



Agenda
Meeting of the Municipal Council
Wednesday, May 25, 2016

I. Executive Session – 6:00 p.m.

Resolution 2016-233 Authorizing a Meeting which Excludes the Public

A. Contract Negotiations:

1. Carter Sackman - Savoy Theater Financial Agreement
2. Interfaith Neighbors-Redevelopers Agreement (Turf Club-Springwood Avenue)

II. 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 comply with the “Open Public Meetings Act,” Chapter 231, P.L. 1975, adequate Notice of this meeting has been provided in the following manner: The Annual Notice was forwarded to the Asbury Park Press, The Coaster and The Star Ledger on January 6, 2016, and posted on the bulletin board the same date. All notices are on file with the City Clerk.

E. **PROCLAMATION RECONIZING NATIONAL SAFE BOATING WEEK**

F. Matters from City Council

G. Matters from City Manager

H. Matters from City Attorney

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

J. Minutes

- April 25, 2016 - Workshop Meeting
- April 27, 2016 – Executive Session
- April 27, 2016 – Regular Meeting
- May 9, 2016 – Workshop Meeting
- May 11, 2016 – Executive Session
- May 11, 2016 – Regular meeting

I. 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.]

- 2016-235 Resolution Authorizing the Payment of Payroll in the Amount of \$867,281.04
- 2016-236 Resolution of the City of Asbury Park, County of Monmouth, State of New Jersey Authorizing a Refund Due to Double Payment by Buyer and Seller (Block 3703 Lot 5.79)
- 2016-237 Resolution Approving a Contract with Rok Industries, Inc. d/b/a Njtaxlieninvestor.Com, for Internet-Based Electronic Tax Sale Processing for 2016
- 2016-238 A Resolution Authorizing Tyrone A. Young, Tax Collector, to Complete Application to Participate in Electronic Tax Sale Process
- 2016-240 Rejecting Proposals for Turn-Key Parking Operations Related to All Regulated Parking within the City

J. Individual Resolutions

- 2016-239 Resolution Authorizing Shared Services Agreement with the Township of Neptune for Improvements to Wesley Lake
- 2016-241 Resolution Authorizing the Payment of Bills in the Amount of \$371,797.10
- 2016-242 A Resolution Authorizing the City of Asbury Park to Enter into a Joint Purchasing Agreement
- 2016-243 A Resolution Authorizing the Submission of a Grant Application for the 2016 Cops-In-Shops/Summer Shore Initiative Grant Program
- 2016-244 A Resolution Authorizing the Submission of a Grant Application for the Cops Hiring Program (“CHP”)
- 2016-245 Authorizing a Contact with Viply LLC. to Provide Electronic Beach Badge System
- 2016-246 Resolution of the Mayor and City Council of the City of Asbury Park Designating Interfaith Neighbors, Inc. as Redeveloper of the Parcel Known as the Turf Club (Block 803, Lots 1-14) in the Springwood Avenue Redevelopment Area and Approving a Redeveloper Agreement by and Between the City and Interfaith Neighbors
- 2016-247 Resolution Amending Temporary Appropriations for 2016
- 2016-248 Resolution of the City of Asbury Council Park Filling the Unexpired Term of Council Member Joe Woerner

K. Ordinances:

1. Introduction:

- 2016-20 Refunding Bond Ordinance Authorizing the Issuance of Not to Exceed \$2,250,000 Aggregate Principal Amount of General Obligation Refunding Bonds by the City of Asbury Park, in the County of Monmouth, State of New Jersey, to the Monmouth County Improvement Authority (the "MCIA") for the Purpose of Refunding Certain Bonds Heretofore Issued by the City to the MCIA
- 2016-21 Establishing a Restricted Parking Space for Use by Handicapped Persons at Property Located at 1310 Third Avenue, Designated as Block 1103, Lot 48, in the City of Asbury Park, and Amending and Supplementing Section 7-36, Entitled, "Handicapped Parking," of Chapter VII, "Traffic," of the Revised General Ordinances of the City of Asbury Park, New Jersey."
- 2016-22 An Ordinance Amending Chapter II Section 63 "Administration – Set Aside Program"
- 2016-23 An Ordinance Amending Chapter VIII Section I "Property Improvement and Neighborhood Preservation – Property Maintenance Code"
- 2016-24 An Ordinance Creating Chapter III Section 39 "Police Regulations – Police and Fire Alarm Systems"
- 2016-25 An Ordinance Amending And Supplementing Chapter VII "Traffic", Subsection 7-41 "Metered Parking" of the "Revised General Ordinances of the City of Asbury Park, New Jersey."
- 2016-26 Approving and Adopting an Amendment to the Central Business District Redevelopment Plan Relating "Review of Certain Uses Within the Central Business District Redevelopment Area for Sound Mitigation Matters"

2. Second Reading/Public Hearing:

- 2016-11 An Ordinance Amending and Supplementing Section 7-20, Entitled "One-Way Streets," of Chapter VII, "Traffic," of the "Code of the City of Asbury Park, New Jersey."
- 2016-15 Ordinance of the City of Asbury Park Authorizing the Execution of a Financial Agreement With AEF II Urban Renewal, LLC And Savoy Urban Renewal, LLC, And Granting A Tax Exemption.

2016-19 Establishing a Restricted Parking Space For Use By Handicapped Persons at Property Located at 1215 Springwood Avenue, Designated as Block 1103, Lot 48, in the City of Asbury Park, and Amending and Supplementing Section 7-36, Entitled, “Handicapped Parking,” of Chapter VII, “Traffic,” of the “Revised General Ordinances of the City of Asbury Park, New Jersey.”

L. SWEARING IN OF NEW COUNCIL MEMBER

M. Adjournment.



MINUTES
Meeting of the Municipal Council
Wednesday, May 25, 2016
REGULAR MEETING

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

The following Council Members were present: Council Member Jesse Kendle, Council Member Yvonne Clayton, Deputy Mayor Amy Quinn and Mayor John Moor. Also present were: City Attorney Frederick Raffetto, City Manager Michael Capabianco 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 6, 2016, and posted on the bulletin board the same date. All notices are on file with the City Clerk.”

PROCLAMATION RECONIZING NATIONAL SAFE BOATING WEEK – City Manager Capabianco stated that this Proclamation is to reminder boaters to practice proper boating procedures and to be safe.

MATTERS FROM CITY COUNCIL

Council Member Kendle discussed the street cleaner that comes down the 1200 block of Fourth Avenue.

Mayor Moor clarified his comments from Monday evening regarding the Bangs Avenue parking garage.

MATTERS FROM CITY MANAGER - None

MATTERS FROM THE CITY ATTORNEY - None

PUBLIC PARTICIPATION

Motion made by Council Member Kendle and seconded by Council Member Clayton 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: Jackie Pappas, Tee Lesinski, Dean Lasasso, Ellen Muller, Conrad Neblitt, Calvin Anderson, Werner Baumgartner, Anthony DiGano; Jerry Scarano and Rita Marano.

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

A. Minutes

- April 25, 2016 - Workshop Meeting
- April 27, 2016 – Executive Session
- April 27, 2016 – Regular Meeting
- May 9, 2016 – Workshop Meeting
- May 11, 2016 – Executive Session
- May 11, 2016 – Regular meeting

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

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.]

2016-235 Resolution Authorizing the Payment of Payroll in the Amount of \$867,281.04

**Resolution #2016-235
City of Asbury Park
County of Monmouth
State of New Jersey**

RESOLUTION AUTHORIZING THE PAYMENT OF PAYROLL IN THE AMOUNT OF \$867,281.04

WHEREAS, the May 13, 2016 payroll in the amount of \$867,281.04, has been approved by the Chief Financial Officer and has subsequently been audited and found correct; and

BE IT RESOLVED, that the payroll payable totaling \$867,281.04 is hereby authorized to be paid, and;

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

2016-236 Resolution of the City of Asbury Park, County of Monmouth, State of New Jersey Authorizing a Refund Due to Double Payment by Buyer and Seller (Block 3703 Lot 5.79)

Resolution # 2016-236

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

**RESOLUTION OF THE CITY OF ASBURY PARK, COUNTY OF MONMOUTH,
STATE OF NEW JERSEY AUTHORIZING A REFUND DUE TO DOUBLE PAYMENT
BY BUYER AND SELLER**

WHEREAS, the Tax Collector has requested authorization to issue a refund of an overpayment made by previous owner and current owner; and

WHEREAS, the Tax Collector has requested to refund on Block 3703 Lot 5.79 Qualification C0909, assessed to Ms. Claire Sheprow, in the amount of \$902.56 for 2015 overpaid 1st quarter taxes.

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

1. The Mayor and City Council do hereby authorize the Tax Collector for the City of Asbury Park to refund \$902.56, for 2015 overpaid 1st quarter taxes to previous owner Peter Donohue.
2. A certified copy of this resolution shall be forwarded to the Tax Collector and CFO of City of Asbury Park.

2016-237 Resolution Approving a Contract with Rok Industries, Inc. d/b/a Njtaxlieninvestor.Com, for Internet-Based Electronic Tax Sale Processing for 2016

Resolution # 2016-237

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

**RESOLUTION APPROVING A CONTRACT WITH ROK INDUSTRIES, INC. D/B/A
NJTAXLIENINVESTOR.COM, FOR INTERNET-BASED ELECTRONIC TAX SALE
PROCESSING FOR 2016**

WHEREAS, there exists a need for a vendor to administer tax lien services related to ELECTRONIC TAX SALE PILOT PROGRAM for the City of Asbury Park's annual tax sale to be held in December of 2016; and

WHEREAS, pursuant to the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.), such services are considered "Professional Services" as within the scope of a licensed and regulated profession, and same may be awarded without competitive bidding; and

WHEREAS, Pursuant to N.J.S.A. 54:5-19.1(c) **ROK INDUSTRIES, INC. d/b/a NJTaxlieninvestor.com** has qualified as an eligible vendor subject to the rules and regulations promulgated by the Director of Local Government Services.

WHEREAS, funds are available for this purpose in the Tax Collectors Tax Sale Budget line item and certification of availability of funds shall be made by the Chief Financial Officer or his designee at such time as services are ordered or otherwise called for.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ASBURY PARK that a contract for Professional Services be and hereby is awarded to **ROK INDUSTRIES, INC. d/b/a NJTaxlieninvestor.com** 306 Harlingen Road, Belle Mead, NJ 08502, at a fee not to exceed \$15.00 per item listed, in accordance with their proposed contract; and

BE IT FURTHER RESOLVED that this Resolution is expressly contingent upon the negotiation and execution of the necessary contract documents between **ROK INDUSTRIES, INC. d/b/a NJTaxlieninvestor.com** and the City of Asbury Park; and

BE IT FURTHER RESOLVED that the Mayor and City Clerk be and hereby are empowered and directed to execute a contract with **ROK INDUSTRIES, INC. d/b/a NJTaxlieninvestor.com** to effectuate the foregoing.

2016-238 A Resolution Authorizing Tyrone A. Young, Tax Collector, to Complete Application to Participate in Electronic Tax Sale Process

Resolution # 2016-238

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

**A RESOLUTION AUTHORIZING TYRONE A. YOUNG, TAX COLLECTOR, TO
COMPLETE APPLICATION TO PARTICIPATE IN ELECTRONIC TAX SALE
PROCESS**

WHEREAS, N.J.S.A. 54:5-19, authorizes electronic tax sales pursuant to rules and regulations to be promulgated by the Director of the Division of Government Services; and

WHEREAS, the Director of the Division of Local Government Services has promulgated rules and regulations for pilot programs; and

WHEREAS, the Director of the Division of Local Government Services has approved NJ Tax Lien Investors/RealAuction.com to conduct pilot programs; and

WHEREAS, the rules and regulations authorize a municipality to submit an application for participation in the pilot program for an electronic tax sale; and

WHEREAS, Tax Collector, Tyrone A. Young has advised that an electronic tax sale is innovative and provides a greater pool of potential lien buyers, thus creating the environment for a more complete tax sale process; and

WHEREAS, it is recommended that Tyrone A. Young be authorized to complete the necessary application for the City of Asbury Park to participate in the electronic tax sale program; and

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF ASBURY PARK that the City of Asbury Park wishes to participate in the pilot program for an electronic tax sale; and

BE IT FURTHER RESOLVED that Tyrone A. Young, Tax Collector shall and hereby is authorized to complete an application to participate in the electronic tax sale program and submit same to the Director of the Division of Local Government Services.

BE IT FURTHER RESOLVED that this Resolution shall take effect pursuant to law.

2016-240 Rejecting Proposals for Turn-Key Parking Operations Related to All Regulated Parking within the City

Resolution # 2016-240

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

**REJECTING PROPOSALS FOR TURN-KEY PARKING OPERATIONS
RELATED TO ALL REGULATED PARKING WITHIN THE CITY**

WHEREAS, the City of Asbury Park previously advertised and received proposals (from interested vendors) for Turn-Key Parking Operations Related to All Regulated Parking within the City; and

WHEREAS, following receipt and review of the proposals, the City has determined that it wishes to substantially revise the specification for same; and

WHEREAS, the City therefore wishes to reject all of the proposals received as per the New Jersey Local Public Contracts Law N.J.S.A 40A:11-13.2(d).

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the City of Asbury Park (the "City"), in the County of Monmouth, State of New Jersey that proposals from all vendors for Turn-Key Parking Operations Related to All Regulated Parking Within The City are hereby rejected as per N.J.S.A 40A:11-13.2(d).

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

J. Individual Resolutions

2016-239 Resolution Authorizing Shared Services Agreement with the Township of Neptune for Improvements to Wesley Lake

Resolution # 2016-239

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

WHEREAS, Sections 1 through 35 of P.L.2007, c.63 (C.40A:65-1 through C.40A:65-35) shall be known and may be referred to as the “Uniform Shared Services and Consolidation Act and allows local units to share services via adoption of a resolution; and

WHEREAS, both the City of Asbury Park and the Township of Neptune are interested in improving their operations; and

WHEREAS, both the City of Asbury Park and the Township of Neptune are interested in implementing best practices through the jointly created Wesley Lake Commission; and

WHEREAS, the City and Township are interested in sharing its operations related to water quality improvements at Wesley Lake; and

WHEREAS, the City of Asbury Park is a Transitional Aid municipality and does not adopt its final budget until later in the year; and

WHEREAS, there are certain activities that are required to be completed in the spring/early summer to maintain the health of Wesley Lake that the City of Asbury Park cannot reasonably afford during its Temporary Budget cycle; and

WHEREAS, the City is desirous to share the funding cost of maintain the Lake; and

WHEREAS, the Township of Neptune understands the budget limitations the City is facing, especially in regards to the Temporary Budget; and

WHEREAS, the City and Township have historically split the costs of improvements to the Lake and wish to continue that practice; and

WHEREAS, in order to maintain the health of Wesley Lake, the Township of Neptune shall pay for the spring/early summer maintenance for the Lake; and

WHEREAS, the City's and Township's cost-sharing shall not exceed \$6,000.00 without amending this agreement; and

WHEREAS, the City of Asbury Park, upon adoption of its final budget will notify the Township that the final budget has been adopted; and

WHEREAS, the Township of Neptune then shall bill the City of Asbury Park for the cost of the spring/early summer improvements; and

WHEREAS, the Township of Neptune shall be the primary responsible entity and be responsible for procuring services to maintain the Lake; and

WHEREAS, length of this agreement is one (1) year covering 2016; and

WHEREAS, this agreement can be terminated by Resolution of either governing body by March 1 of any calendar year; and

WHEREAS, C.40A:65-7g explicitly sets for the manner in which monetary disputes must be handle: "In the event of any dispute as to the amount to be paid, the full amount to be paid as provided in subsection a. of this section shall be paid; but if through subsequent negotiation, arbitration or litigation the amount due shall be determined, agreed or adjudicated to be less than was actually so paid, then the party having received the payment shall forthwith repay the excess;" and

NOW, THEREFORE IT BE RESOLVED, that this shared service between the Township of Neptune and the City of Asbury Park commence effective May 25, 2016.

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

2016-241 Resolution Authorizing the Payment of Bills in the Amount of
\$371,797.10

Mayor Moor abstained from line item 6-01-23-220-000-209. He requested that all ITS bills be held for clarification.

**Resolution #2016-241
City of Asbury Park
County of Monmouth**

RESOLUTION AUTHORIZING THE PAYMENT OF BILLS IN THE AMOUNT OF
\$371,797.10

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.

\$ 371,797.10**

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

2016-242 A Resolution Authorizing the City of Asbury Park to Enter into a Joint
Purchasing Agreement

Resolution # 2016-242

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

A RESOLUTION AUTHORIZING THE CITY OF ASBURY PARK TO ENTER INTO A JOINT PURCHASING AGREEMENT

WHEREAS *N.J.S.A. 40A:11-11(10)* authorizes contracting units to establish a Joint Purchasing System and to enter into a Joint Purchasing Agreement for its administration; and

WHEREAS the Borough of Neptune City, hereinafter referred to as the “Lead Agency” has offered voluntary participation in a Joint Purchasing System for the provision and performance of goods and services; and

WHEREAS, on October 15, 2013 the governing body of the Borough of Neptune City, County of Monmouth, State of New Jersey duly considered participation in a Joint Purchasing System for the provision and performance of goods for Police Department Equipment for Training Purposes, including but not limited to Simunitions Equipment.

NOW, THEREFORE BE IT RESOLVED as follows:

TITLE

This Resolution shall be known and may be cited as the Joint Purchasing Resolution of the City of Asbury Park

AUTHORITY

Pursuant to the provisions of *N.J.S.A. 40A:11-10* the City Manager is hereby authorized to enter into a Joint Purchasing Agreement with the Lead Agency.

CONTRACTING UNIT

The Lead Agency shall be responsible for complying with the provisions of the Local Public Contracts Law (*N.J.S.A. 40A:11-1 et seq.*) and all other provisions of the revised statutes of the State of New Jersey.

EFFECTIVE DATE

This resolution shall take effect immediately upon passage.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Asbury Park, County of Monmouth and State of New Jersey that the City Manager is authorized to sign the paperwork in regards to join the joint purchasing agreement in which the City of Neptune is the lead agency for active shooter training.

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

2016-243 A Resolution Authorizing the Submission of a Grant Application for the 2016 Cops-In-Shops/Summer Shore Initiative Grant Program

Resolution # 2016-243

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

**A RESOLUTION AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION
FOR THE 2016 COPS-IN-SHOPS/SUMMER SHORE INITIATIVE GRANT PROGRAM**

WHEREAS, the State of New Jersey Department of Law and Public Safety, Division of Alcoholic Beverage Control has received grant funds from the Division of Highway Traffic Safety to administer the Cops-In-Shops/Summer Shore Initiative for 2016; and

WHEREAS, it is the intent and spirit of the State of New Jersey Department of Law and Public Safety, Division of Alcoholic Beverage Control to use the grant to assist local undercover law enforcement officers to join forces with local retail establishments to deter the sale of alcohol to underage individuals and to stop adults from attempting to purchase alcohol for people under the legal age; and

WHEREAS, it is the recommendation of the City of Asbury Park Police Department to apply for grant AL-16-45-05-02 in an amount not less than \$2,000 for the period of May 23, 2016 through September 15, 2016.

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

1. The Deputy Chief of Police is hereby authorized and directed to accept said award for the 2016 Cops-In-Shops/Summer shore Initiative grant program in an amount not less than \$2,000 for the period of May 23, 2016 through September 15, 2016.

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

2016-244 A Resolution Authorizing the Submission of a Grant Application for the Cops Hiring Program (“CHP”)

Resolution # 2016-244

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

**A RESOLUTION AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION
FOR THE COPS HIRING PROGRAM (“CHP”)**

WHEREAS, the U.S. Department of Justice, Office of Community Oriented Policing Services (“COPS”) is soliciting grant applications for its FY2016 COPS Hiring program; and

WHEREAS, the City of Asbury Park Police Department is recommending applying for the FY2016 COPS Hiring program for hiring two (2) new police offices; and

WHEREAS, the funding for the FY2016 COPS Hiring program is for a 36 month period and requires the City of Asbury Park to retain those two (2) positions for a minimum of 12 months following the conclusion of the 36 months of federal funding for each position, over and above the number of locally-funded sworn officer positions that would have existed in the absence of the grant; and

WHEREAS, this grant provides up to seventy-five (75) percent of the allowable costs of the grant project (up to a maximum federal share of \$125,000 per officer position), to include fringe benefits and the City of Asbury Park is required to contribute a local match of at least twenty-five (25) percent toward the total cost of the approved grant project, which must be a cash match from funds not previously budgeted for law enforcement purposes and must be paid during the grant award period; and

WHEREAS, the local match contribution must be made on an increasing basis during each year of the three year grant period, with the federal share decreasing accordingly.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Asbury Park, County of Monmouth, State of New Jersey that the City of Asbury Park Police Department is hereby authorized and directed to apply for the FY2016 COPS Hiring program for two (2) positions.

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

2016-245 Authorizing a Contact with Viplly LLC. to Provide Electronic Beach Badge System

Resolution # 2016-245

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

**AUTHORIZING A CONTACT WITH VIPLY LLC. TO PROVIDE ELECTRONIC
BEACH BADGE SYSTEM**

WHERAS, the City of Asbury Park is accepted proposals due on May 25, 2016 at 10:00 AM for a consultant to provide an electronic beach badge system; and

WHERAS, Viplly LLC was the sole respondent and the City's Temporary Purchasing Agent has reviewed the proposal and deemed it complete; and

WHERAS, the City of Asbury Park elects to choose the "offset" feature in which all convenience and processing fees are borne by the user thereby making the System free for the City.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the City of Asbury Park (the “City”), in the County of Monmouth, State of New Jersey that Viply LLC. is hereby awarded the contract to provide an electronic beach badge system with the “offset” option.

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

2016-246 Resolution of the Mayor and City Council of the City of Asbury Park Designating Interfaith Neighbors, Inc. as Redeveloper of the Parcel Known as the Turf Club (Block 803, Lots 1-14) in the Springwood Avenue Redevelopment Area and Approving a Redeveloper Agreement by and Between the City and Interfaith Neighbors

Motion made by Deputy Mayor Quinn and seconded by Council Member Kendle to table Resolution 2016-246. All were in favor.

2016-247 Resolution Amending Temporary Appropriations for 2016

**Resolution #2016-247
City of Asbury Park
County of Monmouth
State of New Jersey**

RESOLUTION AMENDING TEMPORARY APPROPRIATIONS FOR 2016

WHEREAS, N.J.S.A 40A:4-20 provides that the Governing Body by a 2/3 vote of the full membership thereof may make emergency temporary appropriations for any purpose for which appropriation may lawfully be made for the period between the beginning of the current fiscal year and the final adoption of the budget for the said year; and

WHEREAS, the previously adopted temporary budget did not provide sufficient funds for the operational costs prior to the final adoption of the 2016 budget.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the City of Asbury Park that the following Emergency Temporary Appropriation for the year 2016 be adopted and a certified copy of this resolution be provided to the Borough’s Chief Financial Officer and the Director of Division of Local Government Services, Department of Community Affairs, State of New Jersey.

	<u>FROM</u>	<u>TO</u>
Current Fund:		
Recreation – Other Expenses	\$ 62,000.00	\$ 97,000.00
Street Lighting	123,250.00	153,250.00
Monmouth County – 911/Dispatch Services	0.00	650,852.00

Drunk Driving Enforcement Fund	0.00	8,384.18
State of NJ – Body Armor Grant	0.00	8,245.86

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

2016-248 Resolution of the City of Asbury Council Park Filling the Unexpired Term of Council Member Joe Woerner

Resolution # 2016-248

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

RESOLUTION OF THE CITY OF ASBURY PARK COUNCIL FILLING THE VACANCY ON THE GOVERNING BODY CAUSED BY THE RESIGNATION OF FORMER COUNCIL MEMBER JOE WOERNER (FOR ITS UNEXPIRED TERM).

WHEREAS, Joe Woerner, a duly elected member of the City Council of the City of Asbury Park, has resigned from office effective as of April 30, 2016, due to personal reasons; and

WHEREAS, pursuant to the provisions of the “Municipal Vacancy Law” (N.J.S.A. 40A:16-1, *et seq.*), the City Council wishes to appoint a replacement to fill the vacancy on the Governing Body, for its unexpired term (or through December 31, 2016).

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Asbury Park, in the County of Monmouth, State of New Jersey, that the Council hereby appoints Eileen Chapman to fill the unexpired term of Joe Woerner on the Asbury Park City Council, expiring December 31, 2016.

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

K. Ordinances:

1. Introduction:

2016-20 Refunding Bond Ordinance Authorizing the Issuance of Not to Exceed \$2,250,000 Aggregate Principal Amount of General Obligation Refunding Bonds by the City of Asbury Park, in the County of Monmouth, State of New Jersey, to the Monmouth County Improvement Authority (the “MCIA”) for the Purpose of Refunding Certain Bonds Heretofore Issued by the City to the MCIA

City Clerk Dye read by title Ordinance 2016-20.

Motion to introduce Ordinance 2016-20.

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

City Clerk Dye announced that the public hearing is scheduled for June 15, 2016.

2016-21 Establishing a Restricted Parking Space for Use by Handicapped Persons at Property Located at 1310 Third Avenue, Designated as Block 1103, Lot 48, in the City of Asbury Park, and Amending and Supplementing Section 7-36, Entitled, “Handicapped Parking,” of Chapter VII, “Traffic,” of the Revised General Ordinances of the City of Asbury Park, New Jersey.”

City Clerk Dye read by title Ordinance 2016-21.

Motion to introduce Ordinance 2016-21.

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

City Clerk Dye announced that the public hearing is scheduled for June 15, 2016.

2016-22 An Ordinance Amending Chapter II Section 63 “Administration – Set Aside Program”

City Clerk Dye read by title Ordinance 2016-22.

Motion to introduce Ordinance 2016-22.

	MOTION	SECOND	AYES	NAYES	ABSTAIN
Council Member Clayton		X	X		

Council Member Jesse Kendle			X		
Deputy Mayor Amy Quinn	X		X		
Mayor John Moor			X		

City Clerk Dye announced that the public hearing is scheduled for June 15, 2016.

2016-23 An Ordinance Amending Chapter VIII Section I “Property Improvement and Neighborhood Preservation – Property Maintenance Code”

Motion made by Council Member Clayton and seconded by Council Member Kendle to table Ordinance 2016-23. All were in favor.

2016-24 An Ordinance Creating Chapter III Section 39 “Police Regulations – Police and Fire Alarm Systems”

City Clerk Dye read by title Ordinance 2016-24.

Motion to introduce Ordinance 2016-24.

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

City Clerk Dye announced that the public hearing is scheduled for June 15, 2016.

2016-25 An Ordinance Amending And Supplementing Chapter VII “Traffic”, Subsection 7-41 “Metered Parking” of the “Revised General Ordinances of the City of Asbury Park, New Jersey.”

City Clerk Dye read by title Ordinance 2016-25.

Motion to introduce Ordinance 2016-25.

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

City Clerk Dye announced that the public hearing is scheduled for June 15, 2016.

2016-26 Approving and Adopting an Amendment to the Central Business District Redevelopment Plan Relating “Review of Certain Uses Within the Central Business District Redevelopment Area for Sound Mitigation Matters”

City Clerk Dye read by title Ordinance 2016-22.

Motion to introduce Ordinance 2016-22.

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

City Clerk Dye announced that the public hearing is scheduled for June 15, 2016.

2. Second Reading/Public Hearing:

2016-11 An Ordinance Amending and Supplementing Section 7-20, Entitled “One-Way Streets,” of Chapter VII, “Traffic,” of the “Code of the City of Asbury Park, New Jersey.”

**Asbury Park, New Jersey
ORDINANCE NO. 2016-11**

**AN ORDINANCE AMENDING AND SUPPLEMENTING SECTION 7-20,
ENTITLED “ONE-WAY STREETS,” OF CHAPTER VII, “TRAFFIC,” OF THE
“CODE OF THE CITY OF ASBURY PARK, NEW JERSEY.”**

WHEREAS, the City of Asbury Park (the “City”) previously designated certain streets or parts of streets as One-Way Streets within the City, as set forth in Section 7-20, entitled “One-Way Streets,” of Chapter VII, Traffic,” of the “Code of the City of Asbury Park, New Jersey; and

WHEREAS, the Asbury Park Police Department (the “APPD”) has reviewed safety concerns with regard to certain streets within the City; and

WHEREAS, it is the recommendation of the APPD that additional streets be designated as “One-Way Streets” as referenced herein; and

WHEREAS, the Mayor and Council now wish to implement this recommendation by amending the City Code, in accordance with the provisions set forth herein.

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, that the streets (or parts thereof) that are referenced in this Ordinance are hereby designated as One-Way Streets in the direction indicated.

BE IT FURTHER ORDAINED, that Section 7-20, entitled “One-Way Streets,” of Chapter VII, “Traffic,” of the “Code of the City of Asbury Park, New Jersey,” is hereby amended and supplemented in order to add the following (additions are shown with underline):

CHAPTER VII

TRAFFIC

7-20 ONE-WAY STREETS.

7-20.1 Designated.

The following described streets or parts of streets are hereby designated as One-Way Streets in the direction indicated. Parking on these streets will be permitted on the sides indicated below.

<i>Name of Street</i>	<i>Direction</i>	<i>Limits</i>	<i>Parking Permitted</i>
<u>Fifth Avenue</u>	<u>East</u>	<u>Between Webb Street and Ocean Avenue (Eastbound)</u>	<u>Both Sides</u>
<u>Sunset Avenue</u>	<u>West</u>	<u>Between Ocean Avenue and Kingslev Street</u>	<u>Both Sides</u>

BE IT FURTHER ORDAINED, that all other Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistencies.

BE IT FURTHER ORDAINED, 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.

BE IT FURTHER ORDAINED, that this Ordinance shall take effect upon final passage and publication in accordance with the law, following the required twenty (20) day period after adoption, as set forth in N.J.S.A. 40:69A-181(b).

Motion made by Deputy Mayor Quinn and seconded by Council Member Clayton to open Ordinance 2016-11 to the public. All were in favor. Werner Baumgartner spoke regarding Ordinance 2016-11. Motion made by Council Member Kendle and seconded by Deputy Mayor Quinn. All were in favor.

Motion to adopt Ordinance 2016-11.

	MOTION	SECOND	1. AYES	1. NAYES	2. ABSTAIN
Council Member Clayton	X		X		
Council Member Jesse Kendle					X
Deputy Mayor Amy Quinn		X	X		
Mayor John Moor			X		

2016-15 Ordinance of the City of Asbury Park Authorizing the Execution of a Financial Agreement With AEF II Urban Renewal, LLC And Savoy Urban Renewal, LLC, And Granting A Tax Exemption.

Motion made by Mayor Moor and seconded by Deputy Mayor Quinn to table Ordinance 2016-15. All were in favor.

2016-19 Establishing a Restricted Parking Space For Use By Handicapped Persons at Property Located at 1215 Springwood Avenue, Designated as Block 1103, Lot 48, in the City of Asbury Park, and Amending and Supplementing Section 7-36, Entitled, "Handicapped Parking," of Chapter VII, "Traffic," of the "Revised General Ordinances of the City of Asbury Park, New Jersey."

ORDINANCE NO. 2016-19

**ESTABLISHING A RESTRICTED PARKING SPACE
FOR USE BY HANDICAPPED PERSONS AT PROPERTY LOCATED AT
1215 SPRINGWOOD AVENUE, DESIGNATED AS BLOCK 1103, LOT 48,
IN THE CITY OF ASBURY PARK, AND AMENDING AND SUPPLEMENTING
SECTION 7-36, ENTITLED, "HANDICAPPED PARKING," OF CHAPTER VII,
"TRAFFIC," OF THE "REVISED GENERAL ORDINANCES OF THE
CITY OF ASBURY PARK, NEW JERSEY."**

WHEREAS, the City of Asbury Park (the "City") has been requested to create a an additional handicapped parking space adjacent to property located at 1215 Springwood Avenue, in the City, which is also known and designated as Block 1103, Lot 48, on the Asbury Park City Tax Map, which handicapped parking space shall begin 110 feet east of the northeast corner of Springwood Avenue and Borden Avenue and extend 20 feet east; and

WHEREAS, pursuant to N.J.S.A. 39:4-197.5, a municipality may, by Ordinance, establish restricted parking space(s) in front of residences, schools, hospitals and other public buildings, and in shopping and business districts, for use by persons who have been issued special vehicle identification cards by the Division of Motor Vehicles pursuant to the provisions of N.J.S.A. 39:4-205, when using a motor vehicle on which is displayed a certificate, for which a special vehicle identification card has been issued pursuant to N.J.S.A. 39:4-206; and

WHEREAS, the Asbury Park Police Department has reviewed and approved this request; and

WHEREAS, the City therefore wishes to designate an additional restricted parking space for use by handicapped person(s) at the aforesaid property, and to amend and supplement Section 7-36, entitled, "Handicapped Parking," of Chapter VII, "Traffic," of the "Revised General Ordinances of the City of Asbury Park, New Jersey," accordingly.

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

1. There is hereby established an additional restricted parking space adjacent to the property located at 1215 Springwood Avenue, in the City, which is also known and designated as Block 1103, Lot 48, on the Asbury Park City Tax Map, which handicapped parking space shall begin 110 feet east of the northeast corner of Springwood Avenue and Borden Avenue and extend

20 feet east and the space should be 20 feet on center and located on the north side of Springwood Avenue, in accordance with the requirements set forth in this Ordinance.

2. The City Engineer is hereby designated to determine whether or not the said parking space and the erection of any signs associated therewith conform to the current standards prescribed by the Manual of Uniform Traffic Control Devices for Streets and Highways, as adopted by the Commissioner of Transportation, and any other Department of Transportation rules and regulations governing parking spaces and signs, and shall certify his approval of the same to the Commissioner of Transportation in accordance with the requirements of N.J.S.A. 39:4-8.1.

3. The City is authorized to erect appropriate signage to designate the handicapped parking space established herein and may mark the street appropriately.

4. Any signs erected or street markings employed to identify the subject parking space shall clearly and conspicuously state "Parking for Handicapped Persons Only."

5. Section 7-36, entitled, "Handicapped Parking," of Chapter VII, "Traffic," of the "Revised General Ordinances of the City of Asbury Park, New Jersey," is hereby amended and supplemented to include the following:

<u>Name of Street</u>	<u>Side</u>	<u>Location</u>
Springwood Avenue	North	1215 Springwood Avenue, in the City, which is also known and designated as Block 1103, Lot 48, on the Asbury Park City Tax Map, which handicapped parking space shall begin 110 feet east of the northeast corner of Springwood Avenue and Borden Avenue and extend 20 feet east and the space should be 20 feet on center and located on the north side of Springwood Avenue,.

6. On or before January 15th of every year (or the first weekday thereafter), the applicant shall provide proof to the City of Asbury Park Police Department that the handicapped parking space is still needed at the subject property. A failure to do so may result in the City's termination of the designated handicapped parking space.

7. The City reserves the right to terminate the designation of the within handicapped parking space at the City's discretion.

8. All other Ordinances or parts of Ordinances that are inconsistent herewith are hereby repealed to the extent of such inconsistencies.

9. In the event that any portion of this Ordinance is found to be invalid for any reason by any Court of competent jurisdiction, such judgment shall be limited in its effect only to that portion of the Ordinance actually adjudged to be invalid, and the remaining portions of this Ordinance shall be deemed severable therefrom and shall not be affected.

10. This Ordinance shall take effect upon final passage and publication in accordance with the law.

11. A certified copy of this Ordinance shall be provided to the Commissioner of Transportation within thirty (30) days of the adoption thereof.

Motion made by Council Member Kendle and seconded by Deputy Mayor Quinn to open Ordinance 2016-19 to the public. All were in favor. No one from the public spoke. Motion made by Deputy Mayor Quinn and seconded by Council Member Clayton to closed the Ordinance 2016-19 to the public.

Motion to adopt Ordinance 2016-19.

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

SWEARING IN OF NEW COUNCIL MEMBER

City Clerk Dye swore in the new Council Member Eileen Chapman. Ms. Chapman made a statement to the public.

The meeting was adjourned.

Respectfully submitted by:

Cindy A. Dye, RMC, City Clerk