



Agenda
Meeting of the Municipal Council
Tuesday, November 24, 2015

I. Executive Session – 4:30 p.m.

Resolution 2015-400 Authorizing a Meeting which Excludes the Public

A. Contract Negotiations:

1. Carter Sackman - Savoy Theater
2. Interfaith Neighbors The Turf Club Residential Project
3. Interfaith Neighbors potential sale of 1276 Washington Avenue
4. Asbury Partners/iStar – Redeveloper Agreement for 1101 Ocean Avenue
5. Professional Services Contract
6. Springwood Avenue Park Contract

B. Attorney-Client Privilege

C. Litigation:

1. John Moor v. City of Asbury Park (Workers Compensation) – Eric Nemeth, Esq.
2. Tyrone Smith v. City of Asbury Park (Workers Compensation) – Eric Nemeth, Esq.
3. Jason Fazio v. City of Asbury Park - Eric Nemeth, Esq.
4. Famularo Disciplinary Proceeding
5. House of Independence (Bier Garten) – Liquor License Special Conditions

II. Work Session – 6:30 p.m.

- A. Clerk to Call Work Session to Order/Roll Call.
- B. Review/Follow-Up Regarding Any Issues Addressed at Work Session of Monday, November 23, 2015.
- C. Matters from City Council.
- D. Matters from City Manager.
- E. Matters from City Attorney

III. Regular Meeting – 7:00 p.m.

- A. Clerk to Call Meeting to Order/Roll Call.
- B. Silent Prayer/Moment of Reflection.
- C. Salute to the Flag

- D. **(Announcement by City Clerk):** As to compliance with the “Open Public Meetings Act,” Chapter 231, P.L. 1975, adequate Notice of this meeting has been provided in the following manner: The Annual Notice was forwarded to the Asbury Park Press, The Coaster and The Star Ledger on January 2, 2015, and posted on the bulletin board the same date. All notices are on file with the City Clerk.

E. **RECOGNIZING ST. AUGUSTINE’S CHURCH FOR 125 YEARS OF SERVICE**

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

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

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

G. **Consent Agenda Resolutions.**

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

- | | |
|----------|---|
| 2015-401 | Approving Special Events/Wedding Applications as Presented on November 23, 2015 |
| 2015-402 | Establishing a Revised Special Event Fee Schedule |
| 2015-403 | Resolution Authorizing the Payment of Payroll in the Amount of \$876,225.04 |
| 2015-404 | Resolution Authorizing the Transfer of Appropriations in the Fiscal Year 2015 Budget |
| 2015-405 | Resolution of the City of Asbury Park, County of Monmouth, State of New Jersey, Providing for the Insertion of Special Items of Revenue in the 2015 Budget of the City of Asbury Park Pursuant to N.J.S.A. 40A:4-87 (Chapter 159) |
| 2015-406 | Resolution Authorizing Compensation Payment to Thomas Gilmour Upon His Separation of Employment |
| 2015-407 | Resolution Authorizing Compensation Payment to Barbara Kovach-Falco Upon Her Separation Of Employment |
| 2015-408 | Resolution Authorizing Compensation Payment to the Estate of Randall Hill |

H. **Individual Resolutions**

- | | |
|----------|---|
| 2015-409 | Resolution Authorizing the Payment of Bills in the Amount of \$1,634,490.65 |
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- 2015-410 State of New Jersey Department of Environmental Protection Green Acres
Enabling Resolution
- 2015-411 Resolution of the Mayor and City Council of the City of Asbury
Park Authorizing Submittal of an Application for a Grant from the
NJDEP Hazardous Discharge Site Remediation Fund
- 2015-412 Authorizing Settlement of a Worker’s Compensation Claim Captioned
John Moor vs. City of Asbury Park

I. Ordinances:

1. First Reading/Introduction:

- 2015-51 An Ordinance Establishing a Fifteen (15) Minute Time Limit for a Single
Parking Space Along Second Avenue, in the City of Asbury Park, New
Jersey, and Amending and Supplementing the “Revised General
Ordinances of the City of Asbury Park” Accordingly
- 2015-52 An Ordinance Amending and Supplementing Chapter XXX, “Land
Development Regulations,” of the “Code of the City of Asbury Park, New
Jersey.”

[Set Public Hearing Date for Each Ordinance Introduced.]

J. Adjournment.



MINUTES
Meeting of the Municipal Council
Tuesday, November 24, 2015
WORK SESSION AND REGULAR MEETING

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

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

City Clerk Dye announced the following: "As to compliance with the "Open Public Meetings Act," Chapter 231, P.L. 1975, adequate Notice of this meeting has been provided in the following manner: The Annual Notice was forwarded to the Asbury Park Press, The Coaster and Star Ledger on January 2, 2015, and posted on the bulletin board the same date. All notices are on file with the City Clerk."

Work Session

PROCLAMATIONS

RECOGNIZING ST. AUGUSTINE'S CHURCH FOR 125 YEARS OF SERVICE

Deputy Mayor Amy Quinn read the proclamation into the record.

REVIEW/FOLLOW-UP REGARDING ANY ISSUES ADDRESSED AT WORK SESSION OF MONDAY, NOVEMBER 23, 2015

City Manager Capabianco followed-up on issues raised at the November 23, 2015 workshop meeting.

MATTERS FROM CITY COUNCIL - None

MATTERS FROM CITY MANAGER - None

MATTERS FROM CITY ATTORNEY - None

REGULAR MEETING

The City Clerk announced as in compliance with the "Open Public Meetings Act," Chapter 231, P.L. 1975, adequate Notice of this meeting has been provided in the following manner: The Annual Notice was forwarded to the Asbury Park Press, The Coaster and The Star Ledger on January 2, 2015, and posted on the bulletin board the same date. All notices are on file with the City Clerk.

PUBLIC PARTICIPATION

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

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

No one spoke during the public participation portion of the meeting.

Motion made by Deputy Mayor Quinn and seconded by Council Member Woerner to close the public portion of the meeting. All were in favor.

CONSENT AGENDA RESOLUTIONS

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

2015-401 Approving Special Events/Wedding Applications as Presented on
November 23, 2015

Resolution of the City of Asbury Park 2015-401

WHEREAS, AT WORK SESSION MEETING OF THE Mayor and Council held on November 23, 2015, the following Special Events Applications were presented for approval by the Director of Recreation:

1. Asbury Fresh Winter Pop UP
2. NJPACCI Workshop
3. National Brain Tumor Society Walk
4. RunAPalooza
5. March For Babies
6. Sexual Assault Awareness Month 5K

2016 Weddings:

1. Tomaino/Hall 4/22 5th Ave Beach
2. Weiser/Bean 5/14 2nd Ave Beach
3. Cassidy/Abrams 5/14 5th Ave Beach
4. Baxter/Horant 5/20 5th Ave Beach

5. Sphan/Habeck 6/10 5th Ave Beach
6. Sarto/Diener 5/21 5th Ave Beach
7. Guerroero/Cruz 5/22 5th Ave Beach
8. Kan/Tse 6/11 5th Ave Beach
9. Griffin/Bibby 7/30 6th Ave Beach
10. McBain/Ayala 8/26 5th Ave Beach
11. Leiberman/Ilg 9/9 5th Ave Beach
12. Sanzari/Tortello 9/10 5th Ave Beach
13. Menhart/Johnson 9/17 5th Ave Beach
14. Andrews/Nann 9/18 1st Ave Beach
15. Polewski/Coyle 9/23 5th Ave Beach
16. Wysocki/Lugo 9/24 5th Ave Beach
17. Lower/Bowen 10/8 5th Ave Beach
- 18.

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

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

2015-402 Establishing a Revised Special Event Fee Schedule

Resolution # 2015-402

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

ESTABLISHING A REVISED SPECIAL EVENT FEE SCHEDULE

WHEREAS, Section 4-10 of the "Code of the City of Asbury Park, New Jersey" governs the issuance of permits for special events within the City; and

WHEREAS, Subsection 4-10.4 provides that all applicants for special events permits shall be required to pay certain fees associated with the holding of special events within the City, which fees shall be determined by the Mayor and City Council on a case by case basis, depending upon the nature and extent of the proposed event; and

WHEREAS, Subsection 4-10.4 further provides that a fee schedule shall be established by the Mayor and City Council by Resolution; and

WHEREAS, upon the recommendation of the City's Special Events Review Board, the City wishes to adopt the attached updated Special Event Fee Schedule (the "fee schedule"); and

WHEREAS, it is the intention of the Mayor and City Council that the attached fee schedule shall supersede any and all prior fee schedules.

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, that the revised fee schedule for special events within the City of Asbury Park, is hereby established as set forth on the attached updated fee schedule, as adopted.

BE IT FURTHER RESOLVED, that the Mayor and Council are hereby authorized to charge applicants for special events permits within the City and permit holders any appropriate fees referenced above that are determined to be applicable to the particular event for which a special event permit is sought, following a review of each application and depending upon the nature and extent of the proposed activity.

BE IT FURTHER RESOLVED, that the fees set forth on the attached updated fee schedule shall remain in effect until such time as further action has been taken by the Mayor and City Council to revise these fees.

BE IT FURTHER RESOLVED, that the fees and policies referenced in this Resolution are intended to supplement the provisions referenced in Section 4-10 of the "Code of the City of Asbury Park, New Jersey." To the extent that there are any inconsistencies between the provisions contained within this Resolution and those set forth by Ordinance, the provisions set forth by Ordinance shall prevail.

BE IT FURTHER RESOLVED, that a certified copy of this Resolution shall be provided to each of the following:

- a. Michael N. Capabianco, City Manager;
- b. Cindy A. Dye, RMC, CMR, City Clerk; and
- c. Frederick C. Raffetto, Esq., City Attorney.

2015-403 Resolution Authorizing the Payment of Payroll in the Amount of
\$876,225.04

**Resolution #2015-403
City of Asbury Park
County of Monmouth
State of New Jersey**

**RESOLUTION AUTHORIZING THE PAYMENT OF PAYROLL IN THE AMOUNT OF
\$876,225.04**

WHEREAS, the November 13, 2015 payroll in the amount of \$876,225.04, has been approved by the Chief Financial Officer and has subsequently been audited and found correct; and

BE IT RESOLVED, that the payroll payable totaling \$876,225.04 is hereby authorized to be paid, and;

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

2015-404 Resolution Authorizing the Transfer of Appropriations in the Fiscal Year
2015 Budget

**Resolution #2015-404
City of Asbury Park
County of Monmouth
State of New Jersey**

**Resolution Authorizing the Transfer of Appropriations in the
Fiscal Year 2015 Budget**

WHEREAS, it has been determined that various line items within the 2015 fiscal year operating budget need additional funds to cover necessary expenditures; and,

WHEREAS, it has also been determined that sufficient balances remain in various expense accounts to cover these expenditures; and,

WHEREAS, New Jersey Statute 40A: 4-58 allows for the transfer of funds between line items during the last two months during the fiscal year and the first three months of the following year.

NOW, THEREFOR BE IT RESOLVED by the Mayor and Council of the City of Asbury Park that the Chief Financial Officer is hereby authorized to make the following budget transfers:

	<u>From</u>	<u>To</u>
Current Fund:		
Economic Development - Salaries and Wages	\$	\$ 5,000.00
Buildings & Grounds - Other Expenses		7,000.00
Police - Other Expenses		20,000.00
Light, Heat, Power		40,000.00
Street Lighting	40,000.00	
Administration - Salaries and Wages	12,000.00	
Gasoline	<u>20,000.00</u>	<u> </u>
Total Current Fund	\$ <u>72,000.00</u>	\$ <u>72,000.00</u>
Parking Utility Fund:		
Salaries and Wages	\$	\$ 50,000.00
Other Expenses	<u>50,000.00</u>	<u> </u>
Total Parking Utility Fund	\$ <u>50,000.00</u>	\$ <u>50,000.00</u>

BE IT FURTHER RESOLVED that the City Clerk is hereby instructed to provide a certified copy to the City Chief Financial Officer and the City Auditor.

2015-405 Resolution of the City of Asbury Park, County of Monmouth, State of New Jersey, Providing for the Insertion of Special Items of Revenue in the 2015 Budget of the City of Asbury Park Pursuant to N.J.S.A. 40A:4-87 (Chapter 159)

**Resolution #2015-405
City of Asbury Park
County of Monmouth
State of New Jersey**

**RESOLUTION OF THE CITY OF ASBURY PARK,
COUNTY OF MONMOUTH, STATE OF NEW JERSEY,
PROVIDING FOR THE INSERTION OF SPECIAL ITEMS OF
REVENUE IN THE 2015 BUDGET OF THE CITY OF ASBURY PARK
PURSUANT TO N.J.S.A. 40A:4-87 (CHAPTER 159)**

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for an

equal amount,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Asbury Park, in the County of Monmouth, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2015 in the sum of \$5,000.00, which is now available from the New Jersey Division of Highway Traffic Safety – Drive Sober or Get Pulled Over 2015 Holiday Crackdown.

BE IT FURTHER RESOLVED, that a like sum of 5,000.00 is hereby appropriated under the following caption:

General Appropriations:

Operations Excluded from “CAPS”:

Public & Private Programs Offset by Revenues:

Drive Sober or Get Pulled Over 2015 Holiday Crackdown:

Police:

Other Expenses \$5,000.00

BE IT FURTHER RESOLVED, by the Mayor and City Council of the City of Asbury Park that the City Clerk be and he is hereby authorized to file said resolution in duplicate with the Director of the Division of Local Government Services and to provide a certified copy of this resolution to the City Chief Financial Officer and City Auditor.

2015-406 Resolution Authorizing Compensation Payment to Thomas Gilmour Upon His Separation of Employment

**Resolution #2015-406
City of Asbury Park
County of Monmouth
State of New Jersey**

**RESOLUTION AUTHORIZING COMPENSATION PAYMENT TO
THOMAS GILMOUR UPON HIS SEPARATION OF EMPLOYMENT**

WHEREAS, Thomas Gilmour has been separated from the City of Asbury Park effective October 31, 2015;

WHEREAS, Thomas Gilmour has accumulated earned time that he is entitled to be compensated for as follows:

49 ½ Vacation Days	\$ 16,850.29
55 ½ Compensatory Hours	\$ 2,698.96
Total Amount Due	<u>\$ 19,549.25</u>

WHEREAS, in accordance with N.J.A.C. 5:30-15.4, sufficient documentation has been provided to Chief Financial Officer, Richard Gartz for the above accumulated earned time.

NOW THEREFORE BE IT RESOLVED, by the Mayor and City Council of the City of Asbury Park, County of Monmouth, State of New Jersey, that they hereby approve the payment of \$19,549.25 to Thomas Gilmour upon his separation of employment effective October 31, 2015 for the above accumulated earned time to be paid on December 15, 2015.

2015-407 Resolution Authorizing Compensation Payment to Barbara Kovach-Falco
Upon Her Separation Of Employment

Resolution #2015-407
City of Asbury Park
County of Monmouth
State of New Jersey

**RESOLUTION AUTHORIZING COMPENSATION PAYMENT TO
BARBARA KOVACH-FALCO UPON HER SEPARATION OF EMPLOYMENT**

WHEREAS, Barbara Kovach-Falco has been separated from the City of Asbury Park effective November 13, 2015;

WHEREAS, Barbara Kovach-Falco has accumulated earned time that she is entitled to be compensated for as follows:

4 ½ Vacation Days	\$799.78
4 Compensatory Hours	<u>\$101.56</u>
Total Amount Due	<u>\$901.34</u>

WHEREAS, in accordance with N.J.A.C. 5:30-15.4, sufficient documentation has been provided to Chief Financial Officer, Richard Gartz for the above accumulated earned time.

NOW THEREFORE BE IT RESOLVED, by the Mayor and City Council of the City of Asbury Park, County of Monmouth, State of New Jersey, that they hereby approve the payment of \$901.34 to Barbara Kovach-Falco upon her separation of employment effective November 13, 2015 for the above accumulated earned time to be paid on December 15, 2015.

2015-408 Resolution Authorizing Compensation Payment to the Estate of Randall
Hill

Resolution #2015-408
City of Asbury Park
County of Monmouth
State of New Jersey

**RESOLUTION AUTHORIZING COMPENSATION PAYMENT TO
THE ESTATE OF RANDALL HILL**

WHEREAS, Sergeant Randall Hill, after nineteen years of service, unexpectedly passed away July 12, 2015;

WHEREAS, Sergeant Randall Hill has accumulated earned time that his Estate is entitled to be compensated for as follows:

Sick Days (Six Months of Full Pay)	\$ 53,410.00
22 ½ Vacation Days	\$ 11,556.00
145 ¾ Compensatory Hours	\$ 7,485.72
Total Amount Due	<u>\$ 72,451.72</u>

WHEREAS, in accordance with N.J.A.C. 5:30-15.4, sufficient documentation has been provided to Chief Financial Officer, Richard Gartz for the above accumulated earned time.

NOW THEREFORE BE IT RESOLVED, by the Mayor and City Council of the City of Asbury Park, County of Monmouth, State of New Jersey, that they hereby approve the payment of \$72,451.72 to the Estate of Randall Hill for the above accumulated earned time to be paid on December 15, 2015.

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

I. Individual Resolutions

2015-409 Resolution Authorizing the Payment of Bills in the Amount of
\$1,634,490.65

Mayor Moor abstained from line item 5-01-23-220-000-209

**Resolution #2015-409
City of Asbury Park
County of Monmouth
State of New Jersey**

**RESOLUTION AUTHORIZING THE PAYMENT OF BILLS IN THE AMOUNT OF
\$1,634,490.65**

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

BE IT RESOLVED, that these vouchers payable totaling \$1,634,490.65 to be paid and:

BE IT FURTHER RESOLVED, that proper officers are hereby authorized to execute and issue warrants for payment of said vouchers, but only if and when the conditions of the City Treasury shall permit.

TOTAL VOUCHERS

\$1,634,490.65

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

2015-410 State of New Jersey Department of Environmental Protection Green Acres
Enabling Resolution

Resolution # 2015-410

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

**STATE OF NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION
GREEN ACRES ENABLING RESOLUTION**

WHEREAS, the New Jersey Department of Environmental Protection, Green Acres Program (“State”), provides loans and/or grants to municipal and county governments and grants to nonprofit organizations for assistance in the acquisition and development of lands for outdoor recreation and conservation purposes; and

WHEREAS, the City of Asbury Park desires to further the public interest by obtaining a loan of \$0.00 and/or a grant of \$1,100,000 from the State to fund the following project(s):

Green Acres Project # 1304-14-027
Bradly Cove Acquisition

NOW, THEREFORE, BE IT RESOLVED, the governing body resolves that Michele Alonso or the successor to the Director of Planning and Redevelopment is hereby authorized to:

- (a) make application for such a loan and/or such a grant,
- (b) provide additional application information and furnish such documents as may be required
- (c) act as the authorized correspondent of the above named applicant; and

WHEREAS, the State shall determine if the application is complete and in conformance with the scope and intent of the Green Acres Program, and notify the applicant of the amount of the funding award; and

WHEREAS, the applicant is willing to use the State's funds in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the State for the above named project.

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

1. The Director of Planning and Redevelopment of the above named body or board is hereby authorized to execute an agreement and any amendment thereto with the State known as Bradley Cove Acquisition, and;

2. The applicant has its matching share of the project, if a match is required, in the amount of \$275,000.00; and

3. In the event the State's funds are less than the total project cost specified above, the applicant has the balance of funding necessary to complete the project; and

4. The applicant agrees to comply with all applicant federal, state and local laws, rules, and regulations in its performance of the project; and

5. This resolution shall take effect immediately.

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

2015-411 Resolution of the Mayor and City Council of the City of Asbury Park Authorizing Submittal of an Application for a Grant from the NJDEP Hazardous Discharge Site Remediation Fund

Resolution # 2015-411

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

**RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF
ASBURY PARK AUTHORIZING SUBMITTAL OF AN APPLICATION
FOR A GRANT FROM THE NJDEP HAZARDOUS DISCHARGE SITE
REMEDIATION FUND**

WHEREAS, the City of Asbury Park has an abandon or potentially underutilized facility that has the potential for environmental liability associated with contamination;

WHEREAS, the New Jersey Department of Environmental Protection (NJDEP) and the New Jersey Economic Development Authority has a grant program available known as the Hazardous Discharge Site Remediation Fund (HDSRF);

WHEREAS, the HDSRF provides grants to municipalities to perform environmental investigations of these sites and Block 1201, Lots 1-9 and 13-21 (aka 84.02, Lots 1-9 and 84.03, Lots 1-9; 101-103 Lake Court) is a site eligible to receive a grant from this Fund;

WHEREAS, the City of Asbury Park has prepared a HDSRF application to the New Jersey Economic Development Authority; and

WHEREAS, the City of Asbury Park must pay an application fee of \$500 to accompany the grant application; and

WHEREAS, the City of Asbury Park will build a public park on the site;

NOW; THEREFORE, BE IT RESOLVED, by the City of Asbury Park, New Jersey. is authorized to prepare a grant application for Block 1201, Lots 1-9 and 13-21 (aka 84.02, Lots 1-9 and 84.03, Lots 1-9; 101-103 Lake Court); and

BE IT FURTHER RESOLVED that a certified copy of this Resolution will be forwarded to the New Jersey Economic Development Authority.

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

2015-412 Authorizing Settlement of a Worker's Compensation Claim Captioned
John Moor vs. City of Asbury Park

Resolution # 2015-412

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

**AUTHORIZING SETTLEMENT OF A WORKER'S
COMPENSATION CLAIM CAPTIONED
JOHN MOOR vs. CITY OF ASBURY PARK.**

WHEREAS, the City of Asbury Park (the “City”) was named as a Respondent in a Worker’s Compensation claim entitled John Moor vs. City of Asbury Park, bearing Case No. 2009-26155, which claim pre-dates the City’s membership in the New Jersey Intergovernmental Insurance Fund (the “NJIF”); and

WHEREAS, pursuant to an Order Approving a Section 20 Settlement (the “Order”) entered by the Honorable Lionel Simon, III, J.W.C., the claim has been settled; and

WHEREAS, pursuant to the settlement, the following amounts must be paid by the City:

- Lump sum settlement to the Petitioner in the amount of \$15,000.00; and
- Stenographic service fees in the amount of \$90.00.

WHEREAS, the City Council believe that it is in the City’s best interests to resolve this claim in accordance with the Order referenced above.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Asbury Park, that settlement of the matter referenced above is hereby authorized in accordance with the above Order, and payment of the above amounts is hereby authorized subject to a certification of funding availability from the Chief Financial Officer.

BE IT FURTHER RESOLVED, that the attorneys assigned to represent the City’s interests be and are hereby authorized to execute any and all documents necessary to effectuate this settlement.

BE IT FURTHER RESOLVED, that a certified copy of this Resolution shall be provided to each of the following:

- a. Eric J. Nemeth, Esq.;
- b. Michael Capabianco, City Manager;
- c. Richard J. Gartz, CPA, RMA, CMFO, CFO; and
- d. Frederick C. Raffetto, Esq., City Attorney.

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

J. Ordinances:

1. First Reading/Introduction:

2015-51 An Ordinance Establishing a Fifteen (15) Minute Time Limit for a Single Parking Space Along Second Avenue, in the City of Asbury Park, New Jersey, and Amending and Supplementing the “Revised General Ordinances of the City of Asbury Park” Accordingly

The City Clerk read by title Ordinance 2015-51.

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

Public hearing is scheduled for December 9, 2015.

2015-52 An Ordinance Amending and Supplementing Chapter XXX, “Land Development Regulations,” of the “Code of the City of Asbury Park, New Jersey.”

The City Clerk read by title Ordinance 2015-52.

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

Public hearing is scheduled for December 9, 2015.

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

The meeting was adjourned.

Respectfully submitted by:

Cindy A. Dye, RMC, City Clerk

