

“GOD BLESS AMERICA”

REGULAR MEETING

AUGUST 5, 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, Councilwoman Nicolay, Councilman Bean, Councilman Magovern, 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 April 23, 2014 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 PRESENTATIONS:

- National Dance Week Foundation donation to Sandy Relief Fund
- Honoring Water Rescue Team
- Employee of the Month

WORKSHOP DISCUSSION:

- **RESOLUTION APPROVING APPOINTMENTS OF PATROLMAN OF THE BELMAR POLICE DEPARTMENT**
 - o Mayor Doherty to Administer Oath of Office
- Green Acres Public Hearing
- Maser Consulting: Lake Como Outfall Pipe

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**
- **RESOLUTION AUTHORIZING PAYMENT OF BILLS (MARTURANO & STAVOLA)**
- **RESOLUTION FOR DEPARTMENT OF ENVIRONMENTAL PROTECTION GREEN ACRES PROGRAM**
- **RESOLUTION SUPPORTING THE INCREASE IN FUNDING FOR THE NEW JERSEY SHORE PROTECTION FUND**

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 MAKING FINDINGS AND DETERMINATIONS ON LEGALIZED GAMES OF CHANCE APPLICATION NUMBER 2014-04, 2014-05 and 2014-06
- RESOLUTION AUTHORIZING THE ISSUANCE OF PLENARY RETAIL CONSUMPTION ALCOHOLIC BEVERAGE LICENSE NO. 1306-32-006-009 (WITH “BROAD PACKAGE PRIVILEGE” PURSUANT TO P.L. 1948, CH. 98) FOR DCJ BELMAR, INC. T/A 507 MAIN STREET FOR PERIOD ENDING JUNE 30, 2015
- RESOLUTION AUTHORIZING THE ISSUANCE OF CLASS C LIQUOR LICENSE NO. 1306-33-002-004 TO TWO DAWGS, INC T/A THE BOATHOUSE BAR AND GRILL FOR PERIOD ENDING JUNE 30, 2015
- RESOLUTION BY THE MAYOR AND COUNCIL AUTHORIZING THE TAX COLLECTOR TO EXTEND THE GRACE PERIOD FOR THIRD QUARTER PROPERTY TAXES
- RESOLUTION APPROVING SPECIAL EVENTS APPLICATIONS
- RESOLUTION PROVIDING FOR THE INSERTION OF A SPECIAL ITEM OF REVENUE IN THE BUDGET OF THE BOROUGH OF BELMAR PURSUANT TO N.J.S.A. 40A:4-87 (CHAPTER 159, P.L. 1948)
- RESOLUTION PROVIDING FOR THE RECREATION AND OPEN SPACE INVENTORY FOR THE BOROUGH OF BELMAR PURSUANT TO N.J.A.C. 7:36-25.3
- RESOLUTION AUTHORIZING THE MAYOR AND MUNICIPAL CLERK TO EXECUTE AN AMENDMENT TO THE 2012-14 AGREEMENT WITH MONMOUTH COUNTY FOR COOPERATIVE PARTICIPATION IN THE COMMUNITY DEVELOPMENT PROGRAM PURSUANT TO THE INTERLOCAL SERVICES ACT

ORDINANCES:

Second Reading & Public Hearing

ORDINANCE NO. 2014-12

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER XX, LICENSES OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BELMAR SECTION 5-1, DESIGNATION OF AMUSEMENT OR ENTERTAINMENT AREAS

Second Reading & Public Hearing

ORDINANCE NO. 2014-13

AN ORDINANCE AMENDING CHAPTER XL (Development Regulations) REVISE GENERAL ORDINANCES OF THE BOROUGH OF BELMAR

Second Reading & Public Hearing

ORDINANCE 2014-14

ORDINANCE OF THE BOROUGH OF BELMAR, COUNTY OF MONMOUTH, NEW JERSEY VACATING A PORTION OF A PUBLIC ROAD IN THE SEAPORT REDEVELOPMENT AREA IN FURTHERANCE OF THE REDEVELOPMENT PROJECT AT BLOCK 57, LOT 4.

First Reading & Introduction

ORDINANCE 2014-15

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 18-3 WATERWAYS & WATERCRAFT

First Reading & Introduction

ORDINANCE NO. 2014-16

**AN ORDINANCE AMENDING CHAPTER XL (Development Regulations) OF THE
REVISED GENERAL ORDINANCES OF THE BOROUGH OF BELMAR, SECTION
40-7.8**

PUBLIC SESSION:

MEETING ADJOURNED

RESOLUTION NO. 2014-

**RESOLUTION APPROVING APPOINTMENT OF PATROLMAN OF THE
BELMAR POLICE DEPARTMENT**

BE IT RESOLVED, by the Mayor and Council of the Borough of Belmar, on this 5th day of August, 2014 that the following persons are appointed and confirmed as Patrolman of the Belmar Police Department effective August 5, 2014:

ANTHONY STENECK
BRIAN POPPERT

offered the above resolution and moved for 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:

ORDINANCE 2014-16

AN ORDINANCE AMENDING CHAPTER XL (Development Regulations)
REVISE GENERAL ORDINANCES OF
THE BOROUGH OF BELMAR

The Mayor and Borough Council of the Borough of Belmar do ordain as follows:
ARTICLE V, CHAPTER XL, SECTION 7.8(c), **Accessory Buildings and Structures/Uses** is hereby amended as follows:

SECTION I

40-7.8 Accessory Buildings and Structures/Uses.

Unless otherwise specified in this chapter on the Schedule of Zoning District Requirements, accessory buildings and structures shall conform to the following regulations as to their locations on the lot:

- a. Location of Accessory Buildings.
 1. An accessory building attached to a principal building shall comply in all respects with the zoning requirements for the principal building.
 2. Detached accessory buildings shall not be located in a front yard.
 3. Detached accessory buildings shall comply with the Schedule of Zoning District Requirements.
 4. Aboveground and in-ground swimming pools shall comply with setbacks established for detached structures and shall not be less than ten (10') feet from a principal building or a garage.
- b. No detached accessory garage building in any zone, shall be less than ten (10') feet from a principal building. In residential zones no vehicular access into a garage (i.e. garage door) shall be oriented towards a street unless the point of access into the garage is set back at least twenty (20') feet from the street right-of-way line. As applicable to corner lots, access into a garage shall not face the street which serves as the primary access for the residence. Attached accessory garages which are adjacent to the primary entrance to a residential structure shall not make up more than fifty (50%) percent of the entire front façade of the residential structure.
- c. No accessory building shall be constructed before the principal building, except for aboveground and in-ground swimming pools constructed on an immediately adjacent property to the principal building provided that both share the same street frontage. Prior to completion of construction of the principal building all obsolete signs, stanchions, pylons and other such structures shall be removed.
- d. Accessory buildings must be located on the same lot as the principal use to which they are accessory.
- e. A driveway may cross a yard to give access to a site but shall otherwise adhere to the setback for an accessory structure and to any applicable buffer requirements.
- f. A deck, patio or similar structure designed to adjoin or as part of the principal building shall in all cases conform to the yard requirements for the principal building. Where the structure has no roof and is constructed of not more than six (6") inches above grade, it shall adhere to the yard requirements for an accessory structure. Provided further that where a principal residential structure conforms to the rear yard setback requirement, an uncovered, unenclosed deck and associated access area adjoining the principal structure shall be permitted to encroach into the rear yard setback in accordance with the distance set forth in Table 40-7.8(f).

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