



Agenda
Meeting of the Municipal Council
Wednesday, June 29, 2016

I. Executive Session – 5:00 p.m.

Resolution 2016-274 Authorizing a Meeting which Excludes the Public

- A. Attorney-Client Privilege
- B. Anticipated Litigation:
 - 1. Springwood Avenue Park
 - 2. Tax Title Liens

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. **PRESENTATION OF PROCLAMATION TO MOUNT CARMEL CHURCH**
- F. Matters from City Council
- G. Matters from City Manager
 - a. Special Events
 - b. Deal Drive Parking
- H. Matters from City Attorney
 - a. Summer Rentals Ordinance Revision
- I. Public Participation **(Announcement by City Clerk):**
- J. Minutes
 - June 13, 2016 – Workshop Meeting
 - June 15, 2016 – Executive Session

- June 15, 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.]

- 2016-263 Appointments to the Business Committee
- 2016-275 Approving Special Events/Wedding Applications as Presented on June 29, 2016.
- 2016-276 Resolution Authorizing the Payment of Payroll in the Amount of \$954,298.61
- 2016-277 Resolution to Credit Sewer Account (1211 Third Avenue, Block 2205, Lot 8)
- 2016-278 Award of Contract for Regional Contribution Agreement Project (1110 Monroe Avenue)
- 2016-279 Ratify Phone Poll for Extending the Sunset Avenue Bridge Bid Opening until July 12, 2016

J. Individual Resolutions

- 2016-280 Authorizing Approval to Add Signatories to City Bank Accounts
- 2016-281 Resolution Authorizing the Payment of Bills in the Amount of \$517,305.62
- 2016-282 Resolution for an Emergency Temporary Appropriation to Amend the 2016 Temporary Budget
- 2016-283 Resolution of the City of Asbury Park Making Application to The New Jersey Local Finance Board Pursuant to N.J.S.A. 40A:3-1 et seq. and Previous Approvals by Said Board
- 2016-284 Resolution Authorizing the Issuance of Not to Exceed \$7,000,000 Tax Anticipation Notes of 2016 of the City of Asbury Park, in the County of Monmouth, State of New Jersey
- 2016-285 Authorizing a Lien on Block 3105 Lot 6 (574 Cookman Ave)
- 2016-286 Authorizing the Purchase of a DPW Paint Machine
- 2016-287 Authorizing the Purchase of John Deere 323 Loader
- 2016-288 Authorizing the Purchase of John Deere 524 Loader
- 2016-289 Authorizing the Purchase of a Generator
- 2016-290 Authorizing the Purchase of Fueling System
- 2016-291 Authorizing the Purchase of a Fire Official Vehicle
- 2016-292 Authorizing the Purchase of a Vehicle for the Building Department
- 2016-293 Resolution Accepting Bid for the Sale of Certain Real Property which is No Longer Needed for Public Use (Block 1003, Lot 68 – 1413 ½ Springwood Ave.)
- 2016-294 Authorizing Change Order Number 3 for Springwood Avenue Park

- 2016-295 Resolution Approving Certain Liquor Licenses for 2016-2017 Licensing Year
- 2016-296 A Resolution Approving a Liquor License with Special Conditions for D.B. Ventures, LLC d/b/a Johnny Mac's for the 2016-2017 Licensing Year
- 2016-297 A Resolution Approving a Liquor License with Special Conditions for Porta at Asbury Park, LLC d/b/a Porta for the 2016-2017 Licensing Year
- 2016-298 Resolution Amending Temporary Appropriations for 2016
- 2016-299 Authorizing the Purchase of 2017 Mach GU 432 Cab and Chassis and Dump Body with Plow

K. Ordinances:

1. Introduction:

- 2016-28 Bond Ordinance Providing For 4th Avenue Improvements, By And In The City Of Asbury Park, In The County Of Monmouth, State Of New Jersey; Appropriating \$2,700,000 Therefor (Including A Grant Expected To Be Received From The New Jersey Department Of Transportation In The Amount Of \$342,247) And Authorizing The Issuance Of \$2,700,000 Bonds Or Notes Of The City To Finance Part Of The Cost Thereof
- 2016-29 Establishing a Restricted Parking Space for Use By Handicapped Persons at Property Located at 1109 Grand Avenue, Designated as Block 3401, Lot 8, 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."
- 2016-30 An Ordinance Amending and Supplementing Subsection 12-8.1, Entitled "Summer Rental Defined," of Section 12-8 "Summer Rental Regulations," of Chapter XII, "Building and Construction," of the "Code of the City of Asbury Park, New Jersey."

2. Second Reading/Public Hearing:

- 2016-27 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."

L. Adjournment.



MINUTES
Meeting of the Municipal Council
Wednesday, June 29, 2016
REGULAR MEETING

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

The following Council Members were present: Council Member Eileen Chapman, Council Member Yvonne Clayton, Council Member Jesse Kendle, 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 Mount Carmel CHURCH – Council Member Clayton read and presented the proclamation

MATTERS FROM CITY COUNCIL

Council Member Jesse Kendle stated that Lou Parisi celebrated his 90st birthday and recommended that Council prepare a proclamation recognizing him. He also requested that an Employee of the Month program be initiated.

Council Member Eileen Chapman stated that the Council is looking for volunteers to sit on the Sunset Lake Commission. Interested parties should submit a volunteer application form with the City Clerk. She acknowledge Bob Stewart for an award he received in Atlantic City.

Council Member Yvonne Clayton thanked everyone who came out and supported the first concert at the Springwood Avenue Park.

Deputy Mayor Amy Quinn recognized the three establishments who raised money for the Orlando victims: Paradise, Tides and Georgees. They raise over \$22,000 in one week. An organization called the Sunshine Girls will be donating 49 trees and plaques to be planted in the City remembering the Orlando victims. These trees will most likely be planted in September. This will be at no cost to the City. She asked for the status of the wifi at the beach.

Mayor Moor stated that the City celebrated the opening of the Springwood Avenue Park on June 18. The City received a \$500,000 grant with the Housing Authority for development review of the west side. Michele Alonso, City Planner, provided a brief overview of the grant.

MATTERS FROM CITY MANAGER

- a. City Manager Capabianco reviewed the special events that are on for this evening for consideration by the City Council
- b. City Manager Capabianco stated that the parking committee is reviewing the Deal Drive parking. A report is to come before Council soon.

MATTERS FROM THE CITY ATTORNEY

City Attorney Raffetto explained the revisions scheduled for this evening for the summer rental ordinance.

PUBLIC PARTICIPATION

Motion made by Deputy Mayor Quinn and seconded by Council Member Kendle 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: Rita Marano, Pat McBrian, Wernrer Baumgartner, Ernest Mignoli, Tracy Rogers, Karen Alexander, Jerry Scarano, Lester Green and Phyllis McClutchie.

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

A. Minutes

- June 13, 2016 – Workshop Meeting
- June 15, 2016 – Executive Session
- June 15, 2016 – Regular meeting

	MOTION	SECOND	AYES	NAYES	ABSTAIN
Council Member Eileen Chapman					X
Council Member B. Yvonne Clayton			X		
Council Member Jesse Kendle	X		X		
Deputy Mayor Amy Quinn		X	X		

Mayor John Moor			X		
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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.]

2016-263 Appointments to the Business Committee

Resolution # 2016-263

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

AUTHORIZING APPOINTMENTS TO THE BUSINESS COMMITTEE

WHEREAS, on February 24, 2016, the Mayor and Council adopted Resolution No. 2016-122, which authorized the establishment of a Business Committee (also referenced as the “Committee”) in and for the City of Asbury Park; 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 Resolution No. 2016-122.

NOW, THEREFORE, BE IT RESOLVED, that the following individuals are hereby appointed to serve on the Business Committee:

<u>Appointee</u>	<u>Term to Expire</u>
Marilyn Schlossbach, Mayor’s Appointment	12/31/2017
Adam Nelson, Mayor’s Appointment	12/31/2017
Deputy Mayor Amy Quinn, Council Representative	12/31/2017
Jackie Pappas, Chamber of Commerce Representative	12/31/2017
Michael Capabianco, City Manager	12/31/2017
Jenn Hampton, Parlor Gallery	12/31/2017
Bianca Freda, Interwoven	12/31/2017
Larry Stein, Appliance Brokers	12/31/2017
Kathy Kelly, Paranormal	12/31/2017
Lesley Castellini, Castellini Acupuncture	12/31/2017
Russell Lewis, Watermark	12/31/2017
Reggie Flimlin, Juice Basin	12/31/2017
Jackie Sharpe, Purple Glaze Donuts	12/31/2017
Larry Dembrun, the Asbury Hotel	12/31/2017
Phyllis Buttitta-Maffucci, Conover Agency	12/31/2017

BE IT FURTHER RESOLVED, that the Committee shall operate in accordance with the provisions set forth in Resolution No. 2016-122.

2016-275 Approving Special Events/Wedding Applications as Presented on June 29, 2016

**Resolution # 2016-275
Resolution of the City of Asbury Park**

WHEREAS, AT WORK SESSION MEETING OF THE Mayor and Council held on June 29, 2016 the following Special Events Applications were presented for approval by the Director of Recreation:

1. 4th of July Fireworks
2. The Asbury Opening Party Fireworks
3. Clydesdale Horses
- 12.

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.

2016-276 Resolution Authorizing the Payment of Payroll in the Amount of \$954,298.61

**Resolution #2016-276
City of Asbury Park
County of Monmouth
State of New Jersey**

**RESOLUTION AUTHORIZING THE PAYMENT OF PAYROLL IN THE AMOUNT OF
\$954,298.61**

WHEREAS, the June 15, 2016 payroll in the amount of \$954,298.61, 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 \$954,298.61 is hereby authorized to be paid, and;

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

2016-277 Resolution to Credit Sewer Account (1211 Third Avenue, Block 2205, Lot 8)

Resolution # 2016-277

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

RESOLUTION TO CREDIT SEWER ACCOUNT

WHEREAS: the Tax Collector was notified by Mr. Jeff Williams, owner of the property located at 1211 Third Avenue, Block 2205 Lot 8 that a discrepancy exists between the billing from New Jersey American Water Company and the City of Asbury Park for water and sewer consumption, account 10091750-0; and

WHEREAS, it was made certain that New Jersey American Water Company billed for 11,000 gallons, and the City of Asbury Park billed for 91,000 gallons at a rate of \$457.65; and

WHEREAS, it has been determined by the City of Asbury Park Sewer Department that the reading from New Jersey American Water Company for 95,000 gallons should be billed at a rate of \$125.65.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council for the City of Asbury Park authorize the Tax Collector to credit the sewer account # 10091750-0 for the 2016 2nd QTR sewer billing in the amount of \$332.00 for 80,000 gallons.

2016-278 Award of Contract for Regional Contribution Agreement Project (1110 Monroe Avenue)

Resolution # 2016-278

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

WHEREAS, request for estimates for Regional Contribution Agreement (“RCA”) project located at 1110 Monroe Ave. were received by the City Clerk on June 1, 2016; and

WHEREAS, the results of those estimates are as follows:

1. CONTRACTOR	ESTIMATE
Anpe Corp.	\$43,320
A Paul Contracting	\$56,300
Staff Estimate	\$49,405

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

1. The contract for the RCA project located at 1110 Monroe Avenue be awarded to Anpe Corp., for an amount not to exceed \$43,320, in accordance with the selection of the property owner, Joanne Roesing, subject of Certification of Funds from the Finance Officer.

2016-279 Ratify Phone Poll for Extending the Sunset Avenue Bridge Bid Opening until July 12, 2016

Resolution # 2016-279
Resolution of the City of Asbury Park

**RATIFYING APPROVAL TO EXTEND THE SUNSET AVENUE BRIDGE BID
OPENING UNTIL JULY 12, 2016**

WHEREAS, the City Clerk conducted a poll of the City of Asbury park Mayor and Council on June 21, 2016 to approve an extension of the Sunset Avenue Bridge bid opening date until July 12, 2016; and

WHEREAS, four (4) Council Members responded in the affirmative in approving the requested extension; one (1) Council Member did not respond; and

WHEREAS, a poll was necessary so that proper advertisement and notice was given to prospective bidders.

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 they hereby ratify the approval on June 21, 2016.

	MOTION	SECOND	AYES	NAYES	ABSTAIN
Council Member Eileen Chapman			X		
Council Member B. Yvonne Clayton			X		
Council Member Jesse Kendle		X	X		

Deputy Mayor Amy Quinn	X		X		
Mayor John Moor			X		

J. Individual Resolutions

2016-280 Authorizing Approval to Add Signatories to City Bank Accounts

**Resolution # 2016-280
Resolution of the City of Asbury Park**

**AUTHORIZING APPROVAL TO ADD SIGNATORIES TO
CITY BANK ACCOUNTS**

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 they hereby approves the following signatures to City Bank Accounts: JoAnn Boos, Chief Financial Officer, James Foster, Treasurer, John B. Moor, Mayor, Michael Capabianco, City Manager and Cindy A. Dye, City Clerk.

	MOTION	SECOND	AYES	NAYES	ABSTAIN
Council Member Eileen Chapman			X		
Council Member B. Yvonne Clayton			X		
Council Member Jesse Kendle		X	X		
Deputy Mayor Amy Quinn	X		X		
Mayor John Moor			X		

2016-281 Resolution Authorizing the Payment of Bills in the Amount of \$517,305.62

Mayor Moor abstained from account 6-01-23-220-000-209.

**Resolution #2016-281
City of Asbury Park
County of Monmouth
State of New Jersey**

**RESOLUTION AUTHORIZING THE PAYMENT OF BILLS IN THE AMOUNT OF
\$517,305.62**

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 \$517,305.62 to be paid and:

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

TOTAL VOUCHERS

\$ 517,305.62

	MOTION	SECOND	AYES	NAYES	ABSTAIN
Council Member Eileen Chapman			X		
Council Member B. Yvonne Clayton			X		
Council Member Jesse Kendle		X	X		
Deputy Mayor Amy Quinn	X		X		
Mayor John Moor			X		

2016-282 Resolution for an Emergency Temporary Appropriation to Amend the
2016 Temporary Budget

**Resolution #2016-282
City of Asbury Park
County of Monmouth
State of New Jersey**

**RESOLUTION FOR AN EMERGENCY TEMPORARY APPROPRIATION
TO AMEND THE 2016 TEMPORARY BUDGET**

WHEREAS, emergent conditions have arisen wherein the appropriations set forth in the 2016 temporary budget are insufficient to meet the financial obligations as set forth below

WHEREAS, the permanent budget for the year 2016 has not yet been adopted, and

WHEREAS, the total emergency appropriations adopted in the year 2016 pursuant to the provisions of N.J.S.A. 40A:4-20 including this resolution total \$1,295,322.19.

NOW, THEREFORE BE IT RESOLVED, (not less than two-thirds of all the members thereof affirmatively concurring) that in accordance with the aforementioned statute the 2016 temporary fiscal budget be and the same is hereby amended to provide for emergency temporary appropriations in the amount of \$1,295,322.19, said appropriations are as follows:

BE IT FURTHER RESOLVED, that the City Clerk file a certified a copy of this resolution forthwith to the Director of Local Government Services.

CURRENT FUND

<u>APPROPRIATIONS</u>	<u>SALARY & WAGES</u>	<u>OTHER EXPENSES</u>
WITHIN CAPS:		
Computerized Data Processing		\$ 10,000.00
Liability Insurance		200,000.00
Senior Center Base Salary	<u>70,000.00</u>	<u>70,000.00</u>

TOTAL CURRENT FUND \$ 280,000.00

SEWER UTILITY FUND

APPROPRIATIONS

**OTHER
EXPENSES**

Debt Service:
Bond Principal \$ 1,015,322.19

TOTAL SEWER UTILITY FUND \$ 1,015,322.19

	MOTION	SECOND	AYES	NAYES	ABSTAIN
Council Member Eileen Chapman			X		
Council Member B. Yvonne Clayton					X
Council Member Jesse Kendle		X	X		
Deputy Mayor Amy Quinn	X		X		
Mayor John Moor			X		

2016-283 Resolution of the City of Asbury Park Making Application to The New Jersey Local Finance Board Pursuant to N.J.S.A. 40A:3-1 et seq. and Previous Approvals by Said Board

Resolution # 2016-283

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

**RESOLUTION OF THE CITY OF ASBURY PARK MAKING
APPLICATION TO THE NEW JERSEY LOCAL FINANCE
BOARD PURSUANT TO N.J.S.A. 40A:3-1 ET SEQ. AND
PREVIOUS APPROVALS BY SAID BOARD**

WHEREAS, the City Council of the City of Asbury Park, in the County of Monmouth, State of New Jersey (the "City") desires to adopt a bond ordinance (the "Ordinance") providing for the issuance of one or more series of general improvement bonds of the City in the not to exceed aggregate principal amount of \$2,700,000 (the "Bonds") and notes in anticipation thereof, in order to finance various improvements to 4th Avenue in the City, including but not limited to, as applicable, excavation, milling, paving, reconstruction and boxing out and resurfacing or full depth pavement replacement of the roadway and various sanitary sewer improvements and replacements, and where necessary, the repairing and/or installation of curbs, sidewalks and driveway aprons, installation of curb ramps, resetting utility castings and drainage grates or improvements thereto, drainage work, roadway painting, landscaping and aesthetic improvements, including but not limited to, seeding and installing top soil, trees, bushes or other landscaping; and

WHEREAS, in connection with various previous applications by the City to the Local Finance Board, in the Division of Local Government Services, New Jersey Department of Community Affairs (including specifically its applications in connection with certain bonds and refunding bonds issued under the Municipal Qualified Bond Act, N.J.S.A. 40A:3-1 et seq. (the "MQBA")), the Local Finance Board has heretofore conditioned its approvals upon the undertaking by the City that, for the duration of such bond issues, all future capital authorizations shall require approval from the Local Finance Board; and

WHEREAS, the City believes that:

- (a) it is in the public interest to accomplish such purpose;
- (b) such purpose is in compliance with the requirements of the MQBA;
- (c) said purpose or improvements are for the health, welfare, convenience or betterment of the inhabitants of the City;
- (d) the amounts to be expended for such purpose or improvements are not unreasonable or exorbitant and are consistent with the requirements of the MQBA; and
- (e) the proposal is an efficient and feasible means of providing services for the needs of the inhabitants of the City and will not create an undue financial burden to be placed upon the City; and

WHEREAS, the City Council desires to make application to the Local Finance Board for (i) its approval of the adoption the Ordinance and the capital authorizations contained therein, and (ii) its approval of the issuance of, and of the proposed maturity schedule for such Bonds, to be issued in the form of "qualified bonds" under the MQBA; and

WHEREAS, the City believes that the maturity schedule contained in the Application to the Local Finance Board is in the best interests of the City.

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:

Section 1. The Application to the Local Finance Board is hereby approved, *nunc pro tunc*, and ratified and the City's Bond Counsel, Chief Financial Officer, City Manager and Financial Advisor, along with other representatives of the City, are hereby authorized to prepare such application, to file such application with the Local Finance Board and to represent the City in matters pertaining thereto, *nunc pro tunc*.

Section 2. The Clerk is hereby directed to prepare and file a copy of this Resolution and the Ordinance with the Local Finance Board as part of such application.

Section 3. The Local Finance Board is hereby respectfully requested to consider such application and to record its findings, recommendations and/or approvals as provided by the applicable New Jersey Statute, including causing its consent to be endorsed upon a certified copy of the Ordinance.

Section 4. This Resolution shall take effect immediately upon its adoption.

	MOTION	SECOND	AYES	NAYES	ABSTAIN
Council Member Eileen Chapman			X		
Council Member B. Yvonne Clayton		X	X		
Council Member Jesse Kendle	X		X		
Deputy Mayor Amy Quinn			X		
Mayor John Moor			X		

2016-284 Resolution Authorizing the Issuance of Not to Exceed \$7,000,000 Tax Anticipation Notes of 2016 of the City of Asbury Park, in the County of Monmouth, State of New Jersey

**CITY OF ASBURY PARK
RESOLUTION NUMBER 2016-284**

**RESOLUTION AUTHORIZING THE ISSUANCE OF NOT
TO EXCEED \$7,000,000 TAX ANTICIPATION NOTES OF
2016 OF THE CITY OF ASBURY PARK, IN THE COUNTY
OF MONMOUTH, STATE OF NEW JERSEY**

BE IT RESOLVED, by the City Council of the City of Asbury Park (the “City”), in the County of Monmouth, State of New Jersey, as follows:

Section 1: It is hereby determined and declared that the Chief Financial Officer made and filed in the office of the City Clerk a certificate pursuant to the provisions of Section 40A:4-66 of the Local Budget Law, N.J.S.A. 40A:4-1 et seq., certifying as follows:

(A) The gross borrowing power of the City in respect to tax anticipation notes of the fiscal year beginning January 1, 2016, being thirty percent (30%) of the tax levy for all purposes of the next preceding fiscal year, which ended December 31, 2015, for all purposes, plus thirty percent (30%) of the amount of miscellaneous revenues realized in cash during such next preceding fiscal year, is \$18,985,995.00.

(B) There are no notes of the City outstanding in anticipation of the collection of taxes of such fiscal year beginning January 1, 2016.

(C) The net borrowing power of the City is \$18,985,995.00.

Section 2: Pursuant to the Local Budget Law, the City shall borrow not to exceed \$7,000,000 in anticipation of the collection of taxes levied in and for the fiscal year beginning January 1, 2016, and in anticipation of other revenues for such fiscal year.

Section 3: The notes issued pursuant to this Resolution shall be negotiable notes issued in registered form or payable to bearer, shall be issued in an aggregate principal amount not to exceed \$7,000,000 (with the final principal amount of each note to be determined by the Chief Financial Officer and may be issued in more than one series) and shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law, and shall be payable at maturity, all as shall be determined by the Chief Financial Officer of the City in accordance with the provisions of Section Five (5) below. Any instrument issued pursuant to this resolution shall be a general obligation of the City, and the full faith and credit of the City are hereby pledged to the punctual payment of the principal of and interest on the obligations.

Section 4: The Chief Financial Officer is hereby designated as the financial officer to sign said notes, and the Mayor and the Chief Financial Officer are hereby authorized and directed to execute said notes, and the City Clerk or Deputy City Clerk are each hereby authorized and directed to affix the seal of said City to each of such notes and to attest such seal and said notes, and said officers, notwithstanding any resolution theretofore adopted by the City Council, are hereby authorized to issue said notes in such form as they may adopt in conformity with law and to recite therein that all requirements and conditions of law have been complied with in the issuance of said notes and that said notes are within every debt and other limit prescribed by the Constitution or statutes of New Jersey.

Section 5: The power to determine any matter with respect to said notes not determined by this Resolution and also the power to sell said notes from time to time as funds are granted is hereby granted to the Chief Financial Officer of the City, who is authorized to sell said notes at not less than par and accrued interest and to deliver said notes upon receiving the purchase price to be paid therefor. After the sale of the notes, the Chief Financial Officer shall make a report of such sale to the City Council pursuant to N.J.S.A. 40A:4-72.

Section 6: All sums borrowed by the issuance of said notes shall be applied only to purposes provided for in either (a) the budget adopted for the fiscal year beginning January 1, 2016, or (b) the purposes for which taxes are levied or are to be levied for such fiscal year.

Section 7: Said notes may be renewed from time to time but such notes and any renewals thereof shall mature not later than April 30, 2017.

Section 8. The Chief Financial Officer is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the City and to execute such disclosure document on behalf of the City. The Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the City pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the City and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the City fails to comply with its undertaking, the City shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 9. The City covenants to comply with the provisions of the Internal Revenue Code of 1986, as amended, necessary to maintain the exclusion from interest of the notes for Federal income tax purposes.

Section 10. This resolution shall take effect immediately.

	MOTION	SECOND	AYES	NAYES	ABSTAIN
Council Member Eileen Chapman		X	X		
Council Member B. Yvonne Clayton			X		
Council Member Jesse Kendle	X		X		
Deputy Mayor Amy Quinn			X		
Mayor John Moor			X		

2016-285 Authorizing a Lien on Block 3105 Lot 6 (574 Cookman Ave)

Resolution # 2016-285

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

AUTHORIZING A LIEN ON BLOCK 3105 LOT 6 (574 Cookman Ave)

WHEREAS, the property on Block 3105 Lot 6, commonly known at 574 Cookman Avenue, has created a public hazard that impacts the health, safety and welfare of the public in which elements of the building are falling onto the sidewalk; and

WHEREAS, the City Engineer inspected the building on May 20, 2016 and this report shall be attached to the this Resolution; and

WHEREAS, on June 18, 2016 the owner of the building (Mr. Barry Slott) stated in an email to the Construction Code Official to lien the building to protect the safety of the public; and

WHEREAS, it is now authorized the City Attorney is hereby authorized to work with City staff and file a lien on the building to ensure the safety of the public.

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 authorize the City Attorney to lien the property located at Block 3105 Lit 6, commonly known at 574 Cookman Avenue, in the true and accurate costs to remediate the public safety hazard.

	MOTION	SECOND	AYES	NAYES	ABSTAIN
Council Member Eileen Chapman		X	X		
Council Member B. Yvonne Clayton			X		
Council Member Jesse Kendle			X		
Deputy Mayor Amy Quinn	X		X		

Mayor John Moor			X		
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2016-286 Authorizing the Purchase of a DPW Paint Machine

Resolution # 2016-286

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

AUTHORIZING THE PURCHASE OF A DPW PAINT MACHINE

WHEREAS, the City is in need of a new paint machine and Sherman Williams has a State Contract Number T-0927; and

WHEREAS, the City has obtained the attached quote in the amount of \$4,495.00; and

WHEREAS, the City of Asbury Park is desirous of awarding a contract to Sherman Williams in the amount of \$4,495.00; and

WHEREAS, the Acting Chief Financial Officer has certified that funds are available in the following account: C-04-55-998-162-003.

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 authorize the purchase of a paint machine in the amount of \$4,495.00 from Sherman Williams off of State Contract Number T-0927.

	MOTION	SECOND	AYES	NAYES	ABSTAIN
Council Member Eileen Chapman			X		
Council Member B. Yvonne Clayton	X		X		
Council Member Jesse Kendle			X		
Deputy Mayor Amy Quinn		X	X		
Mayor John Moor			X		

2016-287 Authorizing the Purchase of John Deere 323 Loader

Resolution # 2016-287

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

AUTHORIZING THE PURCHASE OF JOHN DEERE 323 LOADER

WHEREAS, the City is in need of a new loader; and

WHEREAS, the City has obtained a price from JESCO off of the MRESC Contract Number 15/16-08, Co op #65 MCESCCPS in the amount of \$81,655.37; and

WHEREAS, the City of Asbury Park is desirous of awarding the purchase of the loader to JESCO in the amount of \$81,655.37 and

WHEREAS, the Acting Chief Financial Officer has certified that funds are available in the following account: C-04-55-998-162-003.

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 authorize the purchase of a John Deere 323 Loader from JESCO in the amount of \$81,655.37.

	MOTION	SECOND	AYES	NAYES	ABSTAIN
Council Member Eileen Chapman		X	X		
Council Member B. Yvonne Clayton			X		
Council Member Jesse Kendle			X		
Deputy Mayor Amy Quinn	X		X		
Mayor John Moor			X		

2016-288 Authorizing the Purchase of John Deere 524 Loader

Resolution # 2016-288

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

AUTHORIZING THE PURCHASE OF JOHN DEERE 524 LOADER

WHEREAS, the City is in need of a new loader; and

WHEREAS, the City has obtained a price from JESCO off of the MRESC Contract Number 15/16-08, Co-op #65 MCESCCPS in the amount of \$172,183.28; and

WHEREAS, the City of Asbury Park is desirous of awarding the purchase of the loader to JESCO in the amount of \$172,183.28 and

WHEREAS, the Acting Chief Financial Officer has certified that funds are available in the following account: C-04-55-998-162-003.

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 authorize the purchase of a John Deere 524 Loader from JESCO in the amount of \$172,183.28.

	MOTION	SECOND	AYES	NAYES	ABSTAIN
Council Member Eileen Chapman		X	X		
Council Member B. Yvonne Clayton			X		

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

2016-289 Authorizing the Purchase of a Generator

Resolution # 2016-289

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

AUTHORIZING THE PURCHASE OF A GENERATOR

WHEREAS, the City is in need of a generator for the Municipal Complex and

WHEREAS, the City has obtained the attached quote from GSA Contract Holder Warshauer Generator, LLC, contract number 07F-179CA in the amount of \$230,000.00; and

WHEREAS, the City of Asbury Park is desirous of awarding a contract to Warshauer Generator, LLC in the amount of \$230,000.00; and

WHEREAS, the Acting Chief Financial Officer has certified that funds are available in the following account: C-04-55-998-162-005.

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 authorize the purchase of a generator for the Municipal Complex to Warshauer Generator, LLC in the amount of \$230,000.00.

	MOTION	SECOND	AYES	NAYES	ABSTAIN
Council Member Eileen Chapman		X	X		
Council Member B. Yvonne Clayton			X		
Council Member Jesse Kendle			X		
Deputy Mayor Amy Quinn	X		X		
Mayor John Moor			X		

2016-290 Authorizing the Purchase of Fueling System

Resolution # 2016-290

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

AUTHORIZING THE PURCHASE OF FUELING SYSTEM

WHEREAS, the City is in need of a new fueling system; and

WHEREAS, the City has obtained four quotations for a fueling system; and

WHEREAS, the City of Asbury Park is desirous of awarding a contract to Fuel Force in the amount of \$12,555.00 and

WHEREAS, the Acting Chief Financial Officer has certified that funds are available in the following account: C-04-55-998-162-003.

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 authorize the purchase of a fueling system from Fuel Force in the amount of \$12,555.00.

	MOTION	SECOND	AYES	NAYES	ABSTAIN
Council Member Eileen Chapman			X		
Council Member B. Yvonne Clayton			X		
Council Member Jesse Kendle			X		
Deputy Mayor Amy Quinn	X		X		
Mayor John Moor		X	X		

2016-291 Authorizing the Purchase of a Fire Official Vehicle

Resolution # 2016-291

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

AUTHORIZING THE PURCHASE OF A FIRE OFFICIAL VEHICLE

WHEREAS, the City has a need to replace the Fire Official vehicle; and

WHEREAS, the City has obtained the attached quotes totaling \$41,803.70:

- 2017 Ford SUV from Beyer Ford in the amount of \$25,899.00 off of State Contract Number A83013
- Wireless Communication for installation of hardware and software in the amount of \$5,128.00
- East Coast Emergency Lighting in the amount of \$4,846.32 for installation of lighting off of State Contract A81336 and A81338
- Dual Band Radio in the amount of \$5,930.38 off of State Contract 83808 to Wireless Communication; and

WHEREAS, the City of Asbury Park is desirous of awarding a contract the purchases to the vendors listed above in an amount of \$41,803.70; and

WHEREAS, the Acting Chief Financial Officer has certified that funds are available in the following account: C-04-55-998-162-004.

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 authorize the purchase of a SUV for the Fire Official in the amount of \$41,803.70.

	MOTION	SECOND	AYES	NAYES	ABSTAIN
Council Member Eileen Chapman		X	X		
Council Member B. Yvonne Clayton			X		
Council Member Jesse Kendle			X		
Deputy Mayor Amy Quinn	X		X		
Mayor John Moor			X		

2016-292 Authorizing the Purchase of a Vehicle for the Building Department

Resolution # 2016-292

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

**AUTHORIZING THE PURCHASE OF A VEHICLE FOR THE BUILDING
DEPARTMENT**

WHEREAS, the City has a need to replace a vehicle within the Building Department;
and

WHEREAS, the City has obtained the attached quotes totaling \$27,160.71

- 2017 Ford SUV from Beyer Ford in the amount of \$25,899.00 off of State Contract Number A83013
- East Coast Emergency Lighting in the amount of \$1,261.71 for installation of lighting off of State Contract A81336; and

WHEREAS, the City of Asbury Park is desirous of awarding a contract the purchases to the vendors listed above in an amount of \$27,160.71 ; and

WHEREAS, the Acting Chief Financial Officer has certified that funds are available in the following account: C-04-55-998-162-006.

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 authorize the purchase of a SUV for the Fire Official in the amount of \$27,160.71.

	MOTION	SECOND	AYES	NAYES	ABSTAIN
Council Member Eileen Chapman			X		

Council Member B. Yvonne Clayton		X	X		
Council Member Jesse Kendle			X		
Deputy Mayor Amy Quinn	X		X		
Mayor John Moor			X		

2016-293 Resolution Accepting Bid for the Sale of Certain Real Property which is No Longer Needed for Public Use (Block 1003, Lot 68 – 1413 ½ Springwood Ave.)

Resolution # 2016-293

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

**RESOLUTION ACCEPTING BID FOR THE SALE OF CERTAIN
REAL PROPERTY WHICH IS NO LONGER NEEDED FOR PUBLIC USE
(BLOCK 1003, LOT 68 – 1413 ½ SPRINGWOOD AVE.)**

WHEREAS, the Mayor and City Council previously adopted Ordinance No. 2016-09 on March 30, 2016, which authorized the City to sell an undersized parcel of municipally owned real property, which is known and designated as Block 1003, Lot 68 on the official Tax Map (located at 1413 ½ Springwood Ave.) (the “Property”), to the highest bidder from among the adjacent property owners, pursuant to N.J.S.A. 40A:12-13(b)(5); and

WHEREAS, in accordance with the authorization set forth in Ordinance No. 2016-09, the City solicited bids for the sale of the Property through a sealed bid process, from all owners of parcels adjacent to the Property; and

WHEREAS, this solicitation was made by way of letters which were forwarded to each adjacent property owner from the Director of Planning and Redevelopment, which invited all of said property owners to submit a bid for the purchase of said Property, in accordance with all of the requirements set forth in Ordinance No. 2016-09 and N.J.S.A. 40A:12-13(b)(5); and

WHEREAS, in response to this solicitation, the City received one (1) bid from an adjacent property owner; and

WHEREAS, the bid was received from Vincent Gifford/Springwood Lake, LLC, in the amount of Five Thousand Dollars (\$5,000.00); and

WHEREAS, the amount of the bid received is equivalent to the minimum sale price, as set forth in Ordinance No. 2016-09; and

WHEREAS, the Director of Planning and Redevelopment has confirmed that the one (1) bid received complies with all of the requirements set forth in Ordinance No. 2016-09; and

WHEREAS, the Mayor and City Council now wish to accept this bid and to confirm the sale of the Property to Vincent Gifford/Springwood Lake, LLC, in the amount of Five Thousand Dollars (\$5,000.00), in accordance with all of the requirements set forth in Ordinance No. 2016-09.

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

1. That the City hereby accepts the bid submitted by, and confirms the sale of the Property to, Vincent Gifford/Springwood Lake, LLC, for the amount of Five Thousand Dollars (\$5,000.00).
2. That the City Attorney, and all relevant City officials and/or employees, are hereby authorized and directed to undertake all efforts necessary in order to effectuate the closing of title to the Property, in accordance with the requirements set forth in Ordinance No. 2016-09.
3. That the Mayor is hereby authorized to execute, and the City Clerk to attest, a Contract of Sale, as well as a Bargain and Sale Deed Without Covenants as to Grantors' Acts, which documents shall be in a form satisfactory to the City Attorney, for the conveyance of the Property from the City to Vincent Gifford/Springwood Lake, LLC.
4. That a certified copy of this Resolution shall be provided to each of the following:
 - a. Michele Alonso, Director of Planning and Redevelopment;
 - b. Erick Aguiar, Tax Assessor;
 - c. Michael Capabianco, City Manager;
 - d. Vincent Gifford/Springwood Lake, LLC
P.O. Box 525
Spring Lake, New Jersey 07762;
 - e. E. Carlton Kromer, Esq.
Kromer Law Firm, LLC
3321 Doris Ave.
Bldg. B, Ste. 1
Ocean, New Jersey 07712; and
 - f. Frederick C. Raffetto, Esq., City Attorney.

	MOTION	SECOND	AYES	NAYES	ABSTAIN
Council Member Eileen Chapman			X		
Council Member B. Yvonne Clayton		X	X		
Council Member Jesse Kendle			X		
Deputy Mayor Amy Quinn	X		X		
Mayor John Moor			X		

Motion made by Deputy Mayor Quinn and seconded by Council Member Clayton to table Resolution 2016-294. All were in favor.

Resolution # 2016-295

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

BE IT RESOLVED, by the Mayor and Council of the City of Asbury Park that the Alcoholic Beverage License for the period of July 1, 2016 to June 30, 2017 be granted to the following Licensees:

LICENSE NO.	NAME	ADDRESS	TRADE NAME
1303-33-014-005	Cookman Restaurant Group, LLC	Pocket	t/b/a
1303-33-021-006	AP Restaurant I	800 Ocean Ave.	Stella Maraina
1303-33-042-006	Rasbury Moon, Inc.	517 Lake Ave.	Moonstruck Rest. & Lounge
1303-33-055-003	Asbury Equities Liquors, LLC	601 Bangs Ave.	Pascal & Sabine
1303-44-039-007	Sri Sarawati, Inc.	1506 Main St.	Mak on Main

BE IT FURTHER RESOLVED that the following Alcoholic Beverage Licenses be granted for the period of July 1, 2016 to June 30, 2017 with the following special conditions imposed on each license by the City of Asbury Park Council:

1303-32-060-015 John Teza 601-603 Mattison Ave. *Press Room & Fish

*Special Conditions: 1. 75% of floor space must be dedicated to food service.

1303-33-017-12	Steinbach Liquor Lic. LLC.	541 Cookman Ave.	*Seafood Bonney Read
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*Special Conditions: 1. 75% of floor space must be dedicated to food service.

1303-33-054-007 House of Independents, LLC 550-572 Cookman Ave. Biergarten

*Special Conditions: 1. 75% of floor space must be dedicated to food service.

	MOTION	SECOND	AYES	NAYES	ABSTAIN
Council Member Eileen Chapman			X		
Council Member B. Yvonne Clayton		X	X		
Council Member Jesse Kendle			X		
Deputy Mayor Amy Quinn	X		X		
Mayor John Moor			X		

2016-296 A Resolution Approving a Liquor License with Special Conditions for D.B. Ventures, LLC d/b/a Johnny Mac's for the 2016-2017 Licensing Year

Resolution # 2016-296
Resolution of the City of Asbury Park

A RESOLUTION APPROVING A LIQUOR LICENSE WITH SPECIAL CONDITIONS FOR D.B. VENTURES, LLC D/B/A JOHNNY MAC'S FOR THE 2016-2017 LICENSING YEAR

WHEREAS, D.B. Ventures, LLC doing business as Johnny Mac's (the "**Licensee**") located at 206-208 Main Street is the holder of Liquor License Number: 1303-33-051-009 (the "**License**"); and

WHEREAS, the Licensee has applied for a License renewal for the 2016-2017 Licensing Year; and

WHEREAS, Police Chief Salerno issued a Memo dated June 1, 2016 reporting on the annual license renewals for the City, including recommendations for special conditions on certain licenses and specifically on the Licensee's License; and

WHEREAS, on June 23, 2016 the Licensee met with the Chief to discuss changes in the Licensee's operation to address the issues which formed the basis of the Chief's recommendation in his report of June 1, 2016, his letter of June 9, 2016 as well as other issues of concern. As a result of that meeting, the Chief and the Licensee agreed to the following additional special conditions, which the Chief recommends to the Mayor and Council:

1. The Licensee shall hire two (2) off-duty police officers on Friday and Saturday evenings from 10 p.m. to 3 a.m. and when special events have been advertised or larger crowds are expected, by way of example: the Wednesday prior to Thanksgiving, Memorial Day Weekend, Fourth of July, Labor Day Weekend, the Zombie Walk and the St. Patrick's Day Parade.
2. If requested by the Chief, the Licensee will provide camera footage from security personnel who wear Go Pro body cameras, if the footage is available at the time the request is made.
3. The Licensee shall employ only Techniques of Alcohol Management (a.k.a. "**TAM**") certified bartenders and/or ensure that bartenders attend the next available TAM course.
4. The Licensee shall place additional temporary barriers outside of their entrance/exit to deter patrons from jaywalking across Main Street. The barriers shall be placed on the sidewalk by the curb line (not in the street)

not later than 10:00 p.m. and shall be removed not later than 3:00 a.m. on Friday and Saturday evenings and when special events have been advertised or larger crowds are expected, by way of example: the Wednesday prior to Thanksgiving, Memorial Day Weekend, Fourth of July, Labor Day Weekend, the Zombie Walk and the St. Patrick's Day Parade.

5. A representative of the Licensee and/or their security manager shall meet with or have a telephone call with the Chief of Police on a monthly basis, during the first week of each month.
6. The Chief shall have the discretion to relax the foregoing conditions after consultation with, and approval of, the Mayor and Council and City Manager.

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

A. The License renewal be granted for the period of July 1, 2016 to June 30, 2017 with the following special conditions:

1. 75% of floor space shall be dedicated to food service.
2. The Licensee shall hire two (2) off-duty police officers on Friday and Saturday evenings from 10 p.m. to 3 a.m. and when special events have been advertised or larger crowds are expected, by way of example: the Wednesday prior to Thanksgiving, Memorial Day Weekend, Fourth of July, Labor Day Weekend, the Zombie Walk and the St. Patrick's Day Parade.
3. The security personnel taking identification at the door shall continue to wear Go Pro body cameras and if requested by the Chief, the Licensee will provide camera footage.
4. The Licensee shall employ only Techniques of Alcohol Management (a.k.a. "**TAM**") certified bartenders and/or ensure that bartenders attend the next available TAM course.
5. The Licensee shall place additional temporary barriers outside of their entrance/exit to deter patrons from jaywalking across Main Street. The barriers shall be placed on the sidewalk by the curb line (not in the street) not later than 10:00 p.m. and shall be removed not later than 3:00 a.m. on Friday and Saturday evenings and when special events have been advertised or larger crowds are expected, by way of example: the Wednesday prior to Thanksgiving, Memorial Day Weekend, Fourth of July, Labor Day Weekend, the Zombie Walk and the St. Patrick's Day Parade.

6. A representative of the Licensee and/or their security manager shall meet with or have a telephone call with the Chief of Police on a monthly basis, during the first week of each month.
7. The Chief shall have the discretion to relax the foregoing conditions after consultation with, and approval of, the Mayor and Council and City Manager.

B. This Resolution shall take effect immediately.

	MOTION	SECOND	AYES	NAYES	ABSTAIN
Council Member Eileen Chapman			X		
Council Member B. Yvonne Clayton		X	X		
Council Member Jesse Kendle					X
Deputy Mayor Amy Quinn	X		X		
Mayor John Moor			X		

2016-297 A Resolution Approving a Liquor License with Special Conditions for Porta at Asbury Park, LLC d/b/a Porta for the 2016-2017 Licensing Year

Resolution # 2016-297
Resolution of the City of Asbury Park

A RESOLUTION APPROVING A LIQUOR LICENSE WITH SPECIAL CONDITIONS FOR PORTA AT ASBURY PARK, LLC D/B/A PORTA FOR THE 2016-2017 LICENSING YEAR

WHEREAS, Porta at Asbury Park, LLC doing business as Porta (the “**Licensee**”) located at 911-915 Kingsley Street is the holder of Liquor License Number: 1303-33-046-013 (the “**License**”); and

WHEREAS, the Licensee has applied for a License renewal for the 2016-2017 Licensing Year; and

WHEREAS, Police Chief Salerno issued a Memo dated June 1, 2016 reporting on the annual license renewals for the City, including recommendations for special conditions on certain licenses and specifically on the Licensee’s License; and

WHEREAS, in regard to this License, the Chief’s Memo detailed certain issues at the licensed premises and as a result recommended an additional special condition; and

WHEREAS, on June 23, 2016 the Licensee met with the Chief to discuss changes in the Licensee’s operation to address the issues which formed the basis of the Chief’s recommendation in his report of June 1, 2016, his letter of June 9, 2016 as well as other issues of concern. As a result of that meeting, the Chief and the Licensee agreed to the following additional special conditions, which the Chief recommends to the Mayor and Council:

1. The Licensee shall install video surveillance signs inside and outside of the licensed premises to advise patrons and the public that: "Warning this property under video surveillance, you are being videotaped" or wording of similar import.
2. The Licensee shall include on their website, on social media platforms, flyers and other forms of paper/physical and digital advertisement that identification is required, that two (2) forms of identification may be required, the type/form of acceptable identification, and the required dress code.
3. The Licensee shall use a moveable sign to advise individuals online to enter the licensed premises that identification is required, that two (2) forms of identification may be required, the type/form of acceptable identification, and the required dress code, as well as continuing to maintain the existing sign with the same information by the entrance to the licensed premises.
4. The Licensee shall require, from Friday evening on Memorial Day weekend through Monday evening on Labor Day weekend, a \$5.00 cover charge for entrance to the licensed premises starting at 12:30 a.m.
5. A representative of the Licensee and/or their security manager shall meet with or have a telephone call with the Chief of Police on a monthly basis, during the first week of each month.
6. The Chief shall have the discretion to relax the foregoing conditions.

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

A. The License renewal be granted for the period of July 1, 2016 to June 30, 2017 with the following special conditions:

1. The Licensee shall hire two (2) off-duty police officers during the months of November, December, January, February and March on Friday and Saturday nights from 10:30 p.m. until 2:30 a.m.
2. The Licensee shall hire four (4) off-duty police officers during the months of November, December, January, February and March when special events have been advertised or larger crowds are expected; by way of example: the Wednesday prior to Thanksgiving from 10:30 p.m. until 2:30 a.m.
3. The Licensee shall hire six (6) off-duty police officers during the months of April through October on Friday and Saturday nights from 10:00 p.m. until 3:00 a.m.

4. The Licensee shall hire twenty-four (24) security guards on Friday and Saturday nights.
5. The Licensee shall have private security and/or off duty police officers to patrol the block(s) west of Porta at the end of the night as patrons move to their cars and cabs.
6. The Licensee shall eliminate 16 oz. mixed drinks from the club menu and serve mixed drinks in glass sizes no larger than 12 oz.
7. The security and bar staff shall clean sidewalks and curbs adjacent to the Porta property nightly after club nights and in the morning following club nights.
8. The Licensee shall install video surveillance signs inside and outside of the licensed premises to advise patrons and the public that: "Warning this property under video surveillance, you are being video taped" or wording of similar import.
9. The Licensee shall include on their website, on social media platforms, flyers and other forms of paper/physical and digital advertisement that identification is required, that two (2) forms of identification may be required, the type/form of acceptable identification, and the required dress code.
10. The Licensee shall use a moveable sign to advise individuals online to enter the licensed premises that identification is required, that two (2) forms of identification may be required, the type/form of acceptable identification, and the required dress code, as well as continuing to maintain the existing sign with the same information by the entrance to the licensed premises.
11. The Licensee shall require, from Friday evening on Memorial Day weekend through Monday evening on Labor Day weekend, a \$5.00 cover charge for entrance to the licensed premises starting at 12:30 a.m.
12. A representative of the Licensee and/or their security manager shall meet with or have a telephone call with the Chief of Police on a monthly basis, during the first week of each month.
13. The Chief shall have the discretion to relax the foregoing conditions after consultation with, and approval of, the Mayor and Council and City Manager.

B. This Resolution shall take effect immediately.

	MOTION	SECOND	AYES	NAYES	ABSTAIN
Council Member Eileen Chapman			X		

Council Member B. Yvonne Clayton		X	X		
Council Member Jesse Kendle					X
Deputy Mayor Amy Quinn	X		X		
Mayor John Moor			X		

2016-298 Resolution Amending Temporary Appropriations for 2016

Motion made by Mayor Moor and seconded by Council Member Clayton to table Resolution 2016-298. All were in favor.

2016-299 Authorizing the Purchase of 2017 Mach GU 432 Cab and Chassis and Dump Body with Plow

Resolution # 2016-299

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

**AUTHORIZING THE PURCHASE OF 2017 MACH GU 432 CAB AND
CHASSIS AND DUMP BODY WITH PLOW**

WHEREAS, the City is in need of a new truck; and

WHEREAS, the City has obtained a price from National Auto Fleet Group under the National Joint Powers Alliance under Bid No. 102811 in the amount of \$164,707.00; and

WHEREAS, the City of Asbury Park is desirous of awarding the purchase of the loader to National Auto Fleet Group in the amount of \$164,707.00 and

WHEREAS, the Acting Chief Financial Officer has certified that funds are available in the following account: C-04-55-998-162-003.

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 authorize the purchase of 2017 Mach GU 432 cab and chassis and dump body with plow from National Auto Fleet Group in the amount of \$164,707.00.

	MOTION	SECOND	AYES	NAYES	ABSTAIN
Council Member Eileen Chapman		X	X		
Council Member B. Yvonne Clayton			X		
Council Member Jesse Kendle			X		
Deputy Mayor Amy Quinn			X		
Mayor John Moor	X		X		

K. Ordinances:

1. Introduction:

2016-28 Bond Ordinance Providing For 4th Avenue Improvements, By And In The City Of Asbury Park, In The County Of Monmouth, State Of New Jersey; Appropriating \$2,700,000 Therefor (Including A Grant Expected To Be Received From The New Jersey Department Of Transportation In The Amount Of \$342,247) And Authorizing The Issuance Of \$2,700,000 Bonds Or Notes Of The City To Finance Part Of The Cost Thereof

City Clerk Dye read by title Ordinance 2016-28.

Motion to introduce Ordinance 2016-28.

	MOTION	SECOND	AYES	NAYES	ABSTAIN
Council Member Eileen Chapman		X	X		
Council Member B. Yvonne Clayton			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 July 15, 2016.

2016-29 Establishing a Restricted Parking Space for Use By Handicapped Persons at Property Located at 1109 Grand Avenue, Designated as Block 3401, Lot 8, 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 2016-29.

Motion to introduce Ordinance 2016-29.

	MOTION	SECOND	AYES	NAYES	ABSTAIN
Council Member Eileen Chapman			X		
Council Member B. Yvonne 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 July 15, 2016.

2016-30 An Ordinance Amending and Supplementing Subsection 12-8.1, Entitled "Summer Rental Defined," of Section 12-8 "Summer Rental Regulations," of Chapter XII, "Building and Construction," of the "Code of the City of Asbury Park, New Jersey."

City Clerk Dye read by title Ordinance 2016-30.

Motion to introduce Ordinance 2016-30.

	MOTION	SECOND	AYES	NAYES	ABSTAIN
Council Member Eileen Chapman			X		
Council Member B. Yvonne Clayton		X	X		
Council Member Jesse Kendle	X		X		
Deputy Mayor Amy Quinn					
Mayor John Moor			X		

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

2. Second Reading/Public Hearing:

2016-27 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. 2016-27**

**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 Ocean Avenue and Webb Street (Eastbound)</u>	<u>Both Sides</u>
Sunset Avenue	West	Between Ocean Avenue and Webb Street	Both Sides

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 Council Member Kendle and seconded by Council Member Clayton to open Ordinance 2016-27 to the public. All were in favor. Werner Baumgartner spoke from the public. Motion made by Deputy Mayor Quinn and seconded by Council Member Clayton to close the Ordinance 2016-27 to the public.

Motion to adopt Ordinance 2016-27.

	MOTION	SECOND	AYES	NAYES	ABSTAIN
Council Member Eileen Chapman		X	X		
Council Member B. Yvonne Clayton			X		
Council Member Jesse Kendle			X		
Deputy Mayor Amy Quinn	X		X		
Mayor John Moor				X	

The meeting was adjourned.

Respectfully submitted by:

Cindy A. Dye, RMC, City Clerk