

“GOD BLESS AMERICA”

REGULAR MEETING

DECEMBER 2, 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 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

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

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 APPROVING SPECIAL EVENTS
- RESOLUTION APPOINTING SPECIAL II POLICE OFFICERS
- RESOLUTION SUPPORTING NJDOT’S “NO PASSING ZONE” ROUTES IN THE BOROUGH OF BELMAR
- RESOLUTION AWARDED CONTRACT FOR MID-GRADE ULTRA LOW NO LEAD GASOLINE AND ULTRA LOW SULFUR PREMIUM DIESEL
- RESOLUTION AWARDED CONTRACT FOR RECYCLING SERVICES

ORDINANCES:

Second Reading & Public Hearing

ORDINANCE 2014-18

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER IV, DEPARTMENT OF FINANCE, OF THE GENERAL ORDINANCES OF THE BOROUGH OF BELMAR PERTAINING TO SECTION 13, RECEIPT OF BIDS

Second Reading & Public Hearing

ORDINANCE 2014-19

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER XIX
(TRAFFIC) OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF
BELMAR, SECTIONS 19-46 HANDICAPPED PARKING SPACES**

PUBLIC SESSION:

MEETING ADJOURNED

RESOLUTION NO 2014-

RESOLUTION AWARDING CONTRACT FOR MID-GRADE ULTRA LOW NO LEAD GASOLINE AND ULTRA LOW SULFUR PREMIUM DIESEL

WHEREAS, on November 17, 2014 the Borough of Belmar received bids for mid-grade ultra low no lead gasoline and ultra low sulfur premium diesel;

WHEREAS, "Certification As To Availability Of Funds" is annexed hereto.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council on this 2nd day of December 2014 that:

1. Contract is awarded to Petroleum Traders, 7120 Pointe Inverness Way, Fort Wayne, IN 46804, for the following:

Mid Grade No Lead Gas – .0803 per gallon (up charge to be added to base price)

Dyed Ultra Low Sulfur Premium Diesel – .0851 per gallon (up charge to be added to base price)

CERTIFICATION AS TO AVAILABILITY OF FUNDS

I herewith certify that, as of December 2, 2014 funds will be available in the 2015 Budget for the proposed contract noted above.

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:

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

Adopted:

RESOLUTION NO. 2014-

RESOLUTION AWARDING CONTRACT FOR RECYCLING SERVICES

WHEREAS, on November 26, 2014 the Borough of Belmar received bids for Recycling Services;

WHEREAS, "Certification As To Availability Of Funds" is annexed hereto.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council on this 2nd day of December 2014 that:

1. Contract is awarded to DeLisa Demolition & Disposal, 64 Steiner Avenue, Neptune City, NJ 07753, who was the lowest bidder in the amount of \$360,000.00.
2. The contract is for a five-year period covering January 2015 to December 2019.

CERTIFICATION AS TO AVAILABILITY OF FUNDS

I herewith certify that, there will adequate funds available for the proposed contract noted above in the 2015 recycling budget.

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:

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

Adopted:

RESOLUTION 2014-

**RESOLUTION SUPPORTING NJDOT’S “NO PASSING ZONE” ROUTES IN THE
BOROUGH OF BELMAR**

WHEREAS, the New Jersey Department of Transportation (NJDOT) recently completed a traffic investigation on Route 35 in Belmar; and

WHEREAS, NJDOT investigation revealed the current centerline pavement markings on Route 35 meet and conform to current design standards; and

WHEREAS, NJDOT will update existing records to reflect current No Passing Zone conditions along NJ Route 35;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Belmar, County of Monmouth, in the state of New Jersey, that it supports the use of a “No Passing Zone” on Route 35 in the Borough of Belmar as recommended by NJDOT.

BE IT FURTHER RESOLVED that a certified copy of this Resolution shall be forwarded to NJDOT as requested.

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:

I, April Claudio, do hereby certify that the foregoing is a true copy of a resolution adopted by the Borough of Belmar Mayor and Council at a meeting held on _____ day of _____ 2014.

April Claudio
Municipal 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:

The 10th Annual Jingle Bell 5K Run/Walk, December 13th 2014. Set-up begins at 8:00am, event 8:00am-11:00am. All necessary barricades will be supplied. Organization must supply names and contact information for 15 volunteers. Organization must inform all Residents impacted by the road closing through a mailing or a door to door drop off. Cost for the event is \$2000.00, check payable to Borough of Belmar due and payable no later than December 5th 2014.

National Dance Week, Dance Mob, May 5th 2015, 12th to 14th Avenue Boardwalk. Event set up begins at noon, event 1:00-2:00pm. No additional borough resources necessary.

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

Adopted:

RESOLUTION NO. 2014-

RESOLUTION APPOINTING SPECIAL II POLICE OFFICERS FOR 2014

Therefore Be it resolved by the Mayor and Borough Council of the Borough of Belmar that the following persons are hereby appointed and confirmed effective December 2, 2014 as a Class II Special Police Officer so that they may attend the Police Academy; and

THOMAS B COX
PETER SPEAKMAN
JON LEE
KEVIN DOCHERTY
ANDREAS FLORES

Be it further resolved, pursuant to N.J.S.A. 40A:14-146.11, these persons shall not commence duties as a special law enforcement officers until successful completion of the Ocean County Police Academy training course.

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:

ORDINANCE 2014-18

AN ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER IV, DEPARTMENT OF FINANCE, OF THE GENERAL ORDINANCES OF THE
BOROUGH OF BELMAR PERTAINING TO SECTION 13, RECEIPT OF BIDS

WHEREAS, the Borough wishes to revise and/or repeal Ordinance 2014-01.

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

SECTION I. Chapter IV, Section 13, Receipt of Bids, shall have the following deleted in its entirety:

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 adjudged 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.

SECTION IV. This Ordinance shall take effect 20 days after final passage, adoption and publication according to law.

Deleted: c. Responsible Bidders

¶ The Borough of Belmar, through its contracting authority, shall require an entity that bids on a public contract produce satisfactory evidence that the business entity is properly registered and authorized to conduct the type of work to be performed, including evidence that demonstrates that the entity possesses or complies with requirements of the Internal Revenue Service, New Jersey Departments of Treasury and/or Labor, as well as complying with the general business license requirements of the State of New Jersey prior to the award and during the term of the contract.¶

¶ (a) The provision of satisfactory evidence by the bidding entity, is that it provides or participates in an apprenticeship and training program approved and registered with the U.S. Department of Labor's Bureau of Apprenticeship & Training, as well as a benefit configuration being no less than required under the New Jersey Prevailing Wage Act, or the bidder certifies that they will not pay any less than the journeymans rate as defined by the New Jersey Prevailing Wage Act, are minimally required to demonstrate that a bidding entity is "responsible".¶

¶ The contracting authority, in order to make its determination as to whether the bidding entity is responsible, shall confirm and substantiate that the contract awardee can reasonably be expected to complete and perform under the contract specifications, and the contracting authority may require the successful bidder to post a bid, performance, wage/fringe benefit and/or material bond(s). The contracting authority shall also determine if the successful bidder can reasonably be expected to complete the project within the time constraints as delineated in the request for bids and/or proposals. The contracting authority shall also determine if the bidding entity maintains a satisfactory level of past performance and integrity as well as possesses the financial, supervisory, personnel, material, equipment and other resources and expertise to satisfactorily meet its contractual responsibilities and obligations.¶

¶ The contracting authority may factor in its determination of whether a bidder is "responsible" such factors as bidder's record of conformity with environmental, labor and health & safety laws including compliance with the requirements of the U.S. Department of Labor's Occupational Safety & Health Administration.¶

¶ All bidders shall be required to provide a certificate of insurance, designating the Borough of Belmar as an Additional Insured under all pertinent policies, specifying all required coverages, including general liability, workers' compensation, completed operations, automobile, hazardous occupation, product liability and professional liability at such time as the contracting authority deems appropriate to protect the interests of the Borough of Belmar.

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ORDINANCE NO. 2014-19

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER XIX
(TRAFFIC) OF THE REVISED GENERAL ORDINANCES OF
THE BOROUGH OF BELMAR, SECTIONS 19-46
HANDICAPPED PARKING SPACES**

THEREFORE, BE IT ORDAINED by the Borough of Belmar, County of Monmouth, New Jersey, that Chapter XIX Traffic, Section 19-46.2 Handicapped Parking Limited to Specific Persons in Front of Certain Residences of the Borough of Belmar Revised General Ordinances is hereby amended and supplemented as follows:

SECTION I. 19-46.2 Handicapped Parking Limited to Specific Persons in Front of Certain Residences.

In accordance with the provisions of N.J.S.A. 39:4-197, the following on street locations are designated as handicapped parking spaces. Such spaces are for use by persons who have been issued special vehicle identification cards or plates or placards by the Motor Vehicle Commission or a temporary placard issued by the Chief of Police. No other person shall be permitted to park in these spaces.

<u>ADDRESS</u>	<u>#SPACES</u>	<u>SIDE</u>	<u>LOCATION</u>
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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 adjudged 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.

SECTION IV. This Ordinance shall take effect 20 days after final passage, adoption and publication according to law.

Insertions and

- Deleted: 500 10th Avenue
- Deleted: 1
- Deleted: Westside of D Street
- Deleted: Beginning at the northwest corner of Tenth Avenue along the westerly curblines of "D" Street, north 51 feet continuing 25 feet to the rear of the space.¶
- Formatted: cscmontgomery, Space After: 8 pt, Line spacing: At least 10 pt

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