



Agenda  
Meeting of the Municipal Council  
Sunday, January 1, 2017  
ORGANIZATIONAL MEETING 2:00 PM

---

**I. Call to Order**

A. Roll Call / Call To Order

**II. Invocation by Reverend David J. Parreott, Jr.**

**III. Salute the Flag**

**IV. Announcement by City Clerk**

As to compliance with the "Open Public Meetings Act," Chapter 231, P.L. 1975, adequate Notice of this meeting has been provided in the following manner: The Reorganization Meeting Notice was forwarded to the Asbury Park Press, The Coaster and The Star Ledger on December 15, 2016, and posted on the bulletin board the same date. All notices are on file with the City Clerk.

**V. Swearing in of Newly Elected Officials by the Honorable Daniel J. DiBenedetto**

A. Swearing in of Council Member Amy Quinn

B. Swearing in of Council Member B. Yvonne Clayton

C. Swearing in of Council Member Eileen Chapman

**VI. Nomination for Deputy Mayor**

A. Swearing in of Deputy Mayor by the Honorable Daniel J. DiBenedetto

**VII. Resolutions**

Consent Agenda Resolutions

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

- 2017-1 Appointment of Deputy Mayor
- 2017-2 Resolution Appointing a Deputy City Clerk for the City of Asbury Park
- 2017-3 Resolution Designating the Official Newspapers for the City of Asbury Park for the Year 2017
- 2017-4 Resolution Providing for 2017 Temporary Budget Appropriations
- 2017-5 Resolution Adopting a Cash Management Plan for the City of Asbury Park
- 2017-6 Resolution Adopting a Debt Management and Capital Policy
- 2017-7 Resolution of the Mayor and Council of the City of Asbury Park Designating the Depositories wherein all Public Monies and Other Funds of the Municipality Shall Be Kept
- 2017-8 Resolution of the Mayor and Council of the City of Asbury Park Fixing the Rate of Interest to be Charged on Delinquent Taxes, Assessments and Sewer Accounts for 2017
- 2017-9 Authorizing Issuance of Interim Checks
- 2017-10 Resolution Authorizing Premium to Escheat to Municipality After Five Years
- 2017-11 Resolution Authorizing Issuance of Certificate of Redemption of Tax Sale Certificates Due to the Inability to Locate the Original Tax Sale Certificates
- 2017-12 Resolution Establishing a Service Charge for Returned Checks or Written Instruments
- 2017-13 Resolution Providing for Fees for Tax Sale Certificate Redemption Calculations
- 2017-14 Resolution to Cancel Taxes on City Owned Properties
- 2017-15 Resolution to Credit Sewer Account for Deduct Meter
- 2017-16 A Resolution Authorizing the Tax Assessor to Act as Agent for the City of Asbury Park for the Purpose of Filing and Settling Tax Appeals on Behalf of the Taxing District for the Tax Year 2017
- 2017-17 Designation of Public Agency Compliance Officer
- 2017-18 Appointing a Fund Commissioner and Alternate to the New Jersey Intergovernmental Insurance Fund
- 2017-19 Appointment of ADA Compliance Officer and Coordinator
- 2017-20 Appointment of Recycling Coordinator
- 2017-21 Authorizing the City Clerk to Execute all Bingo and Raffle Games of Chance Applications that Meet all Provisions Pursuant to Statute for the 2017 Calendar Year

- 2017-22 Authorizing the City Clerk to Execute all of the City of Asbury Park Fire Department Member's Enrollment into NJ State Firemen's Association for the 2017 Calendar Year

Individual Resolutions

- 2017-23 Resolution Establishing Meeting Dates for 2017
- 2017-24 Resolution Appointing Municipal Court Judge for a Three Year Term
- 2017-25 Appointing Frederick C. Raffetto, Esq., to Serve as Municipal Attorney for the City, and Authorizing the Execution of an Agreement for Professional Legal Services Associated Therewith
- 2017-26 Appointing Law Offices of Steven S. Glickman, LLC to Serve as Labor Counsel for the City, and Authorizing the Execution of an Agreement for Professional Legal Services Associated Therewith
- 2017-27 Appointing Archer & Greiner, P.C., to Serve as Bond Counsel for the City, and Authorizing the Execution of an Agreement for Professional Legal Services Associated Therewith
- 2017-28 Appointing Harry Haushalter, Esquire, to Serve as Special Tax Counsel for the City, and Authorizing the Execution of an Agreement for Professional Legal Services Associated Therewith
- 2017-29 Appointing Wiss & Company, LLP to Serve as Auditor for the City, and Authorizing the Execution of an Agreement for Professional Services Associated Therewith
- 2017-30 Authorizing the Execution of an Agreement for Professional Engineering Services with T & M Associates
- 2017-31 Authorizing the Execution of an Agreement for Professional Appraisal Services to BRB Valuations Pamela J. Brodowski, MAI, ASA, CTA
- 2017-32 Appointing GJEM Insurance Agency, to Serve as an Insurance Brokerage/Consultant/Risk Manager, and Authorizing the Execution of an Agreement for Professional Services Associated Therewith
- 2017-33 Appointing Members to the Zoning Board of Adjustment
- 2017-34 Appointing Members to the Planning Board (Class III and IV)
- 2017-35 Authorizing Appointments to the "Environmental/Shade Tree Commission"
- 2017-36 Authorizing Appointments to the Public Art Committee
- 2017-37 Authorizing Appointments to the "Asbury Park TV Committee"
- 2017-38 Appointment to the Recreation Advisory Committee
- 2017-39 Establishing a "Parking Advisory Committee" in and for the City of Asbury Park
- 2017-40 Establishing a "Code Enforcement/Quality of Life Committee" in and for the City of Asbury Park and Authorizing Appointments Thereto

- 2017-41 Establishing a “Community Development Block Grant Committee” in and for the City of Asbury Park and Authorizing Appointments Thereto
- 2017-42 Authorizing Appointments to the “Deal Lake Commission”
- 2017-43 Appointing Redevelopment Counsel McManimon Scotand & Baumann, LLC and Authorizing the Execution of an Agreement for Professional Services Associated Therewith
- 2017-44 Appointing Cleary Giacobbe Alfieri Jacobs, LLC, to Serve as Conflict Municipal Attorney for the City, and Authorizing the Execution of an Agreement for Professional Legal Services Associated Therewith
- 2017-45 Appointing Redevelopment Counsel Mazaziti Falcon and Authorizing the Execution of an Agreement for Professional Services Associated Therewith

**VIII. Announcement by Mayor Moor of Mayor's Appointment to the Position of Office of Emergency Management ("OEM") Director**

**IX. Announcement by Mayor of Mayor's Appointment(s) to the Planning Board**

1. Class I Member (Mayor or Mayor's Designee)
2. Class II Member (Non-Government Body Municipal Official - 1 Year Term)

**X. Comments from Council Members**

**XI. Comments from Mayor Moor**

**XII. Public Participation**

**XIII. Adjournment**



## RESOLUTION NO. 2017-1

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

### APPOINTMENT OF DEPUTY MAYOR

**WHEREAS**, pursuant to N.J.S.A. 40:69A-87, the Mayor shall preside at all meetings of the Municipal Council and have such other powers as specified therein; and

**WHEREAS**, the Municipal Council wishes to designate another member of the Council with the title of “Deputy Mayor” so that such Council Member may act as the “Mayor” in cases of the Mayor’s absence or disability, or otherwise in the event of the Mayor’s inability to act (per N.J.S.A. 40:69A-87); and

**WHEREAS**, the Council Member chosen herein shall serve as the “Deputy Mayor” until the time of the next Organization meeting of the Municipal Council, or until such other time as the Municipal Council shall determine by subsequent Resolution.

**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 Council Member \_\_\_\_\_ is hereby designated with the title of “Deputy Mayor” to act as the Mayor in cases of the Mayor’s absence or disability, or otherwise in the event of the Mayor’s inability to act (per N.J.S.A. 40:69A-87).
2. That this designation shall be effective until the time of the next Reorganization meeting of the Municipal Council, or until such other time as the Municipal Council shall determine by subsequent Resolution.

I, CINDY A. DYE, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of RESOLUTION NO. 2017-1 which was finally adopted by the City Council at a meeting held on the 1st day of January, 2017

CERTIFIED BY ME THIS 3rd DAY OF January, 2017.

CINDY A. DYE  
CITY CLERK



## RESOLUTION NO. 2017-2

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

### **RESOLUTION APPOINTING A DEPUTY CITY CLERK FOR THE CITY OF ASBURY PARK**

**WHEREAS**, pursuant to N.J.S.A. 40A:9-135 and Section 2-5.3 of the Asbury Park City Code, the office of Deputy Clerk has been established in and for the City of Asbury Park; and

**WHEREAS**, the Deputy City Clerk shall assist the City Clerk with the efficient operation and management of the City Clerk's Office on a daily basis; and

**WHEREAS**, the Deputy City Clerk have all the powers and perform all the duties of the City Clerk during such times as the City Clerk is absent; and

**WHEREAS**, pursuant to Section 2-5.3(b) of the Asbury Park City Code, the term for the appointment to the office of Deputy City Clerk and the compensation thereof shall be established by the Mayor and Council; and

**WHEREAS**, the Mayor and Council have determined to appoint Melody Hartsgrove to the position of Deputy City Clerk for the City of Asbury Park, to serve at the pleasure of Mayor and Council in accordance with the aforesaid Statute(s) and Ordinance(s).

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the City of Asbury Park, County of Monmouth, State of New Jersey, that Melody Hartsgrove, be and is hereby appointed to the position of Deputy City Clerk for the City of Asbury Park, to serve at the pleasure of the Mayor and Council in accordance with the aforesaid Statute(s) and Ordinance(s).

**BE IT FURTHER RESOLVED** that this Resolution shall take effect immediately.

I, CINDY A. DYE, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of RESOLUTION NO. 2017-2 which was finally adopted by the City Council at a meeting held on the 1st day of January, 2017

CERTIFIED BY ME THIS 3rd DAY OF January, 2017.

CINDY A. DYE  
CITY CLERK

**RESOLUTION NO. 2017-3**

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

**RESOLUTION DESIGNATING THE OFFICIAL NEWSPAPERS FOR THE CITY OF  
ASBURY PARK FOR THE YEAR 2017**

**BE IT RESOLVED**, by the City of Asbury Park, County of Monmouth, State of New Jersey that the following publications shall constitute the official newspaper(s) of the City of Asbury Park for the 2017 year:

1. The Coaster
2. The Asbury Park Press
3. The Star Ledger

**BE IT FURTHER RESOLVED**, that this Resolution shall take effect immediately upon final passage and publication in accordance with the law.

I, CINDY A. DYE, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of RESOLUTION NO. 2017-3 which was finally adopted by the City Council at a meeting held on the 1st day of January, 2017

CERTIFIED BY ME THIS 3rd DAY OF January, 2017.

CINDY A. DYE  
CITY CLERK



## RESOLUTION NO. 2017-4

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

### RESOLUTION PROVIDING FOR 2017 TEMPORARY BUDGET APPROPRIATIONS

**WHEREAS**, in the normal operations of the business of the City of Asbury Park, it will be necessary to make contracts, commitments, and payments prior to the adoption of the regular budget for the City of Asbury Park; and

**WHEREAS**, Revised Statutes 40A:4-19 of the State of New Jersey provide that the Governing Body of any municipality may make temporary appropriations to provide for any contracts, commitments or payments to be made between the beginning of the budget year and the adoption of the final budget; and

**WHEREAS**, the date of this resolution is within thirty (30) days of the month of January, 2017; and

**WHEREAS**, the total amount of appropriations hereunder of \$12,252,375 for the General Fund, \$3,931,725 For the Sewer Utility Operating Fund, \$353,640 for the Beach Utility Operating Fund and \$462,025 for the Parking Utility Operating Fund for 2017, exclusive of any 2016 appropriations made for Debt Service, Capital Improvement Fund, and Public Assistance does not exceed 26.25% of the 2016 budget.

**NOW, THEREFORE, BE IT RESOLVED** that the following Temporary Budget for the City of Asbury Park for the year 2017 be adopted, and a certified copy of this resolution be forwarded to the City's Chief Financial Officer.

I, CINDY A. DYE, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of RESOLUTION NO. 2017-4 which was finally adopted by the City Council at a meeting held on the 1st day of January, 2017

CERTIFIED BY ME THIS 3rd DAY OF January, 2017.

CINDY A. DYE  
CITY CLERK

CITY OF ASBURY PARK  
2017 TEMPORARY BUDGET

CURRENT FUND

|                                      | Salaries &<br>Wages | Other<br>Expenses   |
|--------------------------------------|---------------------|---------------------|
| IN CAP:                              |                     |                     |
| General Administration               | \$ 66,150.00        | \$ 55,965.00        |
| Human Resources                      |                     | 18,900.00           |
| Mayor & Council                      | 9,975.00            | 1,286.00            |
| Central Functions                    |                     | 6,300.00            |
| Clerk's Office                       | 42,000.00           | 16,800.00           |
| Director of Communications           | 13,781.00           | 2,625.00            |
| Financial Administration             | 90,168.00           | 44,821.00           |
| Tax Collector                        | 68,250.00           | 5,958.00            |
| Tax Assessor                         | 24,937.00           | 24,793.00           |
| Legal Services                       | 3,150.00            | 81,375.00           |
| Computerized Data Processing         |                     | 21,000.00           |
| Cable TV Advisory                    |                     | 6,562.00            |
| Planning Department                  | 57,208.00           | 9,700.00            |
| Planning Board                       | 100.00              | 2,500.00            |
| Zoning Board                         | 100.00              | 2,500.00            |
| Engineering                          |                     | 52,500.00           |
| Code Enforcement                     | 108,937.00          | 11,103.00           |
| Unemployment Insurance               |                     | 39,375.00           |
| Liability Insurance                  |                     | 241,500.00          |
| Worker Compensation Insurance        |                     | 498,750.00          |
| Employee Group Insurance             |                     | 1,466,193.00        |
| Health Insurance Opt Out             |                     | 14,437.00           |
| Senior Citizens                      | 33,600.00           | 15,487.00           |
| Police                               | 2,428,125.00        | 118,597.00          |
| Fire Department                      | 1,338,750.00        | 50,203.00           |
| Municipal Prosecutor                 | 7,875.00            | 787.00              |
| Streets and Roads                    | 341,250.00          | 101,692.00          |
| Solid Waste                          | 33,075.00           | 342,037.00          |
| Buildings and Grounds                | 73,237.00           | 18,795.00           |
| Social Services                      | 36,750.00           | 5,985.00            |
| Recreation Services                  | 41,737.00           | 32,472.00           |
| Municipal Court                      | 74,287.00           | 13,965.00           |
| Public Defender                      | 6,168.00            |                     |
| Parks Department                     |                     | 3,281.00            |
| Fleet Maintenance                    |                     | 1,312.00            |
| Uniform Construction Code            | 107,625.00          | 9,187.00            |
| Street Lighting                      |                     | 64,706.00           |
| Telephone                            |                     | 27,562.00           |
| Gasoline                             |                     | 63,000.00           |
| Light, Heat and Power                |                     | 89,250.00           |
| Fire Hydrant Rent                    |                     | 46,935.00           |
| Social Security                      |                     | 183,750.00          |
| Administrative Expenditures          |                     | 45.00               |
| Pension Adjustment                   |                     | 7,216.00            |
| Defined Contribution Retirement Plan |                     | 1,273.00            |
| Public Employees Retirement System   |                     | 169,462.00          |
| Police & Firemens Retirement System  |                     | 846,420.00          |
| Total Inside CAPS                    | <u>5,007,235.00</u> | <u>4,838,362.00</u> |

CITY OF ASBURY PARK  
2017 TEMPORARY BUDGET

CURRENT FUND

|                                           | Salaries &<br>Wages     | Other<br>Expenses   |
|-------------------------------------------|-------------------------|---------------------|
| O/S CAP:                                  |                         |                     |
| Library                                   | 89,715.00               | 32,812.00           |
| Monmouth County 911 and Dispatch Services |                         | 170,848.00          |
| Brownfields Assessment Grant              |                         | 200,000.00          |
| NJDMHS Mental Health Grant                |                         | 114,972.00          |
| 2015 COPS Hiring Program                  |                         | 250,000.00          |
| Prior Years Bills                         |                         | 435.00              |
|                                           | <u>89,715.00</u>        | <u>769,067.00</u>   |
| Capital Improvement Fund                  |                         | 150,000.00          |
| Debt Service:                             |                         |                     |
| Bond Principal                            |                         | 643,000.00          |
| Bond Interest                             |                         | 270,000.00          |
| Note Interest                             |                         | 75,125.00           |
| Green Acres Loan                          |                         | 91,931.00           |
| MCIA Lease Principal & Interest           |                         | 202,940.00          |
|                                           |                         | <u>1,282,996.00</u> |
| Deferred Charges:                         |                         |                     |
| Special Emergency Authorization 5 years   |                         | 115,000.00          |
|                                           |                         | <u>115,000.00</u>   |
| Total O/S CAP                             | <u>89,715.00</u>        | <u>2,317,063.00</u> |
|                                           | <u>5,096,950.00</u>     | <u>7,155,425.00</u> |
| TOTAL CURRENT FUND BUDGET                 | \$ <u>12,252,375.00</u> |                     |

CITY OF ASBURY PARK  
2017 TEMPORARY BUDGET

SEWER UTILITY OPEARTING FUND

|                              |               |
|------------------------------|---------------|
| Salaries and Wages           | \$ 150,412.00 |
| Other Expenses               | 292,687.00    |
| NJEIT-DEP and Admin Fee      | 5,115.00      |
| Social Security              | 11,511.00     |
| Bond Principal               | 1,377,000.00  |
| Bond Interest                | 205,000.00    |
| Interest on Notes            | 20,000.00     |
| MCIA Capital Lease Principal | 1,700,000.00  |
| MCIA Capital Lease Interest  | 170,000.00    |

|                              |                 |
|------------------------------|-----------------|
| TOTAL SEWER OPERATING BUDGET | \$ 3,931,725.00 |
|------------------------------|-----------------|

BEACH UTILITY OPEARTING FUND

|                                    |               |
|------------------------------------|---------------|
| Salaries and Wages                 | \$ 213,150.00 |
| Other Expenses                     | 110,250.00    |
| Public Employees Retirement System | 4,725.00      |
| Social Security                    | 16,327.00     |
| Unemployment Compensation          | 9,188.00      |

|                            |               |
|----------------------------|---------------|
| TOTAL BEACH UTILITY BUDGET | \$ 353,640.00 |
|----------------------------|---------------|

PARKING UTILITY OPEARTING FUND

|                                    |              |
|------------------------------------|--------------|
| Salaries and Wages                 | \$ 85,312.00 |
| Other Expenses                     | 189,000.00   |
| Capital Outlay                     | 15,750.00    |
| Interest on Notes                  | 6,000.00     |
| Capital Leases                     | 151,525.00   |
| Public Employees Retirement System | 3,937.00     |
| Social Security                    | 6,563.00     |
| Unemployment Compensation          | 3,938.00     |

|                              |               |
|------------------------------|---------------|
| TOTAL PARKING UTILITY BUDGET | \$ 462,025.00 |
|------------------------------|---------------|



## RESOLUTION NO. 2017-5

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

### **RESOLUTION ADOPTING A CASH MANAGEMENT PLAN FOR THE CITY OF ASBURY PARK**

**WHEREAS**, The State of New Jersey Department of Community Affairs has requested that all government entities update their cash management plans to insure compliance with N.J.S.A. 40A:5-14; and,

**WHEREAS**, The City of Asbury Park's Chief Financial Officer and Treasurer recommend that the attached Cash Management Plan for Fiscal Year 2017 be adopted.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the City of Asbury Park, in the County of Monmouth, and the State of New Jersey that the Fiscal Year 2017 Cash Management Plan is hereby adopted as indicated in the annexed document.

I, CINDY A. DYE, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of RESOLUTION NO. 2017-5 which was finally adopted by the City Council at a meeting held on the 1st day of January, 2017

CERTIFIED BY ME THIS 3rd DAY OF January, 2017.

CINDY A. DYE  
CITY CLERK

## **CASH MANAGEMENT PLAN OF THE CITY OF ASBURY PARK COUNTY OF MONMOUTH, NEW JERSEY**

### **I. STATEMENT OF PURPOSE.**

This Cash Management Plan (the “Plan”) is prepared pursuant to the provision of N.J.S.A. 40A:5-14 in order to set forth the basis for the deposits (“Deposits”) and investment (“Permitted Investments”) of certain public funds of the City of Asbury Park (the “City”) pending the use of such funds for the intended purposes. The Plan is intended to assure that all public funds identified herein are deposited in interest bearing Deposits or otherwise invested in Permitted Investments hereinafter referred to. The intent of the Plan is to provide that the decisions made with regard to the Deposits and Permitted Investments will be done to insure the safety, the liquidity (regarding its availability for the intended purposes), and the maximum investment return within such limits. The Plan is intended to insure that any Deposit or Permitted Investment matures within the time period that approximates the prospective need for the funds deposited or invested so that there is not a risk to the market value of such Deposits or Permitted Investments.

### **II. DESIGNATION OF OFFICIALS OF THE CITY OF ASBURY PARK AUTHORIZED TO MAKE DEPOSITS AND INVESTMENTS UNDER THE PLAN.**

The Chief Financial Officer (the “Designated Official”) of the City of Asbury Park is hereby authorized and directed to deposit and / or invest the funds referred to in the Plan. Prior to making any such Deposits or any Permitted Investments, such officials of the City of Asbury Park are directed to supply to all depositories or any other parties with whom the Deposits or Permitted Investments are made a written copy of this Plan which shall be acknowledged in writing by such parties and a copy of such acknowledgment kept on file with such officials.

### **III. DEFINITIONS.**

“Arbitrage” refers to the rules and regulations governing the issuance of Bonds or Notes and the reinvestment of the proceeds at a higher yield. These regulations are promulgated by the Internal Revenue Services, Regulation 1.103.

“Certificate of Eligibility” is the certification issued by the New Jersey Department of Banking and Insurance, Division of Banking that a public depository is eligible to act as a depository for public funds and qualifies as a participant in the New Jersey Governmental Unit Deposit Protection Act (GUDPA).

“Government Money Market Mutual Fund.” An investment company or investment trust:

- (a) which is registered with the Securities and Exchange Commission under the “Investment Company Act of 1940,” 15 U.S.C. sec. 80a-1et seq., and operated in accordance with 17 C.F.R. sec. 270.2a-7.
- (b) the portfolio of which is limited to U.S. Government securities that meet the definition of any eligible security pursuant to 17 C.F.R. sec. 270.2a-7 and repurchase agreements that are collateralized by such U.S. Government securities; and
- (c) which has:
  - (i) attained the highest ranking of the highest letter and numerical rating of a nationally recognized statistical rating organization; or
  - (ii) retained an investment advisor registered or exempt from registration with the Securities and Exchange Commission pursuant to the “Investment Advisors Act of 1940,” 15 U.S.C. sec. 80b-1 et seq., with experience investing in U.S. Government securities for at least the most recent past 60 months and with assets under management in excess of \$500 million.

“GUDPA” requires a bank that accepts public funds to be a public depository. A “public depository” is defined as a state bank, a national bank, a savings bank or association which is located in the State of New Jersey, the deposits of which are insured by the Federal Deposit Insurance Corporation, and which receives or holds public funds on deposit. A Local Unit may make deposits in, or purchase certificates of deposit from, banks which are located in New Jersey and which meet the requirements of GUDPA.

“Local Government Investment Pool”. An investment pool:

- (a) which is managed in accordance with 17 C.F.R. sec. 270.2a-7;
- (b) which is rated in the highest category by a nationally recognized statistical rating organization;
- (c) which is limited to U.S. Government securities that meet the definition of an eligible security pursuant to 17 C.F.R. sec. 270.2a-7 and repurchase agreements that are collateralized by such U.S. Government securities;

- (d) which is in compliance with rules adopted pursuant to the “Administrative Procedure Act,” P.L. 1968, c. 410 (c.52:14B-1 et seq.) by the Local Finance Board of the Division of Local Government Services in the Department of Community Affairs, which rules shall provide for disclosure and reporting requirements, and other provisions deemed necessary by the board to provide for the safety, liquidity and yield of investments;
- (e) which does not permit investments in instruments that: are subject to high price volatility with changing market conditions; cannot reasonably be expected, at the time of interest rate adjustment, to have a market value that approximates their par value; or utilize an index that does not support a stable net asset value; and
- (f) which purchases and redeems investments directly from the issuer, government money market mutual fund, or the State of New Jersey Cash Management Fund, or through the use of a national or State bank located within this State, or through a broker-dealer which, at the time of purchase or redemption, has been registered continuously for a period of at least two years pursuant to section 9 of P.L. 1967 c.9 (C.49:3-56) and has at least \$25 million in capital stock (or equivalent capitalization if not a corporation), surplus reserves for contingencies and undivided profits, or through a securities dealer who makes primary markets in U.S. Government securities and reports daily to the Federal Reserve Bank of New York its position in and borrowing on such U.S. Government securities.

“The New Jersey Cash Management Fund.” The New Jersey Division of Investment is authorized pursuant to N.J.S.A. 52:18A-90.4 to establish, maintain and operate, with the approval of the State Investment Council and the State Treasurer, a common trust fund known as the State of New Jersey-New Jersey Cash Management Fund (the “Fund”). The Fund is authorized to accept deposits from all Local Units of government. The Fund is a “common trust” fund pursuant to the statute, which created such funds within the jurisdiction of the Division of Investment. According to the enabling legislation, monies of Local Units deposited in the Fund must be invested in obligations and bonds, which meet the investment requirements of the statute. These obligations include, among other things, evidences of indebtedness of U.S. corporations. These obligations are less secure than those permitted to Local Units under the Act. Thus, the Fund is riskier than direct investments in federal securities or GUDPA protected deposits by Local Units.

**IV. IDENTIFICATION OF FUNDS AND ACCOUNTS TO BE COVERED BY THE PLAN.**

- A. The Plan is intended to cover the deposit and / or investment of the following funds and accounts of the City:

|                                       |                                     |
|---------------------------------------|-------------------------------------|
| <b>Current Fund</b>                   | <b>General Capital Fund</b>         |
| <b>Beach Utility Operating Fund</b>   | <b>Beach Utility Capital Fund</b>   |
| <b>Parking Utility Operating Fund</b> | <b>Parking Utility Capital Fund</b> |
| <b>Sewer Utility Operating Fund</b>   | <b>Sewer Utility Capital Fund</b>   |
| <b>Trust Funds</b>                    | <b>Payroll Fund</b>                 |
| <b>Grant Funds</b>                    |                                     |

- B. The Plan is not intended to cover the deposit and / or investment of the following funds and accounts of the City.
1. Petty Cash Funds.
  2. Cash drawn from a Federal Agency under a letter of credit which cash has to be paid out within 5 working days to a vendor.
  3. Deposit, retainage, or amounts posted by way of bond, for such things as faithful performance, if the City would be required by law to pay back any interest earned to the provider of the deposit, except where the City is required by law or court order to invest the funds.
  4. Amounts derived from the sale of bonds or notes, only to the extent that a specific written opinion of bond counsel states that the earning of (full) interest would result in the bonds or notes being classified as an arbitrage (not federally tax exempt) issue pursuant to Federal regulations. To the extent that some interest is allowable, it shall be deposited at the most favorable rates obtainable.

## **V. STANDARDS OF CARE.**

1. Employees involved in the investment process shall refrain from personal business activity that could conflict with the proper execution and management of the investment program, or that could impair their ability to make impartial decisions. Employees shall disclose any material interests in the financial institutions with which business is conducted and they shall refrain from undertaking personal investment transactions with the same individual with whom business is conducted on behalf of the City.
2. The Chief Financial Officer, under the direction of the Mayor and Council, is responsible for establishing and maintaining internal control. The controls should ensure that the assets of the City are protected from loss, theft, or misuse.

## **VI. PROCEDURES FOR THE RECEIPT OF MONIES.**

### **A. Department Procedures**

1. A receipt shall be issued in duplicate for all transactions involving the receipt of money. A copy of the receipt shall be given to the paying party and the duplicate shall be maintained by the receiving department. All payments and receipts must be recorded.
2. All monies collected or received from any source by or on behalf of the City shall be deposited within forty-eight (48) hours of receipt to the designated bank pursuant to N.J.S.A. 40A:5-15.
3. All monies received shall be placed in a secured place until forwarded for deposit.
4. No department, division or agency shall engage in the practice of cashing checks with public funds. Cashing of employee paychecks is prohibited.

### **B. Chief Financial Officer (Designated Official)**

1. The Chief Financial Officer is responsible for the following accounts: Current, Dog Trust, Other Trust, Capital, Escrows, Payroll, Unemployment, Sewer Operating, Sewer Capital, Law Enforcement Trust, Grant, Beach Operating, Beach Capital, Parking Operating and Parking Capital.

2. The Chief Financial Officer shall:
  - a. Deposit all monies collected or received from any source by or on behalf of the City within forty-eight (48) hours of receipt to the designated bank pursuant to N.J.S.A. 40A:5-15.
  - b. Ensure that all monies deposited are in interest bearing accounts.
  - c. Make recommendations of legal public depositories to the City Council who shall by resolution designate said depositories at the first meeting of the calendar year.
  - d. Ensure that each of the various accounts for which there is a separate bank statement is reconciled with the bank statement by the end of the following month.
  - e. Verify that designated official depositories submit to the Chief Financial Officer a copy of the State of New Jersey, Department of Insurance, Division of Banking, Governmental Unit Deposit Protection Act notification of eligibility, which must be filed semi-annually in the Division of Banking as of June 30<sup>th</sup> and December 31<sup>st</sup> of each year.

## **VII. DESIGNATION OF DEPOSITORIES.**

City Council authorized Resolution on January 1, 2017, which designated the following banks, and financial institutions as official depositories for the Deposit of all public funds referred to in the Plan, including any Certificates of Deposit which are not otherwise invested in Permitted Investments as provided for in this plan:

Wells Fargo Bank, N.A.  
 1<sup>st</sup> Constitution Bank  
 Bank of America, N.A.  
 Provident Bank  
 Investors Bank

Amboy Bank  
 PNC Bank, N.A.  
 Santander Bank  
 Two River Community Bank  
 TD Bank, N.A.

All such depositories shall acknowledge in writing receipt of this Plan by sending a copy of such acknowledgment to the Designated Official referred to in Section II above.

## **VIII. AUTHORIZED INVESTMENTS.**

A. Except as otherwise specifically provided herein, the Designated Official is hereby authorized to invest the public funds covered by this Plan, to the extent not otherwise held in Deposits, in the following Permitted Investments:

1. Bonds of other obligations of the United States of America or obligations guaranteed by the United States of America;
2. Government money market mutual funds;
3. Any obligation that a federal agency or a federal instrumentality has issued in accordance with an act of Congress, which security has a maturity date not greater than 397 days from the date of purchase, provided that such obligation bears a fixed rate of interest not dependent on any index or other external factor;
4. Bonds of other obligations of the Local Unit or bonds or other obligations of school districts of which the Local Unit is a part or within which the school district is located;
5. Bonds or other obligations, having a maturity date not more than 397 days from the date of purchase, approved by the Division of Investment of the Department of Treasury for investment by Local Units;
6. Local Government Investment Pools;
7. Deposits with the State of New Jersey Cash Management Fund established pursuant to section 1 of P.L. 1977, c.281 (C.52:18A-90.4); or

## **IX. SAFEKEEPING CUSTODY PAYMENT AND ACKNOWLEDGMENT OF RECEIPT OF PLAN.**

To the extent that any Deposit or Permitted Investment involves a document or security which is not physically held by the City, then such instrument or security shall be covered by a custodial agreement with an independent third party, which shall be a bank or financial institution in the State of New Jersey. Such institution shall provide for the designation of such investments in the name of the City to assure that there is no unauthorized use of the funds or the Permitted Investments or Deposits. Purchase of any Permitted Investments that involve securities shall be executed by a “delivery versus payment” method to insure that such Permitted Investments are either received by the City or by a third party custodian prior to or upon the release of the City’s funds.

To assure that all parties with whom the City deals either by way of Deposits or Permitted Investments are aware of the authority and the limits set forth in this Plan, all

such parties shall be supplied with a copy of this Plan in writing and all such parties shall acknowledge the receipt of that Plan in writing, a copy of which shall be on file with the Designated Official.

#### **X. CITY AUDITOR.**

The investment practices, receipt procedures and the agreement for banking services and compensation thereof shall be reviewed by the City auditor as part of the annual audit, as required by N.J.S.A. 40A:5-4. Where a conflict exists between this Plan and State statute, the applicable statute shall govern.

The Designated Official charged with the custody of the monies of the City shall deposit them as stated by the Plan and shall thereafter be relieved of any liability or loss of such monies due to insolvency or closing of any depository designated in the Plan pursuant to N.J.S.A. 40A:5-14.

#### **XI. SURETY BONDS.**

The Chief Financial Officer, the Tax Collector, and Court Personnel shall be covered by surety bonds, proper coverage to be determined and tested during the course of the annual audit.

All City employees not covered by separate Surety Bonds shall be covered by a Public Employee's Blanket Bond providing \$1,000,000 of Employee Dishonesty Blanket Bond Coverage.

#### **XII. ESTABLISHING AND MAINTAINING CONTROLS.**

When possible, the internal controls should provide for a separation of the investment placement functions and the accounting activity. Controls must be designated for telephone orders, wire transfers and securities safekeeping. Only specifically designated personnel of the Finance Department shall be allowed to conduct this part of the transactions, and all activity should be subject to immediate written confirmation by the designated depository. The Chief Financial Officer shall review each day's activity.

#### **XIII. REPORTING REQUIREMENTS.**

The Designated Official referred to in Section II hereof shall supply to the Governing Body of the City a written report of any Deposits or Permitted Investments made pursuant to this Plan, which shall include, at a minimum, the following information:

- A. The name of any institution holding funds of the City as a Deposit or a Permitted Investment.

- B. The amount of securities or Deposits purchased or sold during the immediately preceding month.
- C. The class or type of securities purchased or Deposits made.
- D. The book value of such Deposits or Permitted Investments.
- E. The earned income on such Deposits or Permitted Investments. To the extent that such amounts are actually earned at maturity, this report shall provide an accrual of such earnings during the immediately preceding month.
- F. The fees incurred to undertake such Deposits or Permitted Investments.
- G. The market value of all Deposits or Permitted Investments as of the end of the immediately preceding month.
- H. All other information which may be deemed reasonable from time to time by the Governing Body of the City.

#### **XIV. TERM OF PLAN.**

This Plan shall be in effect until December 31, 2017. Attached to this Plan is a resolution of the Governing Body of the City approving this Plan for such period of time. The Plan may be amended from time to time by resolution of the governing body. To the extent that any amendment is adopted by the Council, the Designated Official is directed to supply copies of the amendment to all of the parties who otherwise have received the copy of the originally approved Plan, which amendment shall be acknowledged in writing in the same manner as the original Plan was so acknowledged.



## RESOLUTION NO. 2017-6

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

### **RESOLUTION ADOPTING A DEBT MANAGEMENT AND CAPITAL POLICY**

**WHEREAS**, the Mayor and Council of the City of Asbury Park wish to establish policies with respect to Debt Management and Fiscal and Fund Balance Policy and Capital Policy and

**WHEREAS**, the policies will serve as guidance for staff, committees and the governing body for budgeting, capital planning and other purposes, and

**WHEREAS**, it is the belief of Mayor and Council that the policies will demonstrate the City of Asbury Park's intent to maintain strong long-term financial health, and

**WHEREAS**, the policies established hereby will be periodically reviewed and updated to ensure that they are in consonance with needs and desires of the City.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the City of Asbury Park that the Debt Management and Capital Policies (see attached) be approved.

I, CINDY A. DYE, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of RESOLUTION NO. 2017-6 which was finally adopted by the City Council at a meeting held on the 1st day of January, 2017

CERTIFIED BY ME THIS DAY OF , .

CINDY A. DYE  
CITY CLERK

## **Debt Management and Fiscal & Fund Balance Policy**

### **INTRODUCTION**

The following policy is hereby enacted to standardize the issuance and management of debt for the City of Asbury Park and to provide a general Fund Balance policy. In part, it is the City's goal to have established guidelines of debt management to ensure sound fiscal policy, long term meeting and growth of the City's capital needs, and to maintain or enhance its existing credit rating.

The City of Asbury Park recognizes that one of the keys to sound financial management is a comprehensive Debt Management Policy. These benefits are recognized by bond rating agencies and the development of a Debt Policy is a recommended practice by the Government Finance Officers Association (GFOA). A Debt Policy establishes the parameters for issuing and managing debt. It provides guidelines regarding the timing and purpose for which debt may be issued, presents the types of permissible debt, and the methods of sale that may be used. The Debt Policy should recognize an obligation to fully and timely repay all debt as an essential requirement for entry into the capital markets. Adherence to a Debt Policy helps to ensure that a government maintains a sound financial position and that credit quality is protected. The Debt Policy is to be used in conjunction with the operating and capital budgets, the Capital Improvement Program (CIP), and other financial policies. The advantages of a Debt Policy are:

- Enhancing the quality of decisions;
- Documenting the decision-making process;
- Identifying objectives for staff to implement;
- Demonstrating a commitment to long-term financial planning objectives; and
- Being viewed positively by the bond rating agencies, investment community and taxpayers.

### **PURPOSE**

The Debt Policy Statement sets forth comprehensive guidelines for the financing of capital expenditures. It is the objective of this policy that (1) the City obtains financing only when desirable, (2) the process for identifying the timing and amount of debt financing be as efficient as possible (3) obtain and then retain the highest possible credit rating, (4) obtain the most favorable interest rate and other related costs and (5) comply with full and complete financial disclosure and reporting.

Debt financing, to include general obligation bonds, temporary notes, lease/purchase agreements, debt guaranteed by the City, and other City obligations permitted to be issued or incurred under State statute, should only be used to purchase capital assets that will not be acquired from current resources. The useful life of the asset or project needs to equal or exceed the payout schedule of any debt the City assumes for that project. This allows for a closer match between those who benefit from the asset and those that pay for it.

To enhance creditworthiness and prudent financial management, the City is committed to systematic capital planning, intergovernmental cooperation and coordination, and long-term financial planning. Evidence of this commitment to capital planning will be demonstrated through adoption and periodic adjustment of the City's Capital Improvement Plan (CIP) and the annual adoption of a multi-year Capital Improvement Budget. Capital Planning shall be the responsibility of the City Administrator.

#### **ANNUAL REVIEW**

This Debt Management Policy should be reviewed annually during the annual budget process by the Finance Committee. The Finance Committee may make use of any staff or professionals it deems necessary. Any recommended changes shall be required to be adopted by the City Council.

#### **IMPLEMENTATION**

The City's Debt Policy shall be implemented by City Administrator and/or CFO when developing comprehensive debt management guidelines that provides for the following:

- Full and timely payment of principal and interest on all outstanding debt
- That debt be incurred only for those purposes as provided by State statute
- Capital improvements should be developed, approved and financed in accordance with the capital improvement budgeting process as required by the adoption of the annual budget
- The payment of debt shall be secured by the faith, credit and taxing power of the City, in the case of General Obligation, and the by the pledge of specified, limited revenues in the case of other obligations
- Principal and interest retirement schedules shall be structured to: 1) achieve a low borrowing cost for the City, 2) accommodate the debt service payments of existing debt and 3) respond to perceptions of market demand. Shorter maturities should be encouraged to demonstrate that debt is being retired at an aggressive pace
- The City shall select a method of sale that will maximize the financial benefits to the City. Such sales shall be governed by applicable laws, rules and regulations established by the State of New Jersey
- The City can incur debt as per the rules and regulations as promulgated by the State of New Jersey as outlined in N.J.S.A 40A:2-1 et seq. (New Jersey Bond Law) and N.J.S.A 40A:3-1 et seq. (Municipal Qualified Bond Act) or other appropriate laws, regulations or rules
- Maintain an existing Fund Balance (surplus) of 5% - 15% of the previous year's local government tax levy
- Maintain that debt appropriations are moderate in regards to the annual budget with a goal of no more than 15% of appropriations
- The City shall maintain good communications with bond rating agencies to ensure complete and clear understanding of the credit worthiness of the City; and

- Every financial report (AFS, ADS, Official Statement, etc.) shall follow a policy of full, complete and accurate disclosure of financial conditions and operating results.

Primary responsibility for making debt-financing recommendations rests with the CFO with assistance from staff and/or selected consultants. The responsibilities of staff, inclusive of the CFO, shall be to:

- Consider the need for debt financing and assess progress on the current Capital Program and any other program/improvement deemed necessary
- To review applicable debt ratios in accordance with State law
- Review changes in federal and State legislation that affects the City's ability to issue debt and report such findings to the City Administrator and the Finance Committee
- Review the provisions of Ordinance related to capital affairs
- Review the opportunities for refinancing existing debt
- Recommend services by a financial advisor, bond counsel, or other entity as appropriate
- In December of each year, at a minimum one week before a Council meeting, provide the Finance Committee with recommendation of existing Capital Ordinances that can be cancelled
- Two months before a scheduled Note or Bond Sale, at a minimum one week before the next Council meeting, provide the Finance Committee with recommendation of existing Capital Ordinances that can be cancelled

In developing financing recommendations, the City staff should consider:

- Effects of proposed actions on the tax rate
- Trends in bond market structures
- Trends in interest rates
- Other factors as deemed appropriate

Debt is intended to be structured to match projected cash flows, moderate the impact on future property tax levies, and maintain a relatively rapid repayment of principal. The City will endeavor to repay as much of the initial principal amount within ten years as practicable. The City will endeavor to maintain a steady annual budget appropriation in efforts reduce future debt by appropriating the highest annual payment of its current debt structure.

The City may use an objective analytical approach to determine whether it desires to issue new General Obligation bonds. Generally, this process will compare ratios of key financial and economic data. The goal will be for the City to maintain or improve its existing credit rating.

The decision on whether or not to issue new General Obligation bonds should be, based, in part, on:

- Cost versus benefit
- The current conditions of the bond market

- The City's ability to issue new General Obligations as determined by the aforementioned benchmarks
- Stabilization of the tax rate/appropriation

### **FUND BALANCE**

Fund Balance, commonly referred to as "surplus" is simply Assets minus Liabilities. The City will make an effort to ensure a regular Fund Balance in reserve (not used in the budget) that is adequate.

The City will follow to the best extent practical, that the GFOA Best Practice recommends, at a minimum, that general-purpose governments, regardless of size, maintain unrestricted budgetary fund balance in their general fund of no less than two months of regular general fund operating revenues or regular general fund operating expenditures.

The City can forecast the Fund Balance for the following year in early December. Budget cancellations or other mechanisms to ensure a steady "cash surplus" may be utilized and authorized by the governing body.

The City understands the importance of a Fund Balance policy as it relates to ensuring continued municipal operations and the long-term impacts of credit ratings.

### **CREDIT RATINGS**

It is the responsibility of the CFO, City Administrator, selected City financial consultant or a combination of all to maintain relationships with the rating agencies that assign ratings to the City's debt. This effort includes providing periodic updates on the City's financial conditions as requests, answering questions in relations to the City's financial operations and other actions deemed appropriate.

The City will obtain a rating from Moody's Investor Service and Standard & Poor's Rating Agency. The CFO, City Administrator, selected Borough financial consultant or a combination of all will determine if an additional rating agency is required.

Full disclosure of operations and open lines of communications shall be made to rating agencies used by the City. Whoever the rating agency requests information from, that individual shall be required to provide said information. The City is committed to full and complete financial disclosure and to cooperating fully with rating agencies and investors. The City is committed to meeting secondary disclosure requirements on a timely and comprehensive basis.

At all times, the City shall seek to maintain and, if possible, to improve its current rating(s) so borrowing costs are minimized and access to credit is preserved.

**DISCLOSURES**

All financial disclosures including annual financial statements, annual debt statements and annual audit reports will be posted to the Electronic Municipal Market Access (EMMA) website.

## CAPITAL POLICY

### Capital Policy Elements:

### Process Elements:

1. Capital planning, budgeting and analysis
  - a. Asbury Park will annually adopt a 6-year plan to ensure that it is planning for its long term needs and that it allocates capital spending across all of its functional (departmental) needs and to ensure that it is generating adequate capacity within its capital budget to accommodate the large non-recurring projects that are certain to arise on a periodic basis.
  - b. All functional areas will collaborate for capital through an organized planning process. The planning process will occur annually coincident with the budget and will result in a rolling 6-year capital plan that is adopted by Council and revised and updated and re-adopted annually.
  - c. Each department should maintain a schedule of assets that will require renewal/replacement. The schedule should sufficiently itemize the assets, their estimated useful life, and their current life and estimated replacement cost for use in long-term capital planning.
  - d. The Administration should maintain a schedule of large non-recurring capital projects for discussion, use and evaluation by Council when the 6-year plan is discussed.
  - e. The Administration shall be responsible for developing and maintaining the capital plan.
  - f. The most-current year of the capital plan shall anticipate funding sources that are consistent with Asbury Park's debt policy and the Current Fund (Operating) Budget.
  - g. The capital plan is a planning tool only; nothing in this policy shall prevent the Council from spending on capital items or adopting Improvement Authorizations that are not in the capital plan. Nothing in this policy shall obviate the requirement that an improvement Authorization be adopted.
  - h. Improvement Authorization requests shall include a full financial analysis, the extent possible, for the project, including:
    - Estimated total capital costs
    - Annual savings to be realized as a result of the investment
    - Any additional operating expenses that will arise as a result of the investment
    - A calculation of 20-year unlevered Internal Rate of Return and Payback
    - Any additional non-financial costs or benefits arising from the project

(It is expected that many projects will not have easily quantified financial returns; however, sound financial management practices call for this type of analysis to ensure that funds are being wisely spent)
2. Management and monitoring of Capital Authorizations
  - a. Improvement Authorizations shall be monitored and managed to avoid unintended consequences on debt and debt service (to avoid over spending relative to the capital plan and debt policy by spending on old Capital Authorizations). The monitoring needs to take into account all Improvements Authorizations that have been approved and not cancelled, regardless of year of approval.

- b. To keep good control over Improvement Authorizations, any project that has not commenced within 2 years of approval of the improvement authorization will be cancelled and, if appropriate, re-submitted for approval.
- c. Once a capital project has commenced, any remaining balance of the Improvement Authorization will be promptly cancelled at project completion, and in the case of multi-year projects, reviewed annually after project commencement.
- d. The Improvement Authorization clean-up process shall occur at the end of each year.



## RESOLUTION NO. 2017-7

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

### **RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF ASBURY PARK DESIGNATING THE DEPOSITORIES WHEREIN ALL PUBLIC MONIES AND OTHER FUNDS OF THE MUNICIPALITY SHALL BE KEPT**

**WHEREAS**, under New Jersey Statutes, the Governing Body shall, by Resolution, designate the depositories wherein all public monies and other funds of the Municipality shall be kept; and

**WHEREAS**, all public officials charged with the custody of such public funds shall hereafter deposit such funds only in the depositories named herein; and

**WHEREAS**, the Mayor, Chief Financial Officer and Treasurer shall be designated as the authorized signatories on all checking accounts, with at least two signatures being required.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the City of Asbury Park that the following banks be, and same are hereby designated as depositories for all City funds, and the account specified and maintained therein for the year 2017:

#### DEPOSITORY

#### ACCOUNT

#### CURRENT FUND:

|                |                                            |
|----------------|--------------------------------------------|
| Investors Bank | Current Fund                               |
| Investors Bank | Tax Collector's Account                    |
| Investors Bank | Central Disbursing Account                 |
| Investors Bank | Payroll Account, Flexible Spending Account |
| Investors Bank | Merchant Service Fee Account               |

#### GENERAL CAPITAL FUND:

|                |                          |
|----------------|--------------------------|
| Investors Bank | General Capital Account  |
| Investors Bank | RCA, Freehold/Middletown |
| Investors Bank | Green Acres Account      |

#### PARKING UTILITY OPERATING FUND:

|                |                        |
|----------------|------------------------|
| Investors Bank | Parking Operating      |
| Investors Bank | Parking Utility Refund |

PARKING UTILITY CAPITAL FUND

Investors Bank

Parking Utility Capital

SEWER UTILITY OPERATING FUND:

Investors Bank

Sewer Utility Operating

Investors Bank

Sewer Utility Operating (Asbury Partners)

Investors Bank

Sewer Collector's Account

SEWER UTILITY CAPITAL FUND:

Investors Bank

Sewer Capital Fund Account

BEACH UTILITY OPERATING FUND:

Investors Bank

Beach Operating Fund Account

TRUST FUNDS:

Investors Bank

Animal Control Trust Fund

Investors Bank

Trust - Other

Investors Bank

Affordable Housing/Community Initiative

Investors Bank

Child Welfare Trust Account

Investors Bank

Howell RCA Trust Account

1<sup>st</sup> Constitution Bank

Wesley Lake Escrow

1<sup>st</sup> Constitution Bank

American Water Escrow

Investors Bank

Law Enforcement Trust (Local)

Investors Bank

Community Development Fund

Santander Bank

Madison/Asbury Retail Escrow

Investors Bank

Workers Compensation Trust Account

Santander Bank

Planning/Zoning Escrow Trust Account

Investors Bank

Law Enforcement Trust (Federal)

Investors Bank

Tax Collectors Redemption Account

1<sup>st</sup> Constitution Bank

Beach Urban Renewal Escrow

1<sup>st</sup> Constitution Bank

NJ Natural Gas Escrow

Santander Bank

Metro Homes Escrow

Santander Bank

Madison/Wesley Escrow

1<sup>st</sup> Constitution Bank

Beach Urban Renewal Inspection Escrow

Investors Bank

Millstone/Wall/Spring Lake RCA

Santander Bank

I-Star2 Escrow

Santander Bank

AEF Savoy Theatre Escrow

Santander Bank

Michaels Development Escrow

1<sup>st</sup> Constitution Bank

Springwood Avenue Redevelopment Escrow

1<sup>st</sup> Constitution Bank

Mattison Avenue Properties, LLC Escrow

Investors Bank

Master Escrow

All funds of the City of Asbury Park may be invested in New Jersey Cash Management at any time. Moreover, funds may be invested in any one of the designated depositories named in the 2017 Cash Management Plan at the discretion of the Chief Financial Officer.

I, CINDY A. DYE, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of RESOLUTION NO. 2017-7 which was finally adopted by the City Council at a meeting held on the 1st day of January, 2017

CERTIFIED BY ME THIS 3rd DAY OF January, 2017.

CINDY A. DYE  
CITY CLERK



## RESOLUTION NO. 2017-8

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

### **RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF ASBURY PARK FIXING THE RATE OF INTEREST TO BE CHARGED ON DELINQUENT TAXES, ASSESSMENTS AND SEWER ACCOUNTS FOR 2017**

**WHEREAS, N.J.S.A. 54:4-67** permits the Governing Body of each Municipality to fix the rate of interest to be charged for nonpayment of taxes or assessments subject to any abatement or discount for the late payment of taxes provided by law; and

**WHEREAS, N.J.S.A. 54:4-67** has been amended to permit the fixing of said rate of 8% per annum on the first \$1,500.00 of the delinquency and 18% per annum on any amount in excess of \$1,500.00; and

**WHEREAS, N.J.S.A. 54:4-67** has been amended to allow for an additional penalty of 6% to be collected against delinquency in excess of \$10,000.00 on properties that fail to pay the delinquency prior to the end of the calendar year; and

**WHEREAS, N.J.S.A. 54:5-19** provides that a municipality may, by resolution, provide for a tax sale no earlier than the last month of the municipality's fiscal year when unpaid taxes or other municipal liens or charges are in arrears in the fiscal year designated in such resolution; and

**WHEREAS, Statutes** further provide for the City to designate an employee who would be authorized to cancel property tax refunds/credits or delinquencies, and utility credits or balances, which are less than \$10.00.

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

1. The Tax Collector is hereby authorized and directed to charge 8% per annum on the first \$1,500.00 of taxes becoming delinquent after due date, and 18% per annum on any amount of taxes in excess of \$1,500.00 becoming delinquent after due date, and if delinquency in excess of \$10,000.00 remains in arrears beyond December 31<sup>st</sup>, a penalty of 6% of the amount of the delinquency shall be charged.

2. Effective January 1, 2017, no interest shall be charged if payment on any tax installment is made within ten (10) calendar days following the date upon which the installment became due.
3. Any payments not made in accordance with Paragraph Two of this Resolution shall be charged the interest from the tax due date.
4. With respect to the Tax Sale Certificates, when the taxes, interest and costs shall exceed the sum of \$5,000.00, an additional sum equal to four percent (4%) of such amount to be paid shall be added to the amount to be paid, and when that sum exceeds \$10,000.00, an additional sum equal to six percent (6%) of such amount to be paid shall be added to the amount to be paid. These charges shall also apply to all existing Certificates being held by the City.

**BE IT FURTHER RESOLVED**, the City Tax Collector is hereby authorized to cancel any property tax refunds/credits or delinquencies and utility credits or balances, of less than \$10.00.

**BE IT FURTHER RESOLVED** that the rate of interest to be charged for the nonpayment in full of Sewer charges not received on the due date is eight percent (8%) per annum on the first \$1,500.00 of the delinquency and eighteen percent (18%) per annum on any amount in excess of \$1,500.00 to be calculated from the date the sewer charge was payable until the date of actual payment.

**BE IT FURTHER RESOLVED** that a certified copy of this Resolution shall be provided by the City Clerk to the Tax Collector, City Attorney, Chief Financial Officer and the City Auditor for the City of Asbury Park.

I, CINDY A. DYE, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of RESOLUTION NO. 2017-8 which was finally adopted by the City Council at a meeting held on the 1st day of January, 2017

CERTIFIED BY ME THIS 3rd DAY OF January, 2017.

CINDY A. DYE  
CITY CLERK

**RESOLUTION NO. 2017-9**

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

**AUTHORIZING ISSUANCE OF INTERIM CHECKS**

**BE IT RESOLVED** by the Mayor and Council of the City of Asbury park that authorization be given to the Chief Financial Officer to issue checks for the purpose of payroll, utility bills, newspaper bills and/or emergency payments between Council meetings during 2017, and that these payments will appear on the bill list to be approved by the Mayor and Council at the next regularly scheduled Council meeting.

I, CINDY A. DYE, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of RESOLUTION NO. 2017-9 which was finally adopted by the City Council at a meeting held on the 1st day of January, 2017

CERTIFIED BY ME THIS 3rd DAY OF January, 2017.

CINDY A. DYE  
CITY CLERK



## RESOLUTION NO. 2017-10

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

### **RESOLUTION AUTHORIZING PREMIUM TO ESCHEAT TO MUNICIPALITY AFTER FIVE YEARS**

**WHEREAS**, in accordance with N.J.S.A. 54:5-33: Any premium payments shall be held by the collector and returned to the purchaser of the fee if and when redemption is made. If redemption is not made within five years from date of sale/foreclosure, the premium payment shall be turned over to the treasurer of the municipality and become part of the funds of the municipality.

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council for the City of Asbury Park authorize, that they hereby authorize the Chief Financial Officer to accept the premiums in for premium of Tax Sale Certificates.

I, CINDY A. DYE, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of RESOLUTION NO. 2017-10 which was finally adopted by the City Council at a meeting held on the 1st day of January, 2017

CERTIFIED BY ME THIS 3rd DAY OF January, 2017.

CINDY A. DYE  
CITY CLERK



## RESOLUTION NO. 2017-11

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

### **RESOLUTION AUTHORIZING ISSUANCE OF CERTIFICATE OF REDEMPTION OF TAX SALE CERTIFICATES DUE TO THE INABILITY TO LOCATE THE ORIGINAL TAX SALE CERTIFICATES**

**WHEREAS**, The Tax Collector will issue a certificate of redemption to a party of interest for tax sale certificates that have been redeemed within the City of Asbury Park Tax Department; and

**WHEREAS**, Tax sale certificates had been delivered to the redeeming party and subsequently misplaced and therefore still recorded in the County of Monmouth; and

**WHEREAS**, pursuant 54:5-53.2 - Cancellation of certificate of sale; certificate of redemption, a fee of at a rate of \$50 per certificate to prepare a certificate of redemption; and

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Asbury Park; hereby authorized the Tax Collector to issue certificate of redemptions to a party of interest so the liens can be canceled in the County of Monmouth.

I, CINDY A. DYE, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of RESOLUTION NO. 2017-11 which was finally adopted by the City Council at a meeting held on the 1st day of January, 2017

CERTIFIED BY ME THIS 3rd DAY OF January, 2017.

CINDY A. DYE  
CITY CLERK



## RESOLUTION NO. 2017-12

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

### **RESOLUTION ESTABLISHING A SERVICE CHARGE FOR RETURNED CHECKS OR WRITTEN INSTRUMENTS**

**WHEREAS, N.J.S.A.** 40:5-18 was enacted to allow a municipal entity the authority to impose a service charge to be added on an account which was by check or other written instrument returned for insufficient funds; and

**WHEREAS,** whenever an account is owing to the City of Asbury Park the service charge shall still apply and shall be collected in the same manner prescribed by law for the collection of the account for which the check or other written instrument was tendered; and

**NOW, THEREFORE, BE IT RESOLVED,** by the City Council of the City of Asbury Park; hereby authorize the following:

1. The service charge at a rate of \$20.00 per check or other written instrument for all checks returned for insufficient funds.
2. This fee shall be in addition to the fee charge by the banking institution refusing to honor the check or written instrument.
3. Any service charge imposed and unpaid shall be collected in the same manner prescribed by law for the collection of the account for which the check or other written instrument was tendered.
4. A certified copy of this Resolution shall be forwarded to the Tax Collector and Chief Financial Officer of the City of Asbury Park.

I, CINDY A. DYE, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of RESOLUTION NO. 2017-12 which was finally adopted by the City Council at a meeting held on the 1st day of January, 2017

CERTIFIED BY ME THIS 3rd DAY OF January, 2017.

CINDY A. DYE  
CITY CLERK



## RESOLUTION NO. 2017-13

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

### **RESOLUTION PROVIDING FOR FEES FOR TAX SALE CERTIFICATE REDEMPTION CALCULATIONS**

**WHEREAS**, the Tax office receives requests for tax sale redemption calculations for the payoff of liens against a property; and

**WHEREAS**, after the requesting party proving their legal interest in the property and their right of redemption;

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Asbury Park; hereby authorize that the following fees for Tax Sale Certificate redemption calculations shall be charged:

- In accordance with N.J.S.A. 54:5-54, the Tax Collector shall provide to any party entitled to redeem a certificate pursuant to this section (N.J.S.A. 54:5- 54) two calculations of the amount required for redemption within a calendar year at no cost. For each subsequent calculation requested from the Tax Collector there shall be a \$50.00 fee. A request for a redemption calculation shall be made in writing to the Tax Collector.
- In accordance with N.J.S.A. 54:5-97.1, the Tax Collector may charge a lien holder of a tax lien \$50.00 for the calculation of the amount due to redeem the tax lien as required pursuant to N.J.S.A. 54:5-97.1. Any request for a redemption calculation shall specify the date to be used for the calculation, which shall be the date of the notice. Neither the Tax Collector nor the municipality shall be liable for an incorrect calculation. The fee paid to the municipality shall not become part of the lien and shall not be passed on to any party entitled to redeem pursuant to N.J.S.A. 54:5-54.

I, CINDY A. DYE, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of RESOLUTION NO. 2017-13 which was finally adopted by the City Council at a meeting held on the 1st day of January, 2017

CERTIFIED BY ME THIS 3rd DAY OF January, 2017.

CINDY A. DYE  
CITY CLERK



## **RESOLUTION NO. 2017-14**

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

### **RESOLUTION TO CANCEL TAXES ON CITY OWNED PROPERTIES**

**WHEREAS**, N.J.S.A. 54:4-54, Allows the County Board of Taxation or the governing body of the taxing district to order the correction to be made and a refund of any payments made (with no interest) when by mistake, a property has been twice entered and assessed on the tax duplicate.

**WHEREAS**, the tax collector, is reporting the taxes need to be canceled on taxes were assessed to City of Asbury Park owned properties for the tax year 2017:

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council for the City of Asbury Park hereby authorizes the cancellation of taxes for the tax year 2017 on City of Asbury Park owned properties.

I, CINDY A. DYE, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of RESOLUTION NO. 2017-14 which was finally adopted by the City Council at a meeting held on the 1st day of January, 2017

CERTIFIED BY ME THIS 3rd DAY OF January, 2017.

CINDY A. DYE  
CITY CLERK



## RESOLUTION NO. 2017-15

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

### **RESOLUTION TO CREDIT SEWER ACCOUNT FOR DEDUCT METER**

**WHEREAS:** the City of Asbury Park has deduct meters used for irrigation credits and is not connected to a sewer line; and

**WHEREAS,** it was made certain that New Jersey American Water Company bills for water consumption; and

**WHEREAS,** it has been determined by the City of Asbury Park Sewer Department that the Tax Collector should issue a sewer credit on accounts with a deduct meter; and

**NOW, THEREFORE, BE IT RESOLVED,** that the Mayor and Council for the City of Asbury Park authorize the Tax Collector to credit each sewer account with a deduct meter reading each quarter for 2017.

I, CINDY A. DYE, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of RESOLUTION NO. 2017-15 which was finally adopted by the City Council at a meeting held on the 1st day of January, 2017

CERTIFIED BY ME THIS 3rd DAY OF January, 2017.

CINDY A. DYE  
CITY CLERK



## RESOLUTION NO. 2017-16

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

### **A RESOLUTION AUTHORIZING THE TAX ASSESSOR TO ACT AS AGENT FOR THE CITY OF ASBURY PARK FOR THE PURPOSE OF FILING AND SETTLING TAX APPEALS ON BEHALF OF THE TAXING DISTRICT FOR THE TAX YEAR 2017**

**WHEREAS**, the Tax Assessor is knowledgeable regarding the valuation and assessment of properties in the City of Asbury Park; and

**WHEREAS**, the Tax Assessor has the statutory responsibility, pursuant to N.J.S.A. 54:4-23 to 36 to set assessments for properties in the City of Asbury Park under the Local Property Tax, N.J.S.A. 54:4-1 et seq; and

**WHEREAS**, the governing body of the Taxing District deems the Tax Assessor to be responsible and acting in the best interests of the municipality.

**NOW, THEREFORE, BE IT FURTHER RESOLVED** by the Council of the City of Asbury Park, that the Tax Assessor is hereby authorized to act as agent for the Taxing District without further governing body approval to:

(a) determine when tax appeals, cross appeals, complaints and counterclaims should be filed on behalf of the Taxing District with regarding to any property located in the City of Asbury Park and accordingly direct the attorney for the Taxing District to file such documents with either the County Tax Board or Tax Court of New Jersey as deemed appropriate.

(b) resolve and settle tax appeals pending before the County Tax Board, Tax Court or Appellate Courts for any tax year and authorize the attorney for the Taxing District to formalize such settlement in the appropriate Courts and/or County Tax Board.

I, CINDY A. DYE, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of RESOLUTION NO. 2017-16 which was finally adopted by the City Council at a meeting held on the 1st day of January, 2017

CERTIFIED BY ME THIS 3rd DAY OF January, 2017.

CINDY A. DYE  
CITY CLERK



## RESOLUTION NO. 2017-17

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

### DESIGNATION OF PUBLIC AGENCY COMPLIANCE OFFICER

**WHEREAS**, N.J.A.C. 17:27-3.2 requires all public agencies awarding contracts for goods and services and/or construction contracts to appoint a Public Agency Compliance Officer (PACO) for a one year term; and

**WHEREAS**, a Public Agency Compliance Officer is the liaison between the Division of Contract Compliance and Equal Employment Opportunity in Public Contracts and the public agency and the PACO is the point of contract for all matters concerning implementation and administration of N.J.S.A. 10:5-31, et seq. and its implementing regulations at N.J.A.C. 17:27-1.1, et seq.; and

**WHEREAS**, the City Council desires to appoint Michael N. Capabianco as its Public Agency Compliance Officer for 2017.

**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 City Council hereby appoints Michael N. Capabianco as the Public Agency Compliance Officer in accordance with N.J.A.C. 17:27-3.2 for a period of one year.

I, CINDY A. DYE, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of RESOLUTION NO. 2017-17 which was finally adopted by the City Council at a meeting held on the 1st day of January, 2017

CERTIFIED BY ME THIS 3rd DAY OF January, 2017.

CINDY A. DYE  
CITY CLERK



## RESOLUTION NO. 2017-18

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

### **APPOINTING A FUND COMMISSIONER AND ALTERNATE TO THE NEW JERSEY INTERGOVERNMENTAL INSURANCE FUND**

**WHEREAS**, the City of Asbury Park (the “City”) is a constituent member of the New Jersey Intergovernmental Insurance Fund (the “NJIF”); and

**WHEREAS**, in connection therewith, the City must appoint a Fund Commissioner, and an alternate Fund Commissioner, to the NJIF for the year 2017; and

**WHEREAS**, the Fund Commissioner shall attend regular meetings of the NJIF on behalf of the City and otherwise serve as a liaison representative of the City to the NJIF for the ensuing year; and

**WHEREAS**, the Mayor and Council wish to appoint Michael Capabianco to serve as the Commissioner to the NJIF on behalf of the City for 2017, and Kevin Keddy to serve as the alternate Commissioner for 2017.

**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. Michael Capabianco is hereby appointed to serve as the Fund Commissioner to the NJIF on behalf of the City for the year 2017.
2. Kevin Keddy is hereby appointed to serve as the alternate Fund Commissioner to the NJIF for the year 2017.
3. That a certified copy of this Resolution shall be provided to each of the following:
  - a. Michael N. Capabianco, City Manager
  - b. Kevin Keddy, Deputy City Manager
  - c. Eric J. Nemeth, Esq., NJIF
  - d. JoAnn Boos, CMFO, Chief Financial Officer

I, CINDY A. DYE, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of RESOLUTION NO. 2017-18 which was finally adopted by the City Council at a meeting held on the 1st day of January, 2017

CERTIFIED BY ME THIS 3rd DAY OF January, 2017.

CINDY A. DYE  
CITY CLERK

**RESOLUTION NO. 2017-19**

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

**APPOINTMENT OF ADA COMPLIANCE OFFICER AND COORDINATOR**

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and City Council of the City of Asbury Park hereby appoints the Michael Capabianco, City Manager as the ADA Compliance Officer for 2017.

I, CINDY A. DYE, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of RESOLUTION NO. 2017-19 which was finally adopted by the City Council at a meeting held on the 1st day of January, 2017

CERTIFIED BY ME THIS 3rd DAY OF January, 2017.

CINDY A. DYE  
CITY CLERK

**RESOLUTION NO. 2017-20**

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

**APPOINTMENT OF RECYCLING COORDINATOR**

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and City Council of the City of Asbury Park hereby appoint Yvonne Adams as the Recycling Coordinator for 2017.

I, CINDY A. DYE, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of RESOLUTION NO. 2017-20 which was finally adopted by the City Council at a meeting held on the 1st day of January, 2017

CERTIFIED BY ME THIS 4th DAY OF January, 2017.

CINDY A. DYE  
CITY CLERK

**RESOLUTION NO. 2017-21**

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

**AUTHORIZING THE CITY CLERK TO EXECUTE ALL BINGO AND RAFFLE  
GAMES OF CHANCE APPLICATIONS THAT MEET ALL PROVISIONS PURSUANT  
TO STATUTE FOR THE 2017 CALENDAR YEAR**

**BE IT RESOLVED** by the City Council of Asbury Park City that it hereby authorizes the City Clerk to execute all Bingo, 50/50's, and Raffle Games of Chance Applications pursuant to the statutory provisions of N.J.S.A. 5:8-1 et seq. for the remaining 2017 calendar year; and

**BE IT FURTHER RESOLVED** that the City Clerk shall furnished the Chief of Police with a copy of each Game of Chance Application, License and Findings and Determination so that he may conduct a background check pursuant to N.J.S.A. 5:8-27.

**BE IT FURTHER RESOLVED** that a copy of this Resolution be forwarded to the Asbury Park Chief of Police.

I, CINDY A. DYE, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of RESOLUTION NO. 2017-21 which was finally adopted by the City Council at a meeting held on the 1st day of January, 2017

CERTIFIED BY ME THIS 3rd DAY OF January, 2017.

CINDY A. DYE  
CITY CLERK

**RESOLUTION NO. 2017-22**

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

**AUTHORIZING THE CITY CLERK TO EXECUTE ALL OF THE CITY OF ASBURY  
PARK FIRE DEPARTMENT MEMBER'S ENROLLMENT INTO NJ STATE  
FIREMEN'S ASSOCIATION FOR THE 2017 CALENDAR YEAR**

**BE IT RESOLVED** by the City Council of Asbury Park City that it hereby authorizes the City Clerk to execute all application for the City of Asbury Park Fire Department Member's Enrollment into the New Jersey State Firemen's Association for the 2017 calendar year.

**BE IT FURTHER RESOLVED** that a copy of this Resolution be forwarded to the Asbury Park Fire Department Chief Kevin Keddy.

I, CINDY A. DYE, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of RESOLUTION NO. 2017-22 which was finally adopted by the City Council at a meeting held on the 1st day of January, 2017

CERTIFIED BY ME THIS 3rd DAY OF January, 2017.

CINDY A. DYE  
CITY CLERK



## RESOLUTION NO. 2017-23

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

### RESOLUTION ESTABLISHING MEETING DATES FOR 2017

**BE IT RESOLVED**, by the Mayor and Council of the City of Asbury Park that for the year 2017 the following shall be the meeting dates City Council:

|             |                                      |
|-------------|--------------------------------------|
| January 11  | July 12                              |
| January 25  | July 26                              |
| February 8  | August 9                             |
| February 22 | August 23                            |
| March 8     | September 13                         |
| March 22    | September 27                         |
| April 12    | October 11                           |
| April 26    | October 25                           |
| May 10      | November 8                           |
| May 24      | November 21 (11/23 Thanksgiving Eve) |
| June 14     | December 13                          |
| June 28     | December 27                          |

**BE IT FURTHER RESOLVED** that all executive session begins at 4:00 p.m., workshop meetings begin at 6:00 p.m. and regular meetings begin at 7:00 p.m.

I, CINDY A. DYE, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of RESOLUTION NO. 2017-23 which was finally adopted by the City Council at a meeting held on the 1st day of January, 2017

CERTIFIED BY ME THIS 3rd DAY OF January, 2017.

CINDY A. DYE  
CITY CLERK



## RESOLUTION NO. 2017-24

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

### **RESOLUTION APPOINTING MUNICIPAL COURT JUDGE FOR A THREE YEAR TERM**

**WHEREAS, N.J.S.A. 2B:12-4** provides that each Judge of a Municipal Court shall serve for a term of three years from the date of appointment.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Asbury Park, County of Monmouth, State of New Jersey that **Daniel J. DiBenedetto** be and is hereby appointed and designated to serve as the Municipal Court Judge for the City of Asbury Park municipal court for a three year term to expire on December 31, 2019 and/or until her successor is appointed and qualified.

**BE IT FUTHER RESOLVED** that a copy of this Resolution be forwarded to the following:

1. Honorable Judge Daniel J. DiBenedetto
2. Patricia Green, Court Administrator
3. JoAnn Boos, Chief Financial Officer

I, CINDY A. DYE, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of RESOLUTION NO. 2017-24 which was finally adopted by the City Council at a meeting held on the 1st day of January, 2017

CERTIFIED BY ME THIS 3rd DAY OF January, 2017.

CINDY A. DYE  
CITY CLERK



## RESOLUTION NO. 2017-25

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

### **APPOINTING FREDERICK C. RAFFETTO, ESQ., TO SERVE AS MUNICIPAL ATTORNEY FOR THE CITY, AND AUTHORIZING THE EXECUTION OF AN AGREEMENT FOR PROFESSIONAL LEGAL SERVICES ASSOCIATED THEREWITH**

**WHEREAS**, the City of Asbury Park (the “City”) must appoint a licensed attorney to serve as the “Municipal Attorney” (a/k/a, the “City Attorney”) for the City for the year 2017; and

**WHEREAS**, the City of Asbury Park, duly advertised for Request for Qualification on December 22, 2016; and

**WHEREAS**, four (4) firms have submitted proposals including Frederick C. Raffetto, Esq., of the firm of Ansell Grimm & Aaron, P.C.; and

**WHEREAS**, the Municipal Attorney shall handle the general legal matters of the City during the term of his appointment, and perform such other legal matters (collectively, the “services”) as may be directed from time to time by the Mayor and Council; and

**WHEREAS**, the Mayor and Council have determined to appoint Frederick C. Raffetto, Esq. (the “Attorney”), of the firm of Ansell Grimm & Aaron, P.C., as the Municipal Attorney for the City for 2017; and

**WHEREAS**, the City’s Chief Financial Officer has determined and certified in writing that the value of the contract associated with the Attorney’s services shall exceed \$17,500.00, and therefore that the contract is subject to the provisions of the State’s Local Unit Pay-to-Play Law, N.J.S.A. 19:44A-20.4, *et seq.* (the Pay-to-Play Law); and

**WHEREAS**, in prior years the City determined to award a contract for these services through a “fair and open” process, pursuant to and in accordance with the Pay-to-Play Law, which process is consistent with the requirements prescribed in the Memorandum of Understanding executed between the City and the State Division of Local Government Services (“DLGS”) concerning the transitional aid that is received by the City on an annual basis; and

**WHEREAS**, the anticipated term of this contract is for a twelve (12) month period, commencing on January 1, 2017, and expiring on December 31, 2017, or until a successor has been duly appointed and qualified; and

**WHEREAS**, said contract may only be renewed upon further action of the City Council; and

**WHEREAS**, the services to be provided are considered to be “professional services” under the Local Public Contracts Law, N.J.S.A. 40A:11-1, *et seq.*; and

**WHEREAS**, the City’s Chief Financial Officer has certified the availability of funds for said contract.

**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, as follows:

1. Frederick C. Raffetto, Esq., of the firm of Ansell Grimm & Aaron, P.C., is hereby appointed to serve as the “Municipal Attorney” (a/k/a, the “City Attorney”) for the City for the year 2017.
2. The Mayor is hereby authorized to execute, and the City Clerk attest, the attached Agreement between the City of Asbury Park and Frederick C. Raffetto, Esq., for the year 2017.
3. Said contract is awarded as a “professional service” contract in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law because the services will be performed by a person authorized by law to practice a recognized profession.
4. Said contract has been awarded through a restricted (a/k/a, “non-fair and open”) process, pursuant to and in accordance with the Pay-to-Play Law, and further in accordance with the approval received from the DLGS.
5. Notice of the adoption of this Resolution shall be published in a newspaper of general circulation within the City.
6. A certified copy of this Resolution shall be provided to each of the following:
  - a. Michael N. Capabianco, City Manager
  - b. JoAnn Boos, CMFO, Chief Financial Officer
  - c. Director of the N.J. Division of Local Government Services
  - d. George D. Haeuber, Fiscal Monitor
  - e. Frederick C. Raffetto, Esq., Municipal Attorney

I, CINDY A. DYE, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of RESOLUTION NO. 2017-25 which was finally adopted by the City Council at a meeting held on the 1st day of January, 2017

CERTIFIED BY ME THIS 3rd DAY OF January, 2017.

CINDY A. DYE  
CITY CLERK

**FINANCE DEPARTMENT**  
**DIVISIONS:**  
 ACCOUNTS AND CONTROL  
 PURCHASING  
 PAYROLL  
 TAX ASSESSMENT  
 TAX COLLECTION  
 INFORMATION SYSTEMS



CITY COUNCIL  
**JOHN B. MOOR, MAYOR**  
**AMY QUINN, DEPUTY MAYOR**  
 YVONNE CLAYTON  
 JESSE KENDLE  
 EILEEN CHAPMAN

MICHAEL N. CAPABIANCO, CITY MANAGER  
 JoAnn Boos, CFO

**CITY OF ASBURY PARK  
 CERTIFICATION OF FUNDS**

Pursuant to N.J.S.A. 40a:4-57, N.J.A.C. 5:345-, and any other applicable requirements, I, JoAnn Boos, Chief Financial Officer of the City of Asbury Park, hereby certify that there are available sufficient uncommitted appropriations in Account 7-01-20-155-000-209 of the City of Asbury Park to approve contract for City Attorney.

With: Frederick C. Raffetto, Esq.

For: City Attorney

In line item appropriations) as follows:  
 7-01-20-155-000-209

Contract period: 1/1/17-12/31/17

Dated: January 1, 2017

  
 JoAnn Boos, Chief Financial Officer

City of Asbury Park  
 Resolution Date 01/01/17

Attachment: Raffetto (2017-25 : Appointment of City Attorney)



## RESOLUTION NO. 2017-26

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

### **APPOINTING LAW OFFICES OF STEVEN S. GLICKMAN, LLC TO SERVE AS LABOR COUNSEL FOR THE CITY, AND AUTHORIZING THE EXECUTION OF AN AGREEMENT FOR PROFESSIONAL LEGAL SERVICES ASSOCIATED THEREWITH**

**WHEREAS**, the City of Asbury Park (the “City”) wishes to appoint a licensed attorney/law firm to serve as “Labor Counsel” for the City for the year 2017; and

**WHEREAS**, during the term of its appointment, said attorney/law firm shall handle legal issues for the City which relate to labor matters, as well as such other legal matters as may be referred to it from time to time by the City Manager and/or the Mayor and Council (collectively referenced as the “services”); and

**WHEREAS**, the Mayor and Council have determined to appoint the law firm of Law Offices of Steven S. Glickman, LLC to serve as the City’s “Labor Counsel” for 2017; and

**WHEREAS**, City’s Chief Financial Officer has determined and certified in writing that the value of the contract associated with the services shall exceed \$17,500.00, and therefore that the contract is subject to the provisions of the State’s Local Unit Pay-to-Play Law, N.J.S.A. 19:44A-20.4, *et seq.* (the Pay-to-Play Law); and

**WHEREAS**, in prior years the City determined to award a contract for these services through a “fair and open” process, pursuant to and in accordance with the Pay-to-Play Law, which process is consistent with the requirements prescribed in the Memorandum of Understanding executed between the City and the State Division of Local Government Services (“DLGS”) concerning the transitional aid that is received by the City on an annual basis; and

**WHEREAS**, the DLGS has provided its consent to permit the City to appoint and retain Labor Counsel in 2017 without undertaking a new “fair and open” process so long as the Labor Counsel is not increasing his rates over the 2016 levels; and

**WHEREAS**, the Labor Counsel has agreed to maintain his rates at the 2016 levels; and

**WHEREAS**, the anticipated term of this contract is for a twelve (12) month period, commencing on January 1, 2017, and expiring on December 31, 2017, or until a successor has been duly appointed and qualified; and

**WHEREAS**, said contract may only be renewed upon further action of the City Council;  
and

**WHEREAS**, the services to be provided are considered to be “professional services” under the Local Public Contracts Law, N.J.S.A. 40A:11-1, *et seq.*; and

**WHEREAS**, the City’s Chief Financial Officer has certified the availability of funds for said contract.

**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, as follows:

1. The firm of Law Offices of Steven S. Glickman, LLC is hereby appointed to serve as “Labor Counsel” for the City for the year 2017.
2. The Mayor is hereby authorized to execute, and the City Clerk attest, a contract between the City and Law Offices of Steven S. Glickman, LLC for the aforementioned services, for the year 2017, which contract shall be in a form satisfactory to the Municipal Attorney.
3. Said contract is awarded as a “professional service” contract in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law because the services will be performed by a person(s) authorized by law to practice a recognized profession.
4. Notice of the adoption of this Resolution shall be published in a newspaper of general circulation within the City.
5. A certified copy of this Resolution shall be provided to each of the following:
  - a. Law Offices of Steven S. Glickman, LLC
  - b. Michael Capabianco, City Manager
  - c. JoAnn Boos, CMFO, Chief Financial Officer
  - d. Director of the N.J. Division of Local Government Services
  - e. George D. Haeuber, Fiscal Monitor

I, CINDY A. DYE, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of RESOLUTION NO. 2017-26 which was finally adopted by the City Council at a meeting held on the 1st day of January, 2017

CERTIFIED BY ME THIS 3rd DAY OF January, 2017.

CINDY A. DYE  
CITY CLERK

**FINANCE DEPARTMENT**  
**DIVISIONS:**  
 ACCOUNTS AND CONTROL  
 PURCHASING  
 PAYROLL  
 TAX ASSESSMENT  
 TAX COLLECTION  
 INFORMATION SYSTEMS



CITY COUNCIL  
**JOHN B. MOOR, MAYOR**  
**AMY QUINN, DEPUTY MAYOR**  
 YVONNE CLAYTON  
 JESSE KENDLE  
 EILEEN CHAPMAN

MICHAEL N. CAPABIANCO, CITY MANAGER  
 JoANN Boos, CFO

## CITY OF ASBURY PARK CERTIFICATION OF FUNDS

Pursuant to N.J.S.A. 40a:4-57, N.J.A.C. 5:345-, and any other applicable requirements, I, JoAnn Boos, Chief Financial Officer of the City of Asbury Park, hereby certify that there are available sufficient uncommitted appropriations in Account 7-01-20-195-000-299 of the City of Asbury Park to approve contract for Labor Counsel in the amount of \$72,000.00.

With: Steven S. Glickman, LLC

For: Labor Counsel

In line item appropriations) as follows:  
 7-01-20-195-000-299

Contract period: 1/1/17-12/31/17

Contract amount: \$72,000.00

Amount certified: \$72,000.00

Dated: January 1, 2017

  
 \_\_\_\_\_  
 JoAnn Boos, Chief Financial Officer

City of Asbury Park  
 Resolution Date 01/01/17

Attachment: Glickman (2017-26 : Labor Counsel Appointment 2017)



## RESOLUTION NO. 2017-27

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

### **APPOINTING ARCHER & GREINER, P.C., TO SERVE AS BOND COUNSEL FOR THE CITY, AND AUTHORIZING THE EXECUTION OF AN AGREEMENT FOR PROFESSIONAL LEGAL SERVICES ASSOCIATED THEREWITH**

**WHEREAS**, the City of Asbury Park (the “City”) must appoint a licensed attorney/law firm to serve as “Bond Counsel” for the City for the year 2017; and

**WHEREAS**, during the term of its appointment, said attorney/law firm shall handle legal issues for the City which relate to the issuance of bonds and bond anticipation notes, and perform such other legal matters as may be referred to it from time to time by the City Manager, the Chief Financial Officer and/or the Mayor and Council (collectively, the “services”); and

**WHEREAS**, the Mayor and Council have determined to appoint Archer & Greiner, P.C. to serve as the Bond Counsel for the City for 2017; and

**WHEREAS**, the City’s Chief Financial Officer has determined and certified in writing that the value of the contract associated with the Bond Counsel’s services may exceed \$17,500.00, and therefore that the contract is subject to the provisions of the State’s Local Unit Pay-to-Play Law, N.J.S.A. 19:44A-20.4, *et seq.* (the Pay-to-Play Law); and

**WHEREAS**, in prior years the City determined to award a contract for these services through a “fair and open” process, pursuant to and in accordance with the Pay-to-Play Law, which process is consistent with the requirements prescribed in the Memorandum of Understanding executed between the City and the State Division of Local Government Services (“DLGS”) concerning the transitional aid that is received by the City on an annual basis; and

**WHEREAS**, the DLGS has provided its consent to permit the City to appoint and retain the Bond Counsel in 2017 without undertaking a new “fair and open” process so long as the Bond Counsel is not increasing his rates over the 2016 levels; and

**WHEREAS**, the Bond Counsel has agreed to maintain his rates at the 2016 levels; and

**WHEREAS**, the anticipated term of this contract is for a twelve (12) month period, commencing on January 1, 2017, and expiring on December 31, 2017, or until a successor has been duly appointed and qualified; and

**WHEREAS**, said contract may only be renewed upon further action of the City Council;  
and

**WHEREAS**, the services to be provided are considered to be “professional services” under the Local Public Contracts Law, N.J.S.A. 40A:11-1, *et seq.*; and

**WHEREAS**, the City’s Chief Financial Officer has certified the availability of funds for said contract.

**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, as follows:

1. The firm of Archer & Greiner, P.C. is hereby appointed to serve as “Bond Counsel” for the City for the year 2017.
2. The Mayor is hereby authorized to execute, and the City Clerk attest, a contract between the City and Archer & Greiner, P.C. for the aforementioned services, for the year 2017, which contract shall be in a form satisfactory to the Municipal Attorney.
3. Said contract is awarded as a “professional service” contract in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law because the services will be performed by a person(s) authorized by law to practice a recognized profession.
4. Notice of the adoption of this Resolution shall be published in a newspaper of general circulation within the City.
5. That a certified copy of this Resolution shall be provided to each of the following:
  - a. Archer & Greiner, P.C.
  - b. Michael N. Capabianco City Manager
  - c. JoAnn Boos, CMFO, Chief Financial Officer
  - d. Director of the N.J. Division of Local Government Services
  - e. George D. Haeuber, Fiscal Monitor

I, CINDY A. DYE, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of RESOLUTION NO. 2017-27 which was finally adopted by the City Council at a meeting held on the 1st day of January, 2017

CERTIFIED BY ME THIS 3rd DAY OF January, 2017.

CINDY A. DYE  
CITY CLERK

**FINANCE DEPARTMENT****DIVISIONS:**

ACCOUNTS AND CONTROL  
PURCHASING  
PAYROLL  
TAX ASSESSMENT  
TAX COLLECTION  
INFORMATION SYSTEMS

**CITY COUNCIL**

**JOHN B. MOOR, MAYOR**  
**AMY QUINN, DEPUTY MAYOR**  
YVONNE CLAYTON  
JESSE KENDLE  
EILEEN CHAPMAN

MICHAEL N. CAPABIANCO, CITY MANAGER  
JoAnn Boos, CFO

**CITY OF ASBURY PARK  
CERTIFICATION OF FUNDS**

Pursuant to N.J.S.A. 40a:4-57, N.J.A.C. 5:345-, and any other applicable requirements, I, JoAnn Boos, Chief Financial Officer of the City of Asbury Park, hereby certify that there are available sufficient uncommitted appropriations in Account 7-01-20-155-000-209 of the City of Asbury Park to approve contract for Bond Counsel.

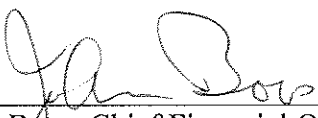
With: Archer & Greiner, P.C.

For: Bond Counsel

In line item appropriations) as follows:  
7-01-20-155-000-209

Contract period: 1/1/17-12/31/17

Dated: January 1, 2017

  
\_\_\_\_\_  
JoAnn Boos, Chief Financial Officer

City of Asbury Park  
Resolution Date 01/01/17

Attachment: Archer & Greiner (2017-27 : Bond Counsel Appointment 2017)



## RESOLUTION NO. 2017-28

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

### **APPOINTING HARRY HAUSHALTER, ESQUIRE, TO SERVE AS SPECIAL TAX COUNSEL FOR THE CITY, AND AUTHORIZING THE EXECUTION OF AN AGREEMENT FOR PROFESSIONAL LEGAL SERVICES ASSOCIATED THEREWITH**

**WHEREAS**, the City of Asbury Park (the “City”) wishes to appoint a licensed attorney to serve in the capacity of “Special Tax Counsel” for the City for the year 2017; and

**WHEREAS**, the Special Tax Counsel shall handle tax appeal matters involving the City during the term of his appointment as well as any other tax-related matters as requested by the City (collectively, the “services”); and

**WHEREAS**, the Mayor and Council have determined to appoint Harry Haushalter, Esq. to serve as the Special Tax Counsel for the City for 2017; and

**WHEREAS**, the City’s Chief Financial Officer has determined and certified in writing that the value of the contract associated with the Special Tax Counsel’s services may exceed \$17,500.00, and therefore that the contract is subject to the provisions of the State’s Local Unit Pay-to-Play Law, N.J.S.A. 19:44A-20.4, et seq. (the Pay-to-Play Law); and

**WHEREAS**, in prior years the City determined to award a contract for these services through a “fair and open” process, pursuant to and in accordance with the Pay-to-Play Law, which process is consistent with the requirements prescribed in the Memorandum of Understanding executed between the City and the State Division of Local Government Services (“DLGS”) concerning the transitional aid that is received by the City on an annual basis; and

**WHEREAS**, the DLGS has provided its consent to permit the City to appoint and retain the Special Tax Counsel in 2017 without undertaking a new “fair and open” process so long as the Special Tax Counsel is not increasing his rates over the 2016 levels; and

**WHEREAS**, the Special Tax Counsel has agreed to maintain his rates at the 2016 levels; and

**WHEREAS**, the anticipated term of this contract is for a twelve (12) month period, commencing on January 1, 2017, and expiring on December 31, 2017, or until a successor has been duly appointed and qualified; and

**WHEREAS**, said contract may only be renewed upon further action of the City Council; and

**WHEREAS**, the services to be provided are considered to be “professional services” under the

Local Public Contracts Law, N.J.S.A. 40A:11-1, *et seq.*; and

**WHEREAS**, the City's Chief Financial Officer has certified the availability of funds for said contract.

**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, as follows:

1. Harry Haushalter, Esq. is hereby appointed to serve as the "Special Tax Counsel" for the City for the year 2017.
2. The Mayor is hereby authorized to execute, and the City Clerk attest, the attached Agreement between the City of Asbury Park and Harry Haushalter, Esq., for the year 2017, or one which is substantially similar thereto and which meets with the approval of the City Attorney.
3. Said contract is awarded as a "professional service" contract in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law because the services will be performed by a person authorized by law to practice a recognized profession.
4. Said contract has been awarded through a restricted (a/k/a, "non-fair and open") process, pursuant to and in accordance with the Pay-to-Play Law, and further in accordance with the approval received from the DLGS.
5. Notice of the adoption of this Resolution shall be published in a newspaper of general circulation within the City.
6. A certified copy of this Resolution shall be provided to each of the following:
  - a. Harry Haushalter, Esq., Special Tax Counsel
  - b. Michael N. Capabianco, City Manager
  - c. JoAnn Boos, CMFO, Chief Financial Officer
  - d. Director of the N.J. Division of Local Government Services
  - e. George D. Haeuber, Fiscal Monitor

I, CINDY A. DYE, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of RESOLUTION NO. 2017-28 which was finally adopted by the City Council at a meeting held on the 1st day of January, 2017

CERTIFIED BY ME THIS 3rd DAY OF January, 2017.

CINDY A. DYE  
CITY CLERK

**FINANCE DEPARTMENT**  
**DIVISIONS:**  
 ACCOUNTS AND CONTROL  
 PURCHASING  
 PAYROLL  
 TAX ASSESSMENT  
 TAX COLLECTION  
 INFORMATION SYSTEMS



CITY COUNCIL  
**JOHN B. MOOR, MAYOR**  
**AMY QUINN, DEPUTY MAYOR**  
 YVONNE CLAYTON  
 JESSE KENDLE  
 EILEEN CHAPMAN

MICHAEL N. CAPABIANCO, CITY MANAGER  
 JoANN Boos, CFO

## CITY OF ASBURY PARK CERTIFICATION OF FUNDS

Pursuant to N.J.S.A. 40a:4-57, N.J.A.C. 5:345-, and any other applicable requirements, I, JoAnn Boos, Chief Financial Officer of the City of Asbury Park, hereby certify that there are available sufficient uncommitted appropriations in Account 7-01-20-150-000-209 of the City of Asbury Park to approve contract for Special Tax Counsel.

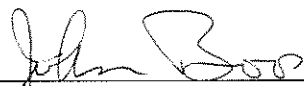
With: Hary Haushalter, Esq.

For: Special Tax Counsel

In line item appropriations) as follows:  
 7-01-20-150-000-209

Contract period: 1/1/17-12/31/17

Dated: January 1, 2017

  
 \_\_\_\_\_  
 JoAnn Boos, Chief Financial Officer

City of Asbury Park  
 Resolution Date 01/01/17

Attachment: Harry Haushalter, Esq. (2017-28 : Special Tax Counsel Appointment 2017)



## RESOLUTION NO. 2017-29

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

### **APPOINTING WISS & COMPANY, LLP TO SERVE AS AUDITOR FOR THE CITY, AND AUTHORIZING THE EXECUTION OF AN AGREEMENT FOR PROFESSIONAL SERVICES ASSOCIATED THEREWITH**

**WHEREAS**, the City of Asbury Park (the “City”) must appoint a licensed auditor to handle general auditing responsibilities (the “services”) for the City during the year 2017; and

**WHEREAS**, the Mayor and Council have determined to appoint the firm of Wiss & Company, LLP (the “Auditor”), to serve in this capacity for the year 2017; and

**WHEREAS**, the City’s Chief Financial Officer has determined and certified in writing that the value of the contract associated with the Auditor’s services shall exceed \$17,500.00, and therefore that the contract is subject to the provisions of the State’s Local Unit Pay-to-Play Law, N.J.S.A. 19:44A-20.4, et seq. (the Pay-to-Play Law); and

**WHEREAS**, in prior years the City determined to award a contract for these services through a “fair and open” process, pursuant to and in accordance with the Pay-to-Play Law, which process is consistent with the requirements prescribed in the Memorandum of Understanding executed between the City and the State Division of Local Government Services (“DLGS”) concerning the transitional aid that is received by the City on an annual basis; and

**WHEREAS**, the DLGS has provided its consent to permit the City to appoint and retain the Auditor in 2017 without undertaking a new “fair and open” process so long as the Auditor shall not charge the City at rates higher than those charged by the firm in 2016; and

**WHEREAS**, the Auditor has agreed to abide by this requirement; and

**WHEREAS**, the anticipated term of this contract is for a twelve (12) month period, commencing on January 1, 2017, and expiring on December 31, 2017, or until a successor has been duly appointed and qualified; and

**WHEREAS**, said contract may only be renewed upon further action of the City Council;  
and

**WHEREAS**, the services to be provided are considered to be “professional services” under the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq.; and

**WHEREAS**, the City's Chief Financial Officer has certified the availability of funds for said contract.

**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, as follows:

1. The firm of Wiss & Company, LLP, is hereby appointed to serve as the Auditor for the City for 2017.
2. The Mayor is hereby authorized to execute, and the City Clerk attest, the attached Agreement between the City of Asbury Park and Wiss & Company, LLP, for the year 2017, or one which is substantially similar thereto and which meets with the approval of the City Attorney.
3. Said contract is awarded as a "professional service" contract in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law because the services will be performed by a person authorized by law to practice a recognized profession.
4. Said contract has been awarded through a restricted (a/k/a, "non-fair and open") process, pursuant to and in accordance with the Pay-to-Play Law, and further in accordance with the approval received from the DLGS.
5. Notice of the adoption of this Resolution shall be published in a newspaper of general circulation within the City.
6. A certified copy of this Resolution shall be provided to each of the following:
  - a. Wiss & Company, LLP, City Auditor
  - b. Michael N. Capabianco, City Manager
  - c. JoAnn Boos, CMFO, Chief Financial Officer
  - d. Director of the N.J. Division of Local Government Services
  - e. George D. Haeuber, Fiscal Monitor

I, CINDY A. DYE, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of RESOLUTION NO. 2017-29 which was finally adopted by the City Council at a meeting held on the 1st day of January, 2017

CERTIFIED BY ME THIS 3rd DAY OF January, 2017.

CINDY A. DYE  
CITY CLERK

**FINANCE DEPARTMENT**  
**DIVISIONS:**  
 ACCOUNTS AND CONTROL  
 PURCHASING  
 PAYROLL  
 TAX ASSESSMENT  
 TAX COLLECTION  
 INFORMATION SYSTEMS



CITY COUNCIL  
**JOHN B. MOOR, MAYOR**  
**AMY QUINN, DEPUTY MAYOR**  
 YVONNE CLAYTON  
 JESSE KENDLE  
 EILEEN CHAPMAN

MICHAEL N. CAPABIANCO, CITY MANAGER  
 JoAnn Boos, CFO

**CITY OF ASBURY PARK  
 CERTIFICATION OF FUNDS**

Pursuant to N.J.S.A. 40a:4-57, N.J.A.C. 5:345-, and any other applicable requirements, I, JoAnn Boos, Chief Financial Officer of the City of Asbury Park, hereby certify that there are available sufficient uncommitted appropriations in Account 7-01-20-135-000-218 of the City of Asbury Park to approve contract for Auditor.

With: Wiss & Company, LLP

For: Auditor

In line item appropriations) as follows:  
 7-01-20-135-000-218

Contract period: 1/1/17-12/31/17

Dated: January 1, 2017

  
 JoAnn Boos, Chief Financial Officer

City of Asbury Park  
 Resolution Date 01/01/17

Attachment: Wiss and Co. (2017-29 : Appointment of Auditor 2017)



## RESOLUTION NO. 2017-30

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

### **AUTHORIZING THE EXECUTION OF AN AGREEMENT FOR PROFESSIONAL ENGINEERING SERVICES WITH T & M ASSOCIATES**

**WHEREAS**, the City of Asbury Park (the “City”) must appoint a licensed engineer to serve as “City Engineer” for the City for the year 2017; and

**WHEREAS**, the City Engineer to provide engineering services to the City, pursuant to the direction of the City Manager, in accordance with the terms and conditions set forth in its proposal; and

**WHEREAS**, the Mayor and Council have determined to appoint T&M Associates to serve as the City Engineer for the City for 2017; and

**WHEREAS**, the City’s Chief Financial Officer has determined and certified in writing that the value of the contract associated with the City Engineer’s services may exceed \$17,500.00, and therefore that the contract is subject to the provisions of the State’s Local Unit Pay-to-Play Law, N.J.S.A. 19:44A-20.4, *et seq.* (the Pay-to-Play Law); and

**WHEREAS**, in prior years the City determined to award a contract for these services through a “fair and open” process, pursuant to and in accordance with the Pay-to-Play Law, which process is consistent with the requirements prescribed in the Memorandum of Understanding executed between the City and the State Division of Local Government Services (“DLGS”) concerning the transitional aid that is received by the City on an annual basis; and

**WHEREAS**, the DLGS has provided its consent to permit the City to appoint and retain the City Engineer in 2017 without undertaking a new “fair and open” process so long as the City Engineer is not increasing his rates over the 2016 levels; and

**WHEREAS**, the City Engineer has agreed to maintain his rates at the 2016 levels; and

**WHEREAS**, the anticipated term of this contract is for a twelve (12) month period, commencing on January 1, 2017, and expiring on December 31, 2017, or until a successor has been duly appointed and qualified; and

**WHEREAS**, said contract may only be renewed upon further action of the City Council; and

**WHEREAS**, the services to be provided are considered to be “professional services” under the Local Public Contracts Law, N.J.S.A. 40A:11-1, *et seq.*; and

**WHEREAS**, the City’s Chief Financial Officer has certified the availability of funds for said contract.

**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, as follows:

1. The firm of T&M Associates is hereby appointed to serve as “City Engineer” for the City for the year 2017.
2. The Mayor is hereby authorized to execute, and the City Clerk attest, a contract between the City and T&M Associates for the aforementioned services, for the year 2017, which contract shall be in a form satisfactory to the Municipal Attorney and shall not exceed \$250,000.
3. Said contract is awarded as a “professional service” contract in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law because the services will be performed by a person(s) authorized by law to practice a recognized profession.
4. Notice of the adoption of this Resolution shall be published in a newspaper of general circulation within the City.
5. A certified copy of this Resolution shall be provided to each of the following:
  - a. T&M Associates
  - b. Michael N. Capabianco City Manager
  - c. JoAnn Boos, CMFO, Chief Financial Officer
  - d. Director of the N.J. Division of Local Government Services
  - e. George D. Haeuber, Fiscal Monitor

I, CINDY A. DYE, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of RESOLUTION NO. 2017-30 which was finally adopted by the City Council at a meeting held on the 1st day of January, 2017

CERTIFIED BY ME THIS 3rd DAY OF January, 2017.

CINDY A. DYE  
CITY CLERK

**FINANCE DEPARTMENT****DIVISIONS:**

ACCOUNTS AND CONTROL  
PURCHASING  
PAYROLL  
TAX ASSESSMENT  
TAX COLLECTION  
INFORMATION SYSTEMS

**CITY COUNCIL**

**JOHN B. MOOR, MAYOR**  
**AMY QUINN, DEPUTY MAYOR**  
YVONNE CLAYTON  
JESSE KENDLE  
EILEEN CHAPMAN

MICHAEL N. CAPABIANCO, CITY MANAGER  
JOANN BOOS, CFO

**CITY OF ASBURY PARK  
CERTIFICATION OF FUNDS**

Pursuant to N.J.S.A. 40a:4-57, N.J.A.C. 5:345-, and any other applicable requirements, I, JoAnn Boos, Chief Financial Officer of the City of Asbury Park, hereby certify that there are available sufficient uncommitted appropriations in Account 7-01-20-165-000-209 of the City of Asbury Park to approve contract for Engineering Services in the amount of \$250,000.00.

With: T&M Associates

For: Engineering Services

In line item appropriations) as follows:  
7-01-20-165-000-209

Contract period: 1/1/17-12/31/17

Contract amount: \$250,000.00

Amount certified: \$250,000.00

Dated: January 1, 2017

  
\_\_\_\_\_  
JoAnn Boos, Chief Financial Officer

City of Asbury Park  
Resolution Date 01/01/17

Attachment: T&M (2017-30 : City Engineer Appointment 2017)



## RESOLUTION NO. 2017-31

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

### **AUTHORIZING THE EXECUTION OF AN AGREEMENT FOR PROFESSIONAL APPRAISAL SERVICES TO BRB VALUATIONS PAMELA J. BRODOWSKI, MAI, ASA, CTA**

**WHEREAS**, the City of Asbury Park (the “City”) requires professional services to be performed during the calendar year 2017 by an individual qualified to serve as the City’s real estate appraiser, who shall handle real estate appraisal work for the City on an as-needed basis per direction from the City; and

**WHEREAS**, the Mayor and Council have determined to appoint BRB Valuations Pamela J. Brodowski, MAI, ASA, CTA as the City’s Real Estate Appraiser for the City for 2017; and

**WHEREAS**, the City’s Chief Financial Officer has determined and certified in writing that the value of the contract associated with the City Engineer’s services may exceed \$17,500.00, and therefore that the contract is subject to the provisions of the State’s Local Unit Pay-to-Play Law, N.J.S.A. 19:44A-20.4, *et seq.* (the Pay-to-Play Law); and

**WHEREAS**, in prior years the City determined to award a contract for these services through a “fair and open” process, pursuant to and in accordance with the Pay-to-Play Law, which process is consistent with the requirements prescribed in the Memorandum of Understanding executed between the City and the State Division of Local Government Services (“DLGS”) concerning the transitional aid that is received by the City on an annual basis; and

**WHEREAS**, the DLGS has provided its consent to permit the City to appoint and retain the City Real Estate Appraiser in 2017 without undertaking a new “fair and open” process so long as the City Engineer is not increasing his rates over the 2016 levels; and

**WHEREAS**, the City Real Estate Appraiser has agreed to maintain her rates at the 2016 levels; and

**WHEREAS**, the anticipated term of this contract is for a twelve (12) month period, commencing on January 1, 2017, and expiring on December 31, 2017, or until a successor has been duly appointed and qualified; and

**WHEREAS**, said contract may only be renewed upon further action of the City Council;  
and

**WHEREAS**, the services to be provided are considered to be “professional services” under the Local Public Contracts Law, N.J.S.A. 40A:11-1, *et seq.*; and

**WHEREAS**, the City’s Chief Financial Officer has certified the availability of funds for said contract.

**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, as follows:

1. BRB Valuations Pamela J. Brodowski, MAI, ASA, CTA is hereby appointed to serve as “City Real Estate Appraiser” for the City for the year 2017.
2. The Mayor is hereby authorized to execute, and the City Clerk attest, a contract between the City and BRB Valuations Pamela J. Brodowski, MAI, ASA, CTA for the aforementioned services, for the year 2017, which contract shall be in a form satisfactory to the Municipal Attorney.
3. Said contract is awarded as a “professional service” contract in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law because the services will be performed by a person(s) authorized by law to practice a recognized profession.
4. Notice of the adoption of this Resolution shall be published in a newspaper of general circulation within the City.
5. A certified copy of this Resolution shall be provided to each of the following:
  - a. BRB Valuations Pamela J. Brodowski, MAI, ASA, CTA
  - b. Michael N. Capabianco City Manager
  - c. JoAnn Boos, CMFO, Chief Financial Officer
  - d. Director of the N.J. Division of Local Government Services
  - e. George D. Haeuber, Fiscal Monitor

I, CINDY A. DYE, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of RESOLUTION NO. 2017-31 which was finally adopted by the City Council at a meeting held on the 1st day of January, 2017

CERTIFIED BY ME THIS 3rd DAY OF January, 2017.

CINDY A. DYE  
CITY CLERK

**FINANCE DEPARTMENT**  
**DIVISIONS:**  
 ACCOUNTS AND CONTROL  
 PURCHASING  
 PAYROLL  
 TAX ASSESSMENT  
 TAX COLLECTION  
 INFORMATION SYSTEMS



CITY COUNCIL  
**JOHN B. MOOR, MAYOR**  
**AMY QUINN, DEPUTY MAYOR**  
 YVONNE CLAYTON  
 JESSE KENDLE  
 EILEEN CHAPMAN

MICHAEL N. CAPABIANCO, CITY MANAGER  
 JOANN BOOS, CFO

## CITY OF ASBURY PARK CERTIFICATION OF FUNDS

Pursuant to N.J.S.A. 40a:4-57, N.J.A.C. 5:345-, and any other applicable requirements, I, JoAnn Boos, Chief Financial Officer of the City of Asbury Park, hereby certify that there are available sufficient uncommitted appropriations in Account 7-01-20-150-000-209 of the City of Asbury Park to approve contract for Professional Appraisal Services.

With: BRB Valuations

For: Professional Appraisal Services

In line item appropriations) as follows:  
 7-01-20-150-000-209

Contract period: 1/1/17-12/31/17

Dated: January 1, 2017

  
 \_\_\_\_\_  
 JoAnn Boos, Chief Financial Officer

City of Asbury Park  
 Resolution Date 01/01/17

Attachment: BRB Valuations (2017-31 : Appraisal Services 2017)



## RESOLUTION NO. 2017-32

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

### **APPOINTING GJEM INSURANCE AGENCY, TO SERVE AS AN INSURANCE BROKERAGE/CONSULTANT/RISK MANAGER, AND AUTHORIZING THE EXECUTION OF AN AGREEMENT FOR PROFESSIONAL SERVICES ASSOCIATED THEREWITH**

**WHEREAS**, there exists the need to obtain an Insurance Brokerage/Consultant/Risk Manager for the purpose of obtaining coverage for municipal risk management services and for the purpose of obtaining coverage, to include but not limited to: General Liability Insurance, Automobile Coverage and Workers' Compensation for the year 2017; and

**WHEREAS**, the Mayor and Council have determined to appoint GJEM Insurance Agency to serve as Insurance Brokerage/Consultant/Risk Manager for the City of Asbury Park for 2017; and

**WHEREAS**, the City's Chief Financial Officer has determined and certified in writing that the value of the contract associated with the Attorney's services shall exceed \$17,500.00, and therefore that the contract is subject to the provisions of the State's Local Unit Pay-to-Play Law, N.J.S.A. 19:44A-20.4, et seq. (the Pay-to-Play Law); and

**WHEREAS**, in prior years the City determined to award a contract for these services through a "fair and open" process, pursuant to and in accordance with the Pay-to-Play Law, which process is consistent with the requirements prescribed in the Memorandum of Understanding executed between the City and the State Division of Local Government Services ("DLGS") concerning the transitional aid that is received by the City on an annual basis; and

**WHEREAS**, the DLGS has provided its consent to permit the City to appoint and retain Insurance Brokerage/Consultant/Risk Manager in 2017 without undertaking a new "fair and open" process so long as the Labor Counsel is not increasing his rates over the 2016 levels; and

**WHEREAS**, the Insurance Brokerage/Consultant/Risk Manager has agreed to maintain his rates at the 2016 levels; and

**WHEREAS**, the anticipated term of this contract is for a twelve (12) month period, commencing on January 1, 2017, and expiring on December 31, 2017, or until a successor has been duly appointed and qualified; and

**WHEREAS**, said contract may only be renewed upon further action of the City Council; and

**WHEREAS**, the services to be provided are considered to be "professional services" under the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq.; and

**WHEREAS**, the City's Chief Financial Officer has certified the availability of funds for said contract.

**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, as follows:

1. GJEM Insurance Agency is hereby appointed to serve as the Insurance Brokerage/Consultant/Risk Manager for the City of Asbury Park for the year 2017.
2. The Mayor is hereby authorized to execute, and the City Clerk attest, the attached Agreement between the City of Asbury Park and GJEM Insurance Agency for the year 2017.
3. Said contract is awarded as a "professional service" contract in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law because the services will be performed by a person authorized by law to practice a recognized profession.
4. Said contract has been awarded through a restricted (a/k/a, "non-fair and open") process, pursuant to and in accordance with the Pay-to-Play Law, and further in accordance with the approval received from the DLGS.
5. That notice of the adoption of this Resolution shall be published in a newspaper of general circulation within the City.
6. That a certified copy of this Resolution shall be provided to each of the following:
  - a. GJEM Insurance Agency
  - b. Michael N. Capabianco, City Manager
  - c. JoAnn Boos, CMFO, Chief Financial Officer
  - d. Director of the N.J. Division of Local Government Services
  - e. George D. Haeuber, Fiscal Monitor

I, CINDY A. DYE, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of RESOLUTION NO. 2017-32 which was finally adopted by the City Council at a meeting held on the 1st day of January, 2017

CERTIFIED BY ME THIS 3rd DAY OF January, 2017.

CINDY A. DYE  
CITY CLERK

**FINANCE DEPARTMENT****DIVISIONS:**

ACCOUNTS AND CONTROL  
PURCHASING  
PAYROLL  
TAX ASSESSMENT  
TAX COLLECTION  
INFORMATION SYSTEMS

CITY COUNCIL

**JOHN B. MOOR, MAYOR**  
**AMY QUINN, DEPUTY MAYOR**  
YVONNE CLAYTON  
JESSE KENDLE  
EILEEN CHAPMAN

MICHAEL N. CAPABIANCO, CITY MANAGER  
JoAnn Boos, CFO

**CITY OF ASBURY PARK  
CERTIFICATION OF FUNDS**

Pursuant to N.J.S.A. 40a:4-57, N.J.A.C. 5:345-, and any other applicable requirements, I, JoAnn Boos, Chief Financial Officer of the City of Asbury Park, hereby certify that there are available sufficient uncommitted appropriations in Account 7-01-23-210-000-209 of the City of Asbury Park to approve contract for Insurance Broker.

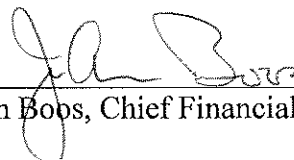
With: GJEM Insurance Agency

For: Insurance Broker

In line item appropriations) as follows:  
7-01-23-210-000-209

Contract period: 01/01/17-012/31/17

Dated: January 1, 2017

  
\_\_\_\_\_  
JoAnn Boos, Chief Financial Officer

City of Asbury Park  
Resolution Date 01/01/17

Attachment: GJEM (2017-32 : Insurance Broker Appointment 2017)



## RESOLUTION NO. 2017-33

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

### APPOINTING MEMBERS TO THE ZONING BOARD OF ADJUSTMENT

**WHEREAS**, pursuant to N.J.S.A. 40:55D-69, et seq., and Section 30-22, *et seq.*, of the Asbury Park City Code, a Zoning Board of Adjustment has been established within the City consisting of seven (7) regular members and two (2) alternate members; and

**WHEREAS**, per Section 30-22.1 of the City Code, all regular and alternate members of the Zoning Board of Adjustment are to be appointed by the Mayor and Council; and

**WHEREAS**, pursuant to N.J.S.A. 40:55D-69, the terms of all members first appointed to the Zoning Board of Adjustment shall be so determined that, to the greatest practicable extent, the expiration of such terms shall be distributed, in the case of regular members, evenly over the first four years after their appointment, and in the case of alternate members, evenly over the first two years after their appointment; and

**WHEREAS**, thereafter, the term of each regular member shall be for four (4) years, and the term of each alternate member shall be for two (2) years; and

**WHEREAS**, with the above in mind, the Mayor and Council wish to make the following appointments to the Zoning Board of Adjustment, effective as of January 1, 2017.

**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, as follows:

1. Effective as of January 1, 2017, the following resident(s) of the City of Asbury Park is/are hereby appointed as **regular member(s)** of the Zoning Board of Adjustment, for a term of four (4) years:
  - **Eric Galipo** - Term to expire on **December 31, 2020**
  - **Russell Lewis** - Term to expire on **December 31, 2020**
2. Effective as of January 1, 2016, the following resident(s) of the City of Asbury Park is/are hereby appointed to serve as **alternate member(s)** of the Zoning Board of Adjustment, for a term of (2) years:
  - **“Alternate No. 1”** - **Brittany Ashman** - Term to expire on **December**

**31, 2018.**

3. A certified copy of this Resolution shall be provided to each of the following:

- a. Each Appointee referenced above.
- b. Zoning Board of Adjustment Secretary.
- c. Michael N. Capabianco, City Manager.

I, CINDY A. DYE, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of RESOLUTION NO. 2017-33 which was finally adopted by the City Council at a meeting held on the 1st day of January, 2017

CERTIFIED BY ME THIS 3rd DAY OF January, 2017.

CINDY A. DYE  
CITY CLERK



## RESOLUTION NO. 2017-34

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

### APPOINTING MEMBERS TO THE PLANNING BOARD (CLASS III AND IV)

**WHEREAS**, pursuant to N.J.S.A. 40:55D-23, et seq., and Section 30-21, *et seq.*, of the Asbury Park City Code, a Planning Board has been established within the City consisting of seven (9) regular members that are segregated into four (4) separate Classes, and two (2) alternate members; and

**WHEREAS**, the Mayor and Council must appoint one (1) Class III member of the Planning Board, constituting a member of the Governing Body to be appointed by it; and

**WHEREAS**, the Mayor and Council must also appoint certain Class IV citizen members to the Planning Board, along with certain alternate members (who shall also meet the qualifications of Class IV members); and

**WHEREAS**, with the above in mind, the Mayor and Council wish to make the following appointments to the Planning Board, effective as of January 1, 2017.

**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, as follows:

1. That, effective as of January 1, 2017, **Council Member Yvonne Clayton** is hereby appointed to serve as the **Class III** member of the Planning Board, for a term of one (1) year, or until the completion of her term of office, whichever occurs first.
2. That, effective as of January 1, 2017, the following citizen(s) of the City of Asbury Park is/are hereby appointed as **Class IV** member(s) of the Planning Board, for a term of four (4) years:
  - **Alexis Taylor** - Term to expire on **December 31, 2020**
  - **Rick Lambert** - Term to expire on **December 31, 2020**
  - **Sara Anne Towery** - Term to expire on **December 31, 2020**
3. That, effective as of January 1, 2017, the following citizen(s) of the City of Asbury Park is/are hereby appointed to serve as **alternate member(s)** of the Planning Board, for a term of two (2) years:

- **“Alternate No. 1” - Barbara Krzak - Term to expire on December 31, 2018.**

4. That a certified copy of this Resolution shall be provided to each of the following:

- a. Each Appointee referenced above.
- b. Planning Board Secretary.
- c. Michael N. Capabianco, City Manager.

I, CINDY A. DYE, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of RESOLUTION NO. 2017-34 which was finally adopted by the City Council at a meeting held on the 1st day of January, 2017

CERTIFIED BY ME THIS 3rd DAY OF January, 2017.

CINDY A. DYE  
CITY CLERK



## RESOLUTION NO. 2017-35

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

### **AUTHORIZING APPOINTMENTS TO THE “ENVIRONMENTAL/SHADE TREE COMMISSION”**

**WHEREAS**, pursuant to Section 2-41 of the “Revised General Ordinances of the City of Asbury Park, New Jersey,” an Environmental/Shade Tree 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.

**NOW, THEREFORE, BE IT RESOLVED**, that the following individuals are hereby appointed to serve on the Environmental/Shade Tree Commission for the term referenced:

**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 individuals are hereby appointed to serve on the Commission:

Appointee

Term to Expire

Nancy Sabino

December 31, 2021

Tom Kulesa

December 31, 2020

3. That a certified copy of this Resolution shall be provided to Michael N. Capabianco, City Manager.

I, CINDY A. DYE, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of RESOLUTION NO. 2017-35 which was finally adopted by the City Council at a meeting held on the 1st day of January, 2017

CERTIFIED BY ME THIS 3rd DAY OF January, 2017.

CINDY A. DYE  
CITY CLERK



## RESOLUTION NO. 2017-36

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

### **AUTHORIZING APPOINTMENTS TO THE PUBLIC ART COMMITTEE**

**WHEREAS**, pursuant to Section 2-43 of the “Revised General Ordinances of the City of Asbury Park, New Jersey,” a Public Art Committee (the “Committee”) 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.

**NOW, THEREFORE, BE IT RESOLVED**, that the following individuals are hereby appointed to serve on the Public Art Committee for the term referenced:

Appointee

Deputy Mayor Amy Quinn  
Michele Alonso  
Ellen Gaynor (Alt. 1)

Term to Expire

December 31, 2021  
December 31, 2021  
December 31, 2021

**BE IT FURTHER RESOLVED**, that the Committee shall operate in accordance with the provisions set forth in Section 2-43 of the “Revised General Ordinances of the City of Asbury Park, New Jersey.”

I, CINDY A. DYE, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of RESOLUTION NO. 2017-36 which was finally adopted by the City Council at a meeting held on the 1st day of January, 2017

CERTIFIED BY ME THIS 3rd DAY OF January, 2017.

CINDY A. DYE  
CITY CLERK



## RESOLUTION NO. 2017-37

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

### **AUTHORIZING APPOINTMENTS TO THE “ASBURY PARK TV COMMITTEE”**

**WHEREAS**, pursuant to Section 2-58 of the “Revised General Ordinances of the City of Asbury Park, New Jersey,” an Asbury Park TV Committee (the “Committee”) 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.

**NOW, THEREFORE, BE IT RESOLVED** that the following individuals are hereby appointed to serve on the Asbury Park TV Committee for the term referenced:

**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 individuals are hereby appointed to serve on the Committee:

| <u>Appointee</u>       | <u>Term to Expire</u> |
|------------------------|-----------------------|
| Heera Sidhu            | 12/31/2019            |
| Deputy Mayor Amy Quinn | 12/31/2017            |
| Ginny Otly             | 12/31/2018            |
| Ed Salvas              | 12/31/2017            |
| Jeffrey Seeds          | 12/31/2018            |
| Michael Sodano         | 12/31/2019            |
| Hannah Walker          | 12/31/2017            |
| Jill Bartlett          | 12/31/2018            |
| Nate McCallister       | 12/31/2017            |
| Danielle Bulluck       | 12/31/2019            |
| Eileen Reinhardt       | 12/31/2018            |

3. That a certified copy of this Resolution shall be provided to Michael N. Capabianco, City Manager.

I, CINDY A. DYE, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of RESOLUTION NO. 2017-37 which was finally adopted by the City Council at a meeting held on the 1st day of January, 2017

CERTIFIED BY ME THIS 3rd DAY OF January, 2017.

CINDY A. DYE  
CITY CLERK



## RESOLUTION NO. 2017-38

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

### **APPOINTMENT TO THE RECREATION ADVISORY COMMITTEE**

**WHEREAS**, the Mayor and City Council of the City of Asbury Park (the “City”) believe that it is in the best interests of the residents of the City to formally create a “Recreation Advisory Committee,” (also referenced herein as the “Committee”) for the purpose(s) set forth below; and

**WHEREAS**, the purpose(s) of the Committee shall be to provide consultative and advisory assistance to the Mayor and Council, regarding recreation issues for the youth of the City, as well as all residents of the community; and

**WHEREAS**, it is intended that the Committee shall be advisory in nature, and that the Committee shall report its findings and recommendations to the Mayor and Council for further action, as the Governing Body deems appropriate; and

**WHEREAS**, the Committee shall keep the Mayor and Council informed of its work and shall report to the City Council at the Council’s request; and

**WHEREAS**, the Committee shall be composed of members who shall be appointed by the Mayor and Council and who shall serve, without compensation, at the pleasure of the Mayor and Council; and

**WHEREAS**, the terms of the Committee members shall be from January 1, 2017 through December 31, 2017; and

**WHEREAS**, the Committee shall appoint a Chair, and shall meet in accordance with a schedule as the Committee deems appropriate; and

**WHEREAS**, the Committee members will be indemnified for actions that are performed in the good faith performance of their duties in accordance with the provisions contained in Section 2-64 of the City Code, as well as applicable law; and

**WHEREAS**, the Mayor and Council now wish to appoint certain individuals to serve on the Committee.

**NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED**, by the Mayor and Council of the City of Asbury Park, in the County of Monmouth and State of New Jersey, as

follows:

1. A "Recreation Advisory Committee" (the "Committee") is hereby established in and for the City, in accordance with the terms and conditions referenced above.
2. The following individuals are hereby appointed to serve on the Committee:

| <u>Appointee</u>              | <u>Term to Expire</u> |
|-------------------------------|-----------------------|
| Council Member Jesse Kendle   | 12/31/2017            |
| Council Member Eileen Chapman | 12/31/2017            |
| Leesha Floyd                  | 12/31/2017            |
| Esther Piekarski              | 12/31/2017            |
| Toran Jordan                  | 12/31/2017            |
| Angeline Brown                | 12/31/2017            |
| Nancy Sabino                  | 12/31/2017            |
| Angela Anderson               | 12/31/2017            |
| Douglas Eagles                | 12/31/2017            |
| Jessie Ricks                  | 12/31/2017            |
| Rachael Rainey                | 12/31/2017            |

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

I, CINDY A. DYE, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of RESOLUTION NO. 2017-38 which was finally adopted by the City Council at a meeting held on the 1st day of January, 2017

CERTIFIED BY ME THIS 3rd DAY OF January, 2017.

CINDY A. DYE  
CITY CLERK



## RESOLUTION NO. 2017-39

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

### **ESTABLISHING A “PARKING ADVISORY COMMITTEE” IN AND FOR THE CITY OF ASBURY PARK**

**WHEREAS**, the Mayor and City Council of the City of Asbury Park (the “City”) believe that it is in the best interests of the residents of the City to formally create a “Parking Advisory Committee” (also referenced herein as the “Committee”) for the purpose(s) set forth below; and

**WHEREAS**, the purpose(s) of the Committee shall be to study the existing parking conditions within the City and to provide consultative and advisory assistance to the Mayor and Council concerning parking issues within the City; and

**WHEREAS**, the Committee shall provide advice to the Mayor and Council as to short-term and long term recommendations; and

**WHEREAS**, it is intended that the Committee shall be advisory in nature, and that the Committee shall report its findings and recommendations to the Mayor and Council for further action, as the Governing Body deems appropriate; and

**WHEREAS**, the Committee shall keep the Mayor and Council informed of its work and shall report to the City Council at the Council’s request; and

**WHEREAS**, the Committee shall be composed of members who shall be appointed by the Mayor and Council and who shall serve, without compensation, at the pleasure of the Mayor and Council; and

**WHEREAS**, the terms of the Committee members shall be for January 1, 2017 and expire December 31, 2017; and

**WHEREAS**, the Committee shall appoint a Chair, and shall meet in accordance with a schedule as the Committee deems appropriate; and

**WHEREAS**, the Committee members will be indemnified for actions that are performed in the good faith performance of their duties in accordance with the provisions contained in Section 2-64 of the City Code, as well as applicable law.

**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. A "Parking Advisory Committee" is hereby established in and for the City, in accordance with the terms and conditions referenced above.
2. The following individuals are hereby appointed to serve on the Committee:

| <u>Appointee</u> | <u>Term to Expire</u> |
|------------------|-----------------------|
| Mayor John Moor  | 12/31/2017            |
| Michael Manzella | 12/31/2017            |
| Gene Dello       | 12/31/2017            |
| Barbara Krzak    | 12/31/2017            |
| Maggie Quinton   | 12/31/2017            |
| Rebecca Carvalho | 12/31/2017            |
| William West     | 12/31/2017            |
| Bret Morgan      | 12/31/2017            |
| Amber Cunha      | 12/31/2017            |

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

I, CINDY A. DYE, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of RESOLUTION NO. 2017-39 which was finally adopted by the City Council at a meeting held on the 1st day of January, 2017

CERTIFIED BY ME THIS 3rd DAY OF January, 2017.

CINDY A. DYE  
CITY CLERK



## **RESOLUTION NO. 2017-40**

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

### **ESTABLISHING A “CODE ENFORCEMENT/QUALITY OF LIFE COMMITTEE” IN AND FOR THE CITY OF ASBURY PARK AND AUTHORIZING APPOINTMENTS THERE TO**

**WHEREAS**, the Mayor and City Council of the City of Asbury Park (the “City”) believe that it is in the best interests of the residents of the City to formally create a “Code Enforcement/Quality of Life Committee,” (also referenced herein as the “Committee”) for the purpose(s) set forth below; and

**WHEREAS**, the purpose(s) of the Committee shall be to study existing code enforcement and quality of life issues within the City and to provide consultative and advisory assistance to Mayor and Council concerning such issues; and

**WHEREAS**, the Committee shall provide advice to the Mayor and Council as to short-term and long-term recommendations; and

**WHEREAS**, it is intended that the Committee shall be advisory in nature, and that the Committee shall report its findings and recommendations to the Mayor and Council for further action, as the Governing Body deems appropriate; and

**WHEREAS**, the Committee shall keep the Mayor and Council informed of its work and shall report to the City Council at the Council’s request; and

**WHEREAS**, the Committee shall be composed of members who shall be appointed by the Mayor and Council and who shall serve, without compensation, at the pleasure of the Mayor and Council; and

**WHEREAS**, the terms of the Committee members shall begin January 1, 2017 and shall expire December 31, 2017; and

**WHEREAS**, the Committee shall appoint a Chair, and shall meet in accordance with a schedule as the Committee deems appropriate; and

**WHEREAS**, the Committee members will be indemnified for actions that are performed in the good faith performance of their duties in accordance with the provisions contained in Section 2-64 of the City Code, as well as applicable law; and

**WHEREAS**, the Mayor and Council now wish to appoint certain individuals to serve on the Committee.

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

1. A “Code Enforcement/Quality of Life Committee” (the “Committee”) is hereby established in and for the City, in accordance with the terms and conditions referenced above.

2. The following individuals are hereby appointed to serve on the Committee:

| <u>Appointee</u>              | <u>Term to Expire</u> |
|-------------------------------|-----------------------|
| Council Member Yvonne Clayton | 12/31/2017            |
| Council Member Eileen Chapman | 12/31/2017            |
| Rob McKeon                    | 12/31/2017            |
| Jan Sparrow                   | 12/31/2017            |
| Elli Kaymakcian               | 12/31/2017            |
| Hannah Walker                 | 12/31/2017            |
| Norman Robertson              | 12/31/2017            |
| Trudy Syphax                  | 12/31/2017            |
| Rita Williams                 | 12/31/2017            |
| Terri Buttitta                | 12/31/2017            |
| Greg Hopson                   | 12/31/2017            |
| Bonnie Barrett                | 12/31/2017            |
| Melanie Chongolola-Nestor     | 12/31/2017            |

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

I, CINDY A. DYE, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of RESOLUTION NO. 2017-40 which was finally adopted by the City Council at a meeting held on the 1st day of January, 2017

CERTIFIED BY ME THIS 3rd DAY OF January, 2017.

CINDY A. DYE  
CITY CLERK



## RESOLUTION NO. 2017-41

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

### **ESTABLISHING A “COMMUNITY DEVELOPMENT BLOCK GRANT COMMITTEE” IN AND FOR THE CITY OF ASBURY PARK AND AUTHORIZING APPOINTMENTS THERE TO**

**WHEREAS**, the Mayor and City Council of the City of Asbury Park (the “City”) believe that it is in the best interests of the residents of the City to formally create a “Community Development Block Grant Committee,” (also referenced herein as the “Committee”) for the purpose(s) set forth below; and

**WHEREAS**, the purpose(s) of the Committee shall be review Community Development Block Grant applications and to provide consultative and advisory assistance to Mayor and Council concerning such issues; and

**WHEREAS**, it is intended that the Committee shall be advisory in nature, and that the Committee shall report its findings and recommendations to the Mayor and Council for further action, as the Governing Body deems appropriate; and

**WHEREAS**, the Committee shall keep the Mayor and Council informed of its work and shall report to the City Council at the Council’s request; and

**WHEREAS**, the Committee shall be composed of members who shall be appointed by the Mayor and Council and who shall serve, without compensation, at the pleasure of the Mayor and Council; and

**WHEREAS**, the terms of the Committee members shall begin January 1, 2017 and shall expire December 31, 2017; and

**WHEREAS**, the Committee shall appoint a Chair, and shall meet in accordance with a schedule as the Committee deems appropriate; and

**WHEREAS**, the Committee members will be indemnified for actions that are performed in the good faith performance of their duties in accordance with the provisions contained in Section 2-64 of the City Code, as well as applicable law; and

**WHEREAS**, the Mayor and Council now wish to appoint certain individuals to serve on the Committee.

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

1. A “Community Development Block Grant Committee” (the “Committee”) is hereby established in and for the City, in accordance with the terms and conditions referenced above.
2. The following individuals are hereby appointed to serve on the Committee:

| <u>Appointee</u>       | <u>Term to Expire</u> |
|------------------------|-----------------------|
| Mayor John Moor        | 12/31/2017            |
| Deputy Mayor Amy Quinn | 12/31/2017            |
| Cassandra Dickerson    | 12/31/2017            |
| Leesha Floyd           | 12/31/2017            |
| Janice Molloy          | 12/31/2017            |
| Susan Mayard           | 12/31/2017            |
| Patrick Jaquinto       | 12/31/2017            |

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

I, CINDY A. DYE, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of RESOLUTION NO. 2017-41 which was finally adopted by the City Council at a meeting held on the 1st day of January, 2017

CERTIFIED BY ME THIS 3rd DAY OF January, 2017.

CINDY A. DYE  
CITY CLERK



## RESOLUTION NO. 2017-42

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

### **AUTHORIZING APPOINTMENTS TO THE “DEAL LAKE COMMISSION”**

**WHEREAS**, pursuant to Section 2-46 of the “Revised General Ordinances of the City of Asbury Park, New Jersey,” a Deal 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.

**NOW, THEREFORE, BE IT RESOLVED**, that the following individuals are hereby appointed to serve on the Deal Lake Commission for a one year term:

1. The following individuals are hereby appointed to serve on the Commission:

Jeannie Toher, Regular Member                      Term Expires: 12/31/2017  
Andrew L. Chambarry , Alternate 1 Member Term Expires: 12/31/2017

2. A certified copy of this Resolution shall be provided to each of the following:

- a. Michael N. Capabianco, City Manager
- b. Deal Lake Commission

I, CINDY A. DYE, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of RESOLUTION NO. 2017-42 which was finally adopted by the City Council at a meeting held on the 1st day of January, 2017

CERTIFIED BY ME THIS 3rd DAY OF January, 2017.

CINDY A. DYE  
CITY CLERK



## RESOLUTION NO. 2017-43

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

### **APPOINTING REDEVELOPMENT COUNSEL MCMANIMON SCOTLAND & BAUMANN, LLC AND AUTHORIZING THE EXECUTION OF AN AGREEMENT FOR PROFESSIONAL SERVICES ASSOCIATED THEREWITH**

**WHEREAS**, the City of Asbury Park (the “City”) desires to appoint Redevelopment Counsel for 2017; and

**WHEREAS**, said attorney/law firm shall handle legal issues for the City which relate to redevelopment matters, as well as such other legal matters as may be referred to it from time to time by the City Manager and/or the Mayor and Council (collectively referenced as the “services”); and; and

**WHEREAS**, the Mayor and Council have determined to appoint the law firm of McManimon Scotland & Baumann, LLC to serve as the City’s “Redevelopment Counsel” for 2017, in accordance with the terms and conditions set forth in its proposal submitted in 2016; and

**WHEREAS**, the City’s Chief Financial Officer has determined and certified in writing that the value of the contract associated with the Attorney’s services shall exceed \$17,500.00, and therefore that the contract is subject to the provisions of the State’s Local Unit Pay-to-Play Law, N.J.S.A. 19:44A-20.4, *et seq.* (the Pay-to-Play Law); and

**WHEREAS**, in prior years the City determined to award a contract for these services through a “fair and open” process, pursuant to and in accordance with the Pay-to-Play Law, which process is consistent with the requirements prescribed in the Memorandum of Understanding executed between the City and the State Division of Local Government Services (“DLGS”) concerning the transitional aid that is received by the City on an annual basis; and

**WHEREAS**, the DLGS has provided its consent to permit the City to appoint and retain the Attorney in 2016 without undertaking a new “fair and open” process so long as the Attorney is not increasing his rates over the 2016 levels; and

**WHEREAS**, the firm has agreed not to increase his rates over the 2016 levels; and

**WHEREAS**, the anticipated term of this contract is for a twelve (12) month period, commencing on January 1, 2017, and expiring on December 31, 2017, or until a successor has been duly appointed and qualified; and

**WHEREAS**, said contract may only be renewed upon further action of the City Council; and

**WHEREAS**, the services to be provided are considered to be “professional services” under the Local Public Contracts Law, N.J.S.A. 40A:11-1, *et seq.*

**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, as follows:

1. The City Manager or Director of Planning and Redevelopment are authorized to determine assignments as required.
2. The Mayor is hereby authorized to execute, and the City Clerk attest, an Agreement to be drafted by the City Attorney for professional services for 2017.
3. Said contract is awarded as a “professional service” contract in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law because the services will be performed by a person authorized by law to practice a recognized profession.
4. Said contract has been awarded through a restricted (a/k/a, “non-fair and open”) process, pursuant to and in accordance with the Pay-to-Play Law, and further in accordance with the approval received from the DLGS..
5. Notice of the adoption of this Resolution shall be published in a newspaper of general circulation within the City.
6. A certified copy of this Resolution shall be provided to each of the following:
  - a. Michael N. Capabianco, City Manager
  - b. JoAnn, CMFO, Chief Financial Officer
  - c. Director of the N.J. Division of Local Government Services
  - d. George D. Haeuber, Fiscal Monitor
  - e. Frederick C. Raffetto, Esq., Municipal Attorney

I, CINDY A. DYE, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of RESOLUTION NO. 2017-43 which was finally adopted by the City Council at a meeting held on the 1st day of January, 2017

CERTIFIED BY ME THIS 3rd DAY OF January, 2017.

CINDY A. DYE  
CITY CLERK



## RESOLUTION NO. 2017-44

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

### **APPOINTING CLEARY GIACOBBE ALFIERI JACOBS, LLC, TO SERVE AS CONFLICT MUNICIPAL ATTORNEY FOR THE CITY, AND AUTHORIZING THE EXECUTION OF AN AGREEMENT FOR PROFESSIONAL LEGAL SERVICES ASSOCIATED THEREWITH**

**WHEREAS**, the City of Asbury Park, duly advertised for Request for Qualification for Municipal Attorney on December 22, 2016; and

**WHEREAS**, four (4) firms have submitted proposals including Cleary Giacobbe Alfieri Jacobs, LLC; and

**WHEREAS**, the Municipal Attorney shall handle the general legal matters of the City during the term of his appointment, and perform such other legal matters (collectively, the “services”) as may be directed from time to time by the Mayor and Council; and

**WHEREAS**, the Mayor and Council have determined to appoint Cleary Giacobbe Alfieri Jacobs, LLC as the Conflict Municipal Attorney for the City for 2017; and

**WHEREAS**, the City’s Chief Financial Officer has determined and certified in writing that the value of the contract associated with the Attorney’s services shall exceed \$17,500.00, and therefore that the contract is subject to the provisions of the State’s Local Unit Pay-to-Play Law, N.J.S.A. 19:44A-20.4, *et seq.* (the Pay-to-Play Law); and

**WHEREAS**, in prior years the City determined to award a contract for these services through a “fair and open” process, pursuant to and in accordance with the Pay-to-Play Law, which process is consistent with the requirements prescribed in the Memorandum of Understanding executed between the City and the State Division of Local Government Services (“DLGS”) concerning the transitional aid that is received by the City on an annual basis; and

**WHEREAS**, the anticipated term of this contract is for a twelve (12) month period, commencing on January 1, 2017, and expiring on December 31, 2017, or until a successor has been duly appointed and qualified; and

**WHEREAS**, said contract may only be renewed upon further action of the City Council; and

**WHEREAS**, the services to be provided are considered to be “professional services” under the Local Public Contracts Law, N.J.S.A. 40A:11-1, *et seq.*; and

**WHEREAS**, the City's Chief Financial Officer has certified the availability of funds for said contract.

**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, as follows:

1. Cleary Giacobbe Alfieri Jacobs, LLC is hereby appointed to serve as the Conflict Municipal Attorney for the City for the year 2017.
2. The Mayor is hereby authorized to execute, and the City Clerk attest, the attached Agreement between the City of Asbury Park and Cleary Giacobbe Alfieri Jacobs, LLC for the year 2017.
3. Said contract is awarded as a "professional service" contract in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law because the services will be performed by a person authorized by law to practice a recognized profession.
4. Said contract has been awarded through a restricted (a/k/a, "non-fair and open") process, pursuant to and in accordance with the Pay-to-Play Law, and further in accordance with the approval received from the DLGS.
5. Notice of the adoption of this Resolution shall be published in a newspaper of general circulation within the City.
6. A certified copy of this Resolution shall be provided to each of the following:
  - a. Michael N. Capabianco, City Manager
  - b. JoAnn Boos, CMFO, Chief Financial Officer
  - c. Director of the N.J. Division of Local Government Services
  - d. George D. Haeuber, Fiscal Monitor
  - e. Frederick C. Raffetto, Esq., Municipal Attorney

I, CINDY A. DYE, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of RESOLUTION NO. 2017-44 which was finally adopted by the City Council at a meeting held on the 1st day of January, 2017

CERTIFIED BY ME THIS 12th DAY OF January, 2017.

CINDY A. DYE  
CITY CLERK



## RESOLUTION NO. 2017-45

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

### **APPOINTING REDEVELOPMENT COUNSEL MAZAZITI FALCON AND AUTHORIZING THE EXECUTION OF AN AGREEMENT FOR PROFESSIONAL SERVICES ASSOCIATED THEREWITH**

**WHEREAS**, the City of Asbury Park (the “City”) desires to appoint Redevelopment Counsel for 2017; and

**WHEREAS**, said attorney/law firm shall handle legal issues for the City which relate to redevelopment matters, as well as such other legal matters as may be referred to it from time to time by the City Manager and/or the Mayor and Council (collectively referenced as the “services”); and; and

**WHEREAS**, the Mayor and Council have determined to appoint the law firm of Maraziti Falcon to serve as the City’s “Redevelopment Counsel” for 2017, in accordance with the terms and conditions set forth in its proposal submitted in 2016; and

**WHEREAS**, the City’s Chief Financial Officer has determined and certified in writing that the value of the contract associated with the Attorney’s services shall exceed \$17,500.00, and therefore that the contract is subject to the provisions of the State’s Local Unit Pay-to-Play Law, N.J.S.A. 19:44A-20.4, *et seq.* (the Pay-to-Play Law); and

**WHEREAS**, in prior years the City determined to award a contract for these services through a “fair and open” process, pursuant to and in accordance with the Pay-to-Play Law, which process is consistent with the requirements prescribed in the Memorandum of Understanding executed between the City and the State Division of Local Government Services (“DLGS”) concerning the transitional aid that is received by the City on an annual basis; and

**WHEREAS**, the DLGS has provided its consent to permit the City to appoint and retain the Attorney in 2016 without undertaking a new “fair and open” process so long as the Attorney is not increasing his rates over the 2016 levels; and

**WHEREAS**, the firm has agreed not to increase his rates over the 2016 levels; and

**WHEREAS**, the anticipated term of this contract is for a twelve (12) month period, commencing on January 1, 2017, and expiring on December 31, 2017, or until a successor has been duly appointed and qualified; and

**WHEREAS**, said contract may only be renewed upon further action of the City Council;  
and

**WHEREAS**, the services to be provided are considered to be “professional services” under the Local Public Contracts Law, N.J.S.A. 40A:11-1, *et seq.*

**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, as follows:

1. The City Manager or Director of Planning and Redevelopment are authorized to determine assignments as required.
2. The Mayor is hereby authorized to execute, and the City Clerk attest, an Agreement to be drafted by the City Attorney for professional services for 2017.
3. Said contract is awarded as a “professional service” contract in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law because the services will be performed by a person authorized by law to practice a recognized profession.
4. Said contract has been awarded through a restricted (a/k/a, “non-fair and open”) process, pursuant to and in accordance with the Pay-to-Play Law, and further in accordance with the approval received from the DLGS..
5. Notice of the adoption of this Resolution shall be published in a newspaper of general circulation within the City.
6. A certified copy of this Resolution shall be provided to each of the following:
  - a. Michael N. Capabianco, City Manager
  - b. JoAnn, CMFO, Chief Financial Officer
  - c. Director of the N.J. Division of Local Government Services
  - d. George D. Haeuber, Fiscal Monitor
  - e. Frederick C. Raffetto, Esq., Municipal Attorney

I, CINDY A. DYE, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of RESOLUTION NO. 2017-45 which was finally adopted by the City Council at a meeting held on the 1st day of January, 2017

CERTIFIED BY ME THIS 3rd DAY OF January, 2017.

CINDY A. DYE  
CITY CLERK



Minutes  
Meeting of the Municipal Council  
Sunday, January 1, 2017  
ORGANIZATIONAL MEETING

---

**Call to Order**

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

City Clerk Cindy Dye called the meeting to order at 2:00 PM.

**Invocation by Reverend David J. Parreott, Jr.**

**Salute the Flag**

**Announcement by City Clerk**

**Swearing in of Newly Elected Officials by the Honorable Daniel J. DiBenedetto**

**SWEARING IN OF COUNCIL MEMBER AMY QUINN**

The Honorable Daniel J. DiBenedetto swore in Council Member Amy Quinn.

**SWEARING IN OF COUNCIL MEMBER B. YVONNE CLAYTON**

The Honorable Daniel J. DiBenedetto swore in Council Member B. Yvonne Clayton.

**SWEARING IN OF COUNCIL MEMBER EILEEN CHAPMAN**

The Honorable Daniel J. DiBenedetto swore in Council Member Eileen Chapman.

**Nomination for Deputy Mayor**

1. Appoint Council Member Amy Quinn as Deputy Mayor

|                  |                                       |
|------------------|---------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>            |
| <b>MOVER:</b>    | Jesse Kendle, Councilmember           |
| <b>SECONDER:</b> | Yvonne Clayton, Councilmember         |
| <b>AYES:</b>     | Chapman, Clayton, Kendle, Quinn, Moor |

**SWEARING IN OF DEPUTY MAYOR BY THE HONORABLE DANIEL J. DIBENEDETTO**

The Honorable Daniel J. DiBenedetto swore in Deputy Mayor Amy Quinn.

**CONSENT AGENDA RESOLUTIONS**

|                  |                                       |
|------------------|---------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>            |
| <b>MOVER:</b>    | Jesse Kendle, Councilmember           |
| <b>SECONDER:</b> | Yvonne Clayton, Councilmember         |
| <b>AYES:</b>     | Chapman, Clayton, Kendle, Quinn, Moor |

- 2017-1 Appointment of Deputy Mayor
- 2017-2 Resolution Appointing a Deputy City Clerk for the City of Asbury Park
- 2017-3 Resolution Designating the Official Newspapers for the City of Asbury Park for the Year 2017
- 2017-4 Resolution Providing for 2017 Temporary Budget Appropriations
- 2017-5 Resolution Adopting a Cash Management Plan for the City of Asbury Park
- 2017-6 Resolution Adopting a Debt Management and Capital Policy
- 2017-7 Resolution of the Mayor and Council of the City of Asbury Park Designating the Depositories wherein all Public Monies and Other Funds of the Municipality Shall Be Kept
- 2017-8 Resolution of the Mayor and Council of the City of Asbury Park Fixing the Rate of Interest to be Charged on Delinquent Taxes, Assessments and Sewer Accounts for 2017
- 2017-9 Authorizing Issuance of Interim Checks
- 2017-10 Resolution Authorizing Premium to Escheat to Municipality After Five Years
- 2017-11 Resolution Authorizing Issuance of Certificate of Redemption of Tax Sale Certificates Due to the Inability to Locate the Original Tax Sale Certificates
- 2017-12 Resolution Establishing a Service Charge for Returned Checks or Written Instruments

- 2017-13 Resolution Providing for Fees for Tax Sale Certificate Redemption Calculations
- 2017-14 Resolution to Cancel Taxes on City Owned Properties
- 2017-15 Resolution to Credit Sewer Account for Deduct Meter
- 2017-16 A Resolution Authorizing the Tax Assessor to Act as Agent for the City of Asbury Park for the Purpose of Filing and Settling Tax Appeals on Behalf of the Taxing District for the Tax Year 2017
- 2017-17 Designation of Public Agency Compliance Officer
- 2017-18 Appointing a Fund Commissioner and Alternate to the New Jersey Intergovernmental Insurance Fund
- 2017-19 Appointment of ADA Compliance Officer and Coordinator
- 2017-20 Appointment of Recycling Coordinator
- 2017-21 Authorizing the City Clerk to Execute all Bingo and Raffle Games of Chance Applications that Meet all Provisions Pursuant to Statute for the 2017 Calendar Year
- 2017-22 Authorizing the City Clerk to Execute all of the City of Asbury Park Fire Department Member's Enrollment into NJ State Firemen's Association for the 2017 Calendar Year

### **INDIVIDUAL RESOLUTIONS**

- 2017-23 Resolution Establishing Meeting Dates for 2017

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

- 2017-24 Resolution Appointing Municipal Court Judge for a Three Year Term

|                  |                                       |
|------------------|---------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>            |
| <b>MOVER:</b>    | Amy Quinn, Deputy Mayor               |
| <b>SECONDER:</b> | Jesse Kendle, Councilmember           |
| <b>AYES:</b>     | Chapman, Clayton, Kendle, Quinn, Moor |

- 2017-25 Appointing Frederick C. Raffetto, Esq., to Serve as Municipal Attorney for the City, and Authorizing the Execution of an Agreement for Professional Legal Services Associated Therewith

|                  |                                       |
|------------------|---------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>            |
| <b>MOVER:</b>    | Yvonne Clayton, Councilmember         |
| <b>SECONDER:</b> | Eileen Chapman, Councilmember         |
| <b>AYES:</b>     | Chapman, Clayton, Kendle, Quinn, Moor |

2017-26 Appointing Law Offices of Steven S. Glickman, LLC to Serve as Labor Counsel for the City, and Authorizing the Execution of an Agreement for Professional Legal Services Associated Therewith

|                  |                                       |
|------------------|---------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>            |
| <b>MOVER:</b>    | Amy Quinn, Deputy Mayor               |
| <b>SECONDER:</b> | Jesse Kendle, Councilmember           |
| <b>AYES:</b>     | Chapman, Clayton, Kendle, Quinn, Moor |

2017-27 Appointing Archer & Greiner, P.C., to Serve as Bond Counsel for the City, and Authorizing the Execution of an Agreement for Professional Legal Services Associated Therewith

|                  |                                       |
|------------------|---------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>            |
| <b>MOVER:</b>    | Jesse Kendle, Councilmember           |
| <b>SECONDER:</b> | Amy Quinn, Deputy Mayor               |
| <b>AYES:</b>     | Chapman, Clayton, Kendle, Quinn, Moor |

2017-28 Appointing Harry Haushalter, Esquire, to Serve as Special Tax Counsel for the City, and Authorizing the Execution of an Agreement for Professional Legal Services Associated Therewith

|                  |                                       |
|------------------|---------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>            |
| <b>MOVER:</b>    | Jesse Kendle, Councilmember           |
| <b>SECONDER:</b> | Yvonne Clayton, Councilmember         |
| <b>AYES:</b>     | Chapman, Clayton, Kendle, Quinn, Moor |

2017-29 Appointing Wiss & Company, LLP to Serve as Auditor for the City, and Authorizing the Execution of an Agreement for Professional Services Associated Therewith

|                  |                                       |
|------------------|---------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>            |
| <b>MOVER:</b>    | Eileen Chapman, Councilmember         |
| <b>SECONDER:</b> | Amy Quinn, Deputy Mayor               |
| <b>AYES:</b>     | Chapman, Clayton, Kendle, Quinn, Moor |

2017-30 Authorizing the Execution of an Agreement for Professional Engineering Services with T & M Associates

|                  |                                       |
|------------------|---------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>            |
| <b>MOVER:</b>    | Yvonne Clayton, Councilmember         |
| <b>SECONDER:</b> | Eileen Chapman, Councilmember         |
| <b>AYES:</b>     | Chapman, Clayton, Kendle, Quinn, Moor |

2017-31 Authorizing the Execution of an Agreement for Professional Appraisal Services to BRB Valuations Pamela J. Brodowski, MAI, ASA, CTA

|                  |                                       |
|------------------|---------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>            |
| <b>MOVER:</b>    | Amy Quinn, Deputy Mayor               |
| <b>SECONDER:</b> | Eileen Chapman, Councilmember         |
| <b>AYES:</b>     | Chapman, Clayton, Kendle, Quinn, Moor |

2017-32 Appointing GJEM Insurance Agency, to Serve as an Insurance Brokerage/Consultant/Risk Manager, and Authorizing the Execution of an Agreement for Professional Services Associated Therewith

|                  |                                       |
|------------------|---------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>            |
| <b>MOVER:</b>    | Jesse Kendle, Councilmember           |
| <b>SECONDER:</b> | Eileen Chapman, Councilmember         |
| <b>AYES:</b>     | Chapman, Clayton, Kendle, Quinn, Moor |

2017-33 Appointing Members to the Zoning Board of Adjustment

|                  |                                       |
|------------------|---------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>            |
| <b>MOVER:</b>    | Amy Quinn, Deputy Mayor               |
| <b>SECONDER:</b> | Jesse Kendle, Councilmember           |
| <b>AYES:</b>     | Chapman, Clayton, Kendle, Quinn, Moor |

2017-34 Appointing Members to the Planning Board (Class III and IV)

|                  |                                       |
|------------------|---------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>            |
| <b>MOVER:</b>    | Jesse Kendle, Councilmember           |
| <b>SECONDER:</b> | Amy Quinn, Deputy Mayor               |
| <b>AYES:</b>     | Chapman, Clayton, Kendle, Quinn, Moor |

2017-35 Authorizing Appointments to the “Environmental/Shade Tree Commission”

|                  |                                       |
|------------------|---------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>            |
| <b>MOVER:</b>    | Amy Quinn, Deputy Mayor               |
| <b>SECONDER:</b> | Eileen Chapman, Councilmember         |
| <b>AYES:</b>     | Chapman, Clayton, Kendle, Quinn, Moor |

2017-36 Authorizing Appointments to the Public Art Committee

|                  |                                       |
|------------------|---------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>            |
| <b>MOVER:</b>    | Jesse Kendle, Councilmember           |
| <b>SECONDER:</b> | Yvonne Clayton, Councilmember         |
| <b>AYES:</b>     | Chapman, Clayton, Kendle, Quinn, Moor |

2017-37 Authorizing Appointments to the “Asbury Park TV Committee”

|                  |                                       |
|------------------|---------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>            |
| <b>MOVER:</b>    | Amy Quinn, Deputy Mayor               |
| <b>SECONDER:</b> | Eileen Chapman, Councilmember         |
| <b>AYES:</b>     | Chapman, Clayton, Kendle, Quinn, Moor |

2017-38 Appointment to the Recreation Advisory Committee

|                  |                                       |
|------------------|---------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>            |
| <b>MOVER:</b>    | Jesse Kendle, Councilmember           |
| <b>SECONDER:</b> | Eileen Chapman, Councilmember         |
| <b>AYES:</b>     | Chapman, Clayton, Kendle, Quinn, Moor |

2017-39 Establishing a “Parking Advisory Committee” in and for the City of Asbury Park

|                  |                                       |
|------------------|---------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>            |
| <b>MOVER:</b>    | Yvonne Clayton, Councilmember         |
| <b>SECONDER:</b> | Amy Quinn, Deputy Mayor               |
| <b>AYES:</b>     | Chapman, Clayton, Kendle, Quinn, Moor |

2017-40 Establishing a “Code Enforcement/Quality of Life Committee” in and for the City of Asbury Park and Authorizing Appointments Thereto

|                  |                                       |
|------------------|---------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>            |
| <b>MOVER:</b>    | Jesse Kendle, Councilmember           |
| <b>SECONDER:</b> | Eileen Chapman, Councilmember         |
| <b>AYES:</b>     | Chapman, Clayton, Kendle, Quinn, Moor |

2017-41 Establishing a “Community Development Block Grant Committee” in and for the City of Asbury Park and Authorizing Appointments Thereto

|                  |                                       |
|------------------|---------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>            |
| <b>MOVER:</b>    | Eileen Chapman, Councilmember         |
| <b>SECONDER:</b> | Yvonne Clayton, Councilmember         |
| <b>AYES:</b>     | Chapman, Clayton, Kendle, Quinn, Moor |

2017-42 Authorizing Appointments to the “Deal Lake Commission”

|                  |                                       |
|------------------|---------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>            |
| <b>MOVER:</b>    | Amy Quinn, Deputy Mayor               |
| <b>SECONDER:</b> | Jesse Kendle, Councilmember           |
| <b>AYES:</b>     | Chapman, Clayton, Kendle, Quinn, Moor |

2017-43 Appointing Redevelopment Counsel McManimon Scotand & Baumann, LLC and Authorizing the Execution of an Agreement for Professional Services Associated Therewith

|                  |                                                         |
|------------------|---------------------------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [4 TO 1]</b>                                 |
| <b>MOVER:</b>    | Yvonne Clayton, Councilmember                           |
| <b>SECONDER:</b> | John Moor, Mayor                                        |
| <b>AYES:</b>     | Eileen Chapman, Yvonne Clayton, Jesse Kendle, John Moor |
| <b>NAYS:</b>     | Amy Quinn                                               |

2017-44 Appointing Cleary Giacobbe Alfieri Jacobs, LLC, to Serve as Conflict Municipal Attorney for the City, and Authorizing the Execution of an Agreement for Professional Legal Services Associated Therewith

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

2017-45 Appointing Redevelopment Counsel Mazaziti Falcon and Authorizing the Execution of an Agreement for Professional Services Associated Therewith

|                  |                                       |
|------------------|---------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>            |
| <b>MOVER:</b>    | Jesse Kendle, Councilmember           |
| <b>SECONDER:</b> | Yvonne Clayton, Councilmember         |
| <b>AYES:</b>     | Chapman, Clayton, Kendle, Quinn, Moor |

### **Announcement by Mayor Moor of Mayor's Appointment to the Position of Office of Emergency Management ("OEM") Director**

Mayor Moor appointed Garrett Giberson to the position of Office of Emergency Management ("OEM") Director.

### **Announcement by Mayor of Mayor's Appointment(s) to the Planning Board**

1. Class I Member (Mayor or Mayor's Designee)

Mayor Moor appointment himself to the Class I member of the Planning Board.

2. Class II Member (Non-Government Body Municipal Official - 1 Year Term)

Mayor Moor appointed Michael Manzella, the City's Transportation Planner, as the Class II member of the Planning Board.

### **Comments from Council Members**

Council Member Chapman wished everyone Happy New Year. She thanked the entire Council for their support this past election. She thanked the staff for their hard work. She thanked all the residents who supported her this past election.

Council Member Clayton thanked all the residents for their support this past year and wished everyone Happy New Year.

Council Member Kendle wished everyone Happy New Year and thanked everyone for coming out helping them celebrate the reorganization meeting.

Deputy Mayor Quinn thanked Mayor Moor and Council Member Kendle for their help and support this past election. She also recognized individuals who provided assistance this past election.

### **Comments from Mayor Moor**

Mayor Moore thanked his wife and family for all their support in the past year. He congratulated the re-elected Council Members on winning this past election. Happy New Year.

### **Public Participation**

No one spoke from the public.

### **Adjournment**

The meeting was adjourned at 2:35 PM

Respectfully submitted by:

---

Cindy A. Dye, RMC, City Clerk