



Agenda
Meeting of the Municipal Council
Wednesday, May 13, 2015

I. Executive Session – 4:30 p.m.

Resolution 2015-182 Authorizing a Meeting which Excludes the Public

A. Contract Negotiations:

1. Asbury Partners, LLC/iStar – Financial Agreements Related to Proposed Boutique Hotel (210 5th Ave.)
2. Asbury Partners, LLC/iStar – Agreement for Temporary Restroom Facilities
3. Asbury Partners, LLC/iStar – Agreement for Surface Parking Lots
4. Contract with Asbury Music Center, LLC (The Lake House)
5. Memorandum of Understanding with the State of New Jersey (Transitional Aide)
6. Agreement with DEP (Deal Lake Dredging Project)

B. Personnel Matters:

1. City Planner Position
2. Unclassified Employee Positions
3. Finance Department Staffing
4. Director of Communications Position
5. City Manager Position

C. Litigation:

1. Famularo Disciplinary Proceeding

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, May 11, 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. 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.]

- F. 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.]

- 2015-58 Resolution Authorizing the Person-to-Person Transfer of Plenary Retail Consumption License 1303-36-066-002 from Berkley F&B Leasing, LLC to Asbury F&B, LLC
- 2015-183 Approving Special Events/Wedding Applications as Presented on May 11, 2015
- 2015-184 Resolution Authorizing the Place-to-Place Transfer (Expansion of Premises) of Plenary Retail Consumption License 1303-33-047-008 for AP Thirty Property Holdings, LLC
- 2015-185 Approving Social Affairs Permit for Jersey Shore Jazz and Blues Foundation for an Event on July 18, 2015
- 2015-186 Approving Social Affairs Permit for Coalition for Haitian Empowerment for an Event on May 16, 2015
- 2015-187 Approving Catering Permit for DB Ventures, LLC for an Event on June 13, 2015

2015-188 Resolution Endorsing the Submission of the 2014 Recycling Tonnage Grant Application

G. Individual Resolutions

2015-165 Resolution Authorizing the Purchase of a 2015 Ford F-250 4WD for the Beach Utility

2015-170 A Resolution of the Mayor and City Council of the City of Asbury Park, Authorizing the Execution of A Subsequent Developer Agreement with 210 5th Ave. Venture Urban Renewal, LLC

2015-177 Authorizing the Issuance of Non-Recourse Redevelopment Area Bonds of the City of Asbury Park, In a Aggregate Principal Amount Not to Exceed \$1,250,000.00 (Block 4104 Infrastructure Project)

2015-178 Declaring the City's Official Intent to Reimburse Expenditures for Project Costs from the Proceeds of RAB Bonds

2015-189 Resolution of the Mayor and City Council of the City of Asbury Park Authorizing the Issuance of New Hotel Liquor License and the Publication of a Notice Thereof

2015-190 A Resolution of the Mayor and Council of the City of Asbury Park, Acting as the Redevelopment Entity, Authorizing an Agreement for the Construction and Operation of Interim Surface Parking Lots on Identified Properties within the Waterfront Redevelopment Area

2015-191 A Resolution of the Mayor and Council of the City of Asbury Park, Acting as the Redevelopment Entity, Authorizing a Lease Agreement with Asbury Partners LLC for the Installation of Temporary Restroom Trailers on Identified Property within the Waterfront Redevelopment Area

2015-192 Resolution Authorizing the Payment of Payroll in the Amount of \$822,699.42

2015-193 Resolution Authorizing the Payment of Bills in the Amount of \$7,034,103.31

2015-194 Authorizing Appointments to Public Art Committee

2015-195 Authorizing Appointment to Code Enforcement/Quality of Life Advisory Committee

2015-196 Resolution adopting the Monmouth County Home Consortium FY-2014-2019 Five Year Strategy Submission for Housing and Community Development Programs

2015-197 A Resolution Requesting the Township of Ocean to Temporarily Lift the Existing "No Left Turn" Restriction from Wickapecko Dr. (Traveling in a Northerly Direction) Onto Bimbler Blvd. Until the Conclusion of the Sunset Bridge Construction Project

2015-198 Resolution Amending Resolution No. 2015-84, Regarding the Appointment of Labor Counsel for the City of Asbury Park

2015-199 A Resolution to Return a Surplus Fire Apparatus to the Manasquan Volunteer Engine Co. #2.

2015-200 A Resolution to Accept a Surplus Fire Apparatus From the Ocean Twp. District #2 (Wanamassa Fire Co.)

2015-201 Authorizing an Agreement with the Asbury Music Center, LLC

H. Ordinances:

1. First Reading/Introduction:

- | | |
|---------|--|
| 2015-05 | An Ordinance Amending And Supplementing Chapter XXX, Entitled “Land Development Regulations,” of the “Revised General Ordinances of the City of Asbury Park, New Jersey,” in Order to Establish a New Section Thereof to be Known as Article VII, Entitled “Requests to Amend a Redevelopment Plan -- Application Procedure and Escrow Establishment.” |
| 2015-17 | An Ordinance Amending and Supplementing Section 4-15 Entitled “Street Performers,” of Chapter IV, Entitled “General Licensing,” of the “Revised General Ordinances of the City of Asbury Park, New Jersey” |
| 2015-18 | An Ordinance Governing Care, Maintenance, Security and Upkeep of Vacant and Abandoned Properties in Foreclosure, and Amending and Supplementing Chapter XIII, Entitled Property Maintenance of the Revised General Ordinances of the City of Asbury Park, New Jersey |
| 2015-21 | An Ordinance Setting the Salary or Compensation of Employees of the City of Asbury Park who are members of the AFSCME Union |
| 2015-22 | An Ordinance Setting the Salary or Compensation of Employees of the City of Asbury Park who are members of the IFPTE Union, Local 196 |
| 2015-23 | An Ordinance Setting the Salary or Compensation of Non-Union Employees of the City of Asbury Park |
| 2015-24 | An Ordinance Authorizing the City of Asbury Park to Convey a Temporary Easement Over the Property Located at Block 3702, Lot 1 To The State Of New Jersey (Department Of Environmental Protection), And To Execute Necessary Documents In Connection Therewith, In Order To Facilitate The Proposed Deal Lake Dredging Project |
| 2015-25 | And Ordinance Amending and Supplementing Chapter VII, “Traffic,” of the “Revised General Ordinances of the City of Asbury Park, New Jersey,” |

[Set Public Hearing Date for Each Ordinance Introduced.]

2. Second Reading/Public Hearing:

- | | |
|----------|---|
| 2015-11 | Establishing Metered Parking in the Municipal Parking Lot at One Municipal Plaza and in the Bangs Avenue Parking Garage, and Amending and Supplementing Chapter VII, “Traffic,” of the “Revised General Ordinances of the City of Asbury Park, New Jersey,” Accordingly |
| 2015-11A | An Ordinance Amending Salaries of Certain Employee within the City of Asbury Park, Monmouth County, New Jersey |

- 2015-12 An Ordinance of The City of Asbury Park Authorizing the Execution of a Financial Agreement with 210 5th Ave, Urban Renewal, LLC and Granting a Tax Exemption.
- 2015-13 An Ordinance of the City of Asbury Park, in the County of Monmouth, State of New Jersey, Providing for the Special Assessment of the Cost of Certain Wastewater, Storm water, Roadway, Streetscape, Utility and Other Infrastructure Improvements on Block 4104, Lots 3-7, 10 & 11 Within the Asbury Park Waterfront Redevelopment Area and Establishing a Mechanism for Payment of the Cost Thereof.
- 2015-14 An Ordinance Authorizing the City of Asbury Park to Grant a 5-Year Abatement for Property Designated as Block 2404, Lot 4.02 (to be Subdivided from Block 2404, Lot 4) and Authorizing the Mayor the Execute the Attached Agreement
- 2015-15 An Ordinance Establishing a Thirty (30) Minute Time Limit for Three (3) Parking Spaces Along Prospect Avenue and Bangs Avenue, in the City of Asbury Park, New Jersey, and Amending and Supplementing the “Revised General Ordinances of the City of Asbury Park” Accordingly
- 2015-16 An Ordinance Amending and Supplementing Section 4-9 Entitled “Display of Merchandise in Public Areas; Outdoor/Sidewalk Cafes,” of Chapter IV, Entitled “General Licensing,” of the “Revised General Ordinances of the City of Asbury Park, new Jersey”

[Open and Close Public Hearing on Each Ordinance, and Vote to Adopt.]

I. Adjournment.



MINUTES
Meeting of the Municipal Council
Wednesday, May 13, 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 Yvonne Clayton, Council Member Jesse Kendle, Council Member Joe Woerner, Deputy Mayor Amy Quinn and Mayor John Moor. Also present were: City Attorney Frederick Raffetto, Acting City Manager Tony Nuccio and City Clerk Cindy Dye.

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

MATTERS FROM CITY COUNCIL

Deputy Mayor Quinn advised that the beach front will not be accepting credit cards.

Mayor Moore provided an explanation regarding the downgrade in the City's Moody's rating

MATTERS FROM CITY MANAGER

Acting City Manager Nuccio stated that the municipal parking lot is in the process of being repaved and asked the residents to please be patient. He also stated that there will be a presentation on Saturday, May 23 regarding the RCA program. He welcomed all residents to attend.

MATTERS FROM CITY ATTORNEY

None

Motion made by Council Member Kendle and seconded by Council Member Woerner to adjourn the workshop session. All were in favor

REGULAR MEETING

City Clerk Dye called the meeting to order at 7:00 p.m.

PUBLIC PARTICIPATION

Motion made by Council Member Kendle 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.”

The following members of the public spoke: Jeffrey Seads, Rita Morano, Lori Ross, Steve Pyazk, Linda Lehey, Robert Steid, Jerry Scarano, Marilyn Scholossbach and Lou Parrasi.

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

CONSENT AGENDA RESOLUTIONS

City Clerk Dye read the following statement: “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.”

2015-58 Resolution Authorizing the Person-to-Person Transfer of Plenary Retail Consumption License 1303-36-066-002 from Berkley F&B Leasing, LLC to Asbury F&B, LLC

RESOLUTION #2015-58

RESOLUTION AUTHORIZING A PERSON-TO-PERSON TRANSFER OF PLENARY RETAIL CONSUMPTION LIQUOR LICENSE NO. 1303-36-066-002 FROM BERKLEY F&B LEASING, LLC, TO ASBURY F&B, LLC, FOR PREMISES LOCATED AT 1401 OCEAN AVENUE, ASBURY PARK, NEW JERSEY.

WHEREAS, an application has been filed for a person-to-person transfer of Plenary Retail Consumption Liquor License No. 1303-36-066-002, from BERKLEY F&B LEASING, LLC, to ASBURY F&B, LLC, for premises located at 1401 Ocean Ave, Asbury Park, New Jersey; and

WHEREAS, the submitted application is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term; and

WHEREAS, the Police Department has reviewed and approved the proposed transfer.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the City of Asbury Park, County of Monmouth, State of New Jersey, do hereby approve the Person-to-Person transfer application for Plenary Retail Consumption Liquor License No. 1303-36-066-002 from BERKLEY F&B LEASING, LLC, to ASBURY F&B, LLC, with said approval to be effective as of May 13, 2015.

BE IT FURTHER RESOLVED, by the Mayor and Council of the City of Asbury Park that a certified copy of this resolution shall be forwarded to the State Director of Alcoholic Beverage Control for his/her information and guidance.

2015-183 Approving Special Events/Wedding Applications as Presented on May 11, 2015

**Resolution of the City of Asbury Park
2015-183**

WHEREAS, AT WORK SESSION MEETING OF THE Mayor and Council held on May 11, 2015, the following Special Events Applications were presented for approval by the Director of Commerce:

1. Bonfires on the Beach
2. Fireworks Display
3. Community Day Festival 2015
4. Youth Revival Weekend
5. Jersey Pride Festival
6. AP Technical Academy of Dance
7. AP Promenade of Mermaids
8. AP Historical Society
9. Run for the Arts 5K

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.

2015-184 Resolution Authorizing the Place-to-Place Transfer (Expansion of Premises) of Plenary Retail Consumption License 1303-33-047-008 for AP Thirty Property Holdings, LLC

Mayor Moor requested that this resolution be pulled from the consent agenda. This resolution will be acted on under individual resolutions.

2015-185 Approving Social Affairs Permit for Jersey Shore Jazz and Blues Foundation for an Event on July 18, 2015

Resolution# 2015-185

**APPROVING SOCIAL AFFAIRS PERMIT FOR JERSEY SHORE JAZZ AND BLUES
FOUNDATION FOR AN EVENT ON JULY 18, 2015**

HEREBY BE IT RESOLVED, by the Mayor and City Council of the City of Asbury Park, that the application for a Social Affairs Permit submitted by Dr. Doris Lazur for Jersey Shore Jazz and Blues Foundation, for an event to be held at Bradley Park located at Ocean Avenue, between 5th and Sunset Avenues, Asbury Park, on July 18, 2015, as approved by the Chief of Police on April 27, 2015, is hereby approved.

2015-186 Approving Social Affairs Permit for Coalition for Haitian Empowerment for an Event on May 16, 2015

Resolution# 2015-186

**APPROVING SOCIAL AFFAIRS PERMIT FOR COALITION FOR HAITIAN
EMPOWERMENT FOR AN EVENT ON MAY 16, 2015**

HEREBY BE IT RESOLVED, by the Mayor and City Council of the City of Asbury Park, that the application for a Social Affairs Permit submitted by Talamas Desroches for Coalition for Haitian Empowerment, for an event to be held at VFW Harold Daley Post 1303 located at 701 Lake Avenue, Asbury Park, on May 16, 2015, as approved by the Chief of Police on April 28, 2015, is hereby approved.

2015-187 Approving Catering Permit for DB Ventures, LLC for an Event on June 13, 2015

Resolution# 2015-187

**APPROVING CATERING PERMIT FOR DB VENTURES, LLC FOR
AN EVENT ON JUNE 13, 2015**

HEREBY BE IT RESOLVED, by the Mayor and City Council of the City of Asbury Park, that the application for a Catering Permit submitted by DB VENTURES d/b/a (Johnny Mac House of Spirits) for an event held at Deal Lake, between Deal Lake Drive and Ocean Avenue, Asbury Park, on June 13, 2015, as approved by the Chief of Police on April 23, 2015, is hereby approved.

2015-188 Resolution Endorsing the Submission of the 2014 Recycling Tonnage Grant Application

RESOLUTION #2015-188

City of Asbury Park
County of Monmouth
State of new Jersey

**ENDORISING THE SUBMISSION OF THE 2014 RECYCLING
TONNAGE GRANT APPLICATION**

WHEREAS, the Mandatory Source Separation and Recycling Act, P.L.1987, c.102, has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection has promulgated recycling regulations to Implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, a resolution authorizing this municipality to apply for the **2014 Recycling Tonnage Grant** will memorialize the commitment of this municipality to recycling and to indicate the assent of the Township Council of the City of Asbury Park to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

NOW THEREFORE BE IT RESOLVED by the City Council of Asbury Park City that Asbury Park City hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates Yvonne Adams of Asbury Park City to ensure that the application is properly filed; and

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

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

INDIVIDUAL RESOLUTIONS

2015-184 Resolution Authorizing the Place-to-Place Transfer (Expansion of Premises) of Plenary Retail Consumption License 1303-33-047-008 for AP Thirty Property Holdings, LLC

RESOLUTION #2015-184

City of Asbury Park
County of Monmouth
State of new Jersey

**RESOLUTION AUTHORIZING THE PLACE-TO-PLACE TRANSFER (EXPANSION OF PREMISES)
OF PLENARY RETAIL CONSUMPTION LICENSE 1303-33-047-008 FOR AP THIRTY PROPERTY
HOLDINGS, LLC**

WHEREAS, an application has been filed for a place-to-lace transfer (Expansion of Premises) of Plenary Retail Consumption License 1303-33-047-008, for the purpose of expanding the premises under license wherein the sale, service, and storage of alcoholic beverages are authorized; and

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term.

NOW THEREFORE BE IT RESOLVED by the City Council of Asbury Park City that Asbury Park City hereby approve, effective immediately, the expansion of the aforesaid Plenary Retail Consumption licensed premises located at 1300 Ocean Avenue, Asbury Park City, New Jersey, to place under license the area delineated in the application form and the sketch of the licensed premises attached thereto.

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

2015-165 Resolution Authorizing the Purchase of a 2015 Ford F-250 4WD
for the Beach Utility

**Resolution #2015-165
City of Asbury Park
County of Monmouth
State of New Jersey**

**RESOLUTION AUTHORIZING THE PURCHASE OF A 2015 FORD F-250 4WD
FOR THE BEACH UTILITY**

WHEREAS, the City has determined that the purchase of a 2015 Ford F-250 4WD is reasonable and necessary for the Beach Utility; and

WHEREAS, the purchase of goods and services by local contracting units is authorized by the New Jersey Local Public Contracts Law, N.J.S.A. 40A: 11-12; and

WHEREAS, Beyer Ford of Morristown, New Jersey has been awarded a New Jersey State Contract (A88727) for the purchase of this type of vehicle; and

WHEREAS, the Chief Financial Officer indicates that the utilization of this contract is consistent with the New Jersey State bidding procedures and that it represents the best price and other factors available to the City at this time; and,

WHEREAS, sufficient funds exist in the Beach Utility Operating Budget line item appropriation 5-05-55-502-000-201 to purchase this type of vehicle, as per the attached Certification of Funds.

NOW THEREFORE BE IT RESOLVED, that the Mayor and Council of the City of Asbury Park, in the County of Monmouth, and in the State of New Jersey hereby ratifies and approves the use of New Jersey State Contract A88727 with Beyer Ford of Morristown, New Jersey in the amount of \$25,983.50 for the purchase of a 2015 Ford F-250 4WD.

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

2015-170 A Resolution of the Mayor and City Council of the City of Asbury Park,
Authorizing the Execution of A Subsequent Developer Agreement with 210 5th
Ave. Venture Urban Renewal, LLC

Resolution # 2015-170

Resolution of the City of Asbury Park

RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF ASBURY PARK AUTHORIZING THE EXECUTION OF A SUBSEQUENT DEVELOPER AGREEMENT WITH 210 5TH AVE. VENTURE URBAN RENEWAL, LLC

WHEREAS, the *New Jersey Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq.* (the “**Act**”) authorizes municipalities to determine whether certain parcels of land in the municipality constitute areas in need of redevelopment; and

WHEREAS, the Act confers certain contract, planning and financial powers upon a redevelopment entity, as defined at Section 3 of the Act, in order to implement redevelopment plans adopted pursuant thereto; and

WHEREAS, the City of Asbury Park (the “**City**”) has elected to exercise these redevelopment entity powers directly, as permitted by Section 4 of the Act; and

WHEREAS, on June 5, 2002, the City adopted the “Asbury Park Waterfront Redevelopment Plan (Plan IV)” (as amended and supplemented from time to time, the “**Redevelopment Plan**”) with respect to the “**Asbury Park Waterfront Redevelopment Area**”, as defined in the Redevelopment Plan (the “**Redevelopment Area**”); and

WHEREAS, pursuant to the Act, including Section 8 thereof (*N.J.S.A. 40A:12A-8*), a municipality is permitted to contract with a redeveloper to undertake redevelopment projects pursuant to a redevelopment plan within an area in need of redevelopment, as all such terms are defined in the Act; and

WHEREAS, the City and Asbury Partners, LLC (the “**Master Developer**”) entered into that certain “Amended and Restated Redeveloper and Land Disposition Agreement” dated October 28, 2002 (as the same may be amended and supplemented in accordance with its terms, the “**Redeveloper Agreement**”); and

WHEREAS, in accordance with the Redeveloper Agreement and the Redevelopment Plan, 210 5th Ave. Venture Urban Renewal, LLC (the “**Entity**”) intends to develop a boutique hotel containing approximately 110 rooms and related amenities and improvements (the “**Project**”) on property commonly known as the former Salvation Army Residential Facility and adjacent parcels and currently identified as Block 4104, Lots 3-7, 10 & 11 on the tax maps of the City (the “**Project Site**”) and located in the Redevelopment Area;

WHEREAS, pursuant to Sections 2.0 and 9.1 of the Redeveloper Agreement, the City acting as a redevelopment entity pursuant to *N.J.S.A. 40A:12A-4* wishes to approve the Entity as “**Subsequent Developer**” of the Project Site and to enter into a “**Subsequent Developer Agreement**” to set forth the obligations of the City and the Entity with respect to the Project,

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF ASBURY PARK AS FOLLOWS:

I. GENERAL

The aforementioned recitals are incorporated herein as though fully set forth at length.

II. EXECUTION OF SUBSEQUENT DEVELOPER AGREEMENT AUTHORIZED

(a) The Mayor is hereby authorized to execute the Subsequent Developer Agreement, substantially in the form as it has been presented to the City Council, and attached hereto as Exhibit A, subject to additions, deletions, modifications or revisions deemed necessary and appropriate in consultation with counsel.

(b) The Clerk of the City is hereby authorized and directed, upon the execution of the Subsequent Developer Agreement in accordance with the terms of Section II (a) hereof, to attest

to the signature of the Mayor upon such document and is hereby further authorized and directed to affix the corporate seal of the City upon such document.

III. DETERMINATION OF MATTERS IN CONNECTION WITH THE SUBSEQUENT DEVELOPER AGREEMENT

The Mayor is hereby authorized and directed to determine all matters and terms in connection with the Subsequent Developer Agreement, all in consultation with the counsel to the City, and the manual or facsimile signature of the Mayor upon any documents shall be conclusive as to all such determinations. The Mayor, the City Manager, the Chief Financial Officer, the City Clerk and any other City official, officer or professional, including but not limited to, redevelopment counsel, bond counsel, the financial advisor and the auditor to the City, are each hereby authorized and directed to execute and deliver such documents as are necessary to facilitate the transactions contemplated hereby, and to take such actions or refrain from such actions as are necessary to facilitate the transactions contemplated hereby, in consultation with, as applicable, redevelopment counsel, bond counsel, the financial advisor and the auditor to the City, and any and all actions taken heretofore with respect to the transactions contemplated hereby are hereby ratified and confirmed.

IV. SEVERABILITY

If any part of this Resolution shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Resolution

V. AVAILABILITY OF THE RESOLUTION

A copy of this Resolution shall be available for public inspection at the offices of the City.

VI. EFFECTIVE DATE

This Resolution shall take effect immediately.

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

2015-177 Authorizing the Issuance of Non-Recourse Redevelopment Area Bonds of the City of Asbury Park, In a Aggregate Principal Amount Not to Exceed \$1,250,000.00 (Block 4104 Infrastructure Project)

Resolution # 2015-177

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

**AUTHORIZING THE ISSUANCE OF NON-RECOURSE
REDEVELOPMENT AREA BONDS OF THE CITY OF ASBURY PARK
IN AN AGGREGATE PRINCIPAL AMOUNT
NOT TO EXCEED \$1,250,000.00
(BLOCK 4104 INFRASTRUCTURE PROJECT).**

WHEREAS, pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq. (the “**Redevelopment Law**” or the “**Act**”), and that certain redevelopment plan dated as of June 5, 2002 (as may be amended or supplemented from time to time, the “**Redevelopment Plan**”), the City of Asbury Park, in the County of Monmouth, State of New Jersey (the “**City**”) and Asbury Partners, LLC (the “**Master Developer**”) entered into that certain “Amended and Restated Redeveloper and Land Disposition Agreement” dated October 28, 2002 (as the same may be amended and supplemented in accordance with its terms, the “**Redeveloper Agreement**”) with respect to the Waterfront Redevelopment Area, as defined therein; and

WHEREAS, in order to finance the cost of the infrastructure improvements contemplated by the Redeveloper Agreement, the City has determined that the cost of the infrastructure improvements should be assessed pursuant to N.J.S.A. 40:56-1, et seq. (the “**Local Improvements Law**”) and/or pursuant to an assessment agreement under the Redevelopment Area Bond Financing Law pursuant to N.J.S.A. 40A:12A-64, et seq. (the “**RAB Law**”); and

WHEREAS, in accordance with the terms of the Redeveloper Agreement, the City, the Master Developer and 210 5th Avenue Venture Urban Renewal, LLC (the “**Subsequent Developer**”) have entered into that certain Subsequent Developer Agreement; and

WHEREAS, pursuant to Section 7.1 of the Redeveloper Agreement, the Master Developer will implement certain wastewater, stormwater, roadway, streetscape, utility and other infrastructure improvements (the “**Infrastructure Improvements**”) with respect to Block 4104, Lots 3-7, 10 & 11 (collectively, the “**Property**”), which Infrastructure Improvements, in whole or in part, constitute (i) redevelopment projects (collectively, the “**Infrastructure Redevelopment Project**” or the “**Project**”) to be undertaken pursuant to the Redevelopment Plan in the Waterfront Redevelopment Area, all as contemplated by the Redevelopment Law and RAB Law, and (ii) local improvements within the meaning, and for the purposes set forth in the Local Improvement Law for which a special assessment may be imposed; and

WHEREAS, pursuant to the RAB Law, a municipality may issue bonds (“**RABs**”) to finance redevelopment projects pursuant to a redevelopment plan within an area in need of redevelopment, which RABs may be secured by, among other things, a special assessment on certain property within an area in need of redevelopment; and

WHEREAS, on April 22, 2015, the City finally adopted that certain ordinance entitled “An Ordinance Of The City Of Asbury Park, In The County Of Monmouth, State Of New Jersey, Providing For The Special Assessment Of The Cost Of Certain Wastewater, Stormwater, Roadway, Streetscape, Utility And Other Infrastructure Improvements On Block 4104, Lots 3-7,

10 & 11 Within The Asbury Park Waterfront Redevelopment Area And Establishing A Mechanism For Payment Of The Cost Thereof” (the “**Ordinance**”), which Ordinance authorized the imposition of special assessments (the “**Special Assessments**”) pursuant to the statutory procedure set forth in the Local Improvements Law, N.J.S.A. 40:56-1, *et seq.* or pursuant to special assessment agreements; and

WHEREAS, as an inducement to the Master Developer to undertake the Infrastructure Improvements, the City in furtherance of the purposes of the Act and the RAB Law and to assist in financing the cost of the Infrastructure Improvements, proposes to issue its non-recourse Redevelopment Area Bonds (Block 4104 Infrastructure Project), in an aggregate principal amount not to exceed \$1,250,000.00, in one or more series (the “**Bonds**”), which Bonds shall be secured by a pledge of the Pledged Portion of the Special Assessment, as defined in that certain Special Assessment Agreement executed by and between the City and the Subsequent Developer (the “**Special Assessment Agreement**”), and assignment of certain rights of the City with respect to the Infrastructure Improvements, including certain rights of the City under the Special Assessment Agreement with the Subsequent Developer, pursuant to a Trust Indenture, as supplemented pursuant to supplemental trust indentures to be executed in connection with each series of the Bonds (collectively, the “**Trust Indenture**”) by and between the Authority and a Trustee to be appointed by the City (the “**Trustee**”), which pledge and assignment are hereby declared to further secure the payment of the principal of and interest on the Bonds; and

WHEREAS, the City proposes to issue the Bonds to provide funding to the Master Developer for the financing of the Infrastructure Improvements in accordance with the Special Assessment Agreement and the Ordinance, providing, in part, for payments by the owners of the properties benefited by the Infrastructure Improvements to meet installments of interest and principal on the Bonds.

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

Section 1. Determination to Issue. To accomplish the purposes and objectives of the Act and the RAB Law, the City hereby determines to finance the Infrastructure Improvements. In order to finance the Infrastructure Improvements, the Bonds are hereby authorized to be issued in the aggregate principal amount not to exceed \$1,250,000.00. The Bonds shall be issued in one or more series, shall be dated, shall bear interest at such rates of interest and shall be payable as to principal, interest and premium, if any, all as is specified therein. The Bonds shall be issued in the form, shall mature, shall be subject to redemption prior to maturity and shall have such other details and provisions as are prescribed by the Trust Indenture.

Section 2. Bonds to Constitute Special, Limited Obligations. The Bonds shall be special, limited obligations of the City, payable solely out of the Pledged Portion of the Special Assessment and any other moneys derived pursuant to the Special Assessment Agreement, and all such moneys are hereby pledged to the payment of the Bonds. The payment of the principal of, premium, if any, and interest on the Bonds shall be secured by a pledge and assignment of the Pledged Portion of the Special Assessment and certain rights of the City as provided in the Special Assessment Agreement. Neither the members of the Governing Body nor any person executing the Bonds issued pursuant to this resolution, the Act and the RAB Law shall be liable personally on the Bonds by reason of the issuance thereof. The Bonds shall not be in any way a debt or

liability of the City other than to the limited extent set forth in the Trust Indenture. Neither the faith and credit nor taxing power of the City is pledged to the payment of, the principal or redemption price, if any, of or interest on the Bonds.

Section 3. Authorization of Bonds.

- (a) The Bonds shall mature no later than 30 years from the date of issuance and shall be issued in an aggregate principal amount not exceeding \$1,250,000.00. The Bonds shall bear interest at a rate or rates of interest which shall not exceed the maximum interest rates approved by the Local Finance Board, Division of Local Government Services in the New Jersey Department of Community Affairs (the **"Local Finance Board"**).
- (b) The Mayor, Deputy Mayor or City Manager (each an **"Authorized Officer"**) are each hereby authorized to execute and deliver on behalf of the City a contract of purchase for the purchase of each series of Bonds (the **"Contract of Purchase"**) with an underwriter or underwriters (the **"Underwriter"** or **"Underwriters"**) or a purchaser (the **"Purchaser"**) to be determined by a certificate of award executed by an Authorized Officer (the **"Award Certificate"**) as determined by an Authorized Officer in consultation with counsel, approval thereof to be evidenced by such Authorized Officer's execution thereof, for the purchase of all, but not less than all, of each series of Bonds. The Bonds may be sold pursuant to a competitive sale, negotiated sale, limited placement agency, or direct private purchase, all as determined by an Authorized Officer. A copy of the Contract of Purchase shall be filed upon execution with the records of the City.

Section 4. Execution and Authentication. The Bonds shall be executed and authenticated in accordance with the Trust Indenture and shall be issued in registered form qualifying for book entry registration.

Section 5. Delivery of Bonds. Following execution of the Bonds, the Authorized Officer are each hereby authorized to deliver the Bonds to the Trustee for authentication and, after authentication, to deliver the Bonds to the Underwriters or Purchaser against receipt of the purchase price or unpaid balance thereof.

Section 6. Approval of Offering Document. The distribution by the Underwriters of a Limited Offering Memorandum or Official Statement in preliminary form (the **"Preliminary Offering Document"**) relating to the Bonds (a draft of which shall be filed with records of the City) in connection with the marketing of the Bonds, and the distribution of a final Limited Offering Memorandum or Official Statement relating to the Bonds to the purchasers of the Bonds (the **"Offering Document"**) is hereby authorized. The Authorized Officers are each hereby authorized to (i) determine to sell the Bonds in a private placement transaction without a Preliminary Offering Document or final Offering Document, or (ii) approve the contents of the Preliminary Offering Document with such changes therein and modifications thereto as counsel may advise and such officer of the City may approve. The Authorized Officers are each hereby authorized to approve the contents of the Offering Document and to execute the Offering Document on behalf of the City, which Offering Document shall be in substantially the form of the Preliminary Offering Document with such changes therein (including the insertion of the

redemption provisions and the initial interest rates for the Bonds) and supplements thereto as counsel may advise and the officer of the City executing the same may approve, such approval to be evidenced by such officer's execution thereof. The Authorized Officers are each hereby authorized to "deem final" the Preliminary Offering Document and to execute and deliver a certificate to the Underwriters to such effect.

Section 7. Approval of Trust Indenture. The form of the Trust Indenture presented to this meeting (a copy of each of which is on file with the records of the City), and all instruments to be attached thereto or executed in conjunction therewith, including the form of supplemental indenture, is each hereby approved and the Authorized Officers are each hereby authorized to execute, acknowledge and deliver, and the City Clerk or Deputy City Clerk are each hereby authorized to affix and attest the seal of the City to the Trust Indenture in substantially such form, with such changes therein as counsel may advise and the officers executing the same may approve, such approval to be evidenced by their execution thereof.

Section 8. Incidental and Prior Action. The Authorized Officers are each hereby authorized and directed to execute and deliver such other papers, instruments, certificates, opinions, affidavits and documents, including, without limitation, the Pledge and Assignment Agreement, and to take such other action as may be necessary or appropriate in order to carry out the purpose of this Resolution, including effectuating the execution and delivery of the Trust Indenture and the Special Assessment Agreement, and the issuance and sale of the Bonds, all in accordance with the foregoing sections hereof. The Authorized Officers and any other City official, officer or professional, including but not limited to, the Chief Financial Officer, the City Clerk, redevelopment counsel, bond counsel, the financial advisor and the auditor to the City, are each hereby authorized and directed to execute and deliver such documents as are necessary to facilitate the transactions contemplated hereby, and to take such actions or refrain from such actions as are necessary to facilitate the transactions contemplated hereby, in consultation with, as applicable, redevelopment counsel, bond counsel, the financial advisor and the auditor to the City, and any and all actions taken heretofore with respect to the transactions contemplated hereby are hereby ratified and confirmed.

Section 9. Prior Resolutions. All prior resolutions of the City or portions thereof inconsistent herewith are hereby replaced.

Section 10. Capitalized Terms. Capitalized terms used in this Resolution and not otherwise defined have the meaning given to such terms in the Trust Indenture.

Section 11. Construction. In case any one of more of the provisions of this resolution, the Trust Indenture, the Contract of Purchase, the Official Statement or the Bonds issued hereunder shall for any reason be held illegal or invalid, such illegality or invalidity shall not affect any other provision of this resolution of the Trust Indenture, the Contract of Purchase, the Official Statement and the Bonds shall be construed and enforced as if such illegal or invalid provision had not been contained therein.

Section 12. Effective Date. This Resolution shall take effect immediately upon adoption.

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

2015-178 Declaring the City's Official Intent to Reimburse Expenditures for Project Costs from the Proceeds of RAB Bonds

Resolution # 2015-178

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

**DECLARING THE CITY'S OFFICIAL INTENT TO REIMBURSE
EXPENDITURES FOR PROJECT COSTS FROM THE
PROCEEDS OF RAB BONDS.**

WHEREAS, the City of Asbury Park, in the County of Monmouth (the "*City*"), a municipal corporation of the State of New Jersey (the "*State*"), as redevelopment entity, and Asbury Partners, L.L.C., (the "*Master Developer*"), a New Jersey limited liability company, as redeveloper, have previously entered into that certain "Amended and Restated Redeveloper and Land Disposition Agreement" dated October 28, 2002 (the "*Redeveloper Agreement*") pursuant to and in accordance with applicable law, including the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, *et seq.*, as amended and supplemented (the "*Redevelopment Law*");

WHEREAS, pursuant to the Redeveloper Agreement, the Master Developer is obligated to implement certain infrastructure improvements (the "*Infrastructure Projects*") over time in the waterfront redevelopment area located within the City designated therein (the "*Redevelopment Area*");

WHEREAS, in accordance with the terms of the Redeveloper Agreement, the City, the Master Developer and 210 5th Avenue Venture Urban Renewal, LLC (the "**Subsequent Developer**") have entered into that certain Subsequent Developer Agreement; and

WHEREAS, the City and the Subsequent Developer are presently negotiating the possibility of the City issuing bonds, notes or other obligations (collectively, the "*RAB Bonds*") pursuant to the Redevelopment Area Bond Financing Law, N.J.S.A. 40A:12A-64M, *et seq.*, as amended and supplemented (the "*RAB Law*"), which RAB Bonds, if issued, shall be secured, in part, pursuant to a special assessment agreement (the "*Assessment Agreement*") to be negotiated and entered into between the City and the Subsequent Developer;

WHEREAS, the City and the Master Developer reasonably anticipate that the RAB Bonds, the interest on which is to be excluded from gross income under Section 103(a) of the Internal Revenue Code of 1986, as amended (the “*Code*”), shall be issued by the City to finance the Infrastructure Projects on a long-term basis; and

WHEREAS, the City desires to preserve its right to treat an allocation of proceeds of the RAB Bonds to the reimbursement of the costs of the Infrastructure Projects (the “*Project Costs*”) prior to the issuance of the RAB Bonds as an expenditure for such Project Costs to be reimbursed for purposes of Sections 103 and 141 through 150, inclusive, of the Code.

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:

Section 1. The City reasonably expects to reimburse the Master Developer’s, the Subsequent Developer’s or City’s expenditure of Project Costs paid prior to the issuance of the RAB Bonds with proceeds of its RAB Bonds.

Section 2. This resolution is intended to be and hereby is a declaration of the City’s official intent to reimburse the expenditure of Project Costs paid prior to the issuance of the RAB Bonds with the proceeds of a borrowing to be incurred by the City, in accordance with Treasury Regulations §1.150-2, but does not obligate the City to issue said RAB Bonds.

Section 3. The maximum principal amount of the RAB Bonds expected to be issued to finance the Project is \$1,250,000.00.

Section 4. The Project Costs to be reimbursed with the proceeds of the RAB Bonds will be “capital expenditures” in accordance with the meaning of Section 150 of the Code.

Section 5. No reimbursement allocation will employ an “abusive arbitrage device” under Treasury Regulations §1.148-10 to avoid the arbitrage restrictions or to avoid the restrictions under Sections 142 through 147, inclusive, of the Code. The proceeds of the RAB Bonds used to reimburse the City or the Master Developer for Project Costs, or funds corresponding to such amounts, will not be used in a manner that results in the creation of “replacement proceeds”, including “sinking funds”, “pledged funds” or funds subject to a “negative pledge” (as such terms are defined in Treasury Regulations §1.148-1), of the RAB Bonds or another issue of debt obligations of the City, other than amounts deposited into a “bona fide debt service fund” (as defined in Treasury Regulations §1.148-1).

Section 6. All reimbursement allocations will occur not later than 18 months after the later of (i) the date the expenditure from a source other than the RAB Bonds is paid, or (ii) the date the Infrastructure Projects are “placed in service” (within the meaning of Treasury Regulations §1.150-2) or abandoned, but in no event more than 3 years after the expenditure is paid.

Section 7. Nothing in this resolution shall be deemed to grant the Master Developers or the Subsequent Developers any approvals or authorization regarding any of the RAB Bonds or

the Assessment Agreement, both of which are presently under discussion between the City and the Master Developer and subject to approval and authorization under applicable law. However, should such parties agree upon the terms of the RAB Bonds and the Assessment Agreement, this resolution would preserve the Master Developer's and the Subsequent Developer's right to reimburse certain equity expenditures for Project Costs made after the date of adoption hereof from the proceeds of any such RAB Bonds.

Section 8. This resolution shall take effect immediately.

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

2015-189 Resolution of the Mayor and City Council of the City of Asbury Park Authorizing the Issuance of New Hotel Liquor License and the Publication of a Notice Thereof

Resolution #2015-189

Resolution of the City of Asbury Park

RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF ASBURY PARK AUTHORIZING THE ISSUANCE OF NEW HOTEL LIQUOR LICENSE AND THE PUBLICATION OF A NOTICE THEREOF

WHEREAS, N.J.S.A. 33:1-12.20 authorizes the City to issue new licenses with plenary retail consumption privileges for hotels and motels with more than 100 guest sleeping rooms ("Hotel Liquor License") even if a municipality has otherwise reached the cap on the number of liquor licenses established by population; and

WHEREAS, the City Council has determined it is reasonable and desirable to issue a new Hotel Liquor License or Licenses by the "historic method" in which the City will consider such factors as whether applicants have an existing hotel or motel, or have taken significant and concrete steps towards constructing and establishing a hotel or motel with more than 100 guest sleeping rooms in the Prime Renewal Area of the City of Asbury Park's Waterfront Redevelopment Area; the location; aesthetics; compliance with land use provisions; ratable impact; community needs; business experience; and other relevant criteria; and

WHEREAS, the City Council has determined that interested parties should be offered an opportunity to apply for said licenses.

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

1. The City of Asbury Park hereby determines that it will issue one or more Hotel Liquor License per N.J.S.A. 33:1-12.20 in the Prime Renewal Area of the Waterfront Redevelopment Area, in accordance with the procedures set forth at N.J.S.A. 33:1-19 et seq. Any license(s) so issued shall be subject to the special condition that it is issued as a hotel exception license for a facility containing 100 or more sleeping rooms pursuant to N.J.S.A. 13:1-12.20 and that the license shall only be used in connection with such a hotel or motel.
2. The City Clerk shall publish the notice of the proposed issuance of a Hotel Liquor License, attached hereto as **EXHIBIT A**, indicating that applications therefore will be accepted by the City at the time, date and place specified in the notice, after which no further applications will be accepted, which date and time shall be Wednesday, July 1, 2015 at 1:00 p.m.
3. That said notice shall be published in the Asbury Park Press newspaper once during the week of May 18, 2015 and once during the week of May 25, 2015.
4. That applications shall be made upon the documents required by and attached to the Application Package and applicants shall submit the required information, documentation and shall comply with the procedures contain in the Application Package, attached hereto as **EXHIBIT B**, which shall be available in the Office of the City Clerk.
5. The City reserves the right to postpone or cancel the issuance of any licenses at any time prior to the opening of the applications on Wednesday, July 1, 2015 at 1:00 p.m.
6. The City reserves the right to issue one (1) or more Hotel Liquor Licenses or to reject any and all unqualified applications.

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

1. The City Clerk is hereby authorized and directed to publish the notice of the proposed issuance of a Hotel Liquor License, attached hereto as **EXHIBIT A**, in the Asbury Park Press newspaper once during the week of May 18, 2015 and once during the week of May 25, 2015, with the notice subject to additions, deletions, modifications or revisions deemed necessary and appropriate in consultation with counsel and the Acting City Manager.
2. The City Clerk is hereby authorized and directed to issue the Application Package, attached hereto as **EXHIBIT B**, to all interested parties, with the Application Package subject to additions, deletions, modifications or revisions deemed necessary and appropriate in consultation with counsel and the Acting City Manager.
3. The City Clerk, Mayor, Acting City Manager, counsel and other necessary City officials/employees are authorized to publish, distribute, execute, deliver and accept all other necessary documents and undertake all actions reasonably necessary to effectuate this Resolution;

and, the terms, conditions and requirements contained in the notice, the Application Package and as required by law for the issuance of a Hotel Liquor License.

4. A certified copy of this Resolution shall be provided to each of the following:
 - a. Anthony Nuccio, Acting City Manager
 - b. Frederick C. Raffetto, Esq., City Attorney
 - c. Glenn F. Scotland, Esq., City Redevelopment Counsel
5. This Resolution shall take effect immediately.

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

2015-190 A Resolution of the Mayor and Council of the City of Asbury Park, Acting as the Redevelopment Entity, Authorizing an Agreement for the Construction and Operation of Interim Surface Parking Lots on Identified Properties within the Waterfront Redevelopment Area

Resolution #:2015-190
Resolution of the City of Asbury Park

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF ASBURY PARK, ACTING AS THE REDEVELOPMENT ENTITY, AUTHORIZING AN AGREEMENT FOR THE CONSTRUCTION AND OPERATION OF INTERIM SURFACE PARKING LOTS ON IDENTIFIED PROPERTIES WITHIN THE WATERFRONT REDEVELOPMENT AREA.

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

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

WHEREAS, the City on April 8, 2015 by:

- 1) Resolution # 2015-153 for Block 3103, a portion of Lot 1 known as 407 Lake Avenue, owned by AP Wesley Lake LLC, an affiliated entity of the Master Developer, and
- 2) Resolution # 2015-154 for Block 3904, Lot 1 known as 110 First Avenue, owned by the Master Developer, and
- 3) Resolution # 2015-155 for Block 4307, Lots 1-3 known as 1600 and 1601 Ocean Avenue, owned by the Master Developer,

determined that the interim use of these Properties as a parking lots is necessary in order to accommodate and support the needs of diverse businesses operating in proximity to the Properties and their invitees, for the convenience of the public at large and to provide an additional source of revenue to the City and has requested the Master Developer to operate or cause the Properties to be operated as an interim parking lots subject to an Interim Parking Agreement with the City which shall be entered into prior to the operation of such parking lots; and

WHEREAS, the foregoing Resolutions also granted conceptual approval of the three (3) proposed interim surface parking lots and referred the matters to the Planning Board for appropriate approvals which were granted by the Planning Board on April 27, 2015 and the memorializing resolution was adopted on May 4, 2015; and

WHEREAS, the City, the Master Developer and AP Wesley Lake LLC desire to enter into an Interim Parking Agreement that sets forth the terms and conditions of the construction, operation and maintenance of these Properties as interim parking lots and procedures for the payment therefrom of moneys to City, attached hereto as **EXHIBIT A**; and

WHEREAS, the Mayor and City Council, acting as the City's Redevelopment Entity, wish to approve and authorize the execution of the Interim Parking Agreement; and

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

1. The Interim Parking Agreement attached hereto as **EXHIBIT A** is approved subject to additions, deletions, modifications or revisions deemed necessary and appropriate in consultation with counsel and authorizes the Mayor, City Clerk and other necessary City Officials to execute, deliver and accept the Agreement and all other necessary documents and undertake all actions reasonably necessary to effectuate the Agreement and this Resolution.

2. A certified copy of this Resolution shall be provided to each of the following:
 - a. Asbury Partners, L.L.C.
 - b. AP Wesley Lake LLC
 - c. Anthony Nuccio, Acting City Manager
 - d. Frederick C. Raffetto, Esq., City Attorney
 - e. Glenn F. Scotland, Esq., City Redevelopment Counsel
 - f. Frederic Lavinthal, Esq., Attorney for Asbury Partners, L.L.C.

3. This Resolution shall take effect immediately.

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

2015-191 A Resolution of the Mayor and Council of the City of Asbury Park, Acting as the Redevelopment Entity, Authorizing a Lease Agreement with Asbury Partners LLC for the Installation of Temporary Restroom Trailers on Identified Property within the Waterfront Redevelopment Area

Resolution #:2015-191
Resolution of the City of Asbury Park

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF ASBURY PARK, ACTING AS THE REDEVELOPMENT ENTITY, AUTHORIZING A LEASE AGREEMENT WITH ASBURY PARTNERS LLC FOR THE INSTALLATION OF TEMPORARY RESTROOM TRAILERS ON IDENTIFIED PROPERTY WITHIN THE WATERFRONT REDEVELOPMENT AREA.

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

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

WHEREAS, the Master Developer is the owner of certain parcels of real property in the Redevelopment Area, and as pertains to this matter, is the owner Block 4501, Lot 1.25 as set forth on the Tax Map of the City of Asbury which is located between Ocean Avenue and the boardwalk just north of the Sunset Avenue Pavilion and at the terminus of Sixth Avenue (the “**Property**”); and

WHEREAS, the City wished to lease a portion of the Property from the Master Developer to install and maintain a temporary, portable public restroom facility and related improvements, including a sanitary sewer connection to the sanitary waste treatment facility located on Block 4501; and

WHEREAS, the City and the Master Developer desire to enter into a Lease Agreement that sets forth the terms and conditions for the City to use of a portion of Property to install and maintain a temporary, portable public restroom, attached hereto as **EXHIBIT A**; and

WHEREAS, the Mayor and City Council, acting as the City's Redevelopment Entity, wish to approve and authorize the execution of the Lease Agreement; and

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

1. The Lease Agreement attached hereto as **EXHIBIT A** is approved subject to additions, deletions, modifications or revisions deemed necessary and appropriate in consultation with counsel and the City's insurance carrier as to the insurance and indemnification provisions and once acceptable to the City and Asbury Partners, LLC, authorizes the Mayor, City Clerk and other necessary City Officials to execute, deliver and accept the Agreement and all other necessary documents and undertake all actions reasonably necessary to effectuate the Agreement and this Resolution.

2. A certified copy of this Resolution shall be provided to each of the following:
- Asbury Partners, L.L.C.
 - Anthony Nuccio, Acting City Manager
 - Frederick C. Raffetto, Esq., City Attorney
 - Glenn F. Scotland, Esq., City Redevelopment Counsel
 - Frederic Lavinthal, Esq., Attorney for Asbury Partners, L.L.C.

This Resolution shall take effect immediately.

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

2015-192 Resolution Authorizing the Payment of Payroll in the Amount of \$822,699.42

**Resolution #2015-192
City of Asbury Park
County of Monmouth
State of New Jersey**

**RESOLUTION AUTHORIZING THE PAYMENT OF PAYROLL IN THE AMOUNT OF
\$822,699.42**

WHEREAS, the April 30, 2015 payroll in the amount of \$822,699.42, has been approved by the Chief Financial Officer and has subsequently been audited and found correct.

BE IT RESOLVED, that the payroll payable totaling \$822,699.42 is hereby authorized to be paid, and;

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

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

2015-193 Resolution Authorizing the Payment of Bills in the Amount of \$7,034,103.31

**Resolution #2015-193
City of Asbury Park
County of Monmouth
State of New Jersey**

**RESOLUTION AUTHORIZING THE PAYMENT OF BILLS IN THE AMOUNT OF
\$7,034,103.31**

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 \$7,034,103.31
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.

CURRENT VOUCHERS	\$ 6,491,968.31
BOARD OF EDUCATION	\$ 542,135.00
TOTAL VOUCHERS	\$ 7,034,103.31

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

2015-194 Authorizing Appointments to Public Art Committee

Resolution # 2015-194

**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:

<u>Appointee</u>	<u>Term to Expire</u>
Hon. Amy Quinn	December 31, 2015
Michael Sodano	December 31, 2015
Jenn Hampton	December 31, 2015
James Vance	December 31, 2015
Andrew Pawlan	December 31, 2015
Patrick Schiavino	December 31, 2015
Donald Stine	December 31, 2015
Malcolm Navias	December 31, 2015

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.”

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

2015-195 Authorizing Appointment to Code Enforcement/Quality of Life Advisory Committee

Resolution # 2015-195

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

**AUTHORIZING AN ADDITIONAL APPOINTMENT TO THE CODE
ENFORCEMENT/QUALITY OF LIFE ADVISORY COMMITTEE.**

WHEREAS, on February 25, 2015, the Mayor and Council adopted Resolution No. 2015-102, which authorized the establishment of a Code Enforcement/Quality of Life Advisory Committee (also referenced as the “Committee”) in and for the City of Asbury Park; and

WHEREAS, on March 11, 2015, the Mayor and Council appointed certain individuals to serve on the Committee, via Resolution No. 2015-67, in accordance with the provisions set forth in Resolution No. 2015-102; and

WHEREAS, the Mayor and Council now wish to appoint an additional individual to serve on the Committee, in accordance with the provisions set forth in Resolution No. 2015-102.

NOW, THEREFORE, BE IT RESOLVED, that the following additional individual is hereby appointed to serve on the Code Enforcement/Quality of Life Advisory Committee:

Appointee

Terri Cuccinitti

Term to Expire

December 31, 2015

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

Mayor Moor stated that at this time he would like to make two appointments to the Library Board: Janet Torsney with a term expiring December 31, 2019 and Anita Weiner with a term expiring December 31, 2018.

2015-196 Resolution adopting the Monmouth County Home Consortium FY-2014-2019
Five Year Strategy Submission for Housing and Community Development
Programs

Resolution # 2015-196

Resolution of the City of Asbury Park

**ADOPTING THE MONMOUTH COUNTY HOME CONSORTIUM FY 2015-2019 FIVE
YEAR STRATEGY FOR HOUSING AND COMMUNITY DEVELOPMENT
PROGRAMS**

WHEREAS, the submission of the Monmouth County Community Development and **HOME** Consortium's FY2015-2019 Five-Year Strategy Submission for Housing and Community Development Programs (hereinafter referred to as the "Consolidated Plan") is a requirement of the Cranston-Gonzalez National Affordable Housing Act of 1990, as amended; and

WHEREAS, the County Planning Board's Community Development staff, in conjunction with the staff from the other participating cities of Asbury Park, Long Branch and Middletown Township, has prepared a Consolidated Plan in accordance with Federal Regulations. The Consolidated Plan is a planning document and management tool that will assist the City in addressing their housing and community development needs; and

WHEREAS, the Federal regulations require program grantees to identify housing and community development needs and develop a plan for carrying out the strategies necessary to meet its housing and community development needs; and

WHEREAS, the City of Asbury Park and the other partners held a public hearing on March 10, 2015 in order to provide citizens, public agencies, and other interested parties an opportunity to provide comments and suggestions on the amended Consolidation Plan; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Governing body that the Monmouth County Community Development and **HOME** Consortium's FY2015-2019 Five Year Strategy Submission for Housing and Community Development Programs be and the same is hereby approved and authorized.

BE IT FURTHER RESOLVED that the City Manager be and hereby is authorized to execute any and all documents as may be required by the U.S. Department of Housing and Urban Development for the submission and securing grant funds.

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

2015-197 A Resolution Requesting the Township of Ocean to Temporarily Lift the Existing "No Left Turn" Restriction from Wickapecko Dr. (Traveling in a Northerly Direction) Onto Bimbler Blvd. Until the Conclusion of the Sunset Bridge Construction Project

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

2015-198 Resolution Amending Resolution No. 2015-84, Regarding the Appointment of Labor Counsel for the City of Asbury Park

Resolution # 2015-198

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

**AMENDING RESOLUTION NO. 2015-84,
REGARDING THE APPOINTMENT OF LABOR COUNSEL
FOR THE CITY OF ASBURY PARK.**

WHEREAS, on February 11, 2015, the Mayor and Council of the City of Asbury Park (the “City”) adopted Resolution No. 2015-84, appointing the firm of Ruderman & Glickman, P.C. to serve as “Labor Counsel” for the City for the year 2015; and

WHEREAS, since the adoption of Resolution No. 2015-84, the Contractor’s firm’s name has changed; and

WHEREAS, the Mayor and Council now wish to amend their appointment for labor relations to be provided to the City for 2015, to reflect the Contractor’s firm’s revised name as “Law Offices of Steven S. Glickman, LLC”; and

WHEREAS, all of the other terms and conditions set forth in Resolution No. 2015-84 shall remain in full force and effect.

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 Resolution No. 2015-84 is hereby amended to reflect that the “Law Offices of Steven S. Glickman, LLC” is hereby appointed to serve as “Labor Counsel” for the City for the year 2015 in accordance with all of the terms and conditions set forth in Resolution No. 2015-84.
2. That the Mayor is hereby authorized to execute, and the City Clerk attest, a contract between the City and Steven S. Glickman, LLC, for the aforementioned services, for the year 2015, which contract shall be in a form satisfactory to the Municipal Attorney.
3. That 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. Said contract was procured through a “fair and open” process.
4. That 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. Steven S. Glickman, LLC;

- b. Anthony Nuccio, Acting City Manager;
- c. Richard J. Gartz, CPA, RMA, CMFO, Chief Financial Officer;
- d. Mary Kay Callahan, Personnel Officer;
- e. Director of the N.J. Division of Local Government Services;
- f. George D. Haeuber, Fiscal Monitor; and
- g. Frederick C. Raffetto, Esq., Municipal Attorney.

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

2015-199 A Resolution to Return a Surplus Fire Apparatus to the Manasquan Volunteer Engine Co. #2

Resolution # 2015-199

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

**A Resolution to Return a Surplus Fire Apparatus
To the Manasquan Volunteer Engine Co. #2.**

WHEREAS, the City of Asbury Park had taken ownership, at no cost, a 1977 Hahn fire apparatus, for use in the Asbury Park Fire Department. This offer was made by the Manasquan Volunteer Engine Co. #2, located at 111 Parker Ave., Manasquan, NJ 08736; and

WHEREAS, This fire apparatus was similar in size and capacity to our 1969 Seagrave fire apparatus which had been taken out of service due to needed repairs that are not feasible to a forty-six (46) year old apparatus; and

WHEREAS, the Fire Department has been offered a newer piece of apparatus and would like to return the aforementioned apparatus to the Manasquan Volunteer Engine Company No. 2 as soon as possible.

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 the 1977 Hahn fire apparatus be returned to Manasquan volunteer Engine Company No. 2 as soon as possible.

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

2015-200 A Resolution to Accept a Surplus Fire Apparatus From the Ocean Twp. District #2 (Wanamassa Fire Co.)

Resolution # 2015-200

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

**A Resolution to Except a Surplus Fire Apparatus
From the Ocean Twp. District #2 (Wanamassa Fire Co.)**

WHEREAS, the City of Asbury Park has been offered to take ownership, at no cost, a 1988 Ward 79 Limited fire apparatus, for use in the Asbury Park Fire Department. This offer was made by the Ocean Township Fire District #2 - Wanamassa Fire Company, located at 1401 Wickapecko Drive, Wanamassa, NJ 07712; and

WHEREAS, this fire apparatus is similar in size and capacity to our current Seagrave fire apparatus, ten (10) years newer, meeting more safety standards. It will be used to maintain the current level of service to the City at a lower maintenance cost. This apparatus cannot be used as a front line fire apparatus, however, it can be used at larger fire and/or emergencies requiring large water flow. It can also be used for special details such as pumping out large basements like the Paramount Theater and other large buildings.

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 the City of Asbury Park take ownership of the 1988 Ward 79 Limited fire apparatus as donated by the Ocean Township Fire District #2 – Wanamassa Fire Company.

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

2015-201 Authorizing an Agreement with the Asbury Music Center, LLC

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

2015-202 Resolution Approving Agreement with Jersey Professional Management

	MOTION	SECOND	AYES	NAYES	ABSTAIN
Council Member Clayton		X	X		
Council Member Jesse Kendle			X		

Council Member Joe Woerner	X		X		
Deputy Mayor Amy Quinn			X		
Mayor John Moor			X		

ORDINANCES

First Reading/Introduction:

2015-05 An Ordinance Amending And Supplementing Chapter XXX, Entitled “Land Development Regulations,” of the “Revised General Ordinances of the City of Asbury Park, New Jersey,” in Order to Establish a New Section Thereof to be Known as Article VII, Entitled “Requests to Amend a Redevelopment Plan -- Application Procedure and Escrow Establishment.”

The Clerk read by title Ordinance 2015-05.

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

2015-17 An Ordinance Amending and Supplementing Section 4-15 Entitled “Street Performers,” of Chapter IV, Entitled “General Licensing,” of the “Revised General Ordinances of the City of Asbury Park, New Jersey”

The Clerk read by title Ordinance 2015-17.

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

2015-18 An Ordinance Governing Care, Maintenance, Security and Upkeep of Vacant and Abandoned Properties in Foreclosure, and Amending and Supplementing Chapter XIII, Entitled Property Maintenance of the Revised General Ordinances of the City of Asbury Park, New Jersey

The Clerk read by title Ordinance 2015-18.

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

2015-21 An Ordinance Setting the Salary or Compensation of Employees of the City of Asbury Park who are members of the AFSCME Union

The Clerk read by title Ordinance 2015-21.

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

2015-22 An Ordinance Setting the Salary or Compensation of Employees of the City of Asbury Park who are members of the IFPTE Union, Local 196

The Clerk read by title Ordinance 2015-22.

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

2015-23 An Ordinance Setting the Salary or Compensation of Non-Union Employees of the City of Asbury Park

The Clerk read by title Ordinance 2015-23.

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

2015-24 An Ordinance Authorizing the City of Asbury Park to Convey a Temporary Easement Over the Property Located at Block 3702, Lot 1 To The State Of New Jersey (Department Of Environmental Protection), And To Execute Necessary Documents In Connection Therewith, In Order To Facilitate The Proposed Deal Lake Dredging Project

The Clerk read by title Ordinance 2015-24.

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

2015-25 And Ordinance Amending and Supplementing Chapter VII, "Traffic," of the
"Revised General Ordinances of the City of Asbury Park, New Jersey,"

The Clerk read by title Ordinance 2015-25.

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

Second Reading/Public Hearing

2015-11 Establishing Metered Parking in the Municipal Parking Lot at One Municipal
Plaza and in the Bangs Avenue Parking Garage, and Amending and
Supplementing Chapter VII, "Traffic," of the "Revised General Ordinances of the
City of Asbury Park, New Jersey," Accordingly

ORDINANCE NO. 2015-11

**AN ORDINANCE ESTABLISHING REGULATIONS REGARDING
METERED PARKING IN THE MUNICIPAL PARKING LOT
LOCATED AT ONE MUNICIPAL PLAZA AND
IN THE BANGS AVENUE PARKING GARAGE,
AND AMENDING AND SUPPLEMENTING
CHAPTER VII, ENTITLED "TRAFFIC,"
OF THE "REVISED GENERAL ORDINANCES OF THE
CITY OF ASBURY PARK, NEW JERSEY."**

WHEREAS, the City of Asbury Park (the "City") previously established certain traffic regulations concerning metered parking within the City, as set forth in Ordinance No. 2982 (adopted on May 18, 2011), which have been or shall be incorporated into Chapter VII, entitled "Traffic," of the "Revised General Ordinances of the City of Asbury Park, New Jersey" (collectively referenced as the "existing regulations"); and

WHEREAS, the metered parking set forth in the existing regulations relates only to on-street parking in various locations throughout the City; and

WHEREAS, the City has determined to expand the presence of paid metered parking to include the two (2) City owned and/or controlled parking lots (collectively referenced as the "City-controlled parking lots") referenced in the within Ordinance; and

WHEREAS, the "City-controlled parking lots" which are the subject of this Ordinance are as follows:

1. The City Hall parking lot located immediately to the east of the Asbury Park Municipal Building, located at One Municipal Plaza (Block 2401, Lot 1); and
2. The parking spaces which the City controls at the Bangs Avenue Parking Garage, located at 605 Bangs Avenue (Block 2505, Lot 3), pursuant to that certain "Use

and Occupancy Agreement” previously executed with the New Jersey Department of the Treasury, Division of Property Management and Construction, dated February 22, 2007, as renewed by the parties; and

WHEREAS, the proposed regulations associated with the aforesaid “City-controlled parking lots” are set forth in Schedule A attached hereto (copies of Schedule A are on file at the City Clerk’s office).

NOW, THEREFORE, BE AND IT IS HEREBY ORDAINED, by the Mayor and City Council of the City of Asbury Park (the “City”), in the County of Monmouth and State of New Jersey, as follows:

1. That the City hereby establishes metered parking in the “City-controlled parking lots” referenced above, subject to the terms and conditions set forth in Schedule A attached hereto (copies of Schedule A are on file at the City Clerk’s office).
2. That the terms and conditions referenced in Ordinance No. 2982, as may be amended hereinafter by the Mayor and Council, shall hereby be applicable to the metered parking in the “City-controlled parking lots” as referenced in this Ordinance.
3. That, upon the effective date of this Ordinance, all relevant City officials are hereby authorized and directed to undertake all actions necessary in order to implement this Ordinance.
4. That all other Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistencies.
5. That the provisions of this Ordinance shall be severable. In the event that any portion of this Ordinance is found to be invalid for any reason by any Court of competent jurisdiction, such judgment shall be limited in its effect only to the portion of the Ordinance actually adjudged invalid and shall not be deemed to affect the operation of any other portion thereof, which shall remain in full force and effect.
6. That this Ordinance shall take effect immediately upon final passage and publication in accordance with the law, but not before the following actions have been completed by the City:
 - (a) Striping and marking of the parking spaces in the “City-controlled parking lots”;
 - (b) Activation of meters in the “City-controlled parking lots”; and
 - (c) Notification of the public via publishing in an official newspaper and posting on the City’s website.

Motion made Council Member Kendle and seconded by Council Member Clayton to open the meeting to the public for Ordinance 2015-11. All were in favor.

There being no public comment, motion made by Mayor Moor and seconded by Council Member Woerner to close the public hearing for Ordinance 2015-11. All were in favor.

Motion to adopt Ordinance 2015-11.

	MOTION	SECOND	AYES	NAYES	ABSTAIN
Council Member Clayton			X		
Council Member Jesse Kendle			X		
Council Member Joe Woerner			X		

Deputy Mayor Amy Quinn		X	X		
Mayor John Moor	X		X		

2015-11A An Ordinance Amending Salaries of Certain Employee within the City of Asbury Park, Monmouth County, New Jersey

**ORDINANCE 2015-11A
AN ORDINANCE OF THE CITY OF ASBURY PARK**

**An Ordinance Amending Salaries of Certain Employee within the City of Asbury Park,
Monmouth County, NJ**

WHEREAS, the City has determined that the amendment of the following position is required for the efficient operation of the General Office Department.

NOW, THEREFORE, BE IT HEREBY ORDAINED by the Mayor and Council of the City of Asbury Park that the following Title and Salaries be established as follows:

Title:	Maximum
Deputy City (Municipal) Clerk	\$3,000/Year

BE IT FURTHER ORDAINED, that this Ordinance shall take effect immediately upon final passage and publication in accordance within the law.

Motion made Deputy Mayor Quinn and seconded by Council Member Woerner to open the meeting to the public for Ordinance 2015-11A. All were in favor.

There being no public comment, motion made by Deputy Mayor Quinn and seconded by Council Member Woerner to close the public hearing for Ordinance 2015-11A. All were in favor.

Motion to adopt Ordinance 2015-11A.

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

2015-12 An Ordinance of The City of Asbury Park Authorizing the Execution of a Financial Agreement with 210 5th Ave, Urban Renewal, LLC and Granting a Tax Exemption.

**Ordinance 2015-12
Ordinance of the City of Asbury Park**

**ORDINANCE OF THE CITY OF ASBURY PARK AUTHORIZING THE
EXECUTION OF A FINANCIAL AGREEMENT WITH 210 5TH AVE.**

VENTURE URBAN RENEWAL LLC AND GRANTING A TAX EXEMPTION

WHEREAS, the *New Jersey Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq.* (the “**Act**”) authorizes municipalities to determine whether certain parcels of land in the municipality constitute areas in need of redevelopment; and

WHEREAS, the Act confers certain contract, planning and financial powers upon a redevelopment entity, as defined in Section 3 of the Act, in order to implement redevelopment plans adopted pursuant thereto; and

WHEREAS, the City of Asbury Park (the “**City**”), in the County of Monmouth, State of New Jersey, has elected to exercise these redevelopment entity powers directly, as permitted by Section 4 of the Act; and

WHEREAS, on June 5, 2002, the City adopted the “Asbury Park Waterfront Redevelopment Plan (Plan IV)” (as amended and supplemented from time to time, the “**Redevelopment Plan**”) with respect to the “Asbury Park Waterfront Redevelopment Area,” as defined in the Redevelopment Plan (the “**Redevelopment Area**”); and

WHEREAS, pursuant to the Act, including Section 8 thereof (*N.J.S.A. 40A:12A-8*), a municipality is permitted to contract with a redeveloper to undertake redevelopment projects pursuant to a redevelopment plan within an area in need of redevelopment, as all such terms are defined in the Act; and

WHEREAS, the City and Asbury Partners, LLC (the “**Master Developer**”) entered into that certain “Amended and Restated Redeveloper and Land Disposition Agreement” dated October 28, 2002 (as the same may be amended and supplemented in accordance with its terms, the “**Redeveloper Agreement**”); and

WHEREAS, in accordance with the Redeveloper Agreement and the Redevelopment Plan, 210 5th Ave. Venture Urban Renewal LLC (the “**Entity**”) intends to develop a hotel consisting of approximately 110 rooms with related amenities and improvements (the “**Project**”) on property identified as Block 4104, Lots 3-7, 10 & 11 on the official tax maps of the City and located in the Redevelopment Area (the “**Land**”); and

WHEREAS, the Entity has been qualified by the State of New Jersey to do business as an urban renewal entity under the provisions of the *Long Term Tax Exemption Law, N.J.S.A. 40A:20-1 et seq.* (the “**LTTE Law**”), and was created for the development, operation and maintenance of the Project; and

WHEREAS, in order to improve the feasibility of the construction, operation and maintenance of the Project, on February 19, 2015, the Entity made application to the City requesting a long term tax exemption and financial agreement with respect to the Land (as supplemented by correspondence dated March 17, 2015, the “**Application**”) pursuant to the LTTE Law, which Application is on file with the City Clerk; and

WHEREAS, the Entity has represented to the City that the Project would not be feasible in its intended scope but for the provision of financial assistance by the City; and

WHEREAS, after review of the Application, the Acting City Manager recommended that the Application be approved on such terms as set forth in a proposed form of financial agreement (the “**Financial Agreement**”) substantially in the form attached hereto as Exhibit A, and by this reference incorporated herein, as may be modified in consultation with counsel as set forth herein, and

WHEREAS, the City Council has reviewed the Application and the terms of the Financial Agreement, and wishes to approve the Application on such terms, subject to the designation of the Entity as a Subsequent Developer, as such term is defined in the Redeveloper Agreement, and the execution of an agreement with the Entity as a Subsequent Developer in accordance with the Redeveloper Agreement, which is expected to occur simultaneously herewith; and

WHEREAS, the City hereby finds that the relevant benefits of the Project to the redevelopment of the Redevelopment Area outweigh the costs, if any, associated with the tax exemption, and in fact increase City revenues over current levels by granting the long term tax exemption for the Project, which relevant benefits are further described in the Application and the Financial Agreement; and

WHEREAS, the City hereby determines that the assistance provided to the Project pursuant to the Financial Agreement will be a significant inducement for the Entity to proceed with the Project and that based on information set forth in the Application, the Project would not be feasible without such assistance,

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the City Council of the City of Asbury Park, in the County of Monmouth, State of New Jersey as follows:

II. GENERAL

The aforementioned recitals are incorporated herein as though fully set forth at length.

VII. EXECUTION OF FINANCIAL AGREEMENT AUTHORIZED

(a) The Mayor is hereby authorized and directed to execute the Financial Agreement, substantially in the form as it has been presented to the City Council, and attached hereto as Exhibit A, subject to additions, deletions, modifications, or revisions deemed necessary and appropriate in consultation with counsel.

(b) The Clerk of the City is hereby authorized and directed, upon the execution of the Financial Agreement in accordance with the terms of Section II (a) hereof, to attest to the signature of the Mayor upon such document and is hereby further authorized and directed to affix the corporate seal of the City upon such document.

(c) The City Clerk shall file certified copies of this ordinance and the Financial Agreement with the Tax Assessor of the City and the Director of the Division of Local Government Services

within the New Jersey Department of Community Affairs in accordance with Section 12 of the LTTE Law.

VIII. SEVERABILITY

If any part of this Ordinance shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Ordinance.

IV. ACTION REGARDING FINANCIAL AGREEMENT

The Mayor is hereby authorized and directed to determine all matters and terms in connection with the Financial Agreement, all in consultation with the counsel to the City, and the manual or facsimile signature of the Mayor upon any documents shall be conclusive as to all such determinations. The Mayor, the City Manager, the Chief Financial Officer, the City Clerk and any other City official, officer or professional, including but not limited to, redevelopment counsel, bond counsel, the financial advisor and the auditor to the City, are each hereby authorized and directed to execute and deliver such documents as are necessary to facilitate the transactions contemplated hereby, and to take such actions or refrain from such actions as are necessary to facilitate the transactions contemplated hereby, in consultation with, as applicable, redevelopment counsel, bond counsel, the financial advisor and the auditor to the City, and any and all actions taken heretofore with respect to the transactions contemplated hereby are hereby ratified and confirmed.

V. AVAILABILITY OF THE ORDINANCE

A copy of this Ordinance shall be available for public inspection at the offices of the City.

VI. EFFECTIVE DATE

This Ordinance shall take effect according to law.

Motion made Deputy Mayor Quinn and seconded by Council Member Clayton to open the meeting to the public for Ordinance 2015-12. All were in favor.

The following members of the public spoke: Jerry Scarano, Lori Ross, Joe Pepe, Rita Morano and John Owens.

There being no further public comment, motion made by Mayor Moor and seconded by Deputy Mayor Quinn to close the public hearing for Ordinance 2015-12. All were in favor.

Motion to adopt Ordinance 2015-12.

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

2015-13 An Ordinance of the City of Asbury Park, in the County of Monmouth, State of New Jersey, Providing for the Special Assessment of the Cost of Certain Wastewater, Storm water, Roadway, Streetscape, Utility and Other Infrastructure Improvements on Block 4104, Lots 3-7, 10 & 11 Within the Asbury Park Waterfront Redevelopment Area and Establishing a Mechanism for Payment of the Cost Thereof.

Ordinance No. 2015-13
Ordinance of the City of Asbury Park

THIS ORDINANCE AND ANY SPECIAL ASSESSMENT AGREEMENT ENTERED INTO AND ATTACHED HERETO FROM TIME TO TIME SECURES BONDS OR OTHER OBLIGATIONS ISSUED IN ACCORDANCE WITH THE PROVISIONS OF THE “REDEVELOPMENT AREA BOND FINANCING LAW” AND THE LIEN HEREOF IN FAVOR OF THE OWNERS OF SUCH BONDS OR OTHER OBLIGATIONS IS A MUNICIPAL LIEN SUPERIOR TO ALL OTHER NON-MUNICIPAL LIENS HEREINAFTER RECORDED

AN ORDINANCE OF THE CITY OF ASBURY PARK, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, PROVIDING FOR THE SPECIAL ASSESSMENT OF THE COST OF CERTAIN WASTEWATER, STORMWATER, ROADWAY, STREETScape, UTILITY AND OTHER INFRASTRUCTURE IMPROVEMENTS ON BLOCK 4104, LOTS 3-7, 10 & 11 WITHIN THE ASBURY PARK WATERFRONT REDEVELOPMENT AREA AND ESTABLISHING A MECHANISM FOR PAYMENT OF THE COST THEREOF

WHEREAS, pursuant to the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.* (the “**Redevelopment Law**” or the “**Act**”) and that certain redevelopment plan dated as of June 5, 2002 (as amended and supplemented from time to time, the “**Redevelopment Plan**”), the City of Asbury Park (the “**City**”), in the County of Monmouth, State of New Jersey, and Asbury Partners, LLC (the “**Master Developer**”) entered into that certain “Amended and Restated Redeveloper and Land Disposition Agreement” dated October 28, 2002 (as the same may be amended and supplemented in accordance with its terms, the “**Redeveloper Agreement**”) with respect to the Waterfront Redevelopment Area, as defined therein; and

WHEREAS, in order to finance the cost of the infrastructure improvements contemplated by the Redeveloper Agreement, the City has determined that the cost of the infrastructure improvements should be assessed pursuant to *N.J.S.A. 40:56-1 et seq.* (the “**Local Improvements Law**”) and/or pursuant to an assessment agreement under the Redevelopment Area Bond Financing Law pursuant to *N.J.S.A. 40A:12A-64 et seq.* (the “**RAB Law**”); and

WHEREAS, pursuant to Section 7.1 of the Redeveloper Agreement, the Master Developer is responsible for the costs of certain wastewater, stormwater, roadway, streetscape, utility and other infrastructure improvements (the “**Infrastructure Improvements**”) within the Waterfront Redevelopment Area, including with respect to Block 4104, Lots 3-7, 10 & 11 (collectively, the “**Property**”), which Infrastructure Improvements, in whole or in part, constitute (i) redevelopment projects (collectively, the “**Infrastructure Redevelopment Project**”) to be undertaken pursuant

to the Redevelopment Plan in the Waterfront Redevelopment Area, all as contemplated by the Redevelopment Law and RAB Law, and (ii) local improvements within the meaning, and for the purposes set forth in the Local Improvement Law for which a special assessment may be imposed; and

WHEREAS, pursuant to the RAB Law, a municipality may issue bonds (as issued in connection with this Ordinance, the “**RABs**”) to finance redevelopment projects pursuant to a redevelopment plan within an area in need of redevelopment, which RABs may be secured by, among other things, a special assessment on certain property within an area in need of redevelopment,

NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF ASBURY PARK, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, AS FOLLOWS:

Section 1. The defined terms set forth in the recitals contained in this Ordinance are incorporated by reference as it is set forth at length herein.

Section 2. The purpose of this special assessment ordinance is to establish a mechanism for imposing special assessments of all or a portion the cost of the Infrastructure Improvements to be developed, financed and constructed on or benefiting the Property in accordance with the requirements of the Redevelopment Agreement. The Infrastructure Improvement will consist of the design, financing, construction and installation of various infrastructure improvements, including but not limited to, wastewater, stormwater, roadway, streetscape and utility improvements, including all work necessary therefor and incidental thereto with respect to the Property.

Section 3. Notice is hereby given to the owners of the Property that the City intends to make and levy special assessments against all such Property in the amount and at the time that such Infrastructure Improvements have been completed or at such later time as the City may determine. The estimated aggregate cost of such Infrastructure Improvements for the Property subject to this ordinance is \$1,250,000 (subject to the actual costs of such Infrastructure Improvements at the time of installation as certified to the City Engineer), provided that the special assessments for any Property affected by this ordinance shall be made and levied in the manner provided by law and shall be as nearly as possible in proportion to and not in excess of the peculiar benefit, advantage or increase in value that the Property shall be deemed to receive by reason of the Infrastructure Improvements.

Section 4. The following additional matters are hereby determined, declared, recited and stated:

(a) The amount of any special assessment (“**Special Assessment**”) levied against the Property shall be determined, at the option of the owner of the Property, in accordance with:

(i) the procedure set forth in the Local Improvements Law; or

(ii) pursuant to a special assessment agreement entered into by and between the City and the affected property owner under *N.J.S.A. 40A:12A-66* of the RAB Law (“**Special Assessment Agreement**”).

(b) Whether levied under the Local Improvements Law or a Special Assessment Agreement under Section 66 of the RAB Law, the Special Assessments shall be paid over a 30 year period in quarterly installments payable at the time and in the manner that generally applicable property taxes are required to be paid in the City, with legal interest: (a) charged on the portion of the Special Assessments allocable to the RABs from the date of issuance through the date that all of the RABs are no longer outstanding, with such legal interest meaning the interest rate on the RABs; (b) charged on the portion of the Special Assessments allocable to the RABs with respect to any installment not paid when due, with such legal interest meaning the highest rate of interest permitted under New Jersey law in the case of unpaid taxes or tax liens until paid; and (c) charged on the portion of the Special Assessments not allocable to the RABs with respect to any installment not paid when due, with such legal interest meaning the highest rate of interest permitted under New Jersey law in the case of unpaid taxes or tax liens until paid, or such lesser portion as may be determined by the City. The first such installment shall commence on the first business day of the quarter immediately following (i) the determination of the peculiar benefit, advantage or increase in value which particular lot or Property shall be deemed to have received as a result of the infrastructure improvements, as required to under *N.J.S.A. 40:56-27* or (ii) with respect to the Property, at the time set forth in a Special Assessment Agreement under the RAB Law provided that any owner of land so assessed shall, with respect to the portion of the Special Assessments allocable to the RABs, have the privilege of paying the whole of such allocable portion of any Special Assessment or any balance of installments with accrued interest thereon at any time. Such Special Assessment shall remain a lien upon the affected Property described herein until the Special Assessment, with all installments and accrued interest thereon, applicable the particular Property shall be paid and satisfied.

(c) No portion of the cost of the Infrastructure Improvements shall be paid from funds raised from the municipal tax levy or other available funds of the City.

(d) Any Special Assessment levied pursuant to Section 4(a)(ii) of this ordinance shall be subject to the terms and conditions set forth in a Special Assessment Agreement to be entered into by the City and the affected property owner substantially in the form attached hereto as Exhibit A, together with such additions, deletions, modifications or revisions as may be required in consultation with counsel to the City to facilitate the transaction contemplated hereby. Any Special Assessment Agreement executed from time to time, and pursuant to which Special Assessment payments are securing bonds issued under the RAB Law, shall be recorded in accordance with the requirements of the RAB Law. The Mayor is hereby authorized and directed to execute the Special Assessment Agreement and the City Clerk is hereby authorized and directed to attest to such signature, and to affix the corporate seal of the City upon the Special Assessment Agreement.

(e) The City hereby determines that: (i) it shall have the right to charge Owner(s) of the Property legal interest (a) charged on the portion of the Special Assessments allocable to the RABs from the date of issuance through the date that all of the RABs are no longer outstanding, with such legal interest meaning the interest rate on the RABs; (b) charged on the portion of the Special Assessments allocable to the RABs with respect to any installment not paid when due, with such legal interest meaning the highest rate of interest permitted under New Jersey law in the

case of unpaid taxes or tax liens until paid; and (c) charged on the portion of the Special Assessments not allocable to the RABs with respect to any installment not paid when due, with such legal interest meaning the highest rate of interest permitted under New Jersey law in the case of unpaid taxes or tax liens until paid, or such lesser portion as may be determined by the City; and (ii) in lieu of the levy of the special assessment described herein pursuant to the Local Improvements Law, the special assessment may be charged, collected and otherwise applied in the manner set forth in the Special Assessment Agreement.

Section 5. The Mayor is hereby authorized and directed to determine all matters and terms in connection with the Special Assessment or the Special Assessment Agreement, all in consultation with the counsel to the City, and the manual or facsimile signature of the Mayor upon any documents shall be conclusive as to all such determinations. The Mayor, the City Manager, the Chief Financial Officer, the City Clerk and any other City official, officer or professional, including but not limited to, redevelopment counsel, bond counsel, the financial advisor and the auditor to the City, are each hereby authorized and directed to execute and deliver such documents as are necessary to facilitate the transactions contemplated hereby, and to take such actions or refrain from such actions as are necessary to facilitate the transactions contemplated hereby, in consultation with, as applicable, redevelopment counsel, bond counsel, the financial advisor and the auditor to the City, and any and all actions taken heretofore with respect to the transactions contemplated hereby are hereby ratified and confirmed.

Section 6. Nothing in this ordinance is intended to abrogate or in any way limit the general application of that certain ordinance adopted by the City on February 20, 2013 and entitled “An Ordinance of the City of Asbury Park, in the County of Monmouth, New Jersey, Providing for the Special Assessment of the Cost of Certain Wastewater, Stormwater, Roadway, Streetscape, Utility and Other Infrastructure Improvements in Portions of the Prime Renewal Area and the Boardwalk Area within the Asbury Park Waterfront Redevelopment Area and Establishment of a Mechanism for Payment of the Cost Thereof”.

Section 7. This ordinance shall take effect as provided by law.

Motion made Deputy Mayor Quinn and seconded by Council Member Kendle to open the meeting to the public for Ordinance 2015-13. All were in favor.

The following members of the public spoke: Louise Murray, Loris Ross, Jerry Scarano and Rita Morano

There being no further public comment, motion made by Mayor Moor and seconded by Deputy Mayor Quinn to close the public hearing for Ordinance 2015-13. All were in favor.

Motion to adopt Ordinance 2015-13.

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

2015-14 An Ordinance Authorizing the City of Asbury Park to Grant a 5-Year Abatement for Property Designated as Block 2404, Lot 4.02 (to be Subdivided from Block 2404, Lot 4) and Authorizing the Mayor the Execute the Attached Agreement

Ordinance is attached hereto and made a part of these minutes.

Motion made Deputy Mayor Quinn and seconded by Council Member Woerner to open the meeting to the public for Ordinance 2015-14. All were in favor.

The following members of the public spoke: Louise Murray, Jerry Scarano, Rita Morano and John Owens.

There being no further public comment, motion made by Mayor Moor and seconded by Deputy Mayor Quinn to close the public hearing for Ordinance 2015-14. All were in favor.

Motion to adopt Ordinance 2015-14.

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

2015-15 An Ordinance Establishing a Thirty (30) Minute Time Limit for Three (3) Parking Spaces Along Prospect Avenue and Bangs Avenue, in the City of Asbury Park, New Jersey, and Amending and Supplementing the “Revised General Ordinances of the City of Asbury Park” Accordingly

Ordinance is attached hereto and made a part of these minutes.

Motion made Deputy Mayor Quinn and seconded by Council Member Woerner to open the meeting to the public for Ordinance 2015-15. All were in favor.

There being no public comment, motion made by Council Member Woerner and seconded by Deputy Mayor Quinn to close the public hearing for Ordinance 2015-15. All were in favor.

Motion to adopt Ordinance 2015-15.

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

2015-16 An Ordinance Amending and Supplementing Section 4-9 Entitled “Display of Merchandise in Public Areas; Outdoor/Sidewalk Cafes,” of Chapter IV, Entitled

“General Licensing,” of the “Revised General Ordinances of the City of Asbury
Park, new Jersey”

Ordinance is attached hereto and made a part of these minutes.

Motion made Mayor Moor and seconded by Deputy Mayor Quinn to open the meeting to the public for Ordinance 2015-16. All were in favor.

There being no public comment, motion made by Council Member Woerner and seconded by Deputy Mayor Quinn to close the public hearing for Ordinance 2015-16. All were in favor.

Motion to adopt Ordinance 2015-16.

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

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

The meeting was adjourned.

Respectfully submitted by:

Cindy A. Dye, RMC, City Clerk