



Minutes  
Meeting of the Municipal Council  
Wednesday, May 24, 2017  
REGULAR MEETING

**Executive Session - 4:00 p.m.**

2017-169 Resolution Authorizing a Meeting which Excludes the Public

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Jesse Kendle, Councilmember
<b>SECONDER:</b>	Yvonne Clayton, Councilmember
<b>AYES:</b>	Chapman, Clayton, Kendle, Quinn, Moor

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

City Clerk Cindy Dye called the meeting to order at 7:00 PM.

**PUBLIC PARTICIPATION**

Motion made by Council Member Kendle and seconded by Deputy Mayor Quinn to open the meeting to the public.

The following members of the public spoke: Pam Lambertson, Polly Schallbeck, Tracy Rogers, Marty Bradshaw, Kathy Penna, Diana Peteck, Paul Edgecomb, Werner Baumgartner, Ryan (?), Rita Marano, Felicia Simmons, Jerry Scarano, John Biondo, Scott Eszelum, Nancy Sabino, Lester Corbo and Ernest Mignoli.

Motion made by Deputy Mayor Quinn and seconded by Council Member Clayton to close the meeting to the public.

**MINUTES**

<b>RESULT:</b>	<b>ADOPTED [4 TO 0]</b>
<b>MOVER:</b>	Jesse Kendle, Councilmember
<b>SECONDER:</b>	Yvonne Clayton, Councilmember
<b>AYES:</b>	Yvonne Clayton, Jesse Kendle, Amy Quinn, John Moor
<b>ABSTAIN:</b>	Eileen Chapman

1. Executive Session Minutes of May 10, 2017 4:00 PM
2. Municipal Council - Work Session - May 10, 2017 6:00 PM **Accepted**
3. Municipal Council - Regular Meeting - May 10, 2017 7:00 PM **Accepted**

**CONSENT AGENDA RESOLUTIONS**

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Jesse Kendle, Councilmember
<b>SECONDER:</b>	Yvonne Clayton, Councilmember
<b>AYES:</b>	Chapman, Clayton, Kendle, Quinn, Moor

2017-170 Resolution Approving Special Event Applications

2017-171 Resolution Amending Temporary Budget Appropriations for 2017 Budget

2017-172 Appointing Cleary Giacobbe Alfieri Jacobs, LLC, to Serve as Special Council for the City, and Authorizing the Execution of an Agreement for Professional Legal Services Associated Therewith

**INDIVIDUAL RESOLUTIONS**

2017-173 Resolution Approving Payment of Bills

Mayor Moor abstains from line item 7-01-23-220-000-209.

Council Member Chapman abstains from POs 17-01518, 17-00222, 17-01316 and 17-00997

<b>RESULT:</b>	<b>ADOPTED [4 TO 1]</b>
<b>MOVER:</b>	Eileen Chapman, Councilmember
<b>SECONDER:</b>	Amy Quinn, Deputy Mayor
<b>AYES:</b>	Eileen Chapman, Yvonne Clayton, Jesse Kendle, Amy Quinn
<b>NAYS:</b>	John Moor

2017-174 Resolution Authorizing the Cancellation and Refund of Interest and Penalty with Respect to Block 4104, Lot 13

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Amy Quinn, Deputy Mayor
<b>SECONDER:</b>	Yvonne Clayton, Councilmember
<b>AYES:</b>	Chapman, Clayton, Kendle, Quinn, Moor

2017-175 Resolution Authorizing Change Order #5 for Springwood Avenue Park professional services

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Yvonne Clayton, Councilmember
<b>SECONDER:</b>	Eileen Chapman, Councilmember
<b>AYES:</b>	Chapman, Clayton, Kendle, Quinn, Moor

2017-176 Resolution Approving Contract Amendment for T&M Associations for the Outfall Difusser Repair Project

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Yvonne Clayton, Councilmember
<b>SECONDER:</b>	Amy Quinn, Deputy Mayor
<b>AYES:</b>	Chapman, Clayton, Kendle, Quinn, Moor

2017-177 Amending Resolution 2017-150 Authorizing Purchase of Three Police Cars

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Eileen Chapman, Councilmember
<b>SECONDER:</b>	Amy Quinn, Deputy Mayor
<b>AYES:</b>	Chapman, Clayton, Kendle, Quinn, Moor

2017-178 Authorizing the City of Asbury Park to Transfer Title to Property Located at 129 De Witt Avenue (Block 1005, Lot 1) to West Side Community Center, Inc.

<b>RESULT:</b>	<b>ADOPTED [4 TO 1]</b>
<b>MOVER:</b>	Amy Quinn, Deputy Mayor
<b>SECONDER:</b>	Eileen Chapman, Councilmember
<b>AYES:</b>	Eileen Chapman, Yvonne Clayton, Amy Quinn, John Moor
<b>NAYS:</b>	Jesse Kendle

2017-179 A Resolution of the Mayor and Council of the City of Asbury Park, Acting as the Waterfront Redevelopment Entity, Permitting the Removal of Five (5) On-Street Parking Spaces and Granting a Revocable License to Permit the Installation of Bike Racks, Benches and Trash Receptacles in Areas of the City Right-Of-Way on Fourth Avenue Adjacent to Block 4104, Lots 7, 8 and 9, Commonly Known As 209 Fourth Avenue in Connection with the Asbury Lanes Project

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Amy Quinn, Deputy Mayor
<b>SECONDER:</b>	Jesse Kendle, Councilmember
<b>AYES:</b>	Chapman, Clayton, Kendle, Quinn, Moor

2017-180 A Resolution of the Mayor and City Council of the City of Asbury Park Authorizing the Second Amendment to the Redevelopment and Land Disposition Agreement with the Michaels Development Company I, L.P., as Redeveloper of Certain Parcels Located within the City's Springwood Avenue Redevelopment Area

<b>RESULT:</b>	<b>ADOPTED [3 TO 2]</b>
<b>MOVER:</b>	Jesse Kendle, Councilmember
<b>SECONDER:</b>	Yvonne Clayton, Councilmember
<b>AYES:</b>	Yvonne Clayton, Jesse Kendle, John Moor
<b>NAYS:</b>	Eileen Chapman, Amy Quinn

2017-181 Authorizing City Attorney to pursue liquidated damages and cost recovery against J.E. Hannon, Inc. (Bird Construction)

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Eileen Chapman, Councilmember
<b>SECONDER:</b>	Yvonne Clayton, Councilmember
<b>AYES:</b>	Chapman, Clayton, Kendle, Quinn, Moor

2017-182 Authorizing City Attorney to pursue liquidated damages against Down to Earth Landscaping Inc.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Yvonne Clayton, Councilmember
<b>SECONDER:</b>	Jesse Kendle, Councilmember
<b>AYES:</b>	Chapman, Clayton, Kendle, Quinn, Moor

2017-183 Resolution Rescinding Resolution 2015-324 and Supporting an Evaluation Period for a Proposed Road Diet for Route 71

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Jesse Kendle, Councilmember
<b>SECONDER:</b>	Yvonne Clayton, Councilmember
<b>AYES:</b>	Chapman, Clayton, Kendle, Quinn, Moor

2017-184 Resolution Authorizing City Manager to sign NJDEP Treatment Works Applications

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Eileen Chapman, Councilmember
<b>SECONDER:</b>	Yvonne Clayton, Councilmember
<b>AYES:</b>	Chapman, Clayton, Kendle, Quinn, Moor

## **ORDINANCES**

### Introduction

2017-24 Ordinance of the City of Asbury Park Amending Traffic and Parking Regulations Chapter VII Section XX

Public hearing is scheduled for June 14, 2017.

<b>RESULT:</b>	<b>INTRODUCED [UNANIMOUS]</b>
	<b>Next: 6/14/2017 7:00 PM</b>
<b>MOVER:</b>	Amy Quinn, Deputy Mayor
<b>SECONDER:</b>	John Moor, Mayor
<b>AYES:</b>	Chapman, Clayton, Kendle, Quinn, Moor

Second Reading/Public Hearing

2017-21 Ordinance of the City of Asbury Park, in the County of Monmouth, State of New Jersey (the "City") Providing for a Special Emergency Appropriation in an Amount not to Exceed \$370,000 to Fund Contractually Required Severance Liabilities Resulting from the Retirement of Employees

Motion by Council Member Kendle and seconded by Council Member Clayton to open Ordinance 2017-21 to the public.

The following members of the public spoke: Rita Marano.

Motion by Deputy Mayor Quinn and seconded by Council Member Chapman to close Ordinance 2017-21 to the public.

<b>RESULT:</b>	<b>ADOPTED [4 TO 1]</b>
<b>MOVER:</b>	Yvonne Clayton, Councilmember
<b>SECONDER:</b>	Amy Quinn, Deputy Mayor
<b>AYES:</b>	Eileen Chapman, Yvonne Clayton, Jesse Kendle, Amy Quinn
<b>NAYS:</b>	John Moor

2017-22 Bond Ordinance Amending and Supplementing Bond Ordinance Number 2910 (which Provides for Sanitary and Storm Sewer Improvements) heretofore Finally Adopted by the City Council of the City Of Asbury Park, in the County of Monmouth, State of New Jersey, on June 3, 2009, to Amend the Description Set Forth Therein

Ordinance 2017-22 has been tabled until June 14, 2017.

<b>RESULT:</b>	<b>TABLED [UNANIMOUS]</b>
	<b>Next: 6/14/2017 7:00 PM</b>
<b>MOVER:</b>	Jesse Kendle, Councilmember
<b>SECONDER:</b>	Amy Quinn, Deputy Mayor
<b>AYES:</b>	Chapman, Clayton, Kendle, Quinn, Moor

2017-23 Authorizing the City of Asbury Park to Convey an Easement Over Certain Portions of the Public Right-Of-Way Area Adjacent to the Property Located at 1003 Bond Street (Block 2703, Lot 2, f/k/a Block 167, Lot 1.02)

Motion made by Deputy Mayor Quinn and seconded by Council Member Clayton to open Ordinance 2017-23 to the public.

The following members of the public spoke: Werner Baumgartner, Felicia Simmons, Rita Marano and Jerry Scarano.

Motion by Council Member Kendle and seconded by Deputy Mayor Quinn to close Ordinance 2017-21 to the public.

Motion failed.

<b>RESULT:</b>	<b>DEFEATED [2 TO 2]</b>
<b>MOVER:</b>	Amy Quinn, Deputy Mayor
<b>SECONDER:</b>	John Moor, Mayor
<b>AYES:</b>	Amy Quinn, John Moor
<b>NAYS:</b>	Eileen Chapman, Yvonne Clayton
<b>ABSTAIN:</b>	Jesse Kendle

**ADJOURNMENT**

The meeting was adjourned at 7:45 PM

Respectfully submitted by:

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Cindy A. Dye, RMC, City Clerk