

“GOD BLESS AMERICA”

REGULAR MEETING

APRIL 1, 2014

A regular meeting of the Mayor and Council of the Borough of Belmar held on the above date at 6:00 PM at the Belmar Municipal Building, 601 Main Street.

PRESENT: Mayor Doherty, Councilman Bean, Councilman Magovern, Councilwoman Nicolay, Councilwoman Keown-Blackburn, Borough Attorney Michael DuPont, Esq., Business Administrator Colleen Connolly, and Borough Clerk April Claudio

The Borough Clerk stated “Adequate notice of this meeting has been provided to The Coast Star, the official newspaper of the Borough of Belmar, and the Asbury Park Press on December 30, 2013 notice of this meeting was prominently posted on the bulletin board of the Municipal Building and filed with the Clerk of the Borough of Belmar.

PLEDGE OF ALLEGIANCE

MOMENT OF SILENCE: Our troops and their families

SPECIAL PRESENTATION:

- Mud Man X donation to Sandy Aid Fund
- Employee of the Month

PROCLAMATION:

- St. Rose High School Girls Basketball
- Marty Martinez - WRAT

PUBLIC BID:

- 13th Avenue Concession #1
- 13th Avenue Concession #2

WORKSHOP DISCUSSION:

PETITIONS:

REPORTS OF MAYOR AND COUNCIL:

APPROVAL OF MINUTES:

PUBLIC SESSION: Public Session on resolutions only on the Agenda. We will continue to have a Public Session at the end of this meeting.

RESOLUTIONS:

- **RESOLUTION AUTHORIZING PAYMENT OF BILLS LIST**
- **RESOLUTION OF THE BOROUGH OF BELMAR, IN THE COUNTY OF MONMOUTH, NEW JERSEY MAKING APPLICATION TO THE LOCAL FINANCE BOARD PURSUANT TO N.J.S.A. 40A:2-7(d) AND N.J.S.A. 40A:2-11(c).**
- **RESOLUTION AUTHORIZING A 2014 TEMPORARY CAPITAL BUDGET**
- **RESOLUTION PERMITTING SPECIAL PERMITS FOR SOCIAL AFFAIRS FOR THE BELMAR FISHING CLUB**

- **RESOLUTION AUTHORIZING THE TRANSFER OF APPROPRIATION RESERVES AS PERMITTED BY N.J.S.A. 40A:4-59**
- **RESOLUTION MAKING FINDINGS AND DETERMINATIONS ON LEGALIZED GAMES OF CHANCE APPLICATION NUMBER 2014-03**

CONSENT AGENDA:

All matters listed in the Consent Agenda are considered to be routine by the Borough Council and will be enacted by one motion. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

RESOLUTIONS BY CONSENT:

- **RESOLUTION AUTHORIZING REFUNDS**
- **RESOLUTION GRANTING TAXICAB OWNERS & DRIVERS LICENSES FOR THE YEAR 2014**
- **RESOLUTION AUTHORIZING THE ADVERTISEMENT FOR BIDS TO LEASE A PORTION OF THE TWENTIETH AVENUE BEACHFRONT FOR A SKIM BOARDING CAMP**
- **RESOLUTION APPROVING MEMBERSHIP APPLICATION FOR UNION FIRE COMPANY**
- **RESOLUTION AUTHORIZING THE ADVERTISEMENT FOR BIDS TO LEASE A PORTION OF THE SECOND AVENUE BOARDWALK FOR ZUMBA CLASSES**
- **RESOLUTION AUTHORIZING THE CLERK OF THE BOROUGH OF BELMARTO ADVERTISE FOR BIDS AND NOTICE TO BIDDERS FOR A LEASE AGREEMENT FOR USE OF PUBLIC PROPERTY FOR BICYCLE RENTALS OR GEM CAR RENTALS**
- **RESOLUTION WAIVING CERTAIN CONSTRUCTION PERMIT FEES UNTIL DECEMBER 31, 2014**
- **RESOLUTION AUTHORIZING THE ADVERTISEMENT FOR BIDS TO LEASE A PORTION OF THE SOUTHERN END OF MACLEARIE PARK FOR STAND UP PADDLE BOARD LESSONS**
- **RESOLUTION PURSUANT TO N.J.A.C. 5:30-14.4 ET SEQ. CHANGE ORDER NUMBER ONE FOR THE A STREET DRAINAGE IMPROVEMENTS PROJECT**
- **RESOLUTION URGING THE SWIFT PASSAGE OF HR 592**
- **RESOLUTION APPROVING SPECIAL EVENTS**

ORDINANCES:

Second Reading & Public Hearing

ORDINANCE 2014-06

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER XX LICENSES-GENERAL OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BELMAR, IN THE COUNTY OF MONMOUTH, NEW JERSEY, SECTION 20-13 YARD SALES

Second Reading & Public Hearing

ORDINANCE 2014-05

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER XL
DEVELOPMENT REGULATIONS OF THE REVISED GENERAL ORDINANCES
OF THE BOROUGH OF BELMAR, IN THE COUNTY OF MONMOUTH, NEW
JERSEY TO AMEND SECTION 7.24 SIGNS**

First Reading & Introduction:

ORDINANCE 2014-07

**BOND ORDINANCE PROVIDING FOR THE CONSTRUCTION OF BEACHFRONT
BUILDINGS IN AND BY THE BOROUGH OF BELMAR, IN THE COUNTY OF
MONMOUTH, NEW JERSEY, APPROPRIATING \$7,000,000 THEREFOR AND
AUTHORIZING THE ISSUANCE OF \$7,000,000 BONDS OR NOTES OF THE
BOROUGH TO FINANCE PART OF THE COST THEREOF.**

First Reading & Introduction:

ORDINANCE 2014-08

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER XVII
BEACHFRONT & MARINE REGULATIONS OF THE REVISED GENERAL
ORDINANCES OF THE BOROUGH OF BELMAR, IN THE COUNTY OF
MONMOUTH, NEW JERSEY, SECTION 18-2 BEACHFRONT REGULATIONS**

PUBLIC SESSION:

MEETING ADJOURNED

RESOLUTION NO. 2014-

**RESOLUTION PURSUANT TO N.J.A.C. 5:30-14.4 ET SEQ. CHANGE ORDER
NUMBER ONE FOR THE A STREET DRAINAGE IMPROVEMENTS PROJECT**

WHEREAS, the Borough Administrator has certified Change Order Number One to amend project costs by agreement with the contractor, P&A Construction Inc. for the A Street Drainage Improvements; and

WHEREAS, the Council of the Borough of Belmar has also received from the Mayor a request for this Change Order to amend the cost of the project as shown by the documentation attached to said request and having investigated the same and being assured that the change is necessary and that it will actually be carried out and the total net change for Change Order Number One is a net increase of \$91,770.00.

NOW, THEREFORE, BE IT RESOLVED on this 1st day of April 2014 that the Mayor and Borough Clerk be and are hereby authorized to enter into written amendatory contract covering the change requested in the aforesaid project.

REQUEST PURSUANT TO 5:30-14.4 ET SEQ.

I am the Mayor of the Borough of Belmar and the changes are required to amend the bid specifications for the project as listed. No changes were authorized by me or the Council prior to this resolution for noted items and the change order requested by the Contractor and the Administrator is necessitated for the reasons given by them in the annexed documents and are permissible under Regulations of the Local Finance Board.

Matthew J. Doherty
Mayor

CERTIFICATION

I herewith certify that there are adequate funds available for the contract noted above per Bond Ordinance 2013-16 which has an available balance in the amount of \$1,730,743.

Robbin D. Kirk
Chief Financial Officer

offered the above resolution and moved its adoption.

Seconded by and adopted by the following vote on roll call:

Council members:	AYES	NAYS	ABSTAIN	ABSENT
Ms. Keown-Blackburn				
Mr. Magovern				
Mrs. Nicolay				
Mr. Bean				
Mayor Doherty				

Adopted:

RESOLUTION 2014-

**RESOLUTION PERMITTING SPECIAL PERMITS FOR SOCIAL AFFAIRS
FOR THE BELMAR FISHING CLUB**

WHEREAS, the Belmar Fishing Club has applied for the following Special Permit for Social Affairs (“One Day Liquor License”):

April 4, 2014 – 6am to 10 pm, Fundraiser for Wall Lacrosse Club

WHEREAS, the applications require that the municipality indicate that it has no objection to the granting of said Special Permit;

NOW, THEREFORE, BE IT RESOLVED, that the Borough Clerk be and is hereby authorized and directed to sign the certification stating that the Borough of Belmar has no objection to the granting of the Special Permit for Social Affairs to be conducted by the Belmar Fishing Club and that the issuance of said Permit is not contrary to any local ordinance, resolution, regulation or policy which would prohibit the same, and that not more than 25 Special Permits have been authorized for the applicant during 2014.

offered the above resolution and moved its adoption.

Seconded by and adopted by the following vote on roll call:

Council members:	AYES	NAYS	ABSTAIN	ABSENT
Ms. Keown-Blackburn				
Mr. Magovern				
Mr. Bean				
Mrs. Nicolay				
Mayor Doherty				

Adopted:

RESOLUTION NO. 2014-

RESOLUTION AUTHORIZING THE ADVERTISEMENT FOR BIDS TO LEASE A PORTION OF THE TWENTIETH AVENUE BEACHFRONT FOR A SKIM BOARDING CAMP

WHEREAS, the Borough Council has determined that certain portions of the 20th Avenue beachfront can be used for a skim boarding camp without substantial interference with the public's use during the times in which the skim boarding camp will be operated and is not otherwise dedicated or restricted pursuant to law; and

WHEREAS, the use of said area shall be limited to the operation of a skim boarding camp from May 1, 2014 to September 30, 2014.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Belmar that the Borough Clerk be and is hereby authorized and directed to advertise for bids to lease the following property on the following terms and conditions:

The Lease shall be made to the highest bidder by open public bidding at auction.

The area to be leased is a portion of the beachfront at 20th Avenue for use for a skim boarding camp, subject to the terms and conditions of the Lease which is on file and available for inspection at the Municipal Clerk's Office, 601 Main Street, Belmar, New Jersey during regular business hours. All bidders should inspect the lease prior to bidding.

The Lease shall be made to the highest bidder by open public bidding at auction.

The minimum acceptable bid is hereby fixed as free registration for five Belmar children or Five Hundred Dollars (\$500.00).

A bid deposit of One Hundred Dollars (\$100.00) must be submitted no later than prior to the beginning of the Public Auction on Tuesday, April 15, 2014 at 6:00 p.m. by cash, money order or certified bank check. The deposit will be a credit toward the lease rent in favor of the successful bidder.

The term of the Lease is from May 1, 2014 to September 30, 2014 and is subject to the terms and conditions of the Lease.

The Borough Council reserves the right to, in any event, reject the highest bid, and if the highest bid is rejected, to reject all bids.

The successful bidder must execute the form of lease setting forth the terms and conditions as if fully set forth herein within ten (10) days of the award of the bid.

BE IT FURTHER RESOLVED that the advertisement for bids shall conform to the requirements of N.J.S.A. 40A:12-14(a) and such notice will be published in the Asbury Park Press on April 4, 2014 and April 8, 2014.

BE IT FURTHER RESOLVED that the bidding by auction shall take place on Tuesday, April 15, 2014 at the Municipal Complex, Council Chambers, 601 Main Street, Belmar, New Jersey at 6:00 p.m.

offered the above resolution and moved its adoption. Seconded by and adopted by the following vote on roll call:

Council members:	AYES	NAYS	ABSTAIN	ABSENT
Ms. Keown-Blackburn				
Mr. Magovern				
Mrs. Nicolay				
Mr. Bean				
Mayor Doherty				

Adopted:

RESOLUTION NO. 2014-

RESOLUTION AUTHORIZING THE ADVERTISEMENT FOR BIDS TO LEASE A PORTION OF THE SOUTHERN END OF MACLEARIE PARK FOR STAND UP PADDLE BOARD LESSONS

WHEREAS, the Borough Council has determined that certain portions of the southern end of Maclearie Park can be used for stand up paddle board lessons without substantial interference with the public's use during the times in which the stand up paddle board lessons will be operated and is not otherwise dedicated or restricted pursuant to law; and

WHEREAS, the use of said area shall be limited to the operation of stand up paddle board lessons from May 1, 2014 to September 30, 2014.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Belmar that the Borough Clerk be and is hereby authorized and directed to advertise for bids to lease the following property on the following terms and conditions:

The Lease shall be made to the highest bidder by open public bidding at auction.

The area to be leased is a portion of the southern end of Maclearie Park for use for stand up paddle board lessons, subject to the terms and conditions of the Lease which is on file and available for inspection at the Municipal Clerk's Office, 601 Main Street, Belmar, New Jersey during regular business hours. All bidders should inspect the lease prior to bidding.

The Lease shall be made to the highest bidder by open public bidding at auction.

The minimum acceptable bid is hereby fixed as Five Hundred Dollars (\$500.00).

A bid deposit of One Hundred Dollars (\$250.00) must be submitted no later than prior to the beginning of the Public Auction on Tuesday, April 1, 2014 at 6:00 p.m. by cash, money order or certified bank check. The deposit will be a credit toward the lease rent in favor of the successful bidder.

The term of the Lease is from May 1, 2014 to September 30, 2014 and is subject to the terms and conditions of the Lease.

The Borough Council reserves the right to, in any event, reject the highest bid, and if the highest bid is rejected, to reject all bids.

The successful bidder must execute the form of lease setting forth the terms and conditions as if fully set forth herein within ten (10) days of the award of the bid.

BE IT FURTHER RESOLVED that the advertisement for bids shall conform to the requirements of N.J.S.A. 40A:12-14(a) and such notice will be published in the Asbury Park Press on April 4, 2014 and April 8, 2014.

BE IT FURTHER RESOLVED that the bidding by auction shall take place on Tuesday, April 15, 2014 at the Municipal Complex, Council Chambers, 601 Main Street, Belmar, New Jersey at 6:00 p.m.

offered the above resolution and moved its adoption. Seconded by and adopted by the following vote on roll call:

Council members:	AYES	NAYS	ABSTAIN	ABSENT
Ms. Keown-Blackburn				
Mr. Magovern				
Mrs. Nicolay				
Mr. Bean				
Mayor Doherty				

Adopted:

RESOLUTION NO. 2014-

RESOLUTION AUTHORIZING THE ADVERTISEMENT FOR BIDS TO LEASE A PORTION OF THE SECOND AVENUE BOARDWALK FOR ZUMBA CLASSES

WHEREAS, the Borough Council has determined that certain portions of the Second Avenue Boardwalk can be used for Zumba fitness classes without substantial interference with the public's use during the times in which the classes will be operated and is not otherwise dedicated or restricted pursuant to law; and

WHEREAS, the use of said area shall be limited to the operation of Zumba Classes from May 1, 2014 to September 30, 2014.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Belmar that the Borough Clerk be and is hereby authorized and directed to advertise for bids to lease the following property on the following terms and conditions:

The Lease shall be made to the highest bidder by open public bidding at auction.

The area to be leased is a portion of the Second Avenue boardwalk for Zumba classes subject to the terms and conditions of the Lease which is on file and available for inspection at the Municipal Clerk's Office, 601 Main Street, Belmar, New Jersey during regular business hours. All bidders should inspect the lease prior to bidding.

The Lease shall be made to the highest bidder by open public bidding at auction.

The minimum acceptable bid is hereby fixed as Five Hundred Dollars (\$500.00).

A bid deposit of One Hundred Dollars (\$250.00) must be submitted no later than prior to the beginning of the Public Auction on Tuesday, April 15, 2014 at 6:00 p.m. by cash, money order or certified bank check. The deposit will be a credit toward the lease rent in favor of the successful bidder.

The term of the Lease is from May 1, 2014 to September 30, 2014 and is subject to the terms and conditions of the Lease.

The Borough Council reserves the right to, in any event, reject the highest bid, and if the highest bid is rejected, to reject all bids.

The successful bidder must execute the form of lease setting forth the terms and conditions as if fully set forth herein within ten (10) days of the award of the bid.

BE IT FURTHER RESOLVED that the advertisement for bids shall conform to the requirements of N.J.S.A. 40A:12-14(a) and such notice will be published in the Asbury Park Press on April 4, 2014 and April 8, 2014.

BE IT FURTHER RESOLVED that the bidding by auction shall take place on Tuesday, April 15, 2014 at the Municipal Complex, Council Chambers, 601 Main Street, Belmar, New Jersey at 6:00 p.m.

offered the above resolution and moved its adoption. Seconded by and adopted by the following vote on roll call:

Council members:	AYES	NAYS	ABSTAIN	ABSENT
Ms. Keown-Blackburn				
Mr. Magovern				
Mrs. Nicolay				
Mr. Bean				
Mayor Doherty				

Adopted:

RESOLUTION NO 2014-

**RESOLUTION MAKING FINDINGS AND DETERMINATIONS ON
LEGALIZED GAMES OF CHANCE APPLICATION NUMBER
2014-03**

WHEREAS, the Borough Council has received from the Chief of Police a written report for the following named applicant for Legalized Games of Chance.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Belmar that it is their Findings and Determinations that the following has qualified for the Raffle License:

<u>APPLICANT</u>	<u>NUMBER</u>	<u>PREMISES</u>	<u>DATE</u>	<u>TIME</u>
Friendly Sons Of the Shillelagh	2014-03	815 16th Avenue	4/1/14 to 3/31/2015	8:00 – 2:00 am

BE IT FURTHER RESOLVED that said licenses are granted and the Clerk of the Borough of Belmar is authorized to issue said licenses upon the payment of required fee, and the Borough Clerk is authorized to file Findings and Determinations Form LGCC5A with the Legalized Games of Chance Commission as the verifying official.

offered the above resolution and moved its adoption.

Seconded by and adopted by the following vote on roll call:

Council members:	AYES	NAYS	ABSENT	ABSTAIN
Ms. Keown-Blackburn				
Mr. Magovern				
Mr. Bean				
Mrs. Nicolay				
Mayor Doherty				

Adopted:

RESOLUTION NO 2014-

RESOLUTION AUTHORIZING REFUNDS

BE IT RESOLVED, by the Mayor and Borough Council on this 1ST day of April 2014 that the following refunds are hereby authorized upon certification by the Chief Financial Officer to the following:

<u>Name</u>	<u>Type</u>	<u>Amount</u>
Joann Ali 2 Royal Court Apt. C12 Spring Lake, NJ 07762	Planning Board Escrow 606 North Lake Drive Subdivision	\$547.50
Henry Sliwka 405 Buck Road Holland, PA 18966	Boat Slip	\$1932.50
Westport of Belmar LLC P.O. Box 19 Belmar, NJ 07719	Planning Board Escrow	\$8,837.81

offered the above resolution and moved its adoption.

Seconded by and adopted by the following vote on roll call:

Council members:	AYES	NAYS	ABSENT	ABSTAIN
Ms. Keown-Blackburn				
Mr. Magovern				
Mr. Bean				
Mrs. Nicolay				
Mayor Doherty				

Adopted:

STATE OF NEW JERSEY
DEPARTMENT OF COMMUNITY AFFAIRS
DIVISION OF LOCAL GOVERNMENT SERVICES
LOCAL FINANCE BOARD
APPLICATION CERTIFICATION

APPLICANT'S

NAME: BOROUGH OF BELMAR, IN THE COUNTY OF MONMOUTH, NEW JERSEY

I, MATTHEW DOHERTY, MAYOR OF THE BOROUGH OF BELMAR, IN THE COUNTY OF MONMOUTH, NEW JERSEY DO HEREBY DECLARE:

That the documents submitted herewith and the statements contained herein are true to the best of my knowledge and belief; and

That this application was considered and its submission to the Local Finance Board approved by the governing body of the Borough on April 1, 2014; and

That the governing body of the Borough has notified each participating local unit of its submission of this application to the Local Finance Board and has made available to each, a true copy of this application.

ATTEST:

Matthew Doherty, Mayor

April Claudio, Clerk
Date: April 1, 2014

RESOLUTION 2014-

RESOLUTION OF THE BOROUGH OF BELMAR, IN THE COUNTY OF MONMOUTH, NEW JERSEY MAKING APPLICATION TO THE LOCAL FINANCE BOARD PURSUANT TO N.J.S.A. 40A:2-7(d) AND N.J.S.A. 40A:2-11(c).

WHEREAS, the Borough of Belmar, in the County of Monmouth, New Jersey desires to make application to the Local Finance Board for its review and approval of the following bond ordinance pursuant to N.J.S.A. 40A:2-7(d) and N.J.S.A. 40A:2-11(c):

BOND ORDINANCE PROVIDING FOR THE CONSTRUCTION OF BEACHFRONT BUILDINGS IN AND BY THE BOROUGH OF BELMAR, IN THE COUNTY OF MONMOUTH, NEW JERSEY, APPROPRIATING \$7,000,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$7,000,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF.

WHEREAS, the Borough believes that:

- (a) it is in the public interest to accomplish such purposes;
- (b) said purposes are for the health, welfare, convenience or betterment of the inhabitants of the Borough;
- (c) the amounts to be expended for said purposes are not unreasonable; and
- (d) the proposals are an efficient and feasible means of providing services for the needs of the inhabitants of the Borough and will not create an undue financial burden to be placed upon the Borough;

NOW, THEREFORE, BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF BELMAR, IN THE COUNTY OF MONMOUTH, NEW JERSEY as follows:

Section 1. The application to the Local Finance Board is hereby approved, and the Borough's Bond Counsel, along with other representatives of the Borough, are hereby authorized to prepare such application and to represent the Borough in matters pertaining thereto.

Section 2. The Clerk of the Borough is hereby directed to prepare and file a copy of this resolution and the introduced bond 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.

Recorded Vote

	<u>AYE</u>	<u>NO</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Ms. Keown-Blackburn				
Mr. Magovern				
Mr. Bean				
Mrs. Nicolay				
Mayor Dohery				

The foregoing is a true copy of a resolution adopted by the governing body of the Borough of Belmar, New Jersey on April 1, 2014.

April Claudio, Clerk

RESOLUTION NO. 2014-

RESOLUTION PERMITTING SPECIAL EVENTS

WHEREAS, applications have been received by the Special Events Committee as per Ordinance 16-14.4 “Permits and Special Event Permits;” and

WHEREAS, said applications have been reviewed by the Special Events Committee and by the Borough Council; and

WHEREAS, the following events are recommended for approval with conditions if applicable:

DQ Events Triathlon: August 3rd 2014, 5.00am-Noon, Ocean Avenue Belmar. Applicants will be supplying volunteers to man all required posts, applicants must supply Belmar PD with complete list of all volunteers 10 days prior to the event. Applicant will make a \$7000.00 donation to the Autism Family Services before June 30th 2014. Applicant will make a \$1000.00 donation to the Belmar First Aid before August 1st 2014. Applicant will make a \$1500.00 donation to the Belmar Little League in return for volunteer services by August 1st 2014. Organizers will meet with representatives from Belmar PD at least ten days prior to the event.

Belmar Beach Dance Mob: May 4th 2014: on Belmar Beach/Boardwalk between 12th and 14th Avenue, Noon-2.00pm, no additional borough resources are required.

Lake Como 5K Run: Saturday April 12th 2014. Set-up 9.00am, event 10.00-11.00am. All necessary barricades must be supplied by Lake Como. Organization must also inform all Belmar Residents impacted by road closing through a mailing or a door to door poster drop. Cost of this event is \$1800.00: check made payable to The Borough of Belmar. Check must be received by the Borough of Belmar no later than March 31st 2014.

FRA Color Run 3K: Saturday October 11th 2014. Belmar DPW and PD will supply any necessary support. The entire event will take place on the Belmar Beach (sand). There are no additional costs.

Walk MS: April 17th 2014. Wet-up 9.00am, event 10.00am-2.00pm. All necessary barricades must be supplied by Lake Como. Organization must supply names and contact information for 25 volunteers. Organization must also inform all Belmar Residents impacted by road closing through a mailing or a door to door poster drop. Cost of this event is \$2000.00: check made payable to The Borough of Belmar. Check must be received by the Borough of Belmar no later than March 28th 2014.

Belmar Mayors Ball: Friday May 30th 2014, in Pyanoe Plaza. Set up will begin May 28th & 29th; no additional Borough resources are required.

Jersey Shore Drum Circle: Wednesday evening 6-9pm, 2nd Avenue Boardwalk. No additional Borough resources are necessary.

Autism Family Services of New Jersey: 10th Annual Beach Bash. Set up September 4th , event dates 7th & 8th , breakdown September 9th 2014. No additional Borough resources are required.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Belmar that permission is granted for the special events as noted above with conditions if cited.

offered the above resolution and moved its adoption.

Seconded by and adopted by the following vote on roll call:

Council members:	AYES	NAYS	ABSENT	ABSTAIN
Ms. Keown-Blackburn				
Mr. Magovern				
Mr. Bean				
Mrs. Nicolay				
Mayor Doherty				

Adopted:

RESOLUTION 2014-

RESOLUTION URGING THE SWIFT PASSAGE OF HR 592

WHEREAS, several properties experienced extensive damage due to Hurricane Sandy which made landfall on New Jersey, New York and Connecticut on October 28, 2012; and

WHEREAS, of these properties that experienced damage, were houses of worship; and

WHEREAS, these houses of worship have had to spend large amounts of money to undertake renovations to repair the damages from Hurricane Sandy; and

WHEREAS, the Robert T. Stafford Disaster Relief and Emergency Assistance Act currently provides disaster and emergency assistance to places of non-profit; however houses of worship do not fall under this category; and

WHEREAS, because of the current language in the Act, houses of worship are not entitled to receive any FEMA or federal funding to aid them in their recovery efforts; and

WHEREAS, Congressman Chris Smith, Congresswoman Grace Meng, and Congressman Pete King have introduced HR592, which is a bill to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to clarify that houses of worship are eligible for certain disaster relief and emergency assistance under the terms set forth for non-profit entities.

NOW, THEREFORE BE IT RESOLVED BY THE GOVERNING BODY OF THE BOROUGH OF BELMAR THAT the

BE IT FURTHER RESOLVED, that a copy of this Resolution be forwarded to the members of the New Jersey State Senate, the Governor of State of New Jersey and the U.S. House of Representatives.

offered the above resolution and moved its adoption. Seconded by and adopted by the following vote on roll call:

Council members:	AYES	NAYS	ABSTAIN	ABSENT
Ms. Keown-Blacbkurn				
Mr. Magovern				
Mrs. Nicolay				
Mr. Bean				
Mayor Doherty				

Adopted:

RESOLUTION NO. 2014-

**RESOLUTION GRANTING TAXICAB OWNERS & DRIVERS
LICENSES FOR THE YEAR 2014**

WHEREAS, applications have been received for 2014 Taxicab Owner's and Driver's Licenses for the person listed below under the provisions of Chapter XXI of the Revised General Ordinances of the Borough of Belmar for Taxi Driver's Licenses; and

WHEREAS, said applications appear to conform to the regulations as set forth in Borough Ordinances; and

WHEREAS, said applications have been reviewed by the Police Department as required by Borough ordinance and no objections have been received.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Belmar that the following persons have applied for Taxicab Owner's and Driver's Licenses and have been approved by the Police Dept.

THOMAS PARKER
CHAMSEDDINE JEBALI
MIAN JAMEEL
MOHAMMED MALIK

VINCENT CATALANO
JACK ELHOUSHI
JOSE PINTADO
HANY MOUSTAFA

offered the above resolution and moved its adoption.

Seconded by and adopted by the following vote on roll call:

Council members:	AYES	NAYS	ABSENT	ABSTAIN
Ms. Keown-Blackburn				
Mr. Magovern				
Mr. Bean				
Mrs. Nicolay				
Mayor Doherty				

Adopted:

Adopted:

RESOLUTION 2013-224

RESOLUTION AUTHORIZING A 2014 TEMPORARY CAPITAL BUDGET

WHEREAS, the Borough of Belmar desires to constitute the 2014 Temporary Capital Budget of the Borough of Belmar by inserting therein various capital projects,

NOW, THEREFORE, BE IT RESOLVED the Governing Body of the Borough of Belmar as follows:

Section 1. The 2014 Capital Budget of the Borough of Belmar is hereby amended by adding thereto a schedule to read as follows:

Capital Budget of the Borough of Belmar
County of Monmouth, New Jersey

Project Scheduled for 2014

Project	Estimated Cost	Capital Improvement	Other Funds	Debt Authorized
Construction of Beachfront Buildings	\$7,000,000			\$7,000,000

Section 2. The Clerk be and is authorized and directed to file a certified copy of this resolution with the Division of Local Government Services within three days after the adoption of Resolution.

offered the above resolution and moved its adoption.

Seconded by and adopted by the following vote on roll call:

Council members:	AYES	NAYS	ABSENT	ABSTAIN
Ms. Keown-Blackburn				
Mr. Magovern				
Mr. Bean				
Mrs. Nicolay				
Mayor Doherty				

Adopted:

RESOLUTION NO. 2014-

**RESOLUTION AUTHORIZING THE TRANSFER OF APPROPRIATION RESERVES
AS PERMITTED BY N.J.S.A. 40A:4-59**

WHEREAS, various 2013 bills have been presented for payment this year, which bills were not covered by purchase order number and/or recorded at the time of transfers between the 2013 Budget Appropriation Reserves in the last two months of 2013; and

WHEREAS, N.J.S.A. 40A:4-59 provides that all unexpended balances carried forward after the close of the year are available, until lapsed at the close of the succeeding year, to meet specific claims, commitments or contracts incurred during the preceding fiscal year, and allow transfers to be made from unexpended balances which are expected to be insufficient during the first three months of the succeeding year.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Belmar on this 1st day of April 2014 that the following transfer of 2013 appropriations be made effective March 31, 2014 and the same are hereby authorized and the Chief Financial Officer be and is hereby directed to make said transfers on the records.

GENERAL	TO	FROM
Legal OE	24,000.00	
Municipal Land Use OE	5,000.00	
Group Insurance		29,000.00
Public Buildings OE	7,000.00	
Snow OE	1,100.00	
Road Repair OE		8,100.00
Electric OE	13,000.00	
Telephone OE	12,000.00	
Street Lighting		25,000.00
TOTAL	\$42,100.00	\$42,100.00
WATER/SEWER	TO	FROM
Water/Sewer Operating OE	10,000.00	
NJ Water Supply Authority		10,000.00
TOTAL	\$10,000.00	\$10,000.00

Council member _____ offered the above resolution and moved its adoption.

Seconded by Council member _____ and adopted by the following vote:

Councilmembers:	AYES	NAYS	ABSTAIN	ABSENT
Ms. Keown-Blackburn				
Mr. Magovern				
Mr. Bean				
Mrs. Nicolay				
Mayor Doherty				

Adopted: March 18, 2014

RESOLUTION NO 2014-

RESOLUTION APPROVING MEMBERSHIP APPLICATION FOR UNION FIRE COMPANY

WHEREAS, the Union Fire Company has advised the Borough Council that the following have submitted applications to join the Union Fire Company:

VICTOR LORUSSO

WHEREAS, each application will be reviewed by the Belmar Police Department;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Belmar that the above application be hereby approved pending final approval from the Police Department.

offered the above resolution and moved its adoption.

Seconded by and adopted by the following vote on roll call:

	AYES	NAYS	ABSTAIN	ABSENT
Ms. Keown-Blackburn				
Mr. Magovern				
Mr. Bean				
Mrs. Nicolay				
Mayor Doherty				

Adopted:

RESOLUTION 2014-

**RESOLUTION WAIVING CERTAIN CONSTRUCTION PERMIT FEES UNTIL
DECEMBER 31, 2014**

WHEREAS, per a letter from the State of New Jersey Division of Codes and Standards a municipality is permitted to waive all permit fees including the State permit surcharge for all permits related to Hurricane Sandy; and

WHEREAS, in 2012 and 2013 the Borough of Belmar, waived all fees for permits submitted for construction, renovation, repairs, replacement of appliances, and so forth for properties which were damaged by Hurricane Sandy; and

WHEREAS, the Borough of Belmar understands that there are properties that applied for permits for repairing Hurricane Sandy damage in 2013 and are continuing to do more work into 2014 which may require additional permits.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Belmar, County of Monmouth and State of New Jersey that the Construction Department is hereby authorized to waive all additional permit fees for only those construction permits that were originally obtained in 2013 and are continuing into 2014.

offered the above resolution and moved its adoption.

Seconded by and adopted by the following vote on roll call:

Council members:	AYES	NAYS	ABSTAIN	ABSENT
Ms. Keown-Blackburn				
Mr. Magovern				
Mr. Bean				
Mrs. Nicolay				
Mayor Doherty				

Adopted:

RESOLUTION NO. 2014-

RESOLUTION AUTHORIZING THE ADVERTISEMENT FOR BIDS FOR A LEASE FOR THE RENTAL OF LOW SPEED VEHICLES OR BICYCLES

WHEREAS, the Borough Council has determined that a certain portion of Belmar Plaza can be used for the rentals of low speed vehicles or bicycles without substantial interference with the public's use during the times in which the rentals will be operated and is not otherwise dedicated or restricted pursuant to law; and

WHEREAS, the use of said area shall be limited to the operation of the rentals from May 1, 2014 to September 30, 2014.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Belmar that the Borough Clerk be and is hereby authorized and directed to advertise for bids to lease the following property on the following terms and conditions:

The Lease shall be made to the highest bidder by open public bidding at auction.

The area to be leased is a portion of the Belmar Plaza west of the NJ Transit train station at 10th Avenue subject to the terms and conditions of the Lease which is on file and available for inspection at the Municipal Clerk's Office, 601 Main Street, Belmar, New Jersey during regular business hours. All bidders should inspect the lease prior to bidding.

The Lease shall be made to the highest bidder by open public bidding at auction.

The minimum acceptable bid is hereby fixed as One Hundred Dollars (\$100.00) per a month.

A bid deposit of Fifty Dollars (\$50.00) must be submitted no later than prior to the beginning of the Public Auction on Tuesday, April 15, 2014 at 6:00 p.m. by cash, money order or certified bank check. The deposit will be a credit toward the lease rent in favor of the successful bidder.

The term of the Lease is from May 1, 2014 to September 30, 2014 and is subject to the terms and conditions of the Lease.

The Borough Council reserves the right to, in any event, reject the highest bid, and if the highest bid is rejected, to reject all bids.

The successful bidder must execute the form of lease setting forth the terms and conditions as if fully set forth herein within ten (10) days of the award of the bid.

BE IT FURTHER RESOLVED that the advertisement for bids shall conform to the requirements of N.J.S.A. 40A:12-14(a) and such notice will be published in the Asbury Park Press on April 4, 2014 and April 8, 2014.

BE IT FURTHER RESOLVED that the bidding by auction shall take place on Tuesday, April 15, 2014 at the Municipal Complex, Council Chambers, 601 Main Street, Belmar, New Jersey at 6:00 p.m.

offered the above resolution and moved its adoption. Seconded by and adopted by the following vote on roll call:

Council members:	AYES	NAYS	ABSTAIN	ABSENT
Ms. Keown-Blackburn				
Mr. Magovern				
Mrs. Nicolay				
Mr. Bean				
Mayor Doherty				

Adopted:

ORDINANCE 2014-05

AN ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER XL DEVELOPMENT REGULATIONS OF THE REVISED GENERAL
ORDINANCES OF THE BOROUGH OF BELMAR, IN THE COUNTY OF
MONMOUTH, NEW JERSEY TO AMEND SECTION 7.24 SIGNS

WHEREAS, the Borough of Belmar now desires to amend and supplement specific provisions with regard to fire safety of the Borough of Belmar Revised General Ordinances.

WHEREAS, the Mayor and Council of the Borough of Belmar with recommendations from the Zoning Office and the Belmar Business Partnership, have determined that these changes are necessary and proper to allow the Borough to more efficiently apply and enforce provisions of the Borough's Ordinances.

NOW, THEREFORE, BE IT ORDAINED by the Borough of Belmar, County of Monmouth, New Jersey, that Chapter XL , Development Regulations, of the Borough of Belmar Revised General Ordinances are hereby amended and supplemented as follows:

SECTION I. The following sections of **40-7.24 – Signs** shall be amended and/or supplemented as follows:

4. Illumination.

(c) All wiring for permanent illuminated signs shall be installed and maintained so that it is not within public view. The running of wiring or conduit along the exterior wall of a building to access a sign is specifically prohibited except that the Construction Official may permit exterior conduit if in the ~~judgement~~ judgment of the Official there is no practical way to run the conduit so that it is not within public view.

6. Obstruction of Glass Surface. For light, safety and health reasons, no sign shall project over, occupy or obstruct more than twenty (20%) percent of any glass window surface, unless approved by the Zoning Officer with advice and consent from the Planning Board Sign Committee.

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10. Signs Affixed to Certain Structures. With the exception of allowable signage on slanted roofs and fences enclosing a property. ~~No~~ sign shall be affixed to any roof, tree, fence, utility pole, or other similar structure nor placed upon motor vehicles which are continually or repeatedly parked in a conspicuous location to serve as a sign, however, nothing is intended to prohibit the placement of signs not exceeding three (3') feet in any dimension, directing traffic or identifying various parking locations within a lot on light poles and utility poles erected therein. Signs painted on pavement surfaces shall be restricted to traffic control markings only.

13. Painted Signs. No sign may be painted directly on the surface of any building, wall, fence or similar structure, unless approved by the Zoning Officer with advice and consent from the Planning Board Sign Committee. ~~borough.~~

17. Graphic Content Coverage. The maximum coverage of any sign face by graphic contents shall not exceed sixty (~~60~~ 80) percent.

18. Awning Signs. Awnings or canopies containing graphic content shall be deemed to be "Wall Signs" and shall meet the requirements of this section, Schedule 40-7-1 and the zone district requirements. Graphic content is allowable on multiple awnings but shall not exceed eights (80%) percent; the logo of the business/organization shall not count toward the overall graphic content.

19. Construction, Limitations, and Erection of Property Signs.

(e) Projecting Signs shall be limited in area to six-eight (68) square feet for each side.

d. *Permitted Signs.*

(b) Nameplate Signs; provided that such signs are limited to no more than one (1) wall or ground sign per entrance to the building occupancy; are no more than seventy-five (75) square inches in area; are non-illuminated, or externally illuminated; and, if a ground sign are no more than three (3') feet in height.

(e) Temporary Glass Surface Signs; provided the area of glass surface signs displayed does not exceed either twenty (20%) percent of the area of the glass surface in which they are shown or five (5%) percent of the aggregate area of all glass surfaces in the building façade, unless approved by the Zoning Officer with advice and consent from the Planning Board Sign Committee.

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(h) On-site Informational Signs; provided that each sign is limited to a wall, window or ground sign of not more than two (2) square feet in area and not more than seven (7') feet in height above grade. The sign may include a business name or logo but shall not include any advertising message. In locations where more than one (1) business share a common vehicular access, signs marking entrances and exits shall contain only the name of the shopping or business center and may list the individual businesses upon approval by the Zoning Officer with advice and consent from the Planning Board Sign Committee. ~~Multiple signs identifying each tenant or use are specifically prohibited.~~

(j) Commercial Sale and/or Event Signs; provided that such signs are no more than twenty eightsix (628) square feet in area and professionally lettered; are located entirely on the premises where such sale (e.g. "President's Day Sale") or event (e.g. "Grand Opening") is to be conducted or on other private property pursuant to the owner's consent; are clearly marked with the name, address and telephone number of the person responsible for the removal of such sign; are erected not more than thirty-sixforty eight (3648) hours in advance of such sale and removed within forty eight (48) hours following such sale; or forty-five (45) days in advance of such event and removed on the day following ~~within 30 days of~~ the conclusion of ~~such sale or event.~~ No more than four (4) signs may be placed on any business property nor more than one (1) on any residential property. "For Sale" signs on vehicles, boats, trailers or other items in any residential zone are specifically prohibited.

(v) Portable "Sandwich Board" signs for display on sidewalks directly in front of the business advertised by the sign; provided there is no more than one (1) such sign per business; ~~it is no more than four (4) feet high, does not occupy a ground area of more than six (6) square feet~~ and does not impede the passage of pedestrians or create a traffic safety hazard. All other portable signs are specifically prohibited.

(w) Unused/obsolete signs, stanchions, pylons and other sign supports and components thereof, not in use and/or conforming to the requirements of this chapter shall be removed.

2. Exempt Sign(s) Limitations.

~~(a) Signs permitted by subsections 40-7.24.d.1, (e), (f) and (j) may be displayed thirty (30) days before and three (3) days after the sale, event or activity.~~

~~(b) Signs permitted by subsections 40-7.24.d.1, (e), (f) and (j) may be displayed no more than three (3) times during any calendar year.~~

ea. Unless approved by the Municipal Agency, no building may display a total of more than twelve (12) exempt signs, and no individual occupancy may display a total of more than six (6) signs permitted by subsections 40-7.24d, 1,(e), (f), (h), (j), (k), (n), (t), and (u).

SCHEDULE 40-7-1 SCHEDULE OF SIGN REGULATIONS

SIGN TYPE	NUMBER PERMITTED	MAXIMUM SIGN AREA	MAXIMUM GRAPHIC CONTENT COVERAGE	SIGN HEIGHT	METHOD OF SUPPORT PERMITTED		SIGN SETBACKS		PERMITTED METHOD OF ILLUMINATION	
				MAXIMUM PERMITTED HEIGHT	ON GROUND	POLE MOUNTED	MINIMUM FRONT SETBACK	MINIMUM SIDE SETBACK	INTERNAL	EXTERNAL
Ground	(See Notes A, C & D)	16 s.f.	80% 60%	8' (B)	Yes	No	10'	10'	Yes	Yes
Wall	(See Note A)	10% of signable area; 30 s.f. max.	60% 80%	---	---	---	---	---	Yes	Yes
Window	(See Note A)	15% of the window area	---	---	---	---	---	---	No	Yes

SECTION II. If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudicated and the remainder of the Ordinance shall be deemed valid and effective.

SECTION III. All Ordinances or parts of ordinances inconsistent with or in conflict with the ordinance are hereby repealed to the extent of such inconsistency

ORDINANCE 2014-06

**AN ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER XX LICENSES- GENERAL OF THE REVISED GENERAL ORDINANCES
OF THE BOROUGH OF BELMAR, IN THE COUNTY OF MONMOUTH, NEW
JERSEY, SECTION 20-13 YARD SALES**

WHEREAS, the Borough of Belmar now desires to amend and supplement specific provisions with regards to yard sales of the Borough of Belmar Revised General Ordinances.

WHEREAS, the Mayor and Council of the Borough of Belmar with recommendations from the Code Enforcement office, have determined that these changes are necessary and proper to allow the Borough to more efficiently apply and enforce provisions of the Borough's Ordinances.

NOW, THEREFORE, BE IT ORDAINED by the Borough of Belmar, County of Monmouth, New Jersey, that Chapter XX Licenses-General of the Borough of Belmar Revised General Ordinances are hereby amended and supplemented as follows:

SECTION I. The following shall be amended as follows:

20-13 YARD SALES.

1. By way of exception to the foregoing licensing requirements, any person may conduct not more than four (4) sales, commonly known as "yard, garage, porch, attic, basement, tag or lawn sales," on his or her premises in any one (1) calendar year, exclusive of days that are designated by the Mayor and Council to be town-wide yard sales. The sale shall generally be known as a "yard sale," which is defined as a public sale of used personal property in a residential area of the municipality, commencing not earlier than 9:00 a.m., terminating by sundown and extending no more than a three (3) day period. Yard sales shall offer only used items and personal property owned by the resident of the property where the sale is held. No new merchandise shall be offered for sale nor may merchandise from sources other than homes be brought in and offered for sale. All signage promoting said sales shall be removed within 48 hours of completion of the sale.

2. PERMIT. A permit will be required prior to holding any sale. Each permit issued under this section must be prominently displayed on the premises upon which the sale is conducted throughout the entire period of the sale.

3. VIOLATION. Any person found to be in violation of this section of the Ordinance shall be subject o fines and/or penalties of a minimum of \$50 to a maximum of \$500.

SECTION II. If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudicated and the remainder of the Ordinance shall be deemed valid and effective.

SECTION III. All Ordinances or parts of ordinances inconsistent with or in conflict with the ordinance are hereby repealed to the extent of such inconsistency

ORDINANCE 2014-07

BOND ORDINANCE PROVIDING FOR THE CONSTRUCTION OF BEACHFRONT BUILDINGS IN AND BY THE BOROUGH OF BELMAR, IN THE COUNTY OF MONMOUTH, NEW JERSEY, APPROPRIATING \$7,000,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$7,000,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF.

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF BELMAR, IN THE COUNTY OF MONMOUTH, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The improvement described in Section 3(a) of this bond ordinance is hereby authorized to be undertaken by the Borough of Belmar, in the County of Monmouth, New Jersey (the "Borough") as a general improvement. For the improvement or purpose described in Section 3(a), there is hereby appropriated the sum of \$7,000,000. No down payment is required pursuant to N.J.S.A. 40A:2-11(c) as this bond ordinance authorizes obligations solely for a purpose described in N.J.S.A. 40A:2-7(d).

Section 2. In order to finance the cost of the improvement or purpose, negotiable bonds are hereby authorized to be issued in the principal amount of \$7,000,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is the construction of beachfront buildings, including the 5th Avenue Pavillion and the 10th Avenue Pavillion, including all work and materials necessary therefor and incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The Borough hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3(a) of this bond ordinance is not a current expense. It is an improvement or purpose that the Borough may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 20 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$7,000,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$1,400,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

(e) This bond ordinance authorizes obligations of the Borough solely for a purpose described in N.J.S.A. 40A:2-7(d). This purpose is in the public interest and is for the health, welfare, convenience or betterment of the inhabitants of the Borough. The amounts to be expended for this purpose pursuant to this bond ordinance are not unreasonable or exorbitant, and the issuance of the obligations authorized by this bond ordinance will not materially impair the credit of the Borough or substantially reduce its ability to pay punctually the principal of and the interest on its debts and to supply other essential public improvements and services. The Local Finance Board in the Division of Local Government Services of the Department of Community Affairs of the State of New Jersey has heretofore made a determination to this effect and has caused its consent to be endorsed upon a certified copy of this bond ordinance as passed upon first reading.

Section 7. The Borough hereby declares the intent of the Borough to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3(a) of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations.

Section 8. Any grant moneys received for the purpose described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or to payment of the

obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Borough 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 Borough and to execute such disclosure document on behalf of the Borough. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough 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 Borough 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 Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

ORDINANCE 2014-08

**AN ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER XVII BEACHFRONT & MARINE REGULATIONS OF THE REVISED
GENERAL ORDINANCES OF THE BOROUGH OF BELMAR, IN THE COUNTY OF
MONMOUTH, NEW JERSEY, SECTION 18-2 BEACHFRONT REGULATIONS**

WHEREAS, the Borough of Belmar now desires to amend and supplement specific provisions with regards to smoking on the beach of the Borough of Belmar Revised General Ordinances.

NOW, THEREFORE, BE IT ORDAINED by the Borough of Belmar, County of Monmouth, New Jersey, that Chapter XVII Beachfront & Marine Regulations of the Borough of Belmar Revised General Ordinances are hereby amended and supplemented as follows:

SECTION I.

18-2.7 Rules and Regulations

- jj. No person shall smoke any cigarettes, cigars or other tobacco products in the beachfront area at any time ~~_, except in designated smoking areas as indicated by signs posted in the beachfront area.~~ The penalty for violation of this section shall be twenty-five (\$25.00) dollars.

SECTION II. If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudicated and the remainder of the Ordinance shall be deemed valid and effective.

SECTION III. All Ordinances or parts of ordinances inconsistent with or in conflict with the ordinance are hereby repealed to the extent of such inconsistency