asbury Park Transportation Center.



RESOLUTION NO. 2024-359

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

RESOLUTION AUTHORIZING AND APPROVING THE SUBMITTAL OF A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE CITY OF ASBURY PARK TRANSPORTATION CENTER CANOPY REPAIRS

WHEREAS, the existing canopies located at the City of Asbury Park Transportation Center have sustained significant stability and capacity reductions at their bases due to oxidation; and,

WHEREAS, due to the extent of the deterioration observed, T&M Associates has recommended the repair or removal of the existing canopies; and,

WHEREAS, the City Council of the City of Asbury Park, Monmouth County, New Jersey, does hereby formally approve the grant application for the rehabilitation of the existing canopies located at the City of Asbury Park Transportation Center.

NOW, THEREFORE BE IT RESOLVED, that the Mayor, City Council, City Manager, City Engineer and City Clerk are hereby authorized to submit an electronic grant application identified as TV-2025-City of Asbury Park Transportation Center Canopy Repairs-00017 to the New Jersey Department of Transportation on behalf of the City of Asbury Park.

NOW, BE IT FURTHER RESOLVED, that the Mayor, City Manager, and Clerk are hereby authorized to sign the grant agreement on behalf of the City of Asbury Park and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

I, LISA ESPOSITO, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of RESOLUTION NO. 2024-359 which was finally adopted by the City Council at a meeting held on the 17th day of July, 2024

CERTIFIED BY ME THIS 18th DAY OF July, 2024.

LISA ESPOSITO
CITY CLERK

CITY OF ASBURY PARK
ONE MUNICIPAL PLAZA
ASBURY PARK, NEW JERSEY 07712

PHONE: (732) 775-2100
WWW.CITYOFASBURY PARK.COM



JOHN MOOR, MAYOR
AMY QUINN, DEPUTY MAYOR
ANGELA AHBEZ-ANDERSON, COUNCILMEMBER
EILEEN CHAPMAN, COUNCILMEMBER
YVONNE CLAYTON, COUNCILMEMBER

LILLIAN L. NAZZARO, ESQ., CITY MANAGER
LISA ESPOSITO, RMC, CITY CLERK

7/1/2024

To: City Council Members

From: James Bonanno

Subject: FY 2025 Transit Village Grant – Rehabilitation of Transportation Center Canopies

City Council Members,

Resolution ID#6055 authorizes and supports a Transit Village Grant application to the New Jersey Department of Transportation. The grant is planned to be used to repair the existing canopies located at the City of Asbury Park Transportation Center and Train Station. There are a total of four canopies, all of which are in need of structural repairs, new lighting and painting.

In January of 2020, T&M Associates performed a condition assessment and evaluation of the steel columns of the two canopy structures along the bus stop and Transportation Center building. The canopies were found to have moderate to significant section loss at the bases of several of the steel columns with at least on column that exhibited up to 100% section loss in the webbing of the steel.

In June of 2024, T&M Associates provided the city with a cost proposal to repair all four canopies in the amount of \$407,868.00. This grant application is requesting \$407,868.00 in state funding to complete the rehabilitation of all four canopies.

I am available to answer any further questions or provide additional information if needed.

Thank you,

James Bonanno
Director of Transportation
732-502-5762

James.Bonanno@cityofasburypark.com

Attachment: Memo to City Council - FY25 Transit Village Grant (2024-359 : FY 25 Transit Village Application Support - Canopies)



Individual Resolutions
Meeting of the Municipal Council
Wednesday, July 17, 2024
RESOLUTION SUMMARY

2024-360

Shared Services Agreement with the Library for use of the City Engineer's services regarding repairs to the roof assemblies, rooftop drainage components, fascia, flashing and trim associated with roof assembly, roof leaders to below grade drainage discharge points, sub-grade window wells, basement foundation walls and associated repairs.



RESOLUTION NO. 2024-360

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

RESOLUTION AUTHORIZING THE EXECUTION OF A SHARED SERVICES AGREEMENT BETWEEN THE CITY OF ASBURY PARK AND ASBURY PARK PUBLIC LIBRARY CONCERNING USE OF CITY ENGINEER

WHEREAS, the City of Asbury Park (the “City”) is a municipal corporation, pursuant to the statutes of the State of New Jersey (the “State”), and the Asbury Park Public Library (the “Library”) is a free public library pursuant to State statutes under the authority of a Board of Trustees, which is a body corporate pursuant to N.J.S.A. 40:54-11; and

WHEREAS, the City and the Library are local units per the Uniform Shared Services and Consolidation Act, N.J.S.A. 40:65-1, *et seq.* (the “Act”); and

WHEREAS, the Act authorizes local units to enter into agreements to provide or receive any service that each is empowered to provide or receive within its jurisdiction; and

WHEREAS, the Library is in need of engineering services regarding repairs to the roof assemblies, rooftop drainage components, fascia, flashing and trim associated with roof assembly, roof leaders to below grade drainage discharge points, sub-grade window wells, basement foundation walls and associated repairs (the “project”), including those identified in a Building Survey Assessment Report prepared by T&M Associates (the “City Engineer”); and

WHEREAS, the Library desires to utilize the services of the City Engineer in connection with the project; and

WHEREAS, the Mayor and Council wish to authorize the City to enter into the attached Shared Services Agreement, and to authorize the Mayor and the City Clerk to execute same on behalf of the City.

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

1. That the City is hereby authorized to enter into the attached Shared Services Agreement with the Library for use of the City Engineer’s services, under the terms and conditions set forth in the attached Agreement.

2. That the Mayor is hereby authorized to execute, and the City Clerk to attest, the attached Agreement, or one which is substantially similar thereto and in a form satisfactory to the City Attorney.
3. That a certified copy of this Resolution (along with the attached Agreement) shall be provided to each of the following:
 - a. Asbury Park Public Library;
 - b. T&M Associates;
 - c. Lillian L. Nazzaro, Esq., City Manager;
 - d. JoAnn Boos, CFO;
 - e. Tracy Lizardi, Director of Purchasing, QPA/Assistant CFO; and
 - f. Frederick C. Raffetto, Esq., Municipal Attorney.

I, LISA ESPOSITO, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of RESOLUTION NO. 2024-360 which was finally adopted by the City Council at a meeting held on the 17th day of July, 2024

CERTIFIED BY ME THIS 18th DAY OF July, 2024.

LISA ESPOSITO
CITY CLERK

SHARED SERVICES AGREEMENT BETWEEN THE CITY OF ASBURY PARK AND ASBURY PARK PUBLIC LIBRARY CONCERNING USE OF CITY ENGINEER

THIS AGREEMENT is entered into on _____, 2024, by and between the City of Asbury Park (hereinafter "the City") and the Asbury Park Public Library (hereinafter "the Library").

WHEREAS, the City is a municipal corporation pursuant to the Statutes of the State of New Jersey and the Library is a free public library pursuant to the statutes of the State of New Jersey under the authority of a Board of Trustees, which is a body corporate pursuant to N.J.S.A. 40:54-11; and,

WHEREAS, the City and the Library are local units per the Uniform Shared Services and Consolidation Act, N.J.S.A. 40:65-1, et. seq. (the "Act"); and,

WHEREAS, the Act authorizes local units to enter agreements to provide or receive any service that each is empowered to provide or receive within its jurisdiction; and,

WHEREAS, the Library is in need of engineering services regarding repairs to the roof assemblies, roof-top drainage components, fascia, flashing and trim associated with roof assembly, roof leaders to below grade drainage discharge points, sub-grade window wells, basement foundation walls and associated repairs, including those identified in a Building Survey Assessment Report prepared by T&M Associates; and,

WHEREAS, the Library desires to use the City Engineer's services for same; and,

WHEREAS, the City utilizes the services of T&M Associates as City Engineer.

NOW, THEREFORE, be it AGREED as follows:

1. **Services.** The City Engineer will provide the following services to the Library: As more fully described in Schedule A attached hereto, June 12, 2024 Proposal for Professional Engineering and Program Management Services – Asbury Park Public Library – Capital Improvements Project (the "Proposal"), which is incorporated herein, Site Survey Services and Base Mapping, including Non-Invasive Ground Penetrating radar Survey and Geophysical Limitations and Exclusions, Architectural Services (through DiGroup Architecture), Construction Phase Services and Program Management (the "Services").
2. **Compensation.** The Library will reimburse the City for the Services in the Proposal per the fees stated in Schedule A (the Proposal)

3. **Duration.** This Agreement will be in effect from August 1, 2024 to July 31, 2025 [It looks like the estimate time is 6 months for all services - perhaps include a one year duration unless sooner completed.]
4. **Payment.** The Library will be billed on a quarterly basis for services provided in accordance with the schedule stated in Schedule A (the "Proposal"). The Library will make payments within 30 days of the billing date, providing that the billing is in conformity with this Agreement. Such payment shall be made by check and be made payable to the City.
5. **Level, Quality and Scope of Performance.** The level, quality and scope of performance shall be the same as when those or similar services are provided by the City Engineer to the City. The Library shall communicate any specific issues regarding the level, quality or scope of performance to the City Administrator.
6. **Termination.** Either party may terminate this Agreement upon thirty (30) days written notice to the other party. The Library will be responsible for payment for services accomplished to the date of such notice.

IN WITNESS WHEREOF, the parties hereto have caused those present to be signed by their respective authorized officers and their respective corporate seals to be hereunto affixed the day and year first above mentioned.

WITNESS:

ASBURY PARK LIBRARY
BOARD OF TRUSTEES

By: _____

By: _____

Chairperson

Date: _____

WITNESS:

CITY OF ASBURY PARK

By: _____

By: _____

John Moor, Mayor

Date: _____



Individual Resolutions
Meeting of the Municipal Council
Wednesday, July 17, 2024
RESOLUTION SUMMARY

2024-361

Annual temporary installation of Mobile Cell towers for See Hear Now. One locations in the Waterfront. Will be removed 5 days after Sea Hear Now Festival.



RESOLUTION NO. 2024-361

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

**RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF ASBURY PARK,
ACTING AS THE REDEVELOPMENT ENTITY, AUTHORIZING A TEMPORARY
CELLULAR INSTALLATION ON THE NORTHEAST CORNER OF BLOCK 4306,
LOTS 1 AND 2 (1695 KINGSLEY STREET), WITHIN THE WATERFRONT
REDEVELOPMENT AREA**

WHEREAS, on June 5, 2002 the City Council adopted Ordinance No. 2607 adopting the Amended Waterfront Redevelopment Plan (the “Waterfront Redevelopment Plan”) for the City of Asbury Park (the “City”) which provides for the redevelopment of certain properties situated in the Waterfront Redevelopment Area; and

WHEREAS, Asbury Partners, LLC (the “Master Developer”) and the City are parties to a certain Amended and Restated Redeveloper and Land Disposition Agreement dated October 28, 2002 (the “Redeveloper Agreement”) concerning the redevelopment of the City’s Waterfront Redevelopment Area; and

WHEREAS, the Master Developer is the owner of those certain properties identified as Block 4306, Lots 1 and 2, as set forth on the Tax Map of the City of Asbury Park, also known as 1695 Kingsley Street, and generally situated at the northeast corner of Kingsley Street and Eighth Avenue, which Lots are located within the Redevelopment Area (collectively referenced as the “Site”); and

WHEREAS, New York SMSA Limited Partnership, d/b/a Verizon Wireless, has requested the City’s approval to use the Site to install a temporary cellular communications system, including tower(s) and generators (along with related equipment), on the Site from July 18, 2024 through September 20, 2024, specifically for the Sea.Hear.Now Music and Art Festival (the “Festival”); and

WHEREAS, the Mayor and City Council, acting as the City’s Redevelopment Entity, wish to approve and authorize this temporary use, as conditioned herein.

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

1. That the foregoing recitals are incorporated herein by reference.
2. That the temporary use of the Site for the purposes referenced above is hereby approved, subject to the conditions set forth herein.
3. That the temporary cellular communications system on the Site will be situated within a compound measuring approximately 40 feet by 40 feet. Said compound will largely be located at the northeast corner of Block 4306, Lots 1 and 2, as further depicted on the plans prepared by Jacob Minard, P.E., entitled “2024 Sea Hear Now COW 2,” also dated March 6, 2024, and revised to June 20, 2024, attached hereto as Exhibit “A.”
4. That the purpose of the temporary cellular communications system referenced above is to: (1) provide cellular coverage during the high demand created by the Festival; and (2) be utilized as a temporary location on an annual basis, only during the time of the Festival.
5. That the City has determined that the temporary and interim use of the Site as a temporary cellular communications system is necessary in order to assist the City to accommodate and support the needs of Festival visitors, and for the convenience of the public at large.
6. That the use of the Site for a temporary cellular communications system from July 18, 2024 through September 20, 2024 is hereby approved and, due to the limited nature and duration of this use, and the benefit to the City, review and approval by the Technical Review Committee (TRC) and/or the Planning Board shall not be required.
7. That the City’s approval is specifically conditioned upon the temporary cellular communications system ceasing operation and being removed by the close of business on September 20, 2024 and being located, constructed and operated in conformance with the plans attached hereto as Exhibit “A.” That this Resolution shall take effect immediately.
8. That a certified copy of this Resolution shall be provided to each of the following:
 - a. Lauren D’Arcy, Gotham Communications;
 - b. Lillian L. Nazzaro, Esq., City Manager;
 - c. Michele Alonso, Director of Planning and Redevelopment;
 - d. Robert Bianchini, Director of Capital Projects and Public Facilities; and
 - e. Frederick C. Raffetto, Esq., Municipal Attorney.

I, LISA ESPOSITO, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of RESOLUTION NO. 2024-361 which was finally adopted by the City Council at a meeting held on the 17th day of July, 2024

CERTIFIED BY ME THIS 18th DAY OF July, 2024.

LISA ESPOSITO
CITY CLERK

Exhibit A

Attachment: Exhibit A Cover Sheet (2024-361 : 2024 Sea Hear Now COWS 1695 Kingsley)

NEW YORK SMSA LIMITED PARTNERSHIP



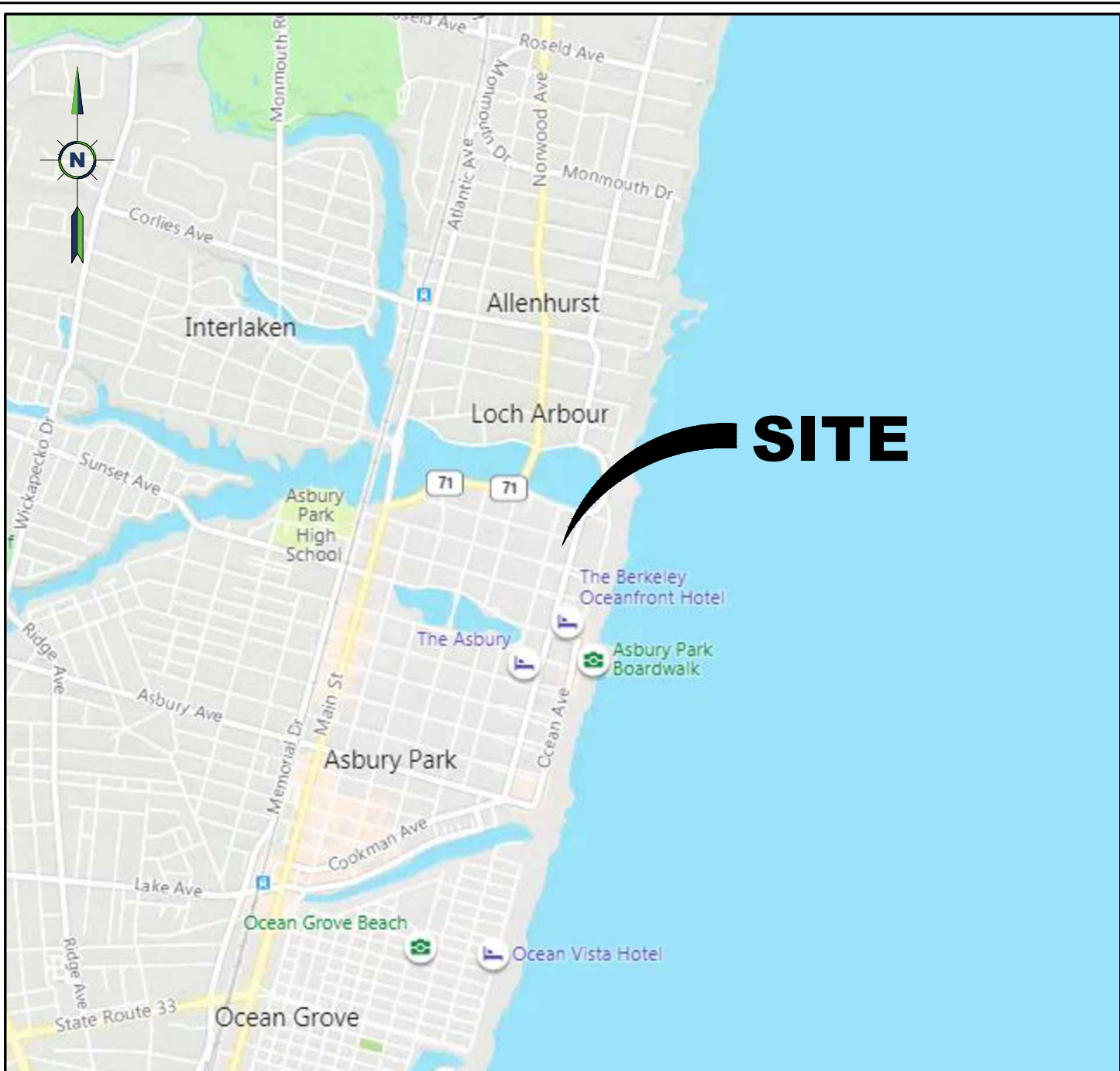
2024 SEA HEAR NOW COW 2
1695 KINGSLEY STREET
ASBURY PARK, NEW JERSEY 07712

SITE INFORMATION

SITE NAME:	2024 SEA HEAR NOW COW 2
SITE ADDRESS:	1695 KINGSLEY STREET ASBURY PARK, NEW JERSEY 07712
ZONING DISTRICT:	WPRA
TAX MAP:	BLOCK 4306, LOTS 1 & 2
JURISDICTION:	CITY OF ASBURY PARK MONMOUTH COUNTY, NEW JERSEY
SITE COORDINATES:	N 40° 13' 41.020" (NAD 83) W 73° 59' 58.049" (NAD 83)
GROUND ELEVATION:	12± (NAVD 88)
STRUCTURE TYPE:	MONOPOLE
STRUCTURE HEIGHT:	74± AGL (TOP OF MONOPOLE)
SIZE OF LEASE AREA:	40'-0"W x 40'-0"L
ANTENNA RAD CENTER:	70'-0"± AGL
LANDLORD NAME:	ASBURY PARTNERS, LLC
LANDLORD ADDRESS:	C/O STARFIELD 1114 AVENUE OF THE AMERICAS 39TH FLOOR NEW YORK, NEW YORK 10036
APPLICANT:	NEW YORK SMSA LIMITED PARTNERSHIP D/B/A VERIZON WIRELESS 180 WASHINGTON VALLEY ROAD BEDMINSTER, NEW JERSEY 07921

CODE ANALYSIS

BUILDING CODE:	IBC 2021 (NEW JERSEY EDITION)
ELECTRICAL CODE:	NFPA 70, NEC 2020
FIRE CODE:	IFC 2021 (NEW JERSEY EDITION)
USE GROUP:	U (UTILITY)
CONSTRUCTION TYPE:	IIB



AREA MAP

ASBURY PARK, NEW JERSEY
SCALE: 1" = 2000'-0"

DIRECTIONS

FROM VERIZON OFFICE AT 180 WASHINGTON VALLEY ROAD: TURN LEFT ONTO WASHINGTON VALLEY ROAD / COUNTY HIGHWAY-620. BEAR RIGHT ONTO US-206 NORTH / US-202 NORTH. TAKE THE JUGHANDLE AT EAST RIVER ROAD TO TURN ONTO US-206 SOUTH / US-202 SOUTH. TAKE THE RAMP ON THE RIGHT FOR I-287 SOUTH TOWARD PRINCETON / SOMERVILLE. KEEP STRAIGHT ONTO US-9 / NJ-440 NORTH. TAKE THE RAMP FOR GARDEN STATE PARKWAY SOUTH. TAKE EXIT 105 FOR NJ-36 TOWARD EATONTOWN / LONG BRANCH. KEEP LEFT ONTO NJ-36. TURN RIGHT ONTO HOPE ROAD / COUNTY HIGHWAY-51. TAKE THE RAMP FOR NJ-18 SOUTH TOWARD POINT PLEASANT. TAKE EXIT 10A FOR NJ-66 EAST TOWARD ASBURY PARK. KEEP STRAIGHT ONTO NJ-35 NORTH. BEAR LEFT ONTO ASBURY AVENUE / COUNTY HIGHWAY-16. TURN LEFT ONTO KINGSLEY STREET. TURN LEFT ONTO 8TH AVENUE. SITE IS ON THE LEFT.

SHEET INDEX

DRAWING SHEET	DRAWING TITLE
T-1	TITLE SHEET
Z-1	SITE PLAN
C-1	COMPOUND PLAN
C-2	ELEVATION
C-3	CONSTRUCTION DETAILS
C-4	GENERATOR & FUEL TANK DETAILS
E-1	ELECTRICAL PLAN & NOTES
E-2	ONE LINE DIAGRAMS
E-3	ELECTRICAL DETAIL

DO NOT SCALE DRAWINGS

CONTRACTOR IS TO VERIFY ALL PLANS, EXISTING DIMENSIONS & CONDITIONS RELATING TO THIS PROJECT. CONTRACTOR SHALL IMMEDIATELY NOTIFY THE ENGINEER IF THERE ARE ANY DISCREPANCIES PRIOR TO CONSTRUCTION.

VERIZON REVIEW

PROJECT MANAGER	DATE:
CONSTRUCTION	DATE:

NETWORK
CONNEX

5000 ATRIUM WAY, SUITE 3
MOUNT LAUREL, NEW JERSEY 08054
PHONE (856) 316-4788
FAX (856) 231-9949

www.networkconnex.com

NEW YORK SMSA
LIMITED PARTNERSHIP



180 WASHINGTON VALLEY ROAD
BEDMINSTER, NEW JERSEY 07921

SCHEDULE OF REVISIONS

4		
3		
2		
1		
0	06-20-2024	FINAL
C	06-12-2024	REVISED LOCATION
B	06-11-2024	REVISED RFDS
A	03-06-2024	ISSUED FOR REVIEW
REV. NO.	DATE	DESCRIPTION OF CHANGES

DRAWN BY: MBM

CHECKED BY: MRL

SCALE: NOTED

JOB NO: 23E0001.001

DRAWING TITLE:

TITLE SHEET

DRAWING SHEET:

T-1

2024 SEA HEAR NOW COW 2

1695 KINGSLEY STREET
ASBURY PARK, NEW JERSEY
07712

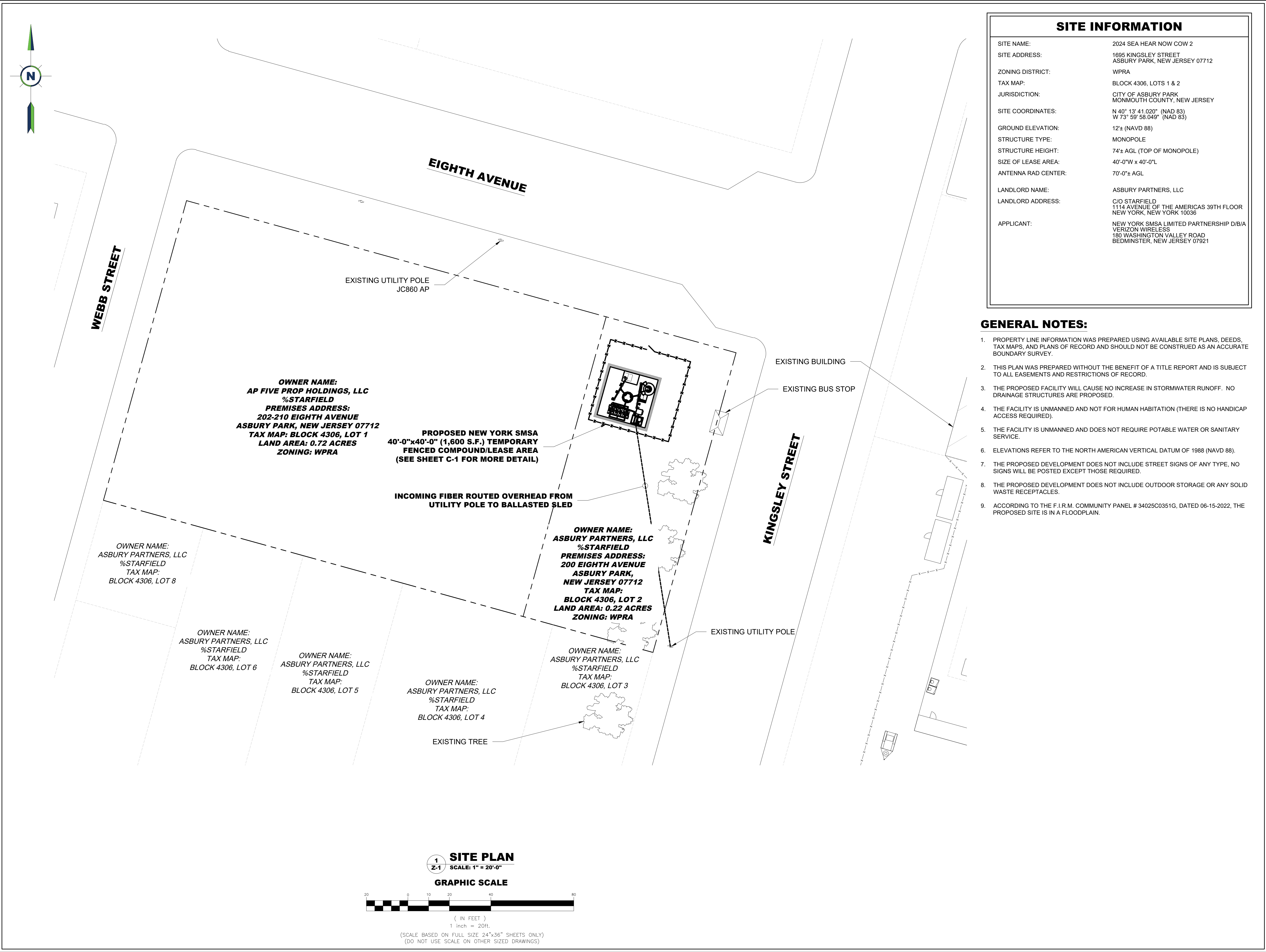
CITY OF ASBURY PARK
MONMOUTH COUNTY,
NEW JERSEY

SHEET NO. 1 OF 9

AE CERTIFICATE OF AUTHORIZATION
24GA28073100



JACOB MINARDI, P.E.
NEW JERSEY PROFESSIONAL ENGINEER
LICENSE # GE57972



SITE INFORMATION

SITE NAME:	2024 SEA HEAR NOW COW 2
SITE ADDRESS:	1695 KINGSLEY STREET ASBURY PARK, NEW JERSEY 07712
ZONING DISTRICT:	WPRA
TAX MAP:	BLOCK 4306, LOTS 1 & 2
JURISDICTION:	CITY OF ASBURY PARK MONMOUTH COUNTY, NEW JERSEY
SITE COORDINATES:	N 40° 13' 41.020" (NAD 83) W 73° 59' 58.049" (NAD 83)
GROUND ELEVATION:	12'± (NAVD 88)
STRUCTURE TYPE:	MONOPOLE
STRUCTURE HEIGHT:	74'± AGL (TOP OF MONOPOLE)
SIZE OF LEASE AREA:	40'-0"W x 40'-0"L
ANTENNA RAD CENTER:	70'-0"± AGL
LANDLORD NAME:	ASBURY PARTNERS, LLC
LANDLORD ADDRESS:	C/O STARFIELD 1114 AVENUE OF THE AMERICAS 39TH FLOOR NEW YORK, NEW YORK 10036
APPLICANT:	NEW YORK SMSA LIMITED PARTNERSHIP D/B/A VERIZON WIRELESS 180 WASHINGTON VALLEY ROAD BEDMINSTER, NEW JERSEY 07921

GENERAL NOTES:

- PROPERTY LINE INFORMATION WAS PREPARED USING AVAILABLE SITE PLANS, DEEDS, TAX MAPS, AND PLANS OF RECORD AND SHOULD NOT BE CONSTRUED AS AN ACCURATE BOUNDARY SURVEY.
- THIS PLAN WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND IS SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD.
- THE PROPOSED FACILITY WILL CAUSE NO INCREASE IN STORMWATER RUNOFF. NO DRAINAGE STRUCTURES ARE PROPOSED.
- THE FACILITY IS UNMANNED AND NOT FOR HUMAN HABITATION (THERE IS NO HANDICAP ACCESS REQUIRED).
- THE FACILITY IS UNMANNED AND DOES NOT REQUIRE POTABLE WATER OR SANITARY SERVICE.
- ELEVATIONS REFER TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 88).
- THE PROPOSED DEVELOPMENT DOES NOT INCLUDE STREET SIGNS OF ANY TYPE. NO SIGNS WILL BE POSTED EXCEPT THOSE REQUIRED.
- THE PROPOSED DEVELOPMENT DOES NOT INCLUDE OUTDOOR STORAGE OR ANY SOLID WASTE RECEPTACLES.
- ACCORDING TO THE F.I.R.M. COMMUNITY PANEL # 34025C0351G, DATED 06-15-2022, THE PROPOSED SITE IS IN A FLOODPLAIN.



5000 ATRIUM WAY, SUITE 3
MOUNT LAUREL, NEW JERSEY 08054
PHONE (856) 316-4788
FAX (856) 231-9949

www.networkconnex.com

**NEW YORK SMSA
LIMITED PARTNERSHIP**



**180 WASHINGTON VALLEY ROAD
BEDMINSTER, NEW JERSEY 07921**

SCHEDULE OF REVISIONS

4		
3		
2		
1		
0	06-20-2024	FINAL
C	06-12-2024	REVISED LOCATION
B	06-11-2024	REVISED RFDS
A	03-06-2024	ISSUED FOR REVIEW
REV. NO.	DATE	DESCRIPTION OF CHANGES

DRAWN BY: MBM

CHECKED BY: MRL

SCALE: NOTED

JOB NO: 23E0001.001

DRAWING TITLE:

SITE PLAN

DRAWING SHEET:

Z-1

2024 SEA HEAR NOW COW 2

**1695 KINGSLEY STREET
ASBURY PARK, NEW JERSEY
07712**

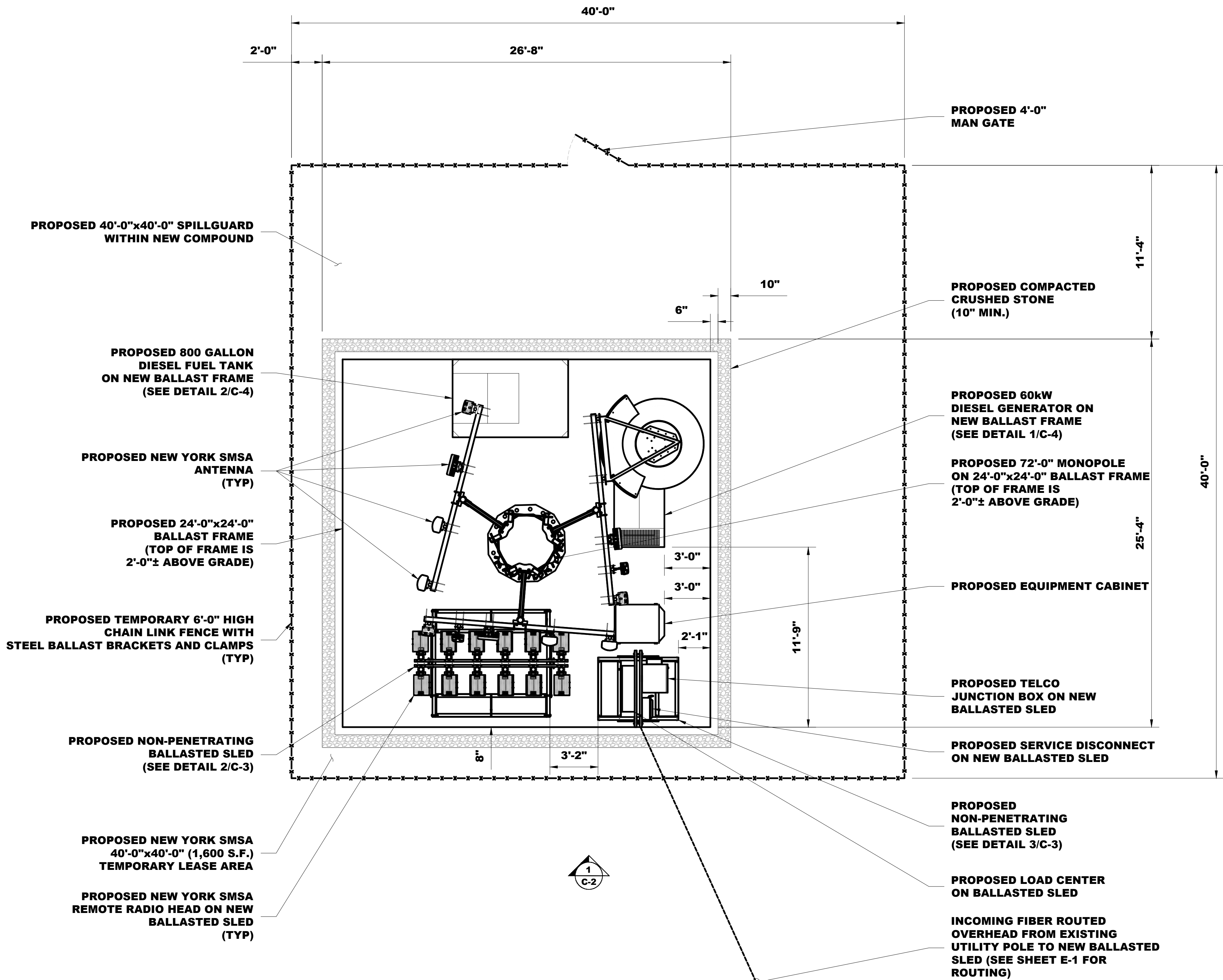
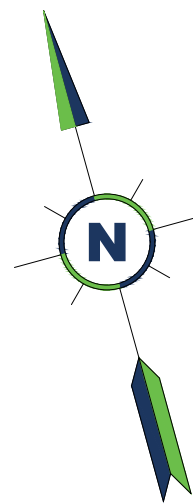
**CITY OF ASBURY PARK
MONMOUTH COUNTY,
NEW JERSEY**

SHEET NO. 2 OF 9

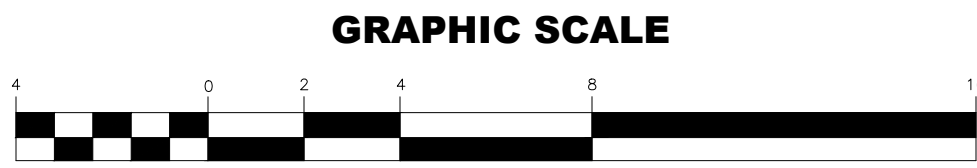
**AE CERTIFICATE OF AUTHORIZATION
24GA28073100**



JACOB MINARDI, P.E.
NEW JERSEY PROFESSIONAL ENGINEER
LICENSE # GE57972



1
C-1 **COMPOUND PLAN**
SCALE: 1/4" = 1'-0"



(SCALE: BASED ON FULL SIZE 24"x36" SHEETS ONLY)
(DO NOT USE SCALE ON OTHER SIZED DRAWINGS)

SITE INFORMATION

SITE NAME:	2024 SEA HEAR NOW COW 2
SITE ADDRESS:	1695 KINGSLEY STREET ASBURY PARK, NEW JERSEY 07712
ZONING DISTRICT:	WPRA
TAX MAP:	BLOCK 4306, LOTS 1 & 2
JURISDICTION:	CITY OF ASBURY PARK MONMOUTH COUNTY, NEW JERSEY
SITE COORDINATES:	N 40° 13' 41.020" (NAD 83) W 73° 59' 58.049" (NAD 83)
GROUND ELEVATION:	12± (NAVD 88)
STRUCTURE TYPE:	MONOPOLE
STRUCTURE HEIGHT:	74± AGL (TOP OF MONOPOLE)
SIZE OF LEASE AREA:	40'-0"W x 40'-0"L
ANTENNA RAD CENTER:	70'-0"± AGL
LANDLORD NAME:	ASBURY PARTNERS, LLC
LANDLORD ADDRESS:	C/O STARFIELD 1114 AVENUE OF THE AMERICAS 39TH FLOOR NEW YORK, NEW YORK 10036
APPLICANT:	NEW YORK SMSA LIMITED PARTNERSHIP D/B/A VERIZON WIRELESS 180 WASHINGTON VALLEY ROAD BEDMINSTER, NEW JERSEY 07921

GENERAL NOTES

- THE CONTRACTOR SHALL COMPLY WITH ALL APPLICABLE CODES, ORDINANCES, LAWS AND REGULATIONS OF ALL MUNICIPALITIES, UTILITIES COMPANY OR OTHER PUBLIC AUTHORITIES.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL PERMITS AND INSPECTIONS THAT MAY BE REQUIRED BY ANY FEDERAL, STATE, COUNTY OR MUNICIPAL AUTHORITIES.
- THE CONTRACTOR SHALL NOTIFY THE CONSTRUCTION MANAGER, IN WRITING, OF ANY CONFLICTS, ERRORS OR OMISSIONS PRIOR TO THE SUBMISSION OF BIDS OR PERFORMANCE OF WORK. MINOR OMISSIONS OR ERRORS IN THE BID DOCUMENTS SHALL NOT RELIEVE THE CONTRACTOR FROM RESPONSIBILITY FOR THE OVERALL INTENT OF THESE DRAWINGS.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL EXISTING SITE IMPROVEMENTS PRIOR TO COMMENCING CONSTRUCTION. THE CONTRACTOR SHALL REPAIR ANY DAMAGE CAUSED AS A RESULT OF CONSTRUCTION OF THIS FACILITY.
- THE SCOPE OF WORK FOR THIS PROJECT SHALL INCLUDE PROVIDING ALL MATERIALS, EQUIPMENT AND LABOR REQUIRED TO COMPLETE THIS PROJECT. ALL EQUIPMENT SHALL BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S RECOMMENDATIONS.
- THE CONTRACTOR SHALL VISIT THE PROJECT SITE PRIOR TO SUBMITTING A BID TO VERIFY THAT THE PROJECT CAN BE CONSTRUCTED IN ACCORDANCE WITH THE CONTRACT DOCUMENTS.
- THE FACILITY IS UNMANNED AND NOT FOR HUMAN HABITATION. (THERE IS NO HANDICAP ACCESS REQUIRED).
- THE FACILITY IS UNMANNED AND DOES NOT REQUIRE POTABLE WATER OR SANITARY SERVICE.
- THE PROPOSED DEVELOPMENT DOES NOT INCLUDE OUTDOOR STORAGE OR ANY SOLID WASTE RECEPTACLES.
- THE PROPOSED DEVELOPMENT DOES NOT INCLUDE STREET SIGNS OF ANY TYPE, NO SIGNS WILL BE POSTED EXCEPT THOSE REQUIRED.
- NO SIGNIFICANT NOISE, SMOKE, DUST OR ODOR WILL RESULT FROM THIS FACILITY.
- ELEVATIONS REFER TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 88).
- CONSTRUCTION TO COMMENCE UPON COMPLETION OF A PASSING STRUCTURAL ANALYSIS. STRUCTURAL ANALYSIS TO BE PERFORMED BY OTHERS.
- CONSTRUCTION TO COMMENCE UPON COMPLETION OF A PASSING MOUNT ANALYSIS. MOUNT ANALYSIS TO BE PERFORMED BY OTHERS.

**NETWORK
CONNEX**

5000 ATRIUM WAY, SUITE 3
MOUNT LAUREL, NEW JERSEY 08054
PHONE (856) 316-4788
FAX (856) 231-9949

www.networkconnex.com

**NEW YORK SMSA
LIMITED PARTNERSHIP**

verizon

180 WASHINGTON VALLEY ROAD
BEDMINSTER, NEW JERSEY 07921

SCHEDULE OF REVISIONS

REV. NO.	DATE	DESCRIPTION OF CHANGES
4		
3		
2		
1		
0	06-20-2024	FINAL
C	06-12-2024	REVISED LOCATION
B	06-11-2024	REVISED RFDS
A	03-06-2024	ISSUED FOR REVIEW

DRAWN BY: MBM

CHECKED BY: MRL

SCALE: NOTED

JOB NO: 23E0001.001

DRAWING TITLE:

COMPOUND PLAN

DRAWING SHEET:

C-1

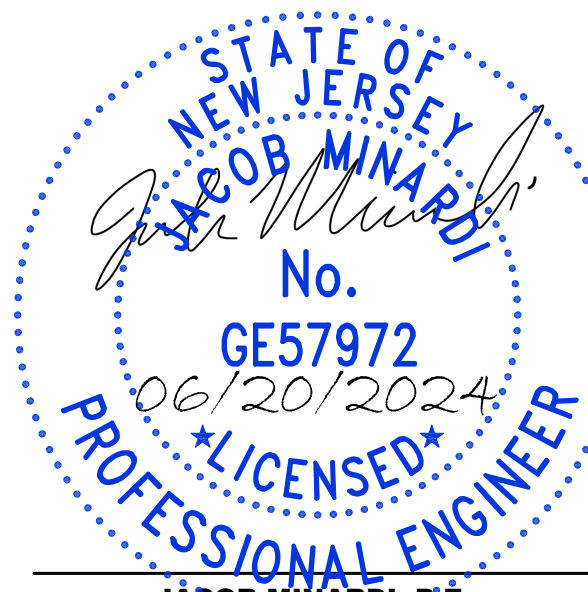
2024 SEA HEAR NOW COW 2

1695 KINGSLEY STREET
ASBURY PARK, NEW JERSEY
07712

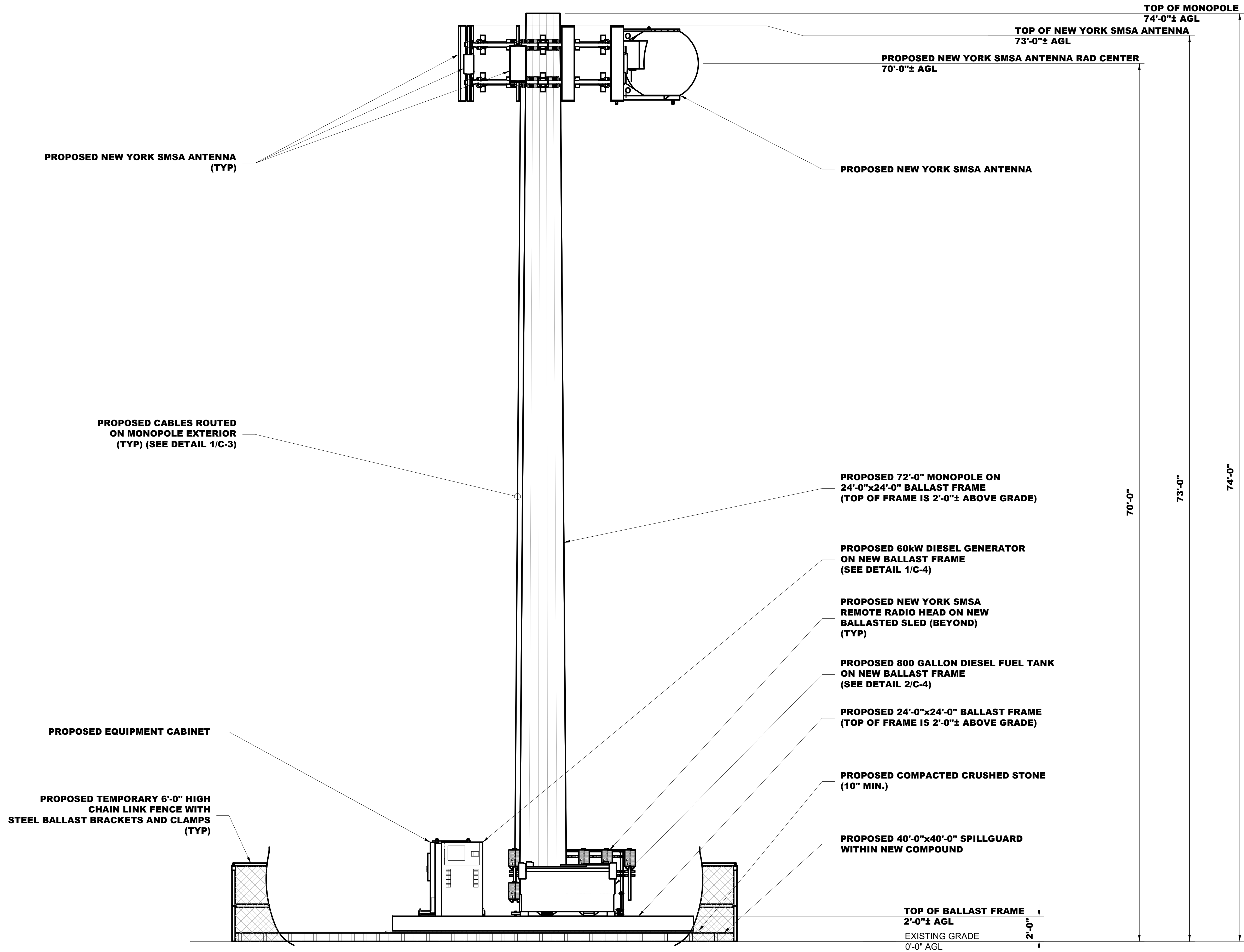
**CITY OF ASBURY PARK
MONMOUTH COUNTY,
NEW JERSEY**

SHEET NO. 3 OF 9

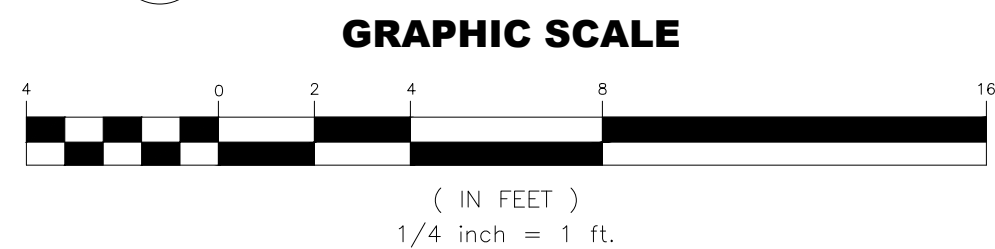
AE CERTIFICATE OF AUTHORIZATION
24GA28073100



JACOB MINARDI, P.E.
NEW JERSEY PROFESSIONAL ENGINEER
LICENSE # GE57972



1 ELEVATION
C-2 SCALE: 1/4" = 1'-0"



(SCALE BASED ON FULL SIZE 24"x36" SHEETS ONLY)
(DO NOT USE SCALE ON OTHER SIZED DRAWINGS)

**NETWORK
CONNEX**

5000 ATRIUM WAY, SUITE 3
MOUNT LAUREL, NEW JERSEY 08054
PHONE (856) 316-4788
FAX (856) 231-9949

www.networkconnex.com

**NEW YORK SMSA
LIMITED PARTNERSHIP**

verizon

180 WASHINGTON VALLEY ROAD
BEDMINSTER, NEW JERSEY 07921

SCHEDULE OF REVISIONS

REV. NO.	DATE	DESCRIPTION OF CHANGES
4		
3		
2		
1		
0	06-20-2024	FINAL
C	06-12-2024	REVISED LOCATION
B	06-11-2024	REVISED RFDS
A	03-06-2024	ISSUED FOR REVIEW

DRAWN BY: MBM

CHECKED BY: MRL

SCALE: NOTED

JOB NO: 23E0001.001

DRAWING TITLE:

ELEVATION

DRAWING SHEET:

C-2

2024 SEA HEAR NOW COW 2

1695 KINGSLEY STREET
ASBURY PARK, NEW JERSEY
07712

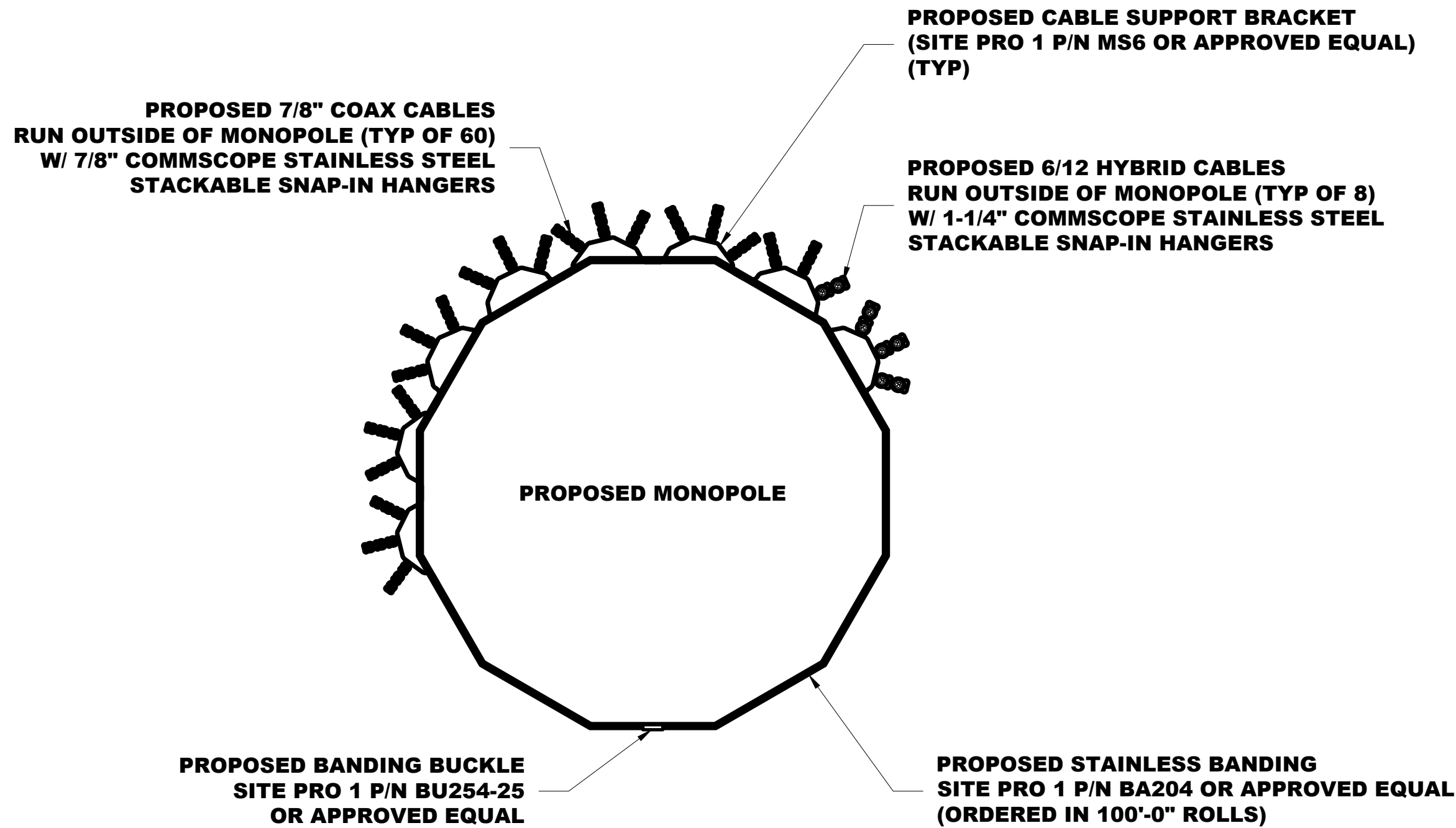
**CITY OF ASBURY PARK
MONMOUTH COUNTY,
NEW JERSEY**

SHEET NO. 4 OF 9

AE CERTIFICATE OF AUTHORIZATION
24GA28073100

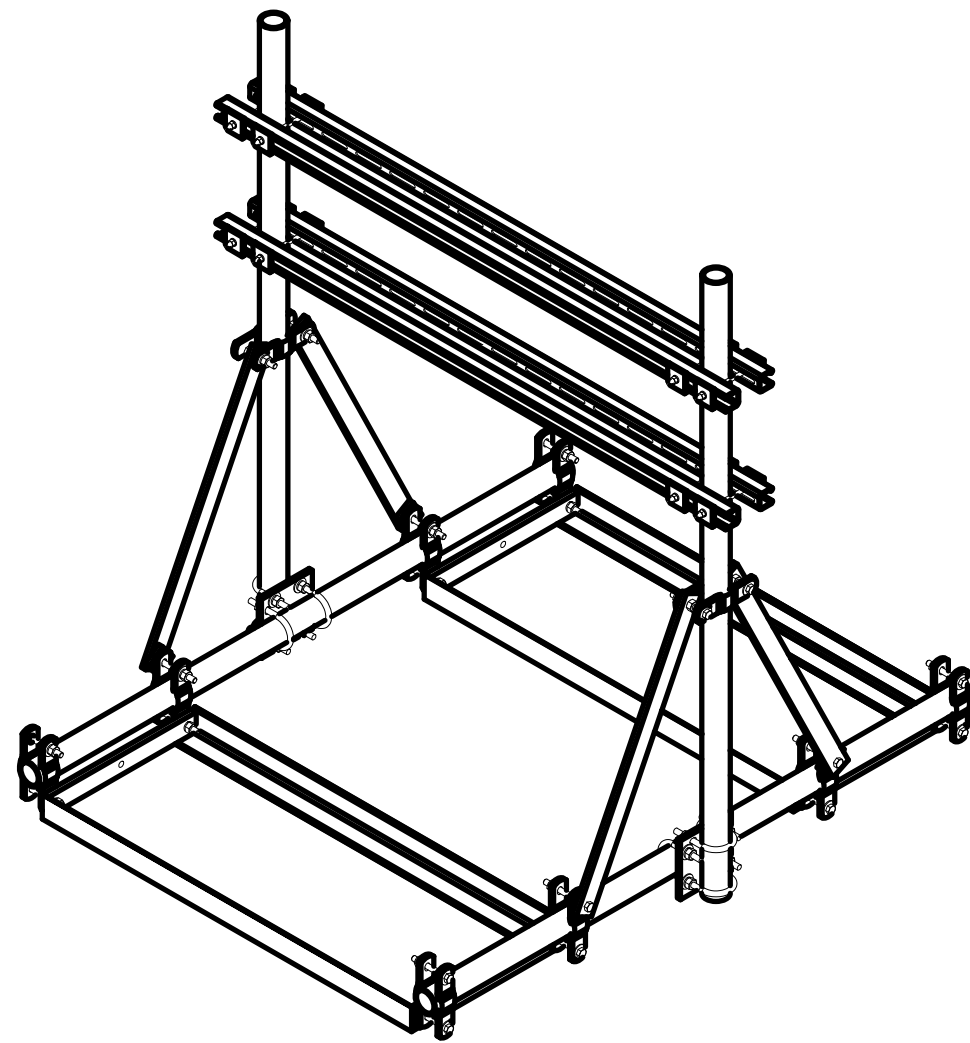


JACOB MINARDI, P.E.
NEW JERSEY PROFESSIONAL ENGINEER
LICENSE # GE57972



1
C-3
SCALE: N.T.S.

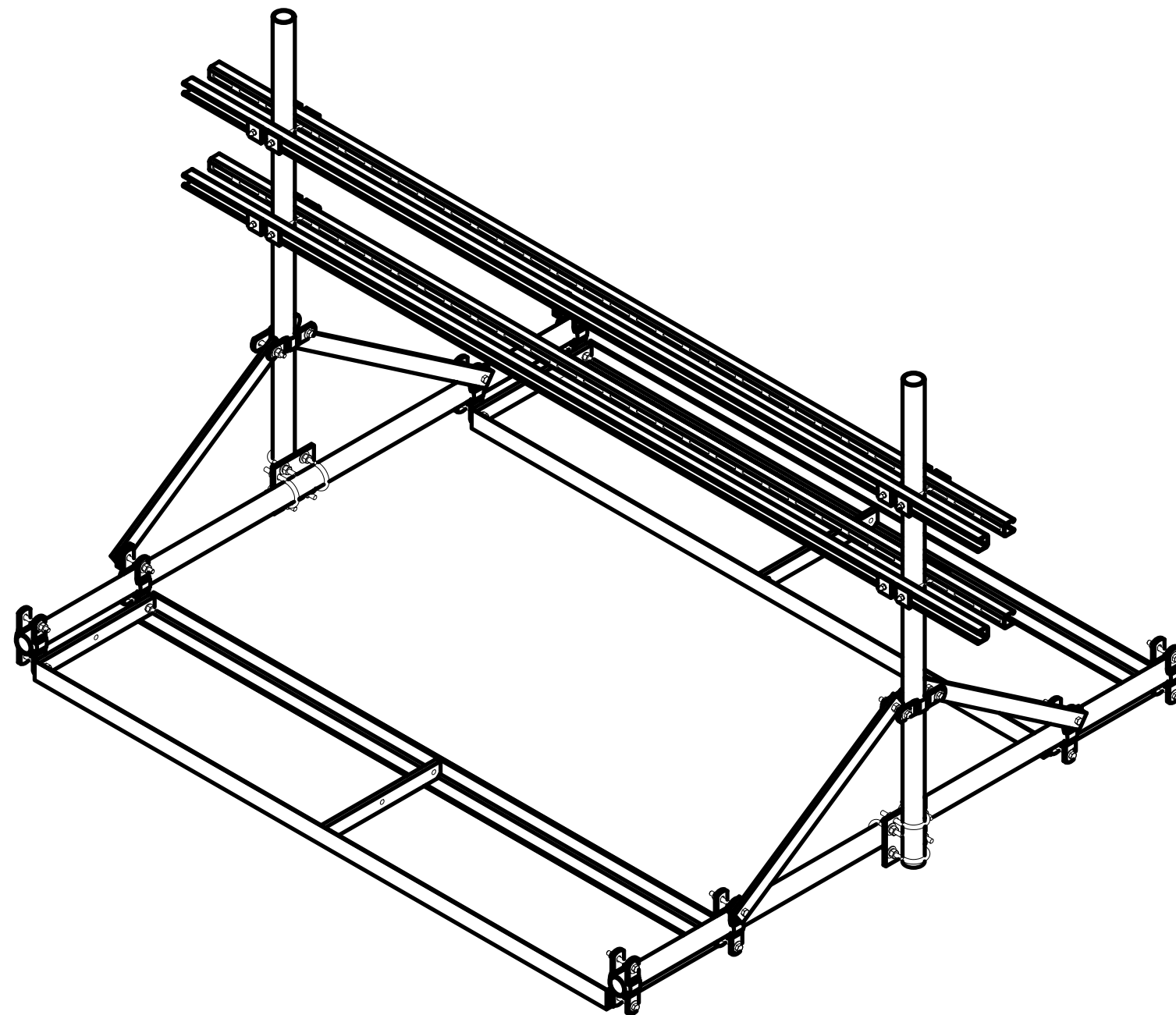
CABLE ROUTING SECTION



SITE PRO 1 P/N RT-RRU5HD

2
C-3
SCALE: N.T.S.

UTILITY SLED DETAIL



SITE PRO 1 P/N RT-RRU10HD

3
C-3
SCALE: N.T.S.

RRH SLED DETAIL



5000 ATRIUM WAY, SUITE 3
MOUNT LAUREL, NEW JERSEY 08054
PHONE (856) 316-4788
FAX (856) 231-9949

www.networkconnex.com

NEW YORK SMSA
LIMITED PARTNERSHIP



180 WASHINGTON VALLEY ROAD
BEDMINSTER, NEW JERSEY 07921

SCHEDULE OF REVISIONS

4		
3		
2		
1		
0	06-20-2024	FINAL
C	06-12-2024	REVISED LOCATION
B	06-11-2024	REVISED RFDS
A	03-06-2024	ISSUED FOR REVIEW
REV. NO.	DATE	DESCRIPTION OF CHANGES

DRAWN BY: MBM
CHECKED BY: MRL
SCALE: NOTED
JOB NO: 23E0001.001

DRAWING TITLE:

CONSTRUCTION
DETAILS

DRAWING SHEET:

C-3

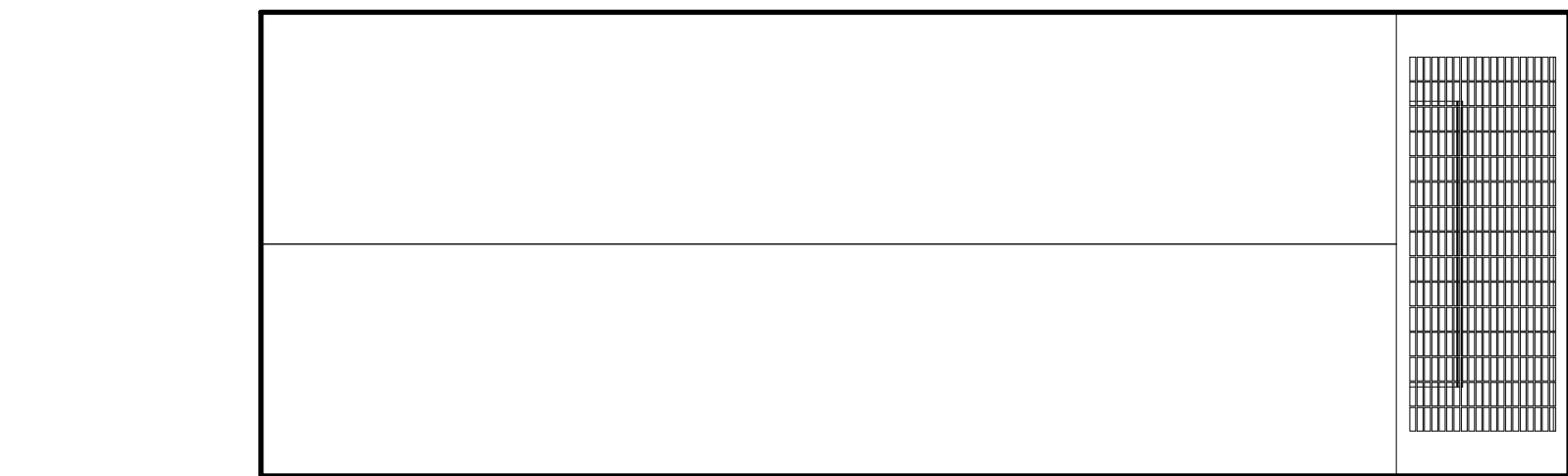
2024 SEA HEAR NOW COW 2

1695 KINGSLEY STREET
ASBURY PARK, NEW JERSEY
07712

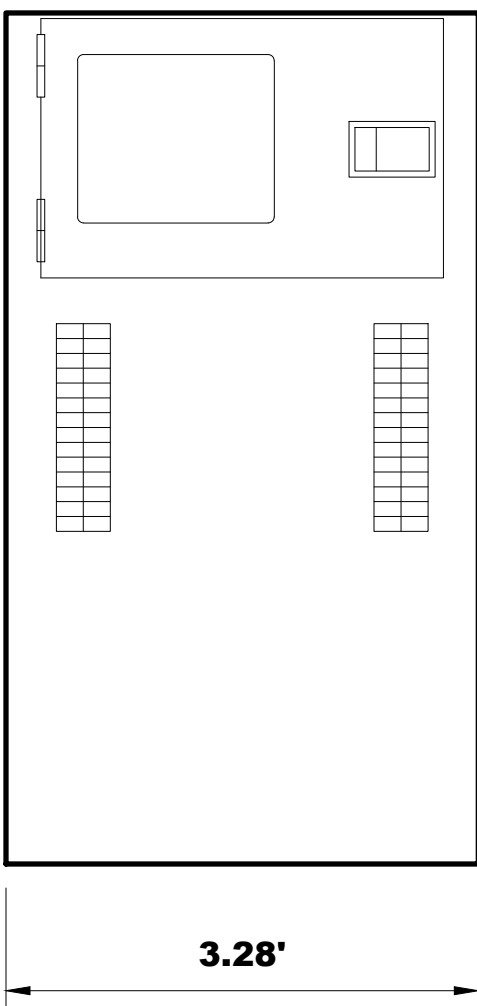
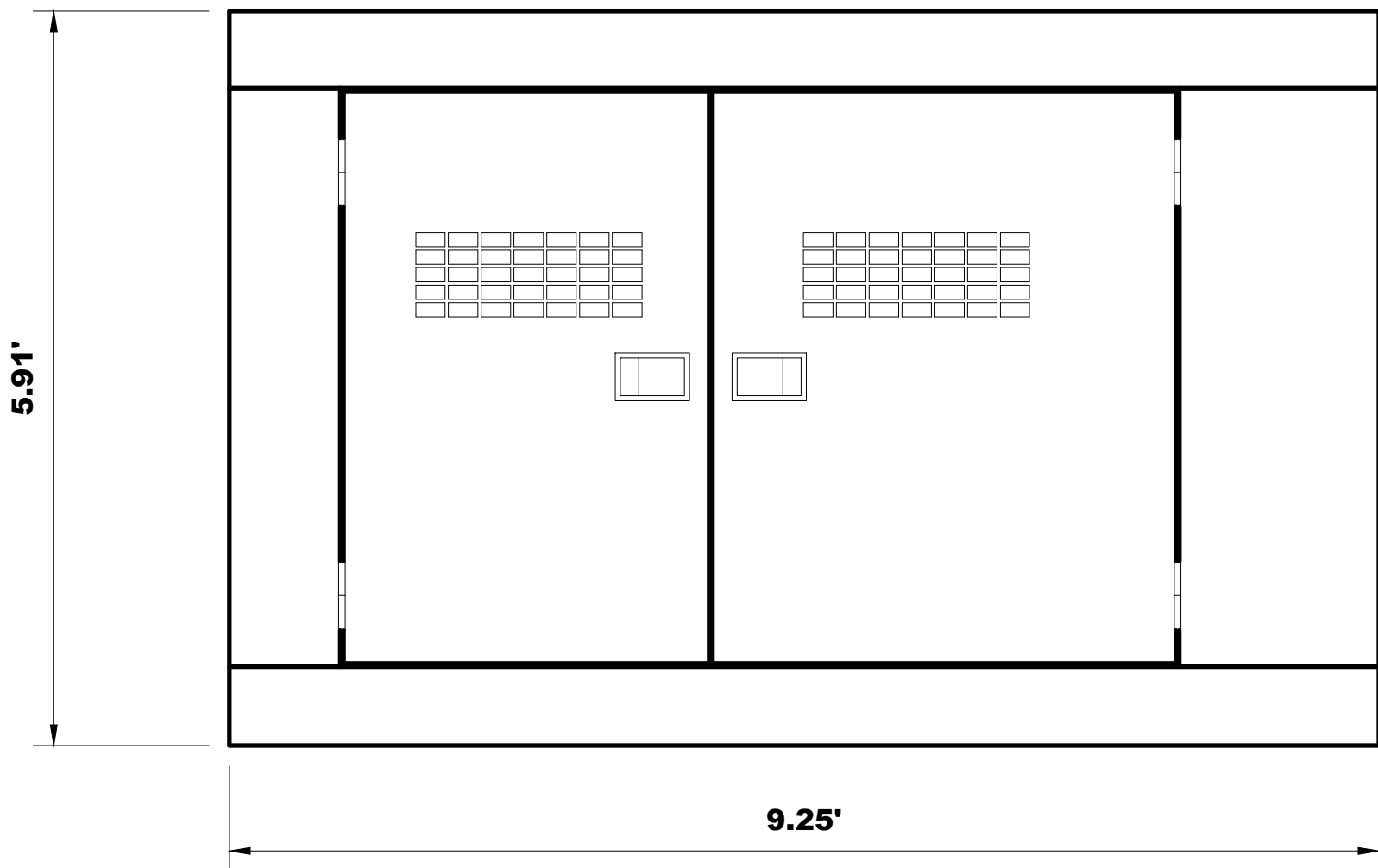
CITY OF ASBURY PARK
MONMOUTH COUNTY,
NEW JERSEY

SHEET NO. 5 OF 9

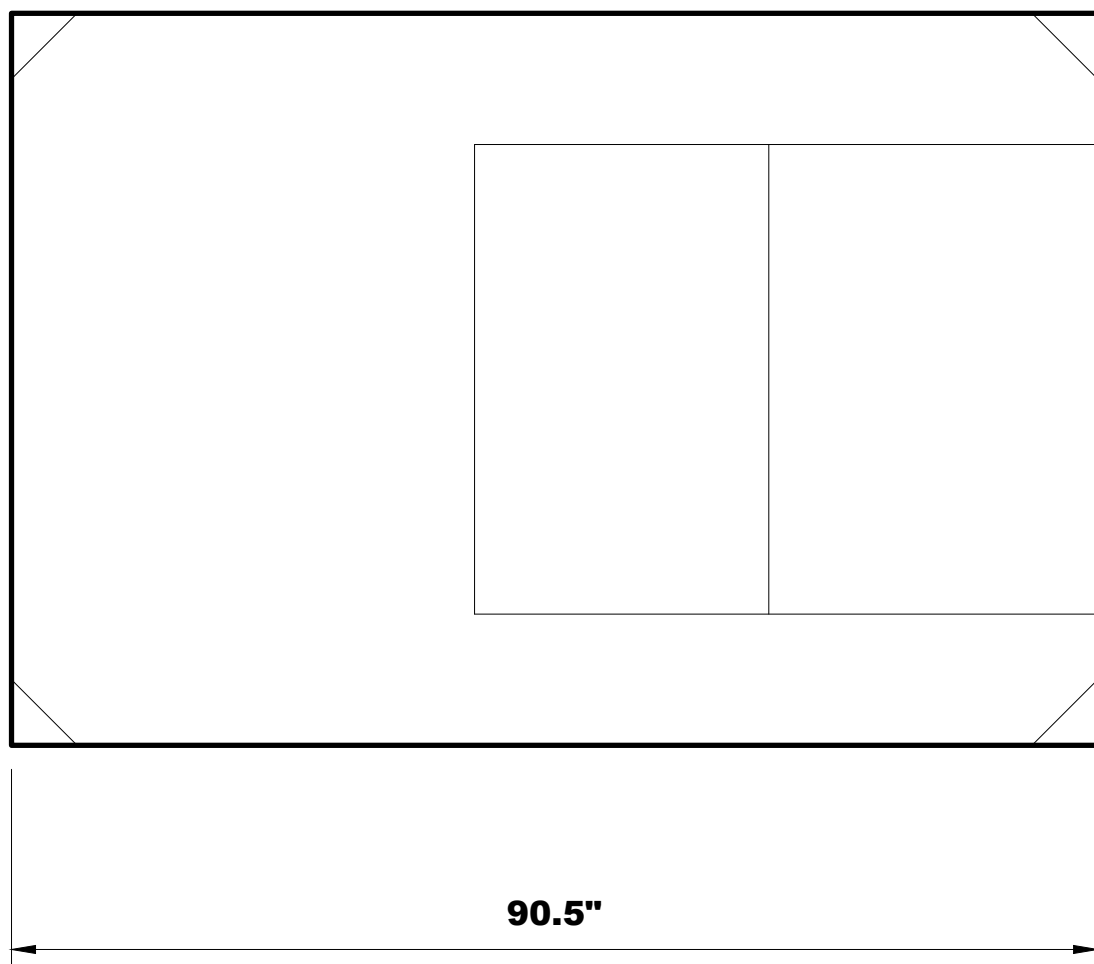




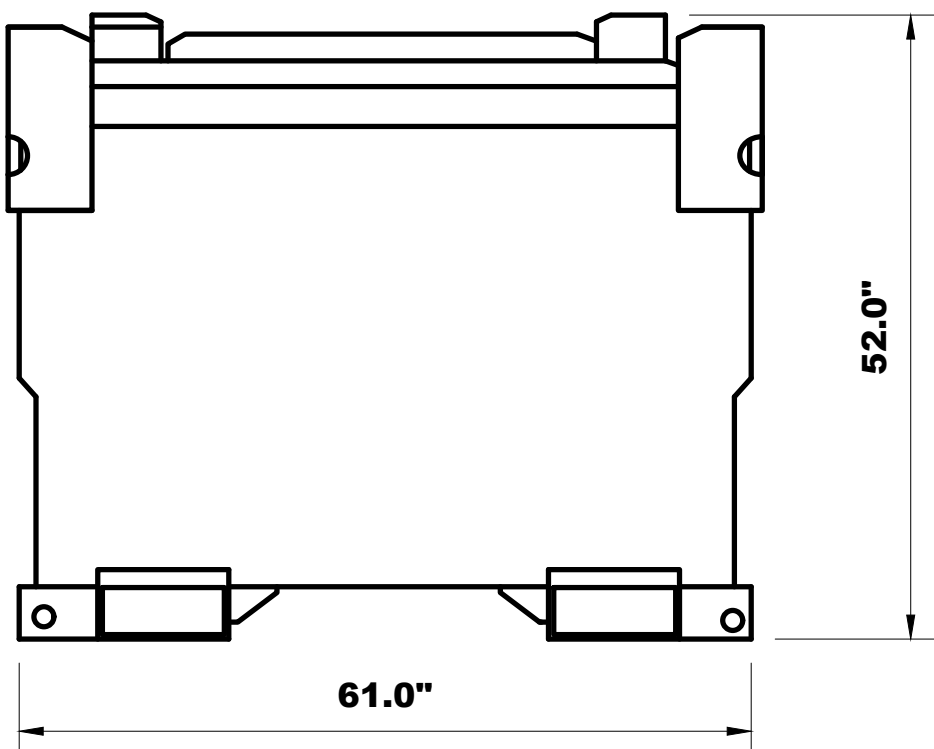
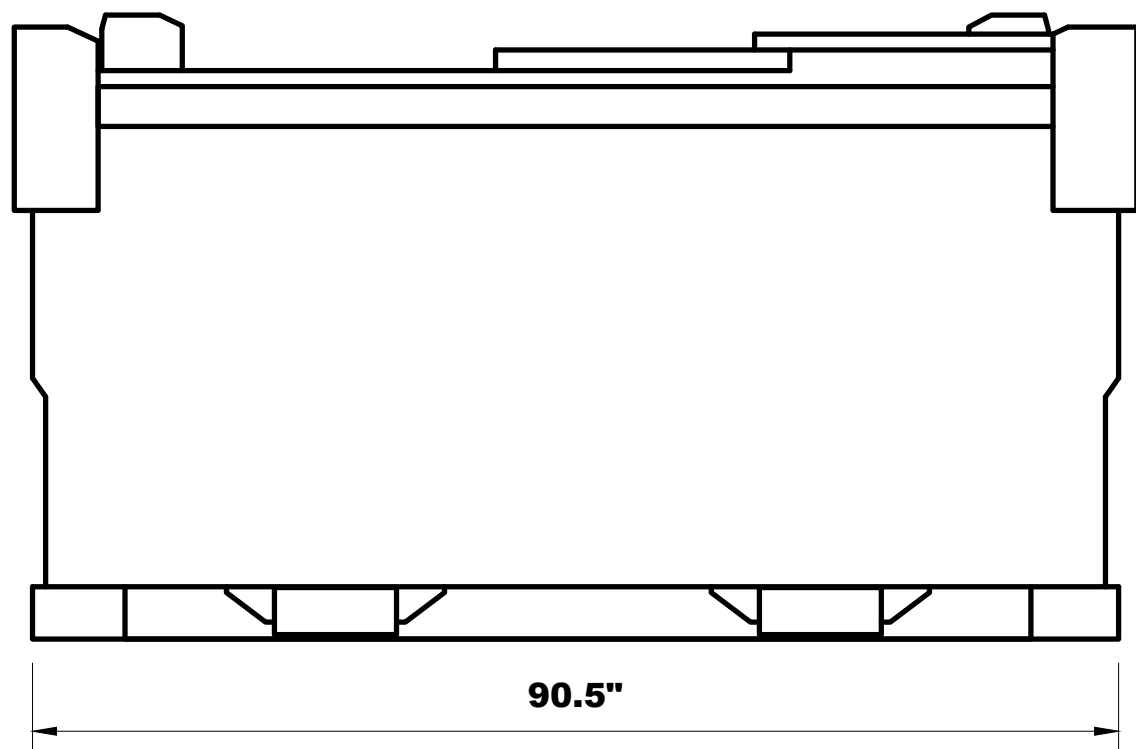
- NOTE:
- 1. APPROXIMATE WEIGHT (WET): 4,118.23 lb
 - 2. FUEL CAPACITY 94.57 gal
 - 3. SOUND LEVEL: 69 dB(A) at 7m



1
C-4 60kW GHP/NEF45 DIESEL GENERATOR
N.T.S.



- NOTE:
- 1. APPROXIMATE WEIGHT (WET): 7,984 lb
 - 2. FUEL CAPACITY: 792 gallons



2
C-4 800 GALLON TRANSCUBE FUEL TANK
N.T.S.

**NETWORK
CONNEX**

5000 ATRIUM WAY, SUITE 3
MOUNT LAUREL, NEW JERSEY 08054
PHONE (856) 316-4788
FAX (856) 231-9949

www.networkconnex.com

**NEW YORK SMSA
LIMITED PARTNERSHIP**

verizon

180 WASHINGTON VALLEY ROAD
BEDMINSTER, NEW JERSEY 07921

SCHEDULE OF REVISIONS

4		
3		
2		
1		
0	06-20-2024	FINAL
C	06-12-2024	REVISED LOCATION
B	06-11-2024	REVISED RFDS
A	03-06-2024	ISSUED FOR REVIEW
REV. NO.	DATE	DESCRIPTION OF CHANGES

DRAWN BY: MBM

CHECKED BY: MRL

SCALE: NOTED

JOB NO: 23E0001.001

DRAWING TITLE:

**GENERATOR & FUEL
TANK DETAILS**

DRAWING SHEET:

C-4

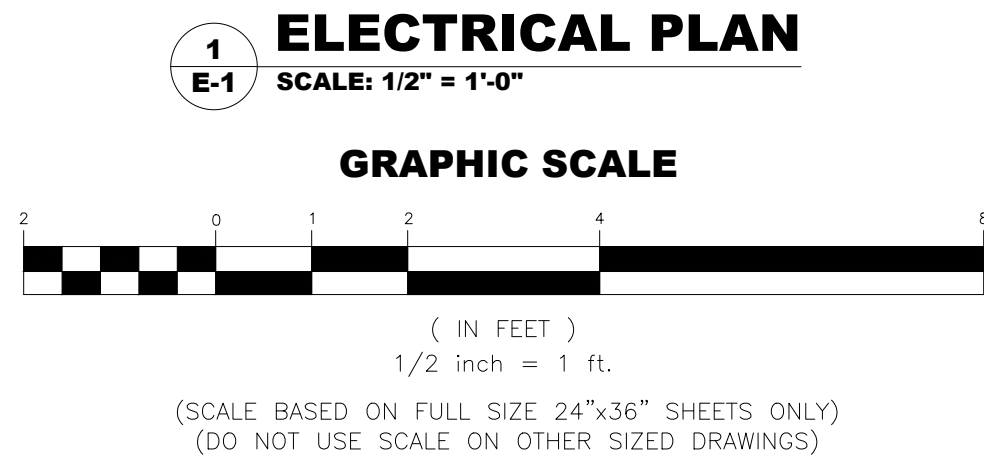
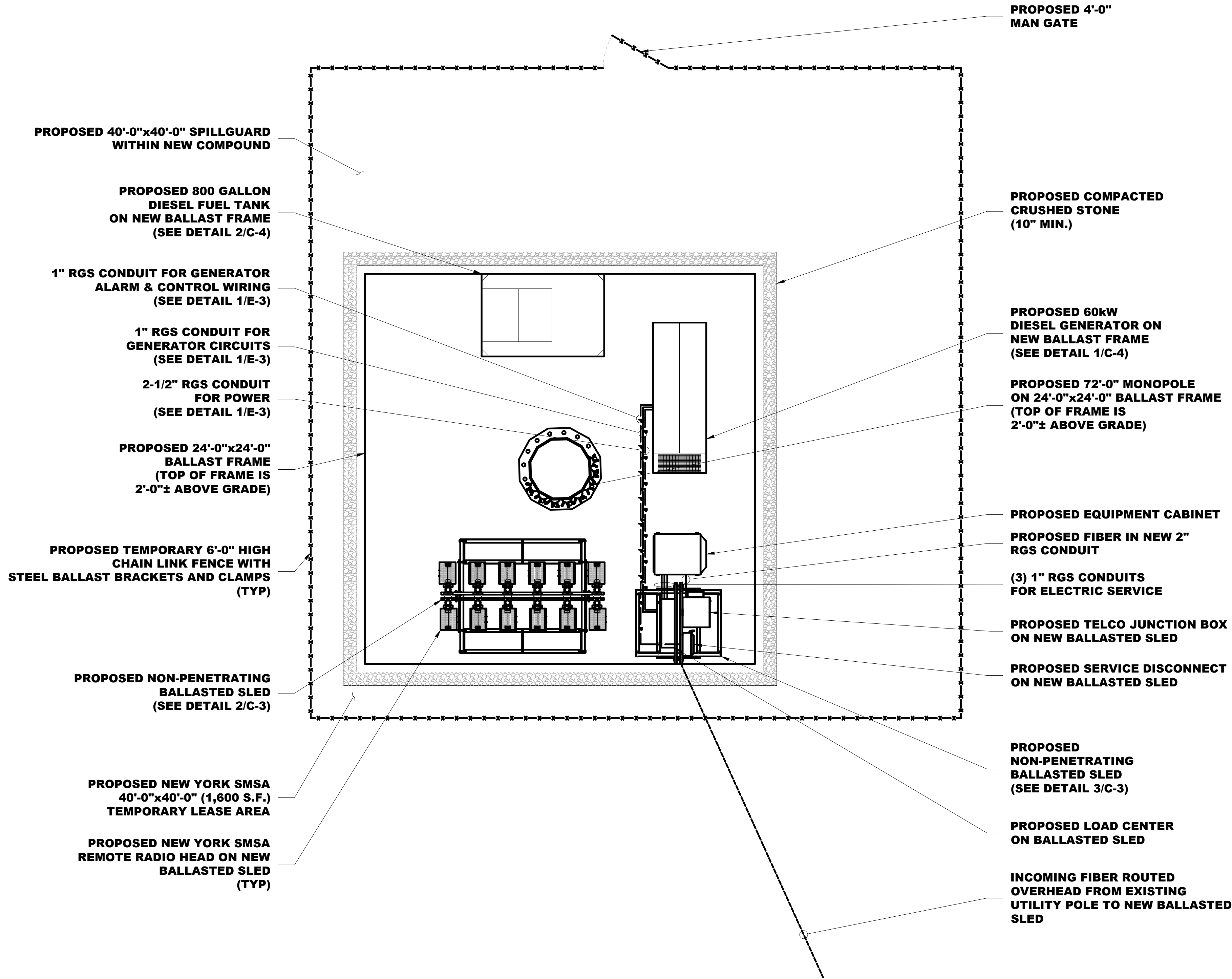
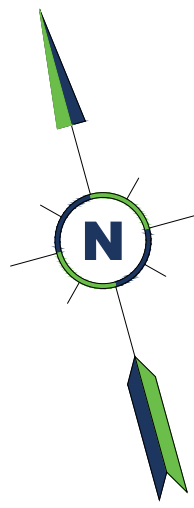
2024 SEA HEAR NOW COW 2

1695 KINGSLEY STREET
ASBURY PARK, NEW JERSEY
07712

**CITY OF ASBURY PARK
MONMOUTH COUNTY,
NEW JERSEY**

SHEET NO. 6 OF 9





ELECTRICAL NOTES:

1. CONTRACTOR SHALL INSPECT THE EXISTING CONDITIONS PRIOR TO SUBMITTING BID. ANY QUESTIONS ARISING DURING THE BID PERIOD IN REGARDS TO THE CONTRACTOR'S FUNCTIONS, THE SCOPE OF WORK, OR ANY OTHER ISSUE RELATED TO THIS PROJECT SHALL BE BROUGHT UP DURING THE BID PERIOD WITH THE PROJECT MANAGER FOR CLARIFICATION, NOT AFTER THE CONTRACT HAS BEEN AWARDED.
2. LOCATION OF EQUIPMENT, CONDUIT AND DEVICES SHOWN ON THE DRAWINGS ARE APPROXIMATE AND SHALL BE COORDINATED WITH FIELD CONDITIONS PRIOR TO ROUGH-IN.
3. THE CONDUIT RUNS SHOWN ON THE PLANS ARE APPROXIMATE. EXACT LOCATION AND ROUTING SHALL BE PER EXISTING FIELD CONDITIONS.
4. CONDUIT ROUGH-IN SHALL BE COORDINATED WITH THE MECHANICAL EQUIPMENT TO AVOID LOCATION CONFLICTS. VERIFY WITH MECHANICAL CONTRACTOR AND COMPLY AS REQUIRED.
5. PROVIDE PULL BOXES AND JUNCTION BOXES WHERE SHOWN OR REQUIRED BY NEC.
6. ALL CONDUITS SHALL BE MET WITH BENDS MADE IN ACCORDANCE WITH NEC. NO RIGHT ANGLE DEVICE OTHER THAN STANDARD CONDUIT ELBOWS WITH 12 INCH MINIMUM INSIDE SWEEPS FOR ALL CONDUITS 2 INCH OR LARGER.
7. ALL CONDUIT TERMINATIONS SHALL BE PROVIDED WITH PLASTIC THROAT INSULATING GROUND BUSHINGS.
8. ALL WIRE SHALL BE TYPE THHN/THWN-2, SOLID, ANNEALED COPPER UP TO SIZE #10 AWG (#8 AND LARGER SHALL BE CONCENTRIC STRANDED), 75°C (167°F), 98% CONDUCTIVITY, MINIMUM #12 AWG.
9. ALL WIRES SHALL BE TAGGED AT ALL PULL BOXES, JUNCTION BOXES, EQUIPMENT BOXES AND CABINETS WITH APPROVED PLASTIC TAGS, ACTION CRAFT, BRADY OR APPROVED EQUAL.
10. ALL NEW MATERIAL SHALL HAVE A U.L. LABEL.
11. ALL PANEL DIRECTORIES SHALL BE TYPEWRITTEN, NOT HAND WRITTEN.
12. INSTALL AN EQUIPMENT GROUNDING CONDUCTOR IN ALL CONDUITS PER THE SPECIFICATIONS AND NEC. THE EQUIPMENT GROUNDING CONDUCTORS SHALL BE BONDED AT ALL PULL BOXES, JUNCTION BOXES, DISCONNECT SWITCHES, STARTERS AND EQUIPMENT CABINETS.
13. THE CONTRACTOR SHALL PREPARE AS-BUILT DRAWINGS, DOCUMENT ANY AND ALL WIRING AND EQUIPMENT CONDITIONS AND CHANGES WHILE COMPLETING THIS CONTRACT. SUBMIT AT SUBSTANTIAL COMPLETION.
14. ALL DISCONNECT SWITCHES AND OTHER CONTROLLING DEVICES SHALL BE PROVIDED WITH ENGRAVED LAMICOID NAMEPLATES INDICATING EQUIPMENT CONTROLLED, BRANCH CIRCUITS INSTALLED ON, AND PANEL FIELD LOCATIONS FED FROM (NO EXCEPTIONS).
15. ELECTRICAL CHARACTERISTICS OF ALL EQUIPMENT (NEW AND EXISTING) SHALL BE FIELD VERIFIED WITH THE OWNER'S REPRESENTATIVE AND EQUIPMENT SUPPLIER PRIOR TO ROUGH-IN OF CONDUIT AND WIRE. ALL EQUIPMENT SHALL BE PROPERLY CONNECTED ACCORDING TO THE NAMEPLATE DATA FURNISHED ON THE EQUIPMENT (THE DESIGN OF THESE PLANS ARE BASED UPON BEST AVAILABLE INFORMATION AT THE TIME OF THE DESIGN AND SOME EQUIPMENT CHARACTERISTICS MAY VARY FROM DESIGN AS SHOWN ON THESE DRAWINGS). LOCATION OF ALL OUTLETS, BOXES, ETC., AND THE TYPE OF CONNECTIONS (PLUG OR DIRECT) SHALL BE CONFIRMED WITH THE OWNER'S REPRESENTATIVE PRIOR TO ROUGH-IN.
16. CONDUIT SCHEDULE (UNLESS OTHERWISE NOTED); WHERE UNDERGROUND, CONDUIT SHALL BE PVC; WHERE EXTERIOR, ABOVE GRADE, CONDUIT SHALL BE RGS; WHERE INTERIOR, CONDUIT SHALL BE EMT.

ELECTRICAL NOTE:

PER NEC, THERE SHALL NOT BE MORE THAN THE EQUIVALENT OF FOUR QUARTER BENDS (360 DEGREES TOTAL) BETWEEN PULL BOXES. FOR EXAMPLE, CONDUIT BODIES AND BOXES. NOTE: CONTRACTOR SHALL PROVIDE AND INSTALL ANY/ALL JUNCTION BOXES SIZED IN ACCORDANCE WITH THE NEC GUIDELINES AS REQUIRED FOR THE INSTALLATION.

LEGEND:

	METER		GENERATOR
	CIRCUIT BREAKER		PHASE
	DISCONNECT SWITCH		POWER WIRE
	TRANSFORMER		TELCO WIRE

**NETWORK
CONNEX**

5000 ATRIUM WAY, SUITE 3
MOUNT LAUREL, NEW JERSEY 08054
PHONE (856) 316-4788
FAX (856) 231-9949

www.networkconnex.com

**NEW YORK SMSA
LIMITED PARTNERSHIP**

verizon

180 WASHINGTON VALLEY ROAD
BEDMINSTER, NEW JERSEY 07921

SCHEDULE OF REVISIONS

REV. NO.	DATE	DESCRIPTION OF CHANGES
4		
3		
2		
1		
0	06-20-2024	FINAL
C	06-12-2024	REVISED LOCATION
B	06-11-2024	REVISED RFDS
A	03-06-2024	ISSUED FOR REVIEW

DRAWN BY: MBM

CHECKED BY: MRL

SCALE: NOTED

JOB NO: 23E0001.001

DRAWING TITLE:

**ELECTRICAL PLAN
& NOTES**

DRAWING SHEET:

E-1

2024 SEA HEAR NOW COW 2

1695 KINGSLEY STREET
ASBURY PARK, NEW JERSEY
07712

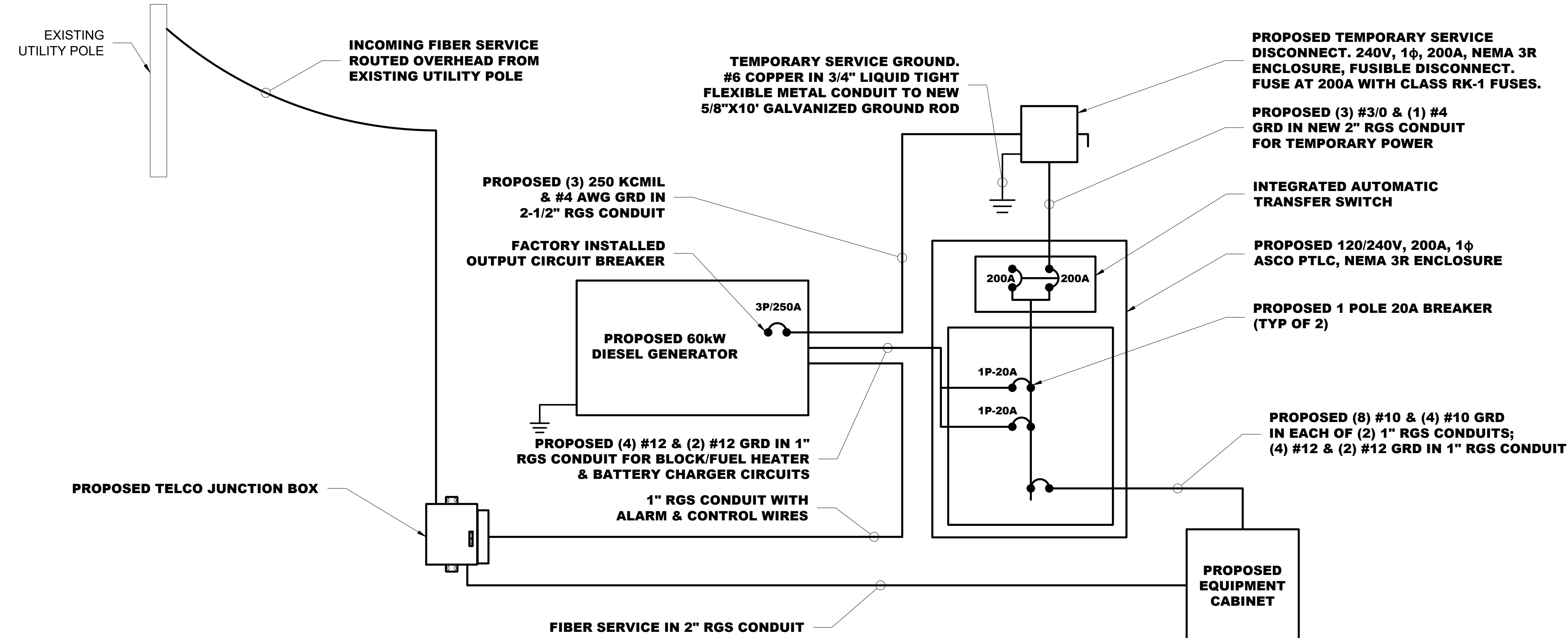
**CITY OF ASBURY PARK
MONMOUTH COUNTY,
NEW JERSEY**

SHEET NO. 7 OF 9

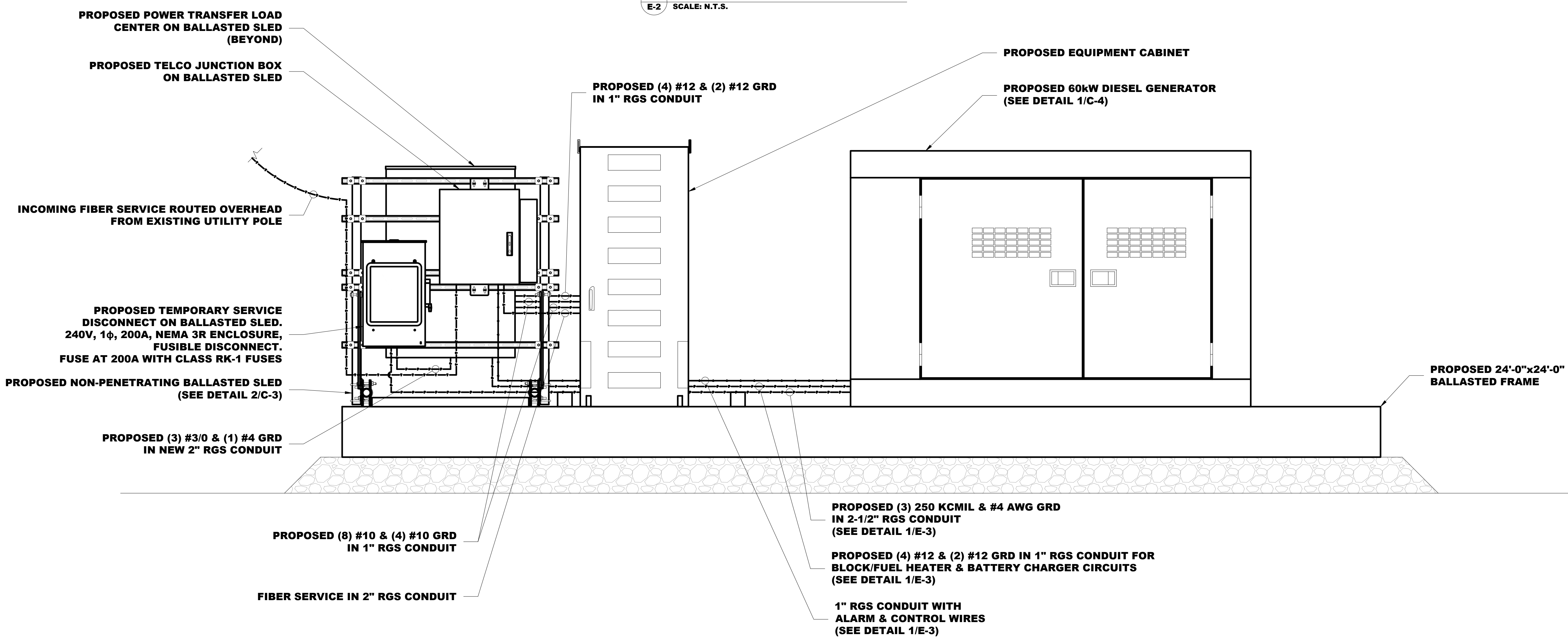
AE CERTIFICATE OF AUTHORIZATION
24GA28073100



JACOB MINARDI, P.E.
NEW JERSEY PROFESSIONAL ENGINEER
LICENSE # GE57972



1
E-2 ONE LINE POWER DIAGRAM
SCALE: N.T.S.



2
E-2 POWER & TELCO DIAGRAM
SCALE: N.T.S.

NOTES:

- ALL ELECTRICAL WORK SHALL BE DONE IN ACCORDANCE WITH CURRENT ADOPTED NATIONAL ELECTRICAL CODE (NEC) AND ALL LOCAL AND STATE CODES, LAWS AND ORDINANCES. PROVIDE ALL COMPONENTS AND WIRING SIZES AS REQUIRED TO MEET NEC.
- ALL CONDUIT EXPOSED ABOVE GROUND SHALL BE RIGID GALVANIZED STEEL UNLESS OTHERWISE INDICATED. POWER CONDUIT LINES SHALL BE SIZED AS REQUIRED PER CABLE SIZING AND NEC REQUIREMENTS.
- CONDUITS INSTALLED AT EQUIPMENT ENDS PRIOR TO THE EQUIPMENT INSTALLATION SHALL BE STUBBED AND CAPPED AT 6" ABOVE GRADE. IF SERVICE LINES CAN'T BE INSTALLED INITIALLY, PROVIDE NYLON PULL CORD IN CONDUITS.

**NETWORK
CONNEX**

5000 ATRIUM WAY, SUITE 3
MOUNT LAUREL, NEW JERSEY 08054
PHONE (856) 316-4788
FAX (856) 231-9949

www.networkconnex.com

**NEW YORK SMSA
LIMITED PARTNERSHIP**

verizon

180 WASHINGTON VALLEY ROAD
BEDMINSTER, NEW JERSEY 07921

SCHEDULE OF REVISIONS

REV. NO.	DATE	DESCRIPTION OF CHANGES
4		
3		
2		
1		
0	06-20-2024	FINAL
C	06-12-2024	REVISED LOCATION
B	06-11-2024	REVISED RFDS
A	03-06-2024	ISSUED FOR REVIEW

DRAWN BY: MBM

CHECKED BY: MRL

SCALE: NOTED

JOB NO: 23E0001.001

DRAWING TITLE:

**ONE LINE
DIAGRAMS**

DRAWING SHEET:

E-2

2024 SEA HEAR NOW COW 2

1695 KINGSLEY STREET
ASBURY PARK, NEW JERSEY
07712

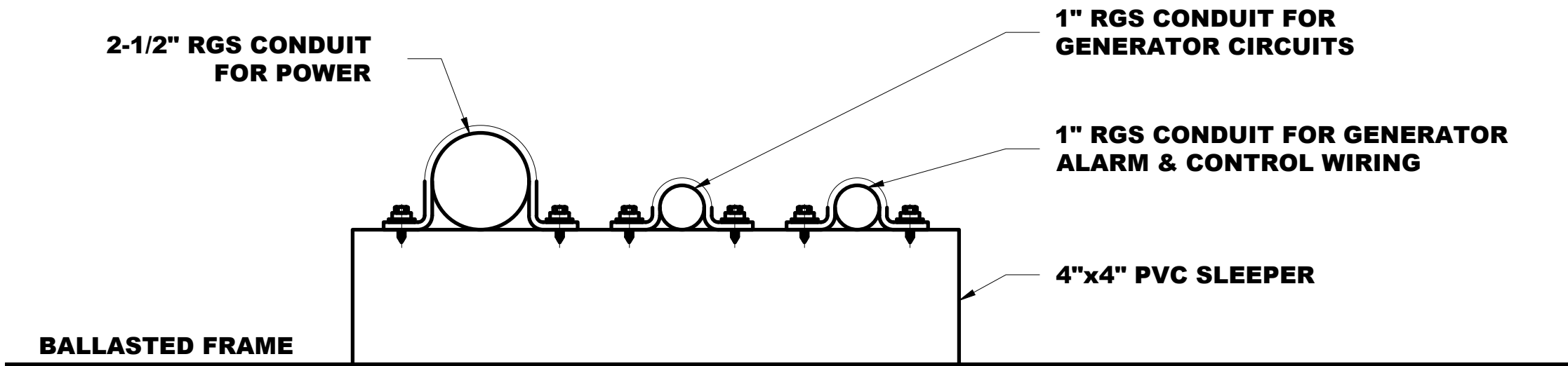
**CITY OF ASBURY PARK
MONMOUTH COUNTY,
NEW JERSEY**

SHEET NO. 8 OF 9

AE CERTIFICATE OF AUTHORIZATION
24GA28073100



JACOB MINARDI, P.E.
NEW JERSEY PROFESSIONAL ENGINEER
LICENSE # GE57972



1
E-3 **CONDUIT ROUTING DETAIL**
SCALE: N.T.S.



5000 ATRIUM WAY, SUITE 3
MOUNT LAUREL, NEW JERSEY 08054
PHONE (856) 316-4788
FAX (856) 231-9949

www.networkconnex.com

**NEW YORK SMSA
LIMITED PARTNERSHIP**



180 WASHINGTON VALLEY ROAD
BEDMINSTER, NEW JERSEY 07921

SCHEDULE OF REVISIONS

4		
3		
2		
1		
0	06-20-2024	FINAL
C	06-12-2024	REVISED LOCATION
B	06-11-2024	REVISED RFDS
A	03-06-2024	ISSUED FOR REVIEW
REV. NO.	DATE	DESCRIPTION OF CHANGES

DRAWN BY: MBM

CHECKED BY: MRL

SCALE: NOTED

JOB NO: 23E0001.001

DRAWING TITLE:

**ELECTRICAL
DETAIL**

DRAWING SHEET:

E-3

2024 SEA HEAR NOW COW 2

**1695 KINGSLEY STREET
ASBURY PARK, NEW JERSEY
07712**

**CITY OF ASBURY PARK
MONMOUTH COUNTY,
NEW JERSEY**

SHEET NO. 9 OF 9

AE CERTIFICATE OF AUTHORIZATION
24GA28073100



JACOB MINARDI, P.E.
NEW JERSEY PROFESSIONAL ENGINEER
LICENSE # GE57972



Individual Resolutions
Meeting of the Municipal Council
Wednesday, July 17, 2024
RESOLUTION SUMMARY

2024-362

This Resolution authorizes the issuance of a special events permit for the Asbury Park Lifeguard Tournament to be held at the Asbury Park beachfront on Wednesday, July 17, 2024, and authorizes the Mayor and City Clerk to execute Agreements with the participating entities that are sending lifeguard representatives to compete in the event.



RESOLUTION NO. 2024-362

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

RESOLUTION AUTHORIZING THE EXECUTION OF A MEMORANDUM OF AGREEMENT WITH PARTICIPATING ENTITIES FOR THE ASBURY PARK LIFEGUARD TOURNAMENT AND APPROVING THE ISSUANCE OF A SPECIAL EVENTS PERMIT RELATING TO THE EVENT

WHEREAS, the City of Asbury Park (also referenced as the “City”) has agreed to serve as the host community for a lifeguard tournament (hereinafter referenced as the “Lifeguard Tournament” or the “event”) involving lifeguard representatives from numerous local shore communities as well as the Monmouth County Park System (hereinafter collectively referenced as the “Participating Entities,” and individually referenced as a “Participating Entity”); and

WHEREAS, the Lifeguard Tournament shall be held at the Asbury Park beachfront on Wednesday, July 17, 2024, commencing at or about 5:30 p.m.; and

WHEREAS, the individuals who will be competing in the Lifeguard Tournament shall be serving as representatives of their respective employers during the event, and have agreed to participate in the Lifeguard Tournament knowing and voluntarily accepting the risks associated with strenuous water competition activities undertaken in the ocean; and

WHEREAS, each Participating Entity has agreed to limit participation in the event to individuals who are duly certified as lifeguards and employed as such by the Participating Entity; and

WHEREAS, each Participating Entity has also agreed that all of its lifeguard representatives who are competing in the event shall be considered “on duty” and participating in an employment-related assignment on behalf of the Participating Entity during the event, such that the employees shall be covered by their respective employer’s insurance coverage; and

WHEREAS, the attached Memorandum of Agreement (hereinafter referenced as the “Agreement”) sets forth the terms and conditions associated with the event; and

WHEREAS, the Mayor and City Council wish to approve the attached Agreement and to authorize the Mayor and City Clerk to execute the Agreement with each of the Participating Entities, and to authorize the issuance of a special events permit(s) in connection with the Lifeguard Tournament.

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

1. That the attached Agreement (to be executed with each of the Participating Entities) is hereby approved by the City of Asbury Park, and its execution on behalf of the City by the Mayor and City Clerk is hereby authorized.
2. That, subject to the full execution of the attached Agreement with each of the Participating Entities, the issuance of a special events permit(s) in connection with the Lifeguard Tournament is hereby authorized.
3. That a certified copy of this Resolution shall be provided to each of the following:
 - a. All Participating Entities;
 - b. Lillian L. Nazzaro, Esq., City Manager;
 - c. John Hayes, Deputy City Manager;
 - d. Leesha Floyd, Program Specialist - Recreation/Special Events;
 - e. Eric Nemeth, Esq., NJIIF General Counsel;
 - f. Ezio Altamura, Senior VP, GJEM-Otterstedt Insurance Agency, Inc.; and
 - g. Frederick C. Raffetto, Esq., City Attorney.

I, LISA ESPOSITO, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of RESOLUTION NO. 2024-362 which was finally adopted by the City Council at a meeting held on the 17th day of July, 2024

CERTIFIED BY ME THIS 18th DAY OF July, 2024.

LISA ESPOSITO
CITY CLERK

MEMORANDUM OF AGREEMENT CONCERNING PARTICIPATION IN ASBURY PARK LIFEGUARD TOURNAMENT

THIS AGREEMENT is entered into this ____ day of _____, 2024,

BY AND BETWEEN

The **CITY OF ASBURY PARK**, a Municipal Corporation of the State of New Jersey, with its principal office located at One Municipal Plaza, Asbury Park, New Jersey 07712 (also referred to as “Asbury Park”);

- and -

_____, with its principal office located at _____, New Jersey _____ (also referred to as the “Participating Entity”).

[Asbury Park and the Participating Entity are hereinafter collectively referred to as the “Parties.”]

WITNESSETH:

WHEREAS, Asbury Park has agreed to serve as the host community for a lifeguard tournament (the “Lifeguard Tournament”) involving lifeguard representatives from numerous local shore communities as well as the Monmouth County Park System; and

WHEREAS, the Lifeguard Tournament shall be held at the Asbury Park beachfront on Wednesday, July 17, 2024, commencing at or about 5:30 p.m.; and

WHEREAS, the individuals who will be competing in the Lifeguard Tournament shall be serving as representatives of their respective employers during the event, and have agreed to participate in the Lifeguard Tournament knowing and voluntarily accepting the risks associated with strenuous water competition activities undertaken in the ocean; and

WHEREAS, the purpose of this Memorandum of Agreement is to memorialize certain terms and conditions associated with Asbury Park serving as the host community for the Lifeguard Tournament and the Participating Entity sending a contingent of its lifeguard representatives to compete in the Lifeguard Tournament.

NOW, THEREFORE, for good and valuable consideration, the sufficiency of which is hereby acknowledged by the Parties, and in further consideration of the mutual conditions, covenants, promises, and terms hereinafter contained, it is hereby agreed by and between the Parties as follows:

1. Asbury Park has agreed to serve as the host community for the Lifeguard Tournament referenced above, and to allow the Participating Entity to send a

contingent of its lifeguard representatives to compete in the Lifeguard Tournament, subject to the conditions set forth below.

2. The Participating Entity is aware of the inherent risks associated with strenuous water competition activities undertaken in the ocean, and nevertheless knowingly and voluntarily wishes to send a contingent of its employees to compete in the Lifeguard Tournament.
3. The Participating Entity shall limit all of its participants in the Lifeguard Tournament to individuals who are duly certified as lifeguards and employed as such by the Participating Entity.
4. The Participating Entity hereby agrees that, while participating in the Lifeguard Tournament, all of its lifeguard representatives shall be considered “on duty” and participating in an employment assignment on behalf of the Participating Entity. As such, the Participating Entity hereby agrees that all of its lifeguard representatives shall be covered by the Participating Entity’s workers’ compensation and other insurance coverages maintained by the Participating Entity, as referenced below.
5. The Participating Entity shall provide the following insurance coverage for the Lifeguard Tournament:
 - a. Comprehensive commercial general liability insurance coverage in an amount not less than one million dollars (\$1,000,000.00) per occurrence. The policy shall be written on the comprehensive form including products/completed operations and protect against claims for all damages arising from bodily injury, property damage, personal injury and advertising injury including death.
 - b. Automobile liability insurance covering the use of all owned, non-owned, hired or leased automobiles for bodily injury and property damage. Coverage shall include uninsured and underinsured motorist at limits no less than one million dollars (\$1,000,000.00) per accident.
 - c. Umbrella / Excess Liability with coverage in an amount not less than five million dollars per occurrence (\$5,000,000.00). Coverage to apply in excess of Commercial General Liability, Automobile Liability and Employers Liability. No such Umbrella Insurance policy be more restrictive than the coverage provided for under the above-described primary policies.
 - d. Workers’ Compensation/Employers Liability coverage to comply with New Jersey Statutes, along with USLHW Act and Jones Act, if applicable, as follows:

Worker Compensation - Statutory

Employers Liability - \$1,000,000.00 each accident
 \$1,000,000.00 each employee
 \$1,000,000.00 policy limit

- e. The above amounts may not be modified without approval of Asbury Park's insurance carrier.
 - f. The Participating Entity shall name the City of Asbury Park, its Officers, Agents, Appointed or Elected Officials, Board Members and Directors, Employees, Volunteers and Insurers, including but not limited to the New Jersey Intergovernmental Insurance Fund ("NJIIF") (collectively referred to herein as the "City Entities") as an additional insured on its policy(ies) of insurance required to be maintained pursuant to this Agreement. All such policies shall be primary and non-contributory. All of the foregoing policies shall be endorsed to reflect the City Entities as Additional Insureds.
 - g. Prior to the date of the Lifeguard Tournament and as a condition to its participation in same, the Participating Entity shall provide Asbury Park with a copy of its Certificate of Insurance which reflects all of the above coverages and the requirements of Paragraphs 5 and 6 of this Memorandum of Agreement.
6. Indemnification. The Participating Entity hereby agrees to indemnify and hold the City Entities harmless from and against any and all claims or liabilities, including attorney fees and defense costs, arising out of or in any way related to the activities of the Participating Entity, its affiliates, sub-contractors, employees, agents, successors and assigns in the Lifeguard Tournament. The Indemnification shall include all losses and injuries of any kind suffered by the City Entities, including but not limited to bodily injuries and property damage, whether said losses are incurred directly by the City Entities or as a result of third party claims. The Indemnification shall include losses not covered by insurance and any insurance deductibles and any self-insured retentions. It is the intention of the Parties that any claim for relief of any type being asserted against any or all of the City Entities, based upon any act of negligence, gross negligence or intentional misconduct of the Participating Entity, its employees, agents, affiliates, sub-contractors, successors and assigns, shall be the responsibility of the Participating Entity
7. Entire Agreement. This Agreement constitutes that entire agreement between the Parties. There are no representations, warranties or agreements, whether express or implied, except as set forth in this Agreement. This Agreement may not be cancelled, changed, modified, or amended orally, and no cancellation, change, modification or amendment hereof shall be effective or binding unless in a written instrument signed by the Parties.
8. Enforceability. If any term or provision of this Agreement shall to any extent be deemed invalid or unenforceable by a Court of competent jurisdiction, the remainder of the

Agreement shall not be affected thereby, and each term and provision of this Agreement should be valid and enforceable to the fullest extent permitted by law.

9. Interpretation. All the terms, conditions or other provisions of this Agreement shall be interpreted and governed by the laws of the State of New Jersey.

[Signatures on the Next Page.]

IN WITNESS WHEREOF, the Parties hereto have set their hands and seals or caused these presents to be signed by their proper corporate officers and their proper corporate seal affixed hereto, the day, and year above stated.

ATTEST:

CITY OF ASBURY PARK

LISA ESPOSITO,
CITY CLERK

MAYOR JOHN B. MOOR

WITNESS/ATTEST:

PARTICIPATING ENTITY

Print Name:_____

Entity:_____



Individual Resolutions
Meeting of the Municipal Council
Wednesday, July 17, 2024
RESOLUTION SUMMARY

2024-363

Authorizing The Execution Of A First Amendment To The Employment Agreement With The Deputy City Manager



RESOLUTION NO. 2024-363

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

RESOLUTION AUTHORIZING THE EXECUTION OF A FIRST AMENDMENT TO THE EMPLOYMENT AGREEMENT WITH THE DEPUTY CITY MANAGER

WHEREAS, on May 21, 2024, the City of Asbury Park (the “City”) and John Hayes (“Hayes”) entered into an Employment Agreement (the “Agreement”) concerning Hayes’ employment with the City as the Deputy City Manager; and

WHEREAS, the Mayor and Council wish to amend the Agreement in a limited manner, in order to permit Hayes to utilize a City-owned vehicle in connection with his employment responsibilities; and

WHEREAS, the Parties have drafted the attached First Amendment to the Agreement in order to memorialize this revision.

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

1. That the City is hereby authorized to enter into the attached First Amendment to the Agreement with Hayes under the terms and conditions set forth therein.
2. That the Mayor is hereby authorized to execute, and the City Clerk to attest, the attached First Amendment to the Agreement with Hayes, or one which is substantially similar thereto and in a form satisfactory to the City Attorney.
3. That a certified copy of this Resolution (along with the attached First Amendment to the Agreement) shall be provided to each of the following:
 - a. John Hayes, Deputy City Manager;
 - b. Lillian L. Nazzaro, Esq., City Manager;
 - c. JoAnn Boos, CFO;
 - d. Denise Callery, Personnel Officer; and
 - e. Frederick C. Raffetto, Esq., Municipal Attorney

I, LISA ESPOSITO, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of RESOLUTION NO. 2024-363 which was finally adopted by the City Council at a meeting held on the 17th day of July, 2024

CERTIFIED BY ME THIS 18th DAY OF July, 2024.

LISA ESPOSITO
CITY CLERK

FIRST AMENDMENT
TO DEPUTY CITY MANAGER EMPLOYMENT AGREEMENT

**THIS FIRST AMENDMENT TO DEPUTY CITY MANAGER
EMPLOYMENT AGREEMENT** is entered into this ____ day of _____, 2024,

BY AND BETWEEN

The **CITY OF ASBURY PARK**, a Municipal Corporation of the State of New Jersey, with its principal office located at One Municipal Plaza, Asbury Park, New Jersey 07712 (the "City");

- and -

JOHN HAYES, whose address is 1506 Steiner Place, Asbury Park, New Jersey 07712 (hereinafter "Hayes").

[The City and Hayes are hereinafter collectively referred to as the "Parties."]

WITNESSETH:

WHEREAS, on May 21, 2024 the Parties entered into an Employment Agreement (the "Agreement") concerning Hayes' employment with the City as the Deputy City Manager; and

WHEREAS, the Parties wish to amend the Agreement in order to permit Hayes to utilize a City-owned vehicle in connection with his employment responsibilities, in accordance with the terms and conditions set forth herein.

NOW, THEREFORE, the Parties hereby covenant and agree as follows:

1. Paragraph 10 of the Agreement is hereby amended and supplemented as follows (additions are shown with underline):
 10. **City owned Equipment.** Hayes will be entitled to a cell phone and laptop computer for professional use only to be provided by the City. In addition, Hayes will be provided with a municipal vehicle for commuting and business purposes only. The use of the vehicle (drivers and/or passengers) shall be restricted to City employees only, and individuals who are not employees of the City shall not be permitted in the vehicle. Employees driving or otherwise present in the vehicle shall be required to wear safety belts (i.e., seat belts) at all times while the vehicle is in operation, and drivers must maintain a valid New Jersey driver's license. The use of a City vehicle is a privilege that may be revoked or modified for any reason whatsoever at any time at the discretion of the City Manager.
2. Except as modified herein, all other terms and conditions of the Agreement shall remain in full force and effect, unimpaired and unmodified. To the extent that there is any inconsistency between the terms of the Agreement and the within First Amendment to the Agreement, the provisions set forth herein shall prevail over and supersede those contained in the Agreement.

3. This Agreement shall be binding upon the Parties, their heirs, successors and assigns.

IN WITNESS WHEREOF, the Parties have hereto affixed their signatures and seals on this ____ day of July, 2024.

ATTEST:

CITY OF ASBURY PARK

LISA ESPOSITO,
CITY CLERK

MAYOR JOHN B. MOOR

WITNESS:

(Print Name)

JOHN HAYES

**DEPUTY CITY MANAGER
EMPLOYMENT AGREEMENT**

This Agreement entered into this 21st day of MAY, 2024 by and between:

John Hayes (hereinafter "Hayes"), with an address of 1506 Steiner Place, Apt. 107 and the City of Asbury Park (hereinafter the "City"), a municipal corporation of the State of New Jersey, with principal offices located at One Municipal Plaza, Asbury Park, New Jersey 07712 (collectively, Hayes and the City are referenced herein as the "Parties").

1. **Position.** The City agrees to employ Hayes as the Deputy City Manager of the City of Asbury Park (which is a non-Civil service title/position). Such appointment shall be subject to all provisions of applicable State statutes and local Ordinances. Subject to the supervision and pursuant to the orders and directives of the City Manager, and in accordance with all provisions of applicable law and applicable Ordinances of the City, Hayes shall perform all duties prescribed for the position of Deputy City Manager pursuant to the sole and exclusive direction of the City Manager.

2. **Commencement Date; Term of Agreement.** Hayes' services as Deputy City Manager for the City shall commence on July 1, 2024 (the "commencement date").

3. **Manner and Performance of Deputy City Manager's Duties.** Hayes agrees that he will at all times faithfully, industriously, and to the best of his ability, experience and talent, perform all of the duties that may be required of him pursuant to the express and implicit terms of this agreement, and to the reasonable satisfaction of the City Manager. He shall, at all times, present a professional demeanor, and carry out his responsibilities in accordance with the law.

4. **Terms and Conditions of Employment.** The Parties agree that the Deputy City Manager position is an exempt position from any maximum hour requirements found under State or Federal law. Hayes understands and acknowledges that the Deputy City Manager position is full time to be paid an annual salary of \$120,000.00 the first year (pro-rated as to the date of commencement of his services to the City); \$130,000.00 the second year and 140,000.00 the third year. After the third year of employment, Hayes' salary will be adjusted in accordance with the annual salary ordinance. Hayes will receive the same average annual Cost of Living Adjustment (COLA) as other employees. The typical work schedule shall be the same hours the City has established for general business operations. It is understood that the nature of the position may require flexibility as to work hours, including weeknight and weekend hours, and as determined by the City Manager. No health or pension benefits will be provided to Hayes by the City. Hayes will not be paid any overtime or any extra compensation above that explicitly stated in this Agreement.

5. **Vacation, Sick and Personal days** For the year 2024, Hayes will receive twenty (20) paid vacation days (pro-rated). Beginning in 2025, he will be entitled to twenty-two (22) paid vacation days. All applicable policies concerning the use of vacation leave shall apply. Hayes will receive the same number of paid sick and personal days per year as other City of Asbury Park employees and abide by the same policies concerning usage, reporting, etc.

6. **Performance Review.** The Parties agree that Hayes shall be subject to an annual performance review by the City Manager, with goals and objectives to be set on an annual basis by the City Manager. The first performance review shall be held within three (3) months of Hayes' commencement of employment with the City.

7. **Indemnification.** The City shall defend, save harmless and indemnify Hayes against any tort, professional liability claim(s) or demand(s) or other legal action(s), whether groundless or otherwise, arising out of an alleged act or omission that is within the scope of, and occurring within the good faith performance of, Hayes' duties as the Deputy City Manager for the City, to the extent permitted by applicable law. The City and/or its insurance carrier, in its/their sole discretion, may compromise and settle any such claim(s) or suit(s) and shall pay the amount of any settlement or judgment rendered herein.

8. **Termination of Agreement by the City.** Hayes shall serve as an "at will" employee. There is a ninety (90) day probationary period from the commencement date, at the conclusion of which the City Manager may terminate the agreement and the employment of Hayes in the City Manager's sole discretion. The City Manager is the sole and exclusive appointing authority for the position of Deputy City Manager and shall be permitted to terminate this Agreement and the employment of Hayes, after the ninety (90) day

probationary period, with or without cause in the City Manager's sole discretion.

9. Termination of Agreement by Employee. Hayes may terminate this Agreement at his will, upon providing a minimum of sixty (60) calendar days' notice of his intention to resign from the position of Deputy City Manager. Should Hayes terminate this Agreement pursuant to this Section, he shall assist the City in any transition work required to assist in finding a replacement Deputy City Manager.

10. City owned Equipment. Hayes will be entitled to a cell phone and laptop computer for professional use only to be provided by the City.

11. Non-applicability of other Policies/Agreements. Hayes agrees and acknowledges that the following Policies/Agreements are not applicable to his employment:

- Any City personnel policies that are specifically addressed in this Agreement (otherwise, City personnel policies shall be applicable); and
- Any collective negotiations agreements.

12. Entire Agreement. This Agreement contains the sole and entire Agreement between the Parties and shall supersede any and all other Agreements between the Parties. There are no representations, warranties or agreements, whether express or implied, except as set forth in this Agreement. This Agreement may not be cancelled, changed, modified, or amended orally, and no cancellation, change, modification or amendment hereof shall be effective or binding unless in a written instrument signed by the Parties.

13. Waiver. No waiver of any provision of this Agreement shall be valid unless in writing and signed by the person or party against whom same is charged.

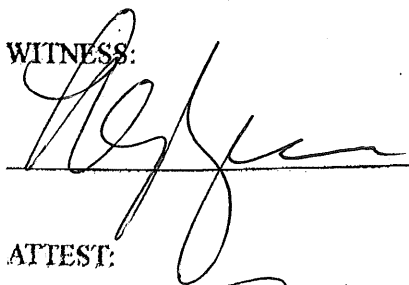
14. Controlling Law. All the terms, conditions and other provisions of this Agreement shall be interpreted and governed by the laws of the State of New Jersey.

15. Interpretation and Severability. If any term or provision of this Agreement shall to any extent be deemed invalid or unenforceable by a Court of competent jurisdiction, the remainder of the Agreement shall not be affected thereby, and each term and provision of this Agreement should be valid and enforceable to the fullest extent permitted by law.

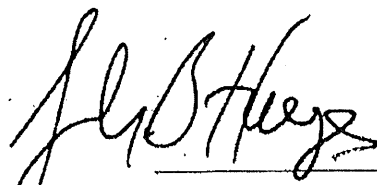
The offer of employment is contingent upon a successful background check and completion of Asbury Park's standard pre-employment screening.

IN WITNESS WHEREOF, the Parties have hereto affixed their signatures and seals
on 6/13/24.

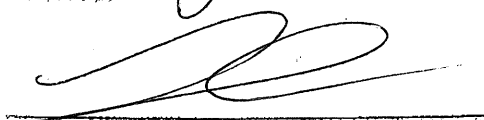
WITNESS:



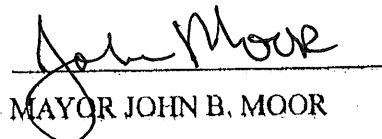
JOHN HAYES



ATTEST:



LISA ESPOSITO, CITY CLERK


MAYOR JOHN B. MOOR



Individual Resolutions
Meeting of the Municipal Council
Wednesday, July 17, 2024
RESOLUTION SUMMARY

2024-364

A Land Development Agreement With Madison Asbury Retail, LLC For The Construction Of Rest Rooms On Green Acres Lots 1.07 And 1.14 Of Block 4502



RESOLUTION NO. 2024-364

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

RESOLUTION OF THE MAYOR AND CITY COUNCIL OF ASBURY PARK AUTHORIZING THE CITY OF ASBURY PARK TO ENTER INTO A LAND DEVELOPMENT AGREEMENT WITH MADISON ASBURY RETAIL, LLC FOR THE CONSTRUCTION OF REST ROOMS ON GREEN ACRES LOTS 1.07 AND 1.14 OF BLOCK 4502

WHEREAS, pursuant to N.J.S.A. 40A:12-5, a municipality is authorized to acquire any real property, capital improvement or personal property by purchase, gift, devise, lease, exchange, condemnation or installment purchase agreement, subject to acceptable and lawful conditions, restrictions or limitations; and

WHEREAS, Asbury Partners, LLC, (“AP”) via Amended and Restated Redeveloper and Land Disposition Agreement, dated October 28, 2002, was named as the Master Developer of the Asbury Park Waterfront Redevelopment Plan; and

WHEREAS, Asbury Park is the owner of Block 227, Lots 1.01, 1.02, 1.05, 1.07, 1.09, 1.11, 1.12, 1.14, 1.15, 1.17, 1.19, 1.21, 1.22, 1.24 and 1.26 which front on Ocean Avenue, as well as the Boardwalk in the City of Asbury Park; and

WHEREAS, pursuant to Severance Lease, dated June 1, 2010, the City leased the Block 227, Lots 1.24 and 1.26 to AP for 99 years, for \$10.00 for the term of the Lease; and

WHEREAS, by joint venture, Asbury Partners created Madison Asbury Retail, LLC, and entered into a Subsequent Redeveloper Agreement, dated June 1, 2010, whereby certain of the rights and obligations of Asbury Partners, LLC were assigned to Madison Asbury Retail, LLC; and

WHEREAS, the City and Madison Asbury Retail, LLC entered into Severance Lease, also dated June 1, 2010, wherein the City leased Block 227, Lots 1.05, 1.07, 1.09, 1.11, 1.15, 1.17, 1.19, and 1.21, (the “Demised Premises”) to MAR for 99 years, for \$10.00 for the term of the Lease, (the “MAR Lease”); and

WHEREAS, MAR shall have the right to use the Demised Premises for commercial, recreational and entertainment purposes, and any other use in which the Demised Premises have historically been used; and

WHEREAS, Block 227 was subsequently changed to and is currently referred to as Block 4502; and

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

WHEREAS, the City submitted an Application for a Boardwalk Restoration Fund grant in the total amount of \$47 Million, consisting of \$7 Million as the first priority for the City Project (installation of bathroom facilities at 2 locations, Boardwalk decking, railings, and benches) and \$40 Million for the MAR Project (repair and restoration of the Convention Hall Complex); and

WHEREAS, a grant was approved in the amount of \$20 Million, by letter dated February 23, 2024 to Mayor John Moor from Jacquelyn A. Suarez, Acting Commissioner of DCA, (the “Grant Award”); and

WHEREAS, a revised MAR Project and Project Schedule to reflect the final Grant amount will be set forth in a separate Sub Grant Agreement between the Parties; and

WHEREAS, the Block 4502, Lots 1.07 and Block 4502, Lot 1.14 (the “Subject Lots”) currently contain multiple restroom structures which are maintained and operated by the City; and

WHEREAS, the City desires to replace the existing temporary restroom structures with a permanent structure on each lot; and

WHEREAS, MAR consents to the construction of permanent restroom structures and agrees to execute the necessary amendment of the Severance Lease to permit the construction on a portion of the Subject Lots; and

WHEREAS, the Mayor and City Council approve of the City Project as proposed herein and desire to enter into a Land Development Agreement in substantially the form attached hereto as Schedule A for the redevelopment of the Subject Lots to set forth the obligations of each with respect to the Project; and

WHEREAS, the Mayor and City Council approve the Sublease and First Amendment to the Severance Lease, in substantially the same for as attached to the Land Development Agreement as Schedule A.

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

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

Section 2. Approval of the Land Development Agreement. The Land Development Agreement in substantially the form attached hereto as Schedule A is hereby approved, subject to the condition set forth in Section 6 below.

Section 3. Execution of the Land Development Agreement. The Mayor of the City of Asbury Park, in the County of Monmouth (the “**Mayor**” and together with the City Manager and Chief Financial Officer of the City, an “**Authorized Officer**”) is hereby authorized and directed, upon satisfaction of all the legal conditions precedent to the execution and delivery by the City of the Land Development Agreement as determined by the Authorized Officers in consultation with counsel to the City, to execute the Land Development Agreement in substantially the form attached hereto as Schedule A, after said Agreement has been fully executed by Madison Asbury Retail, LLC, and with such changes, insertions and omissions thereto as the Mayor, after consultation with counsel to the City, deems in the Mayor’s sole discretion to be necessary or desirable for the execution thereof, which authorization thereof shall conclusively evidence the Mayor’s consent to any such changes thereto.

Section 4. Attestation and Sealing of the Land Development Agreement. The Clerk of the City is hereby authorized and directed, upon the execution of the Land Development Agreement to attest to the signature of the Mayor upon such document and is hereby further authorized and directed thereupon to affix the corporate seal of the City upon such document.

Section 5. Implementation of the Land Development Agreement. Upon the execution and attestation and placing of the seal on the Land Development Agreement as contemplated by Sections 3 and 4 hereof, the Authorized Officers are hereby authorized and directed to (i) deliver the fully executed, attested and sealed document to the other parties thereto and (ii) perform such other actions as the Authorized Officers deem necessary or desirable in relation to the execution and delivery of the Land Development Agreement, including, but not limited to, the execution of the Sublease and First Amendment to the Severance Lease, attached to the Land Development Agreement as Exhibit A.

Section 6. Effective Date. This Resolution shall take effect immediately.

I, LISA ESPOSITO, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of RESOLUTION NO. 2024-364 which was finally adopted by the City Council at a meeting held on the 17th day of July, 2024

CERTIFIED BY ME THIS 18th DAY OF July, 2024.

LISA ESPOSITO
CITY CLERK

Schedule A (to the Resolution)
Form of Land Development Agreement

Attachment: Schedule A Coversheet (2024-364 : Land Development Agreement With Madison Asbury Retail, LLC For The Construction Of Rest

**LAND DEVELOPMENT AGREEMENT
BETWEEN
THE CITY OF ASBURY PARK,
AND
MADISON ASBURY RETAIL, LLC**

**FOR THE CONSTRUCTION AND OPERATION OF RESTROOMS ON
GREEN ACRES LOTS 1.07 AND 1.14 OF BLOCK 4502**

This Agreement ("Agreement") made as of the _____ day of 2024, is made by and between the City of Asbury Park ("Asbury Park" or "The City") and Madison Asbury Retail, LLC ("MAR" or "the Developer") together ("the Parties"), to set forth the terms and conditions for the construction of public restrooms on Block 4502, Lots 1.07 and 1.14 ("Project"). This Agreement confirms the mutual understandings and intentions of the Parties hereto as to the following:

PREAMBLE

WHEREAS, Asbury Partners, LLC, ("AP") via Amended and Restated Redeveloper and Land Disposition Agreement, dated October 28, 2002, was named as the Master Developer of the Asbury Park Waterfront Redevelopment Plan; and

WHEREAS, Asbury Park is the owner of Block 227, Lots 1.01, 1.02, 1.05, 1.07, 1.09, 1.11, 1.12, 1.14, 1.15, 1.17, 1.19, 1.21, 1.22, 1.24 and 1.26 which front on Ocean Avenue, as well as the Boardwalk in the City of Asbury Park; and

WHEREAS, pursuant to Severance Lease, dated June 1, 2010, the City leased Block 227, Lots 1.24 and 1.26 to AP for 99 years, for \$10.00 for the term of the Lease; and

WHEREAS, by joint venture, Asbury Partners created Madison Asbury Retail, LLC, and entered into a Subsequent Redeveloper Agreement, dated June 1, 2010, whereby certain of the rights and obligations of Asbury Partners, LLC were assigned to Madison Asbury Retail, LLC; and

WHEREAS, the City and Madison Asbury Retail, LLC entered into Severance Lease, also dated June 1, 2010, wherein the City leased Block 227, Lots 1.01, 1.02, 1.05, 1.07, 1.09, 1.11, 1.12, 1.14, 1.15, 1.17, 1.19, 1.21 and 1.22, (the "Demised Premises") to MAR for 99 years, for \$10.00 for the term of the Lease, (the "MAR Lease"); and

WHEREAS, MAR shall have the right to continue to use the Demised Premises for commercial, recreational and entertainment purposes, and any other use in which the Demised Premises have historically been used; and

WHEREAS, Block 227 was subsequently changed to and is currently referred to as Block 4502; and

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

WHEREAS, the City submitted an Application for a Boardwalk Restoration Fund grant in the total amount of \$47 Million, consisting of \$7 Million as the first priority for the City Project (installation of bathroom facilities at 2 locations, Boardwalk decking, railings, and benches) and \$40 Million for the MAR Project (repair and restoration of the Convention Hall Complex); and

WHEREAS, a grant was approved in the amount of \$20 Million, by letter dated February 23, 2024 to Mayor John Moor from Jacquelyn A. Suarez, Acting Commissioner of DCA, (the “Grant Award”); and

WHEREAS, a revised MAR Project and Project Schedule to reflect the final Grant amount will be set forth in a separate Sub Grant Agreement between the Parties; and

WHEREAS, Block 4502, Lot 1.07 and Block 4502, Lot 1.14 (the “Subject Lots”) currently contain multiple restroom structures which are maintained and operated by the City; and

WHEREAS, the City desires to replace the existing temporary restroom structures with a new structure on each lot; and

WHEREAS, MAR consents to the construction of new restroom structures and agrees to execute the necessary amendment of the MAR Lease to permit the construction on a portion of the Subject Lots.

NOW, THEREFORE, Madison Asbury Retail, LLC and the City of Asbury Park agree as follows:

1. The City has prepared a Survey for each of the Subject Lots depicting the location of the two new restroom structures, which are located in the approximate location of the existing temporary restrooms.
2. The City has prepared a metes and bounds description of the area of a portion of the Subject Lots within which the new restroom structures shall be located (the “Subject Area”), which are approximately the same size of the areas currently occupied by the temporary existing restrooms.
3. The Parties agree to execute the Sublease and First Amendment of the Severance Lease, the form of which is attached as Exhibit A, whereby a portion of Block 4502, Lot 1.07

{379921.DOCX.1}2

and Block 4502, Lot 1.14 shall be leased back to the City for the purposes stated herein (the “Subject Areas”).

4. The City shall seek all municipal and outside agency approvals related to the construction of the new restroom structures and MAR shall cooperate with the completion and submission of all applications related to the municipal and outside agency approvals, as necessary.
5. The Parties agree to enter into easements or license agreements, if any, or modify or terminate any existing easement or license agreements, as deemed necessary to effectuate the construction of the new restroom facilities and the connection of the new facilities to the City’s existing utility service.
6. The City agrees to, at its own cost and expense, (i) construct two (2) new restroom facilities on the Subject Areas and to own, operate and maintain them thereafter and (ii) to demolish or remove the existing temporary restrooms and restore the premises in a manner to be consistent with the immediately adjacent area. The Parties agree in good faith to discuss extended hours of operation from time to time, in order to accommodate the public need.
7. The Parties agree to negotiate in good faith regarding the potential activation of the Green Acres Parcels, including but not limited to the establishment of concession facilities on the Parcels, provided that such activation is permitted under the State Green Acres program, administered by the New Jersey Department of Environmental Protection and as incorporated in the CAFRA Permit.
8. The Demised Premises may be used for all lawful purposes, as set forth in Paragraph 5 of the Severance Lease. The leased back portions of both Block 4502, Lot 1.07 and 1.14 shall only be utilized for the construction and operation of the restrooms or other uses agreed upon by the Landlord and Tenant.
9. The Parties agree to cooperate and coordinate access to the Uninterrupted Utility and Access Easements and/or the utilities that currently exist in the Subject Areas of Block 4502, Lots 1.07 and 1.14, as indicated on Exhibits 2 and 4 of the Sublease and First Amendment to the Severance Lease, for the purposes of installing necessary utility lines for their respective purposes and to limit the opening of the Easement and the disruption of the public’s use of the concrete walkways located therein.
10. Governing Law. The interpretation, construction, validity, rights, remedies, obligations, and performance of this Land Development Agreement shall be governed in all respects by the laws of the State of New Jersey.

{379921.DOCX.1}3

11. Severability. If any provision hereof is found to be unenforceable or invalid, such a finding shall not affect the enforceability or validity of any other provision, and any determination that the application of any provision hereof to any person or circumstances is illegal or unenforceable shall not affect the enforceability or validity of such provision as it may apply to any other persons or circumstances.
12. Binding Effect. This Agreement shall inure to the benefit of and be binding upon the Parties hereto and upon their respective heirs, executors, administrators, representatives, successors and assigns.

This Agreement shall be signed by John Moor, the Mayor of the City of Asbury Park and by Gary Mottola on behalf of MAR and shall be effective as of the date first written above.

By: John Moor
Title: Mayor, City of Asbury Park

Date

By: Gary Mottola
Title:

Date

STATE OF NEW JERSEY :
:ss:
COUNTY OF :

I certify that on _____, 2024, Mayor John Moor, personally came before me and stated to my satisfaction that this person (a) signed, sealed and delivered the signed documents as the Mayor of the City of Asbury Park, the municipality named in this document; and (b) this document was signed and made by the municipality as its voluntary act and deed.

Notary Public

STATE OF NEW JERSEY :
:ss:
COUNTY OF :

I certify that on _____, 2024, Gary Mottola, personally came before me and stated to my satisfaction that this person (a) signed, sealed and delivered the signed documents as the Executive Vice President of Madison Asbury Retail, LLC, the company named in this document; and (b) this document was signed and made by the company as its voluntary act and deed.

Notary Public

EXHIBIT A**SUBLEASE AND FIRST AMENDMENT TO THE SEVERANCE LEASE**

THIS SUBLEASE AND FIRST SEVERANCE LEASE AMENDMENT (“Amendment”) made as of the ____ day of _____, 2024, is entered into by and between the City of Asbury Park, a municipal corporation of the State of New Jersey, having an address at the Asbury Park Municipal Building, One Municipal Plaza, Asbury Park, New Jersey, 07712 (herein called “Landlord”) and Madison Asbury Retail, LLC, a Delaware Limited Liability Company, having an address at 1300 Ocean Avenue, M1, Asbury Park, New Jersey, 07712 (herein called “Tenant”), collectively referred to as the “Parties”.

RECITALS

- A. The Landlord and Tenant entered into a Severance Lease, dated June 1, 2010, setting forth the terms, occupancy, and use of Block 227, Lots 1.01, 1.02, 1.05, 1.07, 1.09, 1.11, 1.12, 1.14 1.15, 1.17, 1.19, 1.21 and 1.22, collectively referred to as the “Demised Premises,” by the Tenant for 99 years, for \$10.00 for the term of the Severance Lease. Block 227 has been changed to and is currently referred to as Block 4502.
- B. The New Jersey Legislature established the Boardwalk Preservation Fund in the amount of \$100 Million, supplementing Chapter 27D of Title 52 of the Revised Statutes of New Jersey to be administered by the Division of Disaster Recovery and Mitigation at the Department of Community Affairs (“DCA”), which funds are available through the American Rescue Plan.
- C. The City of Asbury Park submitted an Application for a Boardwalk Restoration Fund grant in the total amount of \$47 Million, consisting of \$7 Million as the first priority for the City Project (installation of bathroom facilities at 2 locations, Boardwalk decking, railings, and benches) and \$40 Million for the MAR Project (repair and restoration of the Convention Hall Complex).
- D. A grant was approved in the amount of \$20 Million, by letter dated February 23, 2024 to Mayor John Moor from Jacquelyn A. Suarez, Acting Commissioner of DCA, (the “Grant Award”).
- E. Block 4502, Lots 1.07 and Block 4502, Lot 1.14 (the “Subject Lots”) currently contain multiple restroom structures which are maintained and operated by the Landlord.
- F. The Landlord desires to replace the existing restroom structures with a new restroom structure on each lot, as depicted on Exhibit 2 (Block 4502, Lot 1.07) and Exhibit 4 (Block 4502, Lot 1.14), in connection with the Grant Award.

- G. The Tenant consents to the construction of new restroom structures and the within modification of the Severance Lease to permit the construction on a portion of the Subject Lots, whereby a portion of the Subject Lots (the “Subject Areas” as further defined below) would be leased back to the Landlord from Tenant (the “Lease Back”).

IN WITNESS WHEREOF, Madison Asbury Retail, LLC and the City of Asbury Park have executed this Sublease and First Amendment to the Severance Lease as of _____, 2024:

1. All of the above recitals are incorporated herein by reference.
2. The Landlord shall lease back the portion of the lot described in the metes and bounds description of Block 4502, Lot 1.07 whereby the new restroom structure will be located, as set forth hereto and attached hereto as Exhibit 1 which shall supplement Schedule A-2 of the Severance Lease. The Survey, with the metes and bounds description of the portion of Block 4502, Lot 1.07, that shall be leased back by the City of Asbury Park, prepared by Michael S. Finnegan, P.L.S., T and M Associates, dated 6/20/24, is attached hereto as Exhibit 2. Said portion of Block 4502, Lot 1.07 shall be leased back by the City of Asbury Park for the construction, maintenance and operation of the new restroom structure and the immediate adjacent area surrounding the restroom structure, as shown on Exhibit 2.
3. The Landlord shall lease back the portion of the lot described in the metes and bounds description of Block 4502, Lot 1.14 whereby the new restroom structure will be located, as set forth hereto and attached hereto as Exhibit 3, which shall supplement Schedule B-4 of the Severance Lease. The Survey, with the metes and bounds description of the portion of Block 4502, Lot 1.14, that shall be leased back by the City of Asbury Park, prepared by Michael S. Finnegan, P.L.S., T and M Associates, dated 6/20/24, is attached hereto as Exhibit 4. Said portion of Block 4502, Lot 1.14 shall be leased back by the City of Asbury Park for the construction, maintenance and operation of the new restroom structure and the immediate adjacent area surrounding the restroom structure, as shown on Exhibit 4.
4. The Landlord shall be entitled to (i) construct two (2) new restroom facilities on the Subject Areas and to own, operate and maintain them thereafter and (ii) to demolish or remove the existing temporary restrooms and restore the premises in a manner consistent with the condition of the immediately adjacent area, at its sole cost and expense. The leased back portions of both Block 4502, Lot 1.07 and 1.14 shall only be utilized for the construction and operation of the restrooms or other uses agreed upon by the Landlord and Tenant. The Landlord shall be solely responsible for the maintenance of the restrooms, including, but not limited to the regular cleaning and

{379972.DOCX.1}2

- upkeep of the restrooms and the repair and replacement of the facilities and fixtures as needed.
5. The Parties agree to cooperate and coordinate access to the Uninterrupted Utility and Access Easements that currently exist on Block 4502, Lots 1.07 and 1.14, as indicated on Exhibits 2 and 4, for the purposes of installing new or connecting to existing utility lines for their respective purposes and to limit the opening of the Easement and the disruption of the public's use of the concrete walkways located therein.
 6. The Term of the Lease Back shall terminate on October 27, 2101; all renewal options available to the Tenant are being renewed herein.
 7. Estoppel Provisions:
 - a. The rent payable by the Landlord for the Lease Back under this Amendment shall be and consist of the aggregate sum of Ten and 00/10 Dollars (\$10.00) for the entire Term of the Lease. The parties acknowledge the rent has been prepaid in full on the date hereof.
 - b. To the best of the Tenant's knowledge, after a reasonable inquiry, the Tenant is not aware of the issuance of any Notices of Default for either Block 4502, Lot 1.07 or Lot 1.14 under the terms of the Severance Lease.
 8. The Demised Premises may be used for all lawful purposes, as set forth in Paragraph 5 of the Severance Lease.
 9. Except as amended herein, the Severance Lease shall remain in full force and effect as if the same were set forth in full herein and the Landlord and Tenant hereby ratify and confirm all the terms and conditions thereof.
 10. The interpretation, construction, validity, rights, remedies, obligations, and performance of this Land Development Agreement shall be governed in all respects by the laws of the State of New Jersey.
 11. If any provision hereof is found to be unenforceable or invalid, such a finding shall not affect the enforceability or validity of any other provision, and any determination that the application of any provision hereof to any person or circumstances is illegal or unenforceable shall not affect the enforceability or validity of such provision as it may apply to any other persons or circumstances.

12. This Agreement shall inure to the benefit of and be binding upon the parties hereto and upon their respective heirs, executors, administrators, representatives, successors and assigns.

[BALANCE OF THIS PAGE INTENTIONALLY BLANK;
SIGNATURES ON FOLLOWING PAGE]

{379972.DOCX.1}4

IN WITNESS THEREOF, John Moor, as the Mayor of the City of Asbury Park and by Gary Mottola on behalf of Madison Asbury Retail, LLC have executed this Sublease and First Amendment to the Severance Lease as of the date first written above.

Landlord:

CITY OF ASBURY PARK

By: John Moor
Title: Mayor

Tenant:

MADISON ASBURY RETAIL, LLC

By: Gary Mottola
Title:

STATE OF NEW JERSEY :
:ss:
COUNTY OF :

I certify that on _____, 2024, Mayor John Moor, personally came before me and stated to my satisfaction that this person (a) signed, sealed and delivered the signed documents as the Mayor of the City of Asbury Park, the municipality named in this document; and (b) this document was signed and made by the municipality as its voluntary act and deed.

Notary Public

{379972.DOCX.1}5

STATE OF NEW JERSEY :
:ss:
COUNTY OF :

I certify that on _____, 2024, Gary Mottola, personally came before me and stated to my satisfaction that this person (a) signed, sealed and delivered the signed documents as the Executive Vice President of Madison Asbury Retail, LLC, the company named in this document; and (b) this document was signed and made by the company as its voluntary act and deed.

Notary Public

{379972.DOCX.1}6

EXHIBIT 1
Metes and Bounds Description for portion of Block 4502, Lot 1.07



June 20, 2024

**DESCRIPTION OF AMENDED SEVERANCE LEASE AREA,
PORTION OF LOT 1.07 IN BLOCK 4502,
CITY OF ASBURY PARK, MONMOUTH COUNTY, NJ**

Being the intent to describe all that certain tract or parcel of land being known as Amended Severance Lease Area, Portion of Lot 1.07 in Block 4502 in the City of Asbury Park, Monmouth County, New Jersey, as shown on the plan entitled *"CITY OF ASBURY PARK, LOT 1.07 IN BLOCK 4502, CITY OF ASBURY PARK, MONMOUTH COUNTY, NEW JERSEY, EXHIBIT MAP SHOWING AMENDED SEVERANCE LEASE AREA"*, prepared by T&M Associates, dated June 20, 2024, being more particularly described as follows:

Beginning at a point on the existing southerly line of the 16' Wide Uninterrupted Utility and Access Easement Line, said point being the located South 74 degrees 50 minutes 55 seconds East a distance of 22.00 feet from the intersection of said easement line with the existing easterly Right-Of-Way (R.O.W.) line of Ocean Avenue (75' Wide R.O.W.), said point bearing New Jersey State Plane Coordinates, (N.A.D. 1983) North 505,211.43, East 631,591.61, and running thence;

1. South 74 degrees 50 minutes 55 seconds East, along the southerly line of the 16' Wide Uninterrupted Utility and Access Easement, a distance of 57.67 feet to a point; thence
2. South 15 degrees 09 minutes 05 seconds West, along the Amended Severance Lease Area Line being hereby established, as shown on the aforesaid map, a distance of 53.28 feet to a point; thence
3. North 74 degrees 50 minutes 55 seconds West, continuing along the Amended Severance Lease Area Line being hereby established, a distance of 57.67 feet to a point; thence
4. North 15 degrees 09 minutes 05 seconds East, continuing along the Amended Severance Lease Area Line being hereby established, a distance of 53.28 feet to a point, or place of BEGINNING.

Containing 3,072 square feet (0.071 acres) of land more or less.

The above description is and is intended to describe all that Amended Severance Lease Area, Portion of Lot 1.07 in Block 4502 in the City of Asbury Park.

TOGETHER WITH all that certain tract or parcel of land being known as Temporary Construction Easement with the right to construct for grading purposes that portion of land as far as the line or area as shown on the aforesaid map. Said easement shall include the right to: construct slope, grade, fill, topsoil, seed.

Containing 885 square feet more or less.



June 20, 2024

**DESCRIPTION OF AMENDED SEVERANCE LEASE AREA,
PORTION OF LOT 1.07 IN BLOCK 4502,
CITY OF ASBURY PARK, MONMOUTH COUNTY, NJ**

SUBJECT, HOWEVER, to all public utility easements, recorded or unrecorded, affecting the herein described premises

DESCRIPTION PREPARED BY:
T&M ASSOCIATES

MICHAEL S. FINNEGAN, P.L.S.
NEW JERSEY LICENSE NO. GS34851



G:\Projects\ASP00794\Right of Way\Descriptions\ASP00794_Block 4502 Lot 1.07-Lease Area_Description.docx

EXHIBIT 2

Survey for portion of Block 4502, Lot 1.07



1. THE PREMISES SHOWN HEREON WERE SURVEYED WITHOUT THE BENEFIT OF A TITLE REPORT AND MAY BE SUBJECT TO SUCH FACTS AS DISCLOSED THEREIN. THE PROPERTY MAY BE SUBJECT TO THE FOLLOWING:

- COPYRIGHT 2024, T&M ASSOCIATES – ALL RIGHTS RESERVED. THE COPYING OR REUSE OF THIS DOCUMENT OR PORTIONS THEREOF, FOR OTHER THAN THE ORIGINAL PROJECT OR THE PURPOSE ORIGINALLY INTENDED, WITHOUT THE WRITTEN PERMISSION OF T&M ASSOCIATES IS PROHIBITED.

1. TAX MAP, CITY OF ASBURY PARK, SHEET 45, PREPARED BY CHARLES A. ATKINSON, DATED DECEMBER 31, 2010, REVISED THROUGH JUNE, 2016.
2. FILED MAP 292, SHEETS 19 & 20, FINAL PLAT, ASBURY PARK REDEVELOPMENT PROJECT, BLOCK 144.04 LOT, BLOCK 176 LOT 1.01, BLOCK 207 LOT 1.01, BLOCK 227 LOT 1, BLOCK 230, LOT 1, CITY OF ASBURY PARK, MONMOUTH COUNTY, NEW JERSEY, PREPARED BY SCHORR DEPALMA, REVISED THROUGH AUGUST 20, 2003

-

THE CITY OF ASBURY PARK
MADISON ASBURY RETAIL, L

MICHAEL S. FINNEGAN
N.J. LIC. LAND SURVEYOR LIC. NO. GS3485



CITY OF ASBURY PARK
LOT 1.07 IN BLOCK 4502
CITY OF ASBURY PARK, MONMOUTH COUNTY, NEW JERSEY
EXHIBIT MAP SHOWING
AMENDED SEVERANCE LEASE AREA



11 TINDALL ROAD
MIDDLETOWN, NJ 07748
TEL 732-671-6400
FAX 732-671-7365

NEW JERSEY BOARD OF PROFESSIONAL ENGINEERS
AND LAND SURVEYORS
CERTIFICATE OF AUTHORIZATION 24GA27987500

OFFICES LOCATED IN:
CALIFORNIA, INDIANA, KENTUCKY,
MASSACHUSETTS, MICHIGAN, NEW JERSEY
OHIO AND PENNSYLVANIA

DESIGNED BY	DRK	DRAWING	SUR-01
CHECKED BY	MSF	SHEET	
DRAWN BY	DRK	1	
DATE	06/20/2024		
SCALE	AS SHOWN		
PROJ. NO.	ASPK-00794	OF	01

EXHIBIT 3

Metes and Bounds Description for portion of Block 4502, Lot 1.14



ASPK00794

June 20, 2024

**DESCRIPTION OF AMENDED SEVERANCE LEASE AREA,
PORTION OF LOT 1.14 IN BLOCK 4502,
CITY OF ASBURY PARK, MONMOUTH COUNTY, NJ**

Being the intent to describe all that certain tract or parcel of land being known as Amended Severance Lease Area, Portion of Lots 1.14 in Block 4502 in the City of Asbury Park, Monmouth County, New Jersey, as shown on the plan entitled "*CITY OF ASBURY PARK, LOTS 1.14 & 1.15 IN BLOCK 4502, CITY OF ASBURY PARK, MONMOUTH COUNTY, NEW JERSEY, EXHIBIT MAP SHOWING AMENDED SEVERANCE LEASE AREA*", prepared by T&M Associates, dated June 20, 2024, being more particularly described as follows:

Beginning at a point on the existing common property boundary line of Lot 1.14 with Lot 1.13 in Block 4502, said point being the located South 74 degrees 50 minutes 55 seconds East a distance of 27.00 feet from the intersection of said line with the existing easterly Right-Of-Way (R.O.W.) line of Ocean Avenue (75' Wide R.O.W.), said point bearing New Jersey State Plane Coordinates, (N.A.D. 1983) North 506,203.37, East 631,865.40, and running thence;

1. North 15 degrees 09 minutes 05 seconds East, along the Amended Severance Lease Area Line being hereby established, as shown on the aforesaid map, a distance of 53.31 feet to a point; thence
2. South 74 degrees 50 minutes 55 seconds East, continuing along the Amended Severance Lease Area Line being hereby established, a distance of 57.67 feet to a point; thence
3. South 15 degrees 09 minutes 05 seconds West, continuing along the Amended Severance Lease Area Line being hereby established, a distance of 53.31 feet to a point; thence
4. North 74 degrees 50 minutes 55 seconds West, along the existing common property boundary line of Lot 1.14 with Lot 1.13 in Block 4502, a distance of 57.67 feet to a point, or place of BEGINNING.

Containing 3,074 square feet (0.071 acres) of land more or less.

The above description is and is intended to describe all that Amended Severance Lease Area, Portion of Lot 1.14 in Block 4502 in the City of Asbury Park.

TOGETHER WITH all that certain tract or parcel of land being known as Temporary Construction Easement with the right to construct for grading purposes that portion of land as far as the line or area as shown on the aforesaid map. Said easement shall include the right to: construct slope, grade, fill, topsoil, seed.

Containing 837 square feet more or less.



ASPK00794

June 20, 2024

**DESCRIPTION OF AMENDED SEVERANCE LEASE AREA,
PORTION OF LOT 1.14 IN BLOCK 4502,
CITY OF ASBURY PARK, MONMOUTH COUNTY, NJ**

SUBJECT, HOWEVER, to all public utility easements, recorded or unrecorded, affecting the herein described premises

DESCRIPTION PREPARED BY:
T&M ASSOCIATES

MICHAEL S. FINNEGAN, P.L.S.
NEW JERSEY LICENSE NO. GS34851



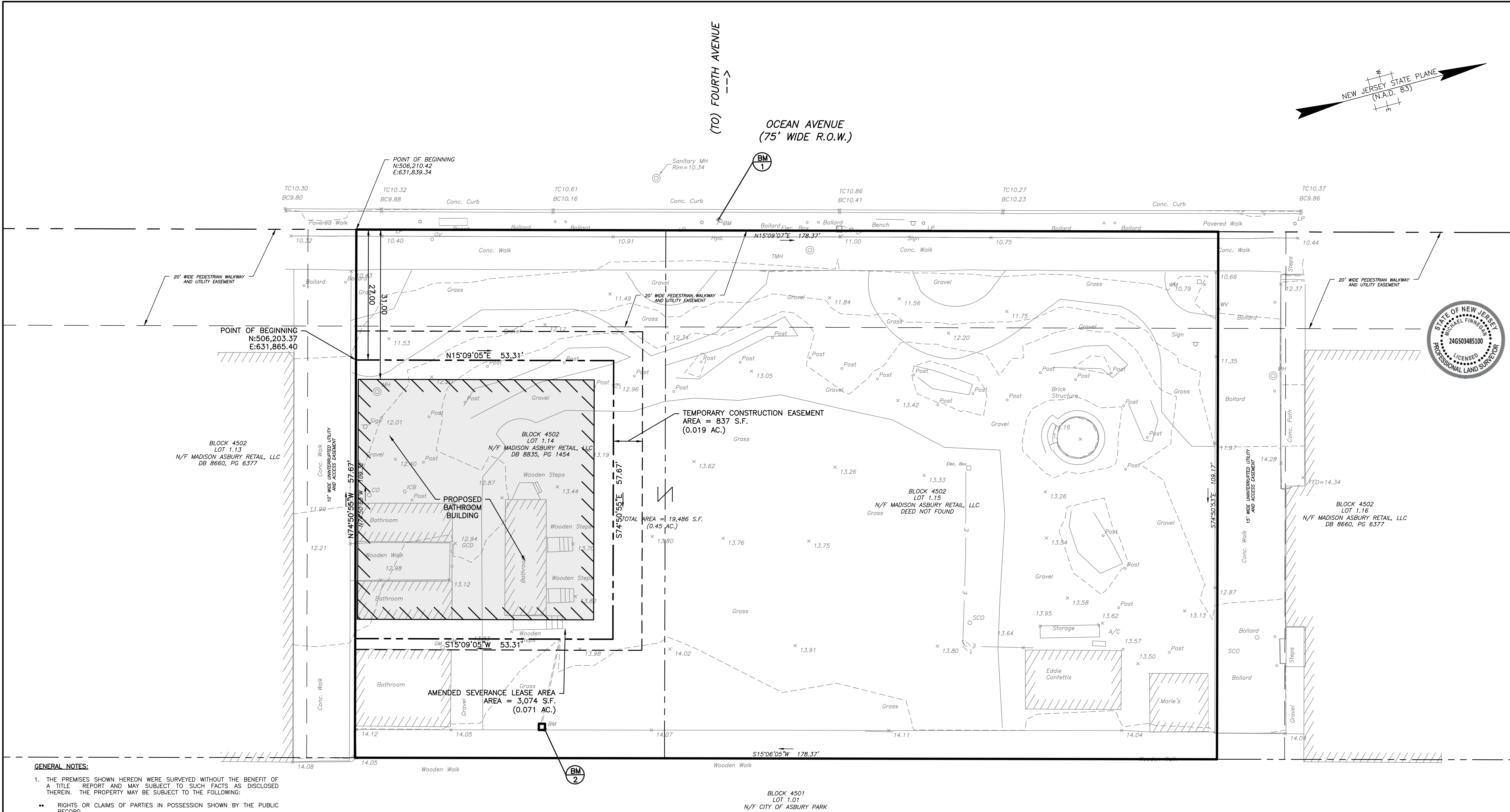
G:\Projects\ASPK\00794\Right of Way\Descriptions\ASPK00794_Block 4502 Lot 1.14-1.15-Lease Area_Description.docx

EXHIBIT 4

Survey for portion of Block 4502, Lot 1.14

PROJECT INFORMATION:
FILE PATH: G:\Projects\ASPK\00794\Survey
FILE NAME: ASPK00794_SUR-01_Lease Exhibit.dwg
DATE: 06/20/2024
LAST SAVE BY: D:\dwg

COPYRIGHT 2024, T&M ASSOCIATES - ALL RIGHTS RESERVED. THE COPYING OR REUSE
OF THIS DOCUMENT OR PORTIONS THEREOF, FOR OTHER THAN THE ORIGINAL PROJECT
PURPOSES, IS EXPRESSLY INTENDED, WITHOUT THE WRITTEN PERMISSION OF T&M
ASSOCIATES IS PROHIBITED.



GENERAL NOTES:

- THE PREMISES SHOWN HEREON WERE SURVEYED WITHOUT THE BENEFIT OF A TITLE REPORT AND MAY BE SUBJECT TO SUCH FACTS AS DISCLOSED THEREIN. THE PROPERTY MAY BE SUBJECT TO THE FOLLOWING:
 - RIGHTS OR CLAIMS OF PARTIES IN POSSESSION SHOWN BY THE PUBLIC RECORD
 - RIGHTS OR CLAIMS OF PARTIES IN POSSESSION NOT SHOWN BY THE PUBLIC RECORD
 - EASEMENTS OR CLAIMS OF EASEMENTS SHOWN BY THE PUBLIC RECORD
 - EASEMENTS OR CLAIMS OF EASEMENTS NOT SHOWN BY THE PUBLIC RECORD
 - RESTRICTIVE COVENANTS NOTED THEREIN
- NO DETERMINATIONS HAVE BEEN MADE REGARDING WETLANDS LOCATIONS.
- PLANIMETRIC AND TOPOGRAPHIC FEATURES SHOWN HEREON ARE DRAWN IN ACCORDANCE WITH FIELD SURVEY PERFORMED ON THE GROUND BY GEOD CORPORATION ON BEHALF OF T&M ASSOCIATES, THROUGH JUNE 6, 2024.
- HORIZONTAL DATUM IS NEW JERSEY STATE PLANE COORDINATE (N.A.D. 1983). VERTICAL DATUM IS NORTH AMERICAN VERTICAL DATUM (N.A.V.D. 1988).
- EXISTING UTILITY INFORMATION SHOWN HEREON HAS BEEN COLLECTED FROM VARIOUS SOURCES AND IS NOT GUARANTEED AS TO ACCURACY OR COMPLETENESS. THE CONTRACTOR SHALL VERIFY ALL INFORMATION TO HIS SATISFACTION PRIOR TO EXCAVATION, WHERE EXISTING UTILITIES ARE TO BE CROSSED BY PROPOSED CONSTRUCTION, TEST PITS SHALL BE DUG BY THE CONTRACTOR PRIOR TO CONSTRUCTION TO ASCERTAIN EXISTING INVERTS, MATERIALS AND SIZES. TEST PIT INFORMATION SHALL BE GIVEN TO THE ENGINEER PRIOR TO CONSTRUCTION TO PERMIT ADJUSTMENTS AS REQUIRED TO AVOID CONFLICTS.
- THE SUBJECT PREMISES AREA IS LOCATED WITHIN ZONE "VF" (COASTAL FLOOD ZONE WITH HAZARD VELOCITY (WAVE ACTION); BASE FLOOD ELEVATIONS DETERMINED) DETERMINED FOR THE PROJECT SITE AS SHOWN ON THE FLOOD INSURANCE RATE MAP (F.I.R.M.) 34025C0351G & 34025C0332G (MAP REVISED JUNE 15, 2022).
- A WRITTEN AND DIRECTION NOT TO SET CORNER MARKERS HAS BEEN OBTAINED FROM THE ULTIMATE USER PURSUANT TO P.L. 2003, C.14 (C.45:8-39.3) AND N.J.A.C. 13:40-5.1(D)

REFERENCE MAPS:

- TAX MAP, CITY OF ASBURY PARK, SHEET 45, PREPARED BY CHARLES A. ATKINSON, DATED DECEMBER 31, 2010, REVISED THROUGH JUNE, 2016.
- FILED MAP 292, SHEETS 19 & 20, FINAL PLAT, ASBURY PARK REDEVELOPMENT PROJECT, BLOCK 144.04 LOT, BLOCK 176 LOT 1.01, BLOCK 207 LOT 1.01, BLOCK 227 LOT 1, BLOCK 230, LOT 1, CITY OF ASBURY PARK, MONMOUTH COUNTY, NEW JERSEY, PREPARED BY SCHOOR DEPALMA, REVISED THROUGH AUGUST 20, 2003

- BM 1 BM IS X-CUT ON SOUTH WEST BOLT ON FIRE HYDRANT ON OCEAN AVENUE. ELEV.=12.60'
- BM 2 BM IS A BOX CUT ON A CONCRETE PIER. ELEV.=14.32'
- BM 3 BM IS X-CUT ON SOUTH WEST BOLT ON FIRE HYDRANT ON OCEAN AVENUE. ELEV.=12.30'
- BM 4 BM IS A BOX CUT ON THE CORNER OF A CONCRETE WALK ELEV.=13.94'

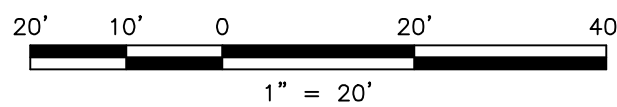
I HEREBY CERTIFY TO:

THE CITY OF ASBURY PARK
MADISON ASBURY RETAIL, LLC

THAT THIS PLAN, SURVEY AND A CORRESPONDING METES AND BOUNDS DESCRIPTION HAVE BEEN PREPARED UNDER MY IMMEDIATE SUPERVISION, THAT THIS PLAN IS A CORRECT REPRESENTATION OF CONDITIONS EXISTING AS OF JUNE 6, 2024, SUBJECT TO SUCH NOTES AS MAY APPEAR HEREON.

MICHAEL S. FINNEGAN
N.J. LIC. LAND SURVEYOR LIC. NO. GS34851

06/20/2024
DATE SIGNED



MICHAEL S. FINNEGAN, P.L.S.
GROUP MANAGER

Michael S. Finnegan

06/20/2024
LICENSED PROFESSIONAL LAND SURVEYOR
STATE OF NJ LICENSE No. GS34851

CITY OF ASBURY PARK
LOTS 1.14 & 1.15 IN BLOCK 4502
CITY OF ASBURY PARK, MONMOUTH COUNTY, NEW JERSEY
EXHIBIT MAP SHOWING
AMENDED SEVERANCE LEASE AREA



11 TINDALL ROAD
MIDDLETOWN, NJ 07748
TEL 732-671-6400
FAX 732-671-7365

NEW JERSEY BOARD OF PROFESSIONAL ENGINEERS
AND LAND SURVEYORS
CERTIFICATE OF AUTHORIZATION 265A27987500

OFFICES LOCATED IN:
CALIFORNIA, INDIANA, KENTUCKY,
MASSACHUSETTS, MICHIGAN, NEW JERSEY,
OHIO AND PENNSYLVANIA

DESIGNED BY	DRK	DRAWING	SUR-01
CHECKED BY	MSF	SHEET	
DRAWN BY	DRK	1	OF 01
DATE	06/20/2024		
SCALE	AS SHOWN		
PROJ. NO.	ASPK-00794		



**Asbury Park, New Jersey
ORDINANCE NO. 2024-25**

**ORDINANCE ESTABLISHING A RESTRICTED PARKING SPACE FOR USE BY
HANDICAPPED PERSONS 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, the City of Asbury Park (the "City") has been requested to create an additional handicapped parking space at 510 Sewall Avenue, in the City, on the Asbury Park City Tax Map, which handicapped parking space shall begin 209 feet west of the southwest corner of Sewall Avenue and Grand Avenue and extending 20 west feet therefrom; 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 along Grand Avenue, in the City, on the Asbury Park City Tax Map, which handicapped parking space shall begin 209 feet west of the southwest corner of Sewall Avenue and Grand Avenue and extending 20 feet west therefrom, 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>
Sewall Avenue.	South	Beginning at a point located 209 feet west of the southwest corner of Sewall Avenue and Grand Avenue and extending 20 feet west therefrom

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, LISA ESPOSITO, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of ORDINANCE NO.

2024-25 which was finally adopted by the City Council at a meeting held on the 17th day of July, 2024

LISA ESPOSITO
CITY CLERK



Asbury Park Police Department
Traffic Safety Bureau
Asbury Park, New Jersey

To: D/C Guy Thompson

From: PO William Reng 

Date: 6/11/2024

Subject: Handicapped Parking Space Request

Sir, I was contacted by James Bonanno, Transportation Manager, with regards to a resident request for a handicapped parking space in front of her residence. I have checked the location and spoke to the resident, Nicole A Fricks. I have verified all of her DMV paperwork and handicapped placards with regards to her child. I would like to request a handicapped parking ordinance and a handicapped space to read as follows.

Nicole A Fricks (for child) @ 510 Sewall Avenue Apt#1

Space should be IFO 510 Sewall Avenue which is located 209 feet east of the southeast corner of Sewall Avenue and Grand Avenue. Space should be 20 feet on center at that location. (First space east of the driveway entrance.)

Attachment: Handicap Parking Space Request Fricks (2024-25 : Sewall Avenue Additional Handicap Space)



Asbury Park Police Department
Traffic Safety Bureau
Asbury Park, New Jersey

To: D/C Guy Thompson
From: PO William Reng
Date: 6/11/2024
Subject: Handicapped Parking Space Request

Sir, I was contacted by James Bonanno, Transportation Manager, with regards to a resident request for a handicapped parking space in front of her residence. I have checked the location and spoke to the resident, Nicole A Fricks. I have verified all of her DMV paperwork and handicapped placards with regards to her child. I would like to request a handicapped parking ordinance and a handicapped space to read as follows.

Nicole A Fricks (for child) @ 510 Sewall Avenue Apt#1

Space should be IFO 510 Sewall Avenue which is located 209 feet west of the southwest corner of Sewall Avenue and Grand Avenue. Space should be 20 feet on center at that location. (First space east of the driveway entrance.)

Attachment: 510 Sewall Avenue Handicap Space (2024-25 : Sewall Avenue Additional Handicap Space)

CITY OF ASBURY PARK
ONE MUNICIPAL PLAZA
ASBURY PARK, NEW JERSEY 07712

PHONE: (732) 775-2100
WWW.CITYOFASBURY PARK.COM



JOHN MOOR, MAYOR
AMY QUINN, DEPUTY MAYOR
ANGELA AHBEZ-ANDERSON, COUNCILMEMBER
EILEEN CHAPMAN, COUNCILMEMBER
YVONNE CLAYTON, COUNCILMEMBER

LILLIAN L. NAZZARO, ESQ., CITY MANAGER
JOHN B. HAYES, DEPUTY CITY MANAGER
LISA ESPOSITO, RMC, CITY CLERK

7/9/2024

To: City Council Members

From: James Bonanno

Subject: Ordinance 6057 – Establishing a Handicap Parking Space

City Council Members,

Ordinance 6057 establishes a handicap parking space in front of the residence located at 510 Sewall Avenue. This space is being established by request from a resident of 510 Sewall Avenue in accordance with New Jersey Title 39 Section 4-197.6 which states, any municipality may establish handicap parking space in front of a residence occupied with a person with a disability. Having spoken to the resident and reviewed the validity of their handicap parking status with the State of New Jersey the City of Asbury Park Police Department is recommending a handicap parking space be established in front of the residence located at 510 Sewall Avenue.

Pursuant to City of Asbury Park Municipal Code Section 7-36.1 the applicant shall provide proof to the City of Asbury Park Police Department on or before January 15th of every year that the handicap parking space is still needed at the subject property. The City reserves the right to terminate the designation of a handicap parking space at the City's discretion.

I am available to answer any further questions or provide additional information if needed.

Thank you,

James Bonanno

Director of Transportation

732-502-5762

James.Bonanno@cityofasburypark.com

Attachment: 510 Sewall Avenue Handicap Parking Space Memo (2024-25 : Sewall Avenue Additional Handicap Space)

**CITY OF ASBURY PARK
BOND ORDINANCE NUMBER 2024-26**

**BOND ORDINANCE PROVIDING FOR THE ACQUISITION
OF VARIOUS VEHICLES AND CAPITAL EQUIPMENT,
APPROPRIATING \$3,975,000 THEREFOR AND
AUTHORIZING THE ISSUANCE OF \$3,776,250 BONDS AND
NOTES TO FINANCE A PORTION OF THE COSTS
THEREOF, AUTHORIZED IN AND BY THE CITY OF
ASBURY PARK, IN THE COUNTY OF MONMOUTH, NEW
JERSEY**

BE IT ORDAINED by the CITY COUNCIL OF THE CITY OF ASBURY PARK, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring), AS FOLLOWS:

Section 1. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized as general improvements to be undertaken in and by the City of Asbury Park, in the County of Monmouth, New Jersey (the "City"). For the improvements or purposes described in Section 3, there is hereby appropriated the sum of \$3,975,000, said sum being inclusive of all appropriations heretofore made therefor, including the sum of \$198,750 as the down payment for said purposes as required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq. The down payment is now available by virtue of provision in the Capital Improvement Fund of one or more previously adopted budgets.

Section 2. In order to finance the costs of said improvements or purposes not provided for by the application of a down payment, negotiable bonds are hereby authorized to be issued in the principal amount not to exceed \$3,776,250, pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvements hereby authorized and the purposes for which the obligations are to be issued consist of:

i) acquisition of vehicles and equipment for the City's Fire Department, including, but not limited to, a new battalion chief command vehicle, a new pumper truck, turnout gear, a new ambulance, and a rescue strut kit, with a total appropriation and estimated cost of \$1,845,000, an estimated amount of bonds or notes therefor of \$1,742,750, and an average period of usefulness of 16.20 years;

ii) acquisition of information technology equipment, including, but not limited to, (a) computer replacements, (b) data migration software, laptops with mobile data, mobile data terminals for vehicles, mobile camera trailers and an ID machine for the City's Police Department, (c) camera replacements and (d) security equipment, including door locks for the City's Police Department and door locks and an electronic fence for the City's Department of

Public Works, with a total appropriation and estimated cost of \$445,000, an estimated amount of bonds or notes therefor of \$422,750, and an average period of usefulness of 11.64 years;

iii) acquisition of vehicles and equipment for the City's Police Department, including, but not limited to, six (6) new Chevrolet Traverse (or similar) vehicles with lighting enhancements, four (4) new Chevrolet Tahoe (or similar) vehicles with lighting and wireless enhancements, HVAC improvements to the evidence room, new office desks and chairs, and radar units, with a total appropriation and estimated cost of \$895,000, an estimated amount of bonds or notes therefor of \$850,250, and an average period of usefulness of 5.75 years; and

iv) acquisition of vehicles and equipment for the City's Department of Public Works, including, but not limited to, a new sanitation compactor truck, a new garbage truck, and a diesel generator, with a total appropriation of \$790,000, an estimated amount of bonds or notes therefor of \$750,500, and an average period of usefulness of 10.43 years;

together with all purposes necessary, incidental or appurtenant thereto, all as shown on and in accordance with contracts, plans, specifications or requisitions therefor on file with or through the City Clerk, as finally approved by the governing body of the City.

(b) The estimated maximum amount of bonds or notes to be issued for the improvements or purposes described in Section 3(a) hereof is \$3,776,250, as stated in Section 2 hereof.

(c) The estimated cost of the improvements or purposes described in Section 3(a) hereof is \$3,975,000, which is equal to the amount of the appropriation herein made therefor. The excess of the appropriation of \$3,975,000 over the estimated maximum amount of bonds or notes to be issued therefor being the amount of said \$198,750 down payment for said purposes.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer of the City (the "Chief Financial Officer"), provided that no note shall mature later than one (1) year from its date. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer, who shall determine all matters in connection with notes issued pursuant to this ordinance, and the Chief Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of such notes occurs, such report shall include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond

ordinance are not a current expense and are improvements or purposes that the City may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of the improvements or purposes, within the limitations of the Local Bond Law and taking into consideration the amount of the obligations authorized for said purposes, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 12.35 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the City Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such Statement shows that the gross debt of the City as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$3,776,250 and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$200,000 for interest on said obligations, costs of issuing said obligations, engineering costs, legal fees and other items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included as part of the cost of said improvements and is included in the estimated cost indicated herein for said improvements.

(e) To the extent that moneys of the City are used to finance, on an interim basis, costs of said improvements or purposes, the City reasonably expects such costs to be paid or reimbursed with the proceeds of obligations issued pursuant hereto. This ordinance shall constitute a declaration of official intent for the purposes and within the meaning of Section 1.150-2(e) of the United States Treasury Regulations.

Section 6. The capital budget of the City is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the City Clerk and is available there for public inspection.

Section 7. Any grant or similar moneys from time to time received by the City for the improvements or purposes described in Section 3 hereof, shall be applied either to direct payment of the cost of the improvements within the appropriation herein authorized or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are received and so used.

Section 8. The full faith and credit of the City are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the City, and, unless paid from other sources, the City shall be obligated to levy ad valorem taxes upon all the taxable property within the City for the payment of the obligations and the interest thereon without limitation as to rate or amount.

Section 9. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

CERTIFICATE AS TO BOND ORDINANCE

I, LISA ESPOSITO, City Clerk of the City of Asbury Park, in the County of Monmouth, New Jersey, HEREBY CERTIFY that annexed hereto is a true and complete copy of Bond Ordinance No. 2024-__ which was introduced at a duly convened meeting of the City Council on July 17, 2024, and finally adopted at a duly convened meeting of the City Council on July 31, 2024.

IN WITNESS WHEREOF, I hereby set my hand and the seal of the City this ____ day of _____, 2024.

CITY OF ASBURY PARK, IN THE
COUNTY OF MONMOUTH, NEW JERSEY

LISA ESPOSITO, City Clerk

(SEAL)

DATED: July 17, 2024

LISA ESPOSITO,
Clerk of the City of Asbury Park

APPROVAL BY THE MAYOR ON THIS ____ DAY OF _____, 2024

JOHN MOOR,
Mayor of the City of Asbury Park



**Asbury Park, New Jersey
ORDINANCE NO. 2024-24**

ORDINANCE AMENDING THE MAIN STREET REDEVELOPMENT PLAN

WHEREAS, on November 12, 2008 the Mayor and City Council adopted Ordinance No. 2886 entitled "ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF ASBURY PARK, COUNTY OF MONMOUTH, STATE OF NEW JERSEY ADOPTING THE MAIN STREET REDEVELOPMENT PLAN RELATING TO THE MAIN STREET REDEVELOPMENT AREA" (the "Ordinance"); and

WHEREAS, pursuant to the Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-1 et seq., the " Act") the Ordinance adopted a plan (the "Main Street Redevelopment Plan" or the "Plan") for the redevelopment of an area (the "Main Street Redevelopment Area" or the "Area"); and

WHEREAS, on November 12, 2014, the Mayor and City Council amended the Main Street Redevelopment Plan to permit microbreweries on Block 2702, Lot 7 in the Community Shopping Zone; and

WHEREAS, on February 28, 2018, the Mayor and City Council further amended the Main Street Redevelopment Plan to permit recording studios in the Community Shopping Zone permit valet parking in the Civic/South Gateway; and

WHEREAS, on August 22, 2018, the Mayor and City Council still further amended the Main Street Redevelopment Plan to permit banks and accessory ATM machines in the Sunset Park Zone; and

WHEREAS, on July 14, 2021, the Mayor and City Council further amended the Main Street Redevelopment Plan in order to add Block 2503, Lots 2-5 under the City-wide Area in Need of Rehabilitation designation, and to permit Block 2503, Lots 1-5 to have a maximum height of five stories (60 feet) with an additional penthouse of 12 feet in height, and to require large expanses of blank walls to have murals as approved by the municipal public art commission; and WHEREAS, the Main Street Redevelopment Plan has led to an increase in public and private investment within the Area since its adoption, however, the Plan may benefit from amendments to remove barriers to further improvement and community benefit; and

WHEREAS, the Act sets forth the process by which amendments to any redevelopment plan shall be considered and, if appropriate, adopted; and

WHEREAS, the Mercy Center, an existing food pantry and community service organization, requested the City consider an amendment to the Main Street Redevelopment Plan

to permit replacement of the existing facility at the corner of Main Street and Third Avenue (Block 2805, Lot 17);

WHEREAS, the food pantry is not a permitted use in the Main Street Redevelopment Plan, Community Shopping Zone, and the Mercy Center first received a use variance to permit the use at its existing location in 1999. As such any expansion or replacement of the existing facility is prohibited;

WHEREAS, in evaluating this request, the Mayor and Council considered the permitted uses in the existing Plan and the effect, if any, this amendment would have on the surrounding area as well as the community need for the food pantry and services offered by the Mercy Center;

WHEREAS, on November 11, 2023 a publicly noticed public input session occurred during a Council meeting where the Mercy Center presented the proposal to replace the existing facility and the Council and public were given an opportunity to offer comments and ask questions;

WHEREAS, the Council finds that amendment to the Main Street Redevelopment Plan, Community Shopping Zone, is appropriate in order to permit the replacement and improvement of the existing Mercy Center facility and that the result will be an enhancement of the appearance and function of the site as well as an expansion of community services;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Asbury Park as follows:

SECTION 1. (additions are shown as **thus**; deletions are shown as **~~thus~~**)

Page 39 of the Main Street Redevelopment Plan, the *Proposed Land Uses & Building Requirements By Character District* table, within the row setting forth the *Principal Uses* in the *Community Shopping Zone*, the following language shall be added:

;soup kitchens and food pantries are permitted on Block 2805, Lot 17.

Page 39 of the Main Street Redevelopment Plan, within the row setting forth the *Prohibited Uses*, the following language shall be amended:

Nursing homes, licensed health care facilities, soup kitchens and food pantries **(excluding Block 2805, Lot 17)**, houses of worship and places of assembly, social clubs, retail sales and service establishments providing goods and repair services for vehicles, used car sales, motor vehicle repair garages, motor vehicle body repair garages, gas stations, check cashing services, automobile rental, appliance rental, adult entertainment including adult arcades, adult bookstores, adult cabarets, adult motion picture theaters, and adult theaters. Drive-thru facilities are prohibited, except in the North Gateway and for banks in Sunset Park.

Page 39 of the Main Street Redevelopment Plan, the *Proposed Land Uses & Building Requirements By Character District* table, within the row setting forth the *Accessory Uses* in the *Community Shopping Zone*, the following language shall be added:

; first or second story rooftop garden and/or seating area on Block 2805, Lot 17, subject to screening as required by the Planning Board.

SECTION 2. (additions are shown as **thus**; deletions are shown as **~~thus~~**)

Page 40 of the Main Street Redevelopment Plan, the *Proposed Land Uses & Building Requirements By Character District* table, the following language shall be added below the table:

*** SPECIFIC ZONING AND DESIGN REGULATIONS FOR BLOCK 2805, LOT 17**

- ☐ Vehicle access using Third Avenue is prohibited.
- ☐ Large Expanses of blank walls shall feature murals to be approved by the Municipal Public Art Commission.
- ☐ Bicycle parking spaces shall be provided equal in number to vehicle parking spaces.
- ☐ Building entrances facing Main Street shall be articulated to make it easily identifiable by visitors and to provide architectural interest. Examples of special features of entrances include, but are not limited to, awnings and architectural treatments. Service doors shall be integrated with the building design and need not be articulated.
- ☐ Upper floor windows shall be divided into individual units, rather than a continuous “ribbon.”
- ☐ Windows shall be recessed, or project as bays from the main wall, so as to create texture and shadows on the façade for visual interest.
- ☐ Building materials and architectural details on all sides of each building need not be identical, but shall be unified in overall appearance through finish, materials, details, and architectural design.
- ☐ Rooftop equipment such as mechanical units, vents, and flues shall be located centrally on the building roof, to the extent practicable. Any equipment visible from a public right-of-way, adjacent lots, and pedestrian corridors shall be screened with solid materials using parapets, pitches roof forms, or penthouses.
- ☐ Screening shall be constructed of the same or complementary material as the building.
- ☐ Excluding pitched roofs, a sustainable roof top shall be provided; the roof area shall consist of a cool white roof, green roof, and/or solar panels. Any proposed rooftop garden or seating area shall be excluded from this requirement.

SECTION 3. (additions are shown as **thus**; deletions are shown as **~~thus~~**)

Page 43 of the Main Street Redevelopment Plan, within the *Parking Standards* table, within the *Commercial Uses* row, the following shall be added:

Land Use	Unit	Min. No Spaces/Unit	Max. No. Spaces/Unit
<u>Block 2805, Lot 17</u>	<u>Per 1,400 sf</u>	<u>1</u>	<u>N/A</u>

I, LISA ESPOSITO, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of ORDINANCE NO. 2024-24 which was finally adopted by the City Council at a meeting held on the 17th day of July, 2024

LISA ESPOSITO
CITY CLERK



Minutes
Meeting of the Municipal Council
Wednesday, July 17, 2024
REGULAR MEETING

Executive Session - 4:00 p.m.

2024-348 Resolution Authorizing a meeting which excludes the public

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

Workshop Session - 6:00 p.m.

Call to Order/Roll Call

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

Deputy City Clerk Anthony Cucci called the meeting to order at 6:05 PM.

Silent Prayer/Moment of Reflection

Salute to the Flag

Announcement - Open Public Meetings Act

SPECIAL EVENT APPLICATIONS:

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

ITEMS TO BE PRESENTED:

Matters from City Council

Council member Ahbez-Anderson had no matters at this time.

Council member Chapman had no matters at this time.

Council member Clayton had no matters at this time.

Deputy Mayor Quinn stated, Family Day at the beach is this Saturday, free surfing lessons, food and such. People can get out to the Eighth Ave beach for family day at the beach if it's a nice day.

Mayor Moor had no matters at this time.

Matters from City Manager

City Manager, Lillian Nazzaro had no matters at this time.

Matters from City Attorney

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

PUBLIC PARTICIPATION

A motion was made by Council member Chapman and seconded by Council member Clayton to open the meeting to the public. All were in favor. The following members of the public spoke: Kim Guadagno made a comment about public hearing on ordinance 2024-24; Richard Rigalsky made a comment about truck parking and loading zones; Kerry Butch made a comment about the police blotter and the CCRB; Rita Marano made a comment about affordable housing and development in town; Selah made a comment about the Mercy Center. A motion to close the meeting to the public was made by Mayor Moor and seconded by Council member Chapman. All were in favor

MINUTES

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

1. Municipal Council- Executive Meeting June 26, 2024 4:00 PM
2. Municipal Council - Regular Meeting - Jun 26, 2024 6:00 PM

CONSENT AGENDA RESOLUTIONS

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

2024-349 Resolution Approving Special Event Applications

2024-350 Resolution Authorizing the Mayor & City Council to Execute a Discharge of Mortgage for Olusola Okunseinde for Property located at 709 Third Avenue, Asbury Park

2024-351 Resolution Authorizing the Mayor and City Council to Execute a Discharge of Mortgage for Timothy Harris for Property located at 1218 Summerfield Avenue, Asbury Park

2024-352 Resolution Authorizing Appointments to the Sunset Lake Commission

INDIVIDUAL RESOLUTIONS

2024-353 Resolution Approving Payment of Bills

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

2024-354 Resolution Authorizing the Repairs of Influent Pump #2 at the Wastewater Treatment Plant

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

2024-355 Resolution Authorizing Professional Services to The Rodger's Group (Lexipol) for Online Police Training

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

2024-356 Resolution Approving Change Order #5 for the New Fire Department Headquarters

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

2024-357 Resolution Authorizing The Submission Of An Application To New Jersey Urban Enterprise Zone Authority ("UEZA") To Fund An Outside Consultant To Develop A Five Year Preliminary Zone Development Plan

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

2024-358 Resolution Authorizing And Approving The Submittal Of A Grant Application And Execute A Grant Contract With The New Jersey Department Of Transportation For The Langford Street Roadway Improvements – Phase 1 Project

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

2024-359 Resolution Authorizing And Approving The Submittal Of A Grant Application And Execute A Grant Contract With The New Jersey Department Of Transportation For The City Of Asbury Park Transportation Center Canopy Repairs

RESULT:	ADOPTED [4 TO 0]
MOVER:	Yvonne Clayton, Councilmember
SECONDER:	Eileen Chapman, Councilmember
AYES:	Angela Ahbez-Anderson, Eileen Chapman, Yvonne Clayton, Amy Quinn
ABSTAIN:	John Moor

2024-360 Resolution Authorizing The Execution Of A Shared Services Agreement Between The City Of Asbury Park And Asbury Park Public Library Concerning Use Of City Engineer

RESULT:	WITHDRAWN
----------------	------------------

2024-361 Resolution Of The Mayor And Council Of The City Of Asbury Park, Acting As The Redevelopment Entity, Authorizing A Temporary Cellular Installation On The Northeast Corner Of Block 4306, Lots 1 And 2 (1695 Kingsley Street), Within The Waterfront Redevelopment Area

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

2024-362 Resolution Authorizing The Execution Of A Memorandum Of Agreement With Participating Entities For The Asbury Park Lifeguard Tournament And Approving The Issuance Of A Special Events Permit Relating To The Event

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

2024-363 Resolution Authorizing The Execution Of A First Amendment To The Employment Agreement With The Deputy City Manager

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

2024-364 Resolution Of The Mayor And City Council Of Asbury Park Authorizing The City Of Asbury Park To Enter Into A Land Development Agreement With Madison Asbury Retail, LLC For The Construction Of Rest Rooms On Green Acres Lots 1.07 And 1.14 Of Block 4502

RESULT:	ADOPTED [4 TO 0]
MOVER:	Yvonne Clayton, Councilmember
SECONDER:	Angela Ahbez-Anderson, Councilmember
AYES:	Angela Ahbez-Anderson, Yvonne Clayton, Amy Quinn, John Moor
ABSTAIN:	Eileen Chapman

ORDINANCES

Introduction

2024-25 Ordinance Establishing A Restricted Parking Space For Use By Handicapped Persons 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."

RESULT:	INTRODUCED [UNANIMOUS]
	Next: 7/31/2024 6:00 PM
MOVER:	Amy Quinn, Deputy Mayor
SECONDER:	Eileen Chapman, Councilmember
AYES:	Ahbez-Anderson, Chapman, Clayton, Quinn, Moor

2024-26 Bond Ordinance Providing For The Acquisition Of Various Vehicles And Capital Equipment, Appropriating \$3,975,000 Therefor And Authorizing The Issuance Of \$3,776,250 Bonds And Notes To Finance A Portion Of The Costs Thereof, Authorized In And By The City Of Asbury Park, In The County Of Monmouth, New Jersey

RESULT:	INTRODUCED [UNANIMOUS]
	Next: 7/31/2024 6:00 PM
MOVER:	John Moor, Mayor
SECONDER:	Angela Ahbez-Anderson, Councilmember
AYES:	Ahbez-Anderson, Chapman, Clayton, Quinn, Moor

Second Reading/Public Hearing

2024-24 Ordinance Amending The Main Street Redevelopment Plan

A motion to open 2024-24 to the public was made by Council member Ahez-Anderson and seconded by Council member Chapman. All were favor. The following members of the public spoke: Kim Guadagno, Veronica Gilbert-Tyson.

A motion to close 2024-24 to the public was made by Council member Chapman and seconded by Deputy Mayor Quinn. All were in favor.

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

ADJOURNMENT

The meeting was adjourned at 6:47 PM

A motion to close the meeting was made by Council member Ahbez-Anderson and seconded Council member Chapman. Meeting adjourned at 6:47 PM.

Respectfully submitted by Deputy City Clerk, Anthony Cucci

Respectfully submitted by:

Lisa Esposito, City Clerk