



Agenda
Meeting of the Municipal Council
Wednesday, October 25, 2017
WORK SESSION 6:00 PM

Clerk to Call Meeting to Order

Silent Prayer/Moment of Reflection.

Salute to the Flag

Announcement by the City Clerk

As to comply with the "Open Public Meetings Act," Chapter 231, P.L. 1975, adequate Notice of this meeting has been provided in the following manner: The Annual Notice was forwarded to the Asbury Park Press, The Coaster and The Star Ledger on January 3, 2017, and posted on the bulletin board the same date. All notices are on file with the City Clerk.

Items for Review:

- A. City Manager's Report on Issues Raised at Prior Council Meeting(s)
- B. Special Event Applications
- C. Review of Agenda Items for October 25, 2017 Regular Meeting
- D. Matters from City Council
- E. Matters from City Manager
 - 1. Dog Park Survey
- F. Matters from City Attorney
- G. Regular Meeting begins at 7 p.m.



Agenda
Meeting of the Municipal Council
Wednesday, October 25, 2017
REGULAR MEETING 7:00 PM

I. Executive Session - 4:30 p.m.

2017-313 Resolution Authorizing a meeting which excludes the public

A. Contract Negotiations

1. 2018 Professional Services Contract
2. Request for Proposals - City Hall
3. Subsequent Developers Agreement for the Fourth Avenue Pavilion (1100 Ocean Avenue)
4. Asbury Partners/iStar - Parking Agreements
5. Amendments to the Waterfront Redevelopment Plan

B. Attorney-Client Privilege

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

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

B. Silent Prayer/Moment of Reflection

C. Salute to the Flag

D. Announcement - Open Public Meetings Act

As to comply with the "Open Public Meetings Act," Chapter 231, P.L. 1975, adequate Notice of this meeting has been provided in the following manner: The Annual Notice was forwarded to the Asbury Park Press, The Coaster and The Star Ledger on January 3, 2017, and posted on the bulletin board the same date. All notices are on file with the City Clerk.

E. Public Participation

F. Minutes

- Executive Minutes of Oct 11, 2017 5:00 PM

- Municipal Council - Work Session - Oct 11, 2017 6:00 PM
- Municipal Council - Regular Meeting - Oct 11, 2017 7:00 PM

G. 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.

2017-314 Resolution Approving Special Event Applications

2017-315 Resolution to Cancel Unclaimed Credits on Taxes

2017-316 Resolution to Terminate Sewer Account Billing Block 4306 Lot 7 209 Seventh Avenue

2017-317 Resolution to Terminate Sewer Account Billing Block 302 Lot 10 - 909 Third Avenue

2017-318 Resolution Rescinding Liquor License 1303-33-008-010 Asbury One Liquor License, LLC for the 2017-2018 Liquor License Renewals

2017-319 Resolution Rescinding Liquor License 1303-32-038-006 Ohana Kitschen Company for the 2017-2018 Liquor License Renewals

2017-320 Resolution Approving Disposition of Surplus Property

2017-321 Resolution Approving Disposition of Surplus Property - Vehicles

H. Individual Resolutions

2017-322 Resolution Approving Payment of Bills

2017-323 Resolution Entering into an Agreement with Monmouth County to Administer the City's Community Block Grant Program

2017-324 Resolution Authorizing Design Services, Project Management and Construction, and Inspection Services to T&M Associates for Improvements to Sanitary Sewer Line under the Railroad Tracks on Springwood Avenue Change Order #1

2017-325 Resolution of the Mayor and City Council of the City of Asbury Park Determining that the Development of Affordable Housing at 522 Prospect Avenue, Block 1605, Lot 15.02 will Address an Existing Housing Need in the City of Asbury Park for Home Financing

2017-326 A Resolution of the Mayor and Council of the City of Asbury Park, Acting as the Redevelopment Entity, Extending an Agreement Regarding the use of Certain Parking Spaces, Walkways and Boardwalk Areas with Madison Asbury Retail, LLC for Construction Staging Areas for the Construction Work on the Fifth Avenue Pavilion on Block 4502, Lot 1.16

2017-327 Resolution Authorizing Change Orders with Black Rock Enterprises for the Road Program

I. Ordinances

1. Second Reading/Public Hearing

2017-38 Adopting an Amendment to the Scattered Site Redevelopment Plan

2017-39 An Ordinance Establishing Salaries of Certain Employees within the City of Asbury Park, Monmouth County, NJ

J. Adjournment



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

Announcement by the City Clerk

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

City Manager Michael Capabianco called the meeting to order at 6:00 PM.

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

City Manager Capabianco had no prior issues to be raised.

Special Event Applications

City Manager Capabianco reviewed the special event application with Council.

Review of Agenda Items for October 25, 2017 Regular Meeting

City Manager Capabianco reviewed this evening's agenda items with the City Council.

Matters from City Council

Council Member Kendle reminded everyone of the Trunk or Treat event on Halloween in the parking lot of the municipal building.

Deputy Mayor Quinn thanked Michele Alonso for her great work on the Better Block . Porch Fest was a great success.

Mayor Moor thanked Jordan Modell for the great job on the Porch Fest and offered congratulations to the to the Bruno Family and the Fishing Club.

Matters from City Manager

1. Dog Park Survey

City Manager Capabianco provided the Council with the results of the Dog Park Survey. The findings are that the residents would support a dog park and the most important issue would be the keeping the park clean.

Matters from City Attorney

City Attorney Raffetto had no matters.

Regular Meeting begins at 7 p.m.

The meeting recessed until 8 p.m.

Respectfully submitted by:

Cindy A. Dye, RMC, City Clerk



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

Executive Session - 4:30 p.m.

2017-313 Resolution Authorizing a meeting which excludes the public

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

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

called the meeting to order at 7:00 PM.

MUNICIPAL CLERK'S STATEMENT

Deputy Clerk Hartsgrove read the following statement :

MUNICIPAL CLERK'S STATEMENT REGARDING INITIATIVE PETITION -
OCTOBER 25, 2017

- On October 10, 2017, an initiative petition and proposed Ordinance to amend and supplement Chapter 12, Section 8 of the Asbury Park Municipal Code relating to short-term rental regulations was received by my office, pursuant to the initiative and referendum provisions of the Faulkner Act, N.J.S.A. 40:69A-184, et seq.

- By law, within 20 days of the submission of an initiative petition, the Municipal Clerk shall determine whether the petition has been signed by the required number of qualified voters and is otherwise sufficient pursuant to all relevant statutory requirements.
- Following the review performed by my office, we have determined that the initiative petition submitted satisfies the requirements set forth by law.
- Therefore, the petition and the proposed Ordinance are herewith being forwarded to the Mayor and Council for their consideration. By law, the Ordinance so submitted shall be deemed to have had a first reading and provision shall be made for a public hearing.
- By letter which was hand delivered today, we have provided notice to two representatives of the Committee of Petitioners that the petition has been approved, and that a public hearing regarding the proposed Ordinance has been scheduled for **November 8th, 2017**, during the regular public portion of the Council meeting of that date.
- If, within 20 days from the date of my office's certification of approval (which period shall be deemed to commence as of today's date), the Governing Body should fail to pass the Ordinance proposed by the petition, in substantially the form requested, then said Ordinance shall be submitted to the voters at the general election to be held in November of 2018, in accordance with N.J.S.A. 40:69A-192(b).
- This statement is intended to represent the Municipal Clerk's certification of the result of our examination of the initiative petition, pursuant to N.J.S.A. 40:69A-187.

PUBLIC PARTICIPATION

Motion made by Council Member Clayton and seconded by Council Member Kendle to open the meeting to the public.

The following members of the public spoke: Rita Marano, Nancy Sabino, Ryan Coutu, Jon Biondo, Louise Murray, Pam Lamberton, Teretha Jones, Anita Weiner, Marvin Ruffin, Brett Lowell, Diane Shelton, Promise Robinson, Natalie Harris, Felicia Simmons, Sonja Mack and Jordan Modell.

Motion made by Council Member Clayton and seconded by Council Member Kendle to close the meeting to the public.

MINUTES

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

1. **Motion to:** Executive Minutes of Oct 11, 2017 5:00 PM

2. Municipal Council - Work Session - Oct 11, 2017 6:00 PM
3. Municipal Council - Regular Meeting - Oct 11, 2017 7:00 PM

CONSENT AGENDA RESOLUTIONS

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

- 2017-314 Resolution Approving Special Event Applications
- 2017-315 Resolution to Cancel Unclaimed Credits on Taxes
- 2017-316 Resolution to Terminate Sewer Account Billing Block 4306 Lot 7 209 Seventh Avenue
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- 2017-318 Resolution Rescinding Liquor License 1303-33-008-010 Asbury One Liquor License, LLC for the 2017-2018 Liquor License Renewals
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- 2017-320 Resolution Approving Disposition of Surplus Property
- 2017-321 Resolution Approving Disposition of Surplus Property - Vehicles

INDIVIDUAL RESOLUTIONS

- 2017-322 Resolution Approving Payment of Bills
- Purchase Order # 17-03409 was removed from the bill list.

RESULT:	ADOPTED [3 TO 1]
MOVER:	Yvonne Clayton, Councilmember
SECONDER:	Jesse Kendle, Councilmember
AYES:	Yvonne Clayton, Jesse Kendle, Amy Quinn
NAYS:	John Moor
ABSENT:	Eileen Chapman

- 2017-323 Resolution Entering into an Agreement with Monmouth County to Administer the City's Community Block Grant Program

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

2017-324 Resolution Authorizing Design Services, Project Management and Construction, and Inspection Services to T&M Associates for Improvements to Sanitary Sewer Line under the Railroad Tracks on Springwood Avenue Change Order #1

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

2017-325 Resolution of the Mayor and City Council of the City of Asbury Park Determining that the Development of Affordable Housing at 522 Prospect Avenue, Block 1605, Lot 15.02 will Address an Existing Housing Need in the City of Asbury Park for Home Financing

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

2017-326 A Resolution of the Mayor and Council of the City of Asbury Park, Acting as the Redevelopment Entity, Extending an Agreement Regarding the use of Certain Parking Spaces, Walkways and Boardwalk Areas with Madison Asbury Retail, LLC for Construction Staging Areas for the Construction Work on the Fifth Avenue Pavilion on Block 4502, Lot 1.16

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

2017-327 Resolution Authorizing Change Orders with Black Rock Enterprises for the Road Program

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

ORDINANCES

Second Reading/Public Hearing

2017-38 Adopting an Amendment to the Scattered Site Redevelopment Plan

Motion made by Council Member Clayton and seconded by Council Member Kendle to open the Ordinance to the public.

The following members of the public spoke: Pam Lamberton, Jerry Scrano, Ryan Couto, Felicia Simmons, Tereka Jones, Christian Hubert.

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

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

2017-39 An Ordinance Establishing Salaries of Certain Employees within the City of Asbury Park, Monmouth County, NJ

Motion made by Council Member Clayton and seconded by Deputy Mayor Quinn to open the ordinance to the public.

There was no public comment.

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

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

ADJOURNMENT

The meeting was adjourned at 8:15 PM

Respectfully submitted by:

Cindy A. Dye, RMC, City Clerk