"GOD BLESS AMERICA"

REGULAR MEETING

FEBRUARY 17, 2015

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 Brennan, Councilwoman Keown-Blackburn, Councilman Magovern, Councilwoman Nicolay, 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 29, 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

WORKSHOP DISCUSSION:

- Redevelopment Report

PUBLIC BIDS:

- Surf Camp
- Crossfit Classes

WORKSHOP DISCUSSION CONTINUED:

- Energy Aggregation
- JCP&L: Natural Resource Damages

PETITIONS:

APPROVAL OF MINUTES:

REPORTS OF COUNCIL:

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

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 PAYMENT OF BILLS**

- **RESOLUTION AUTHORIZING A 2015 TEMPORARY BUDGET**

- **RESOLUTION AUTHORIZING THE BOROUGH OF BELMAR TO ENTER INTO A SHARED SERVICE AGREEMENT WITH THE BOROUGH OF LAKE COMO FOR STREET BRINING**

- **RESOLUTION MAKING FINDINGS AND DETERMINATIONS ON LEGALIZED GAMES OF CHANCE APPLICATION NUMBER 2014-06, 07, 08, 09**

- **RESOLUTION TEMPORARILY ALLOWING THE USE OF OUTDOOR EATING AREAS DURING THE BELMAR & LAKE COMO ST. PATRICK'S DAY PARADE FOR THE BOROUGH OF BELMAR, MONMOUTH COUNTY, NEW JERSEY**

- **RESOLUTION AUTHORIZING EXTENTION OF LICENSED PREMISES FOR ONE DAY**

- **RESOLUTION PERMITTING SPECIAL PERMITS FOR SOCIAL AFFAIRS FOR GOODWILL FIRE DEPARTMENT**

- **RESOLUTION AUTHORIZING THE ADVERTISEMENT FOR BIDS TO LEASE A PORTION OF THE SECOND AVENUE BOARDWALK FOR YOGA CLASSES**

- **RESOLUTION PERMITTING SPECIAL PERMITS FOR SOCIAL AFFAIRS FOR BELMAR TOURISM COMMISSION**

- **RESOLUTION PERMITTING SPECIAL PERMITS FOR SOCIAL AFFAIRS FOR IRISH CURSE LLC DBA 10TH AVENUE BURRITO**

ORDINANCES:

ORDINANCE 2015-12
First Reading & Introduction
AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER XIX, TRAFFIC, SECTION 19-40.1 PARKING METER ZONES AND REGULATIONS, OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BELMAR, IN THE COUNTY OF MONMOUTH, NEW JERSEY

ORDINANCE 2015-13
First Reading & Introduction
AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER XIX (TRAFFIC) OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BELMAR, SECTIONS 19-38 LOADING ZONES

ORDINANCE 20214-14
First Reading & Introduction
AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER XIX, TRAFFIC, SECTION 19-10 TEMPORARY PARKING PROHIBITION FOR SNOW PLOWING AND REMOVAL, OF THE GENERAL ORDINANCES OF THE BOROUGH OF BELMAR

ORDINANE 2015-10
Second Reading & Public Hearing
AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER XXI TAXICABS

ORDINANCE 2015-11
Second Reading & Public Hearing
AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER XXXIV SPECIAL IMPROVEMENT DISTRICT OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BELMAR, IN THE COUNTY OF MONMOUTH, NEW JERSEY

PUBLIC SESSION:

MEETING ADJOURNED:

RESOLUTION 2015-

RESOLUTION PERMITTING SPECIAL PERMITS FOR SOCIAL AFFAIRS FOR GOODWILL FIRE DEPARTMENT

WHEREAS, the Belmar Fire Department has applied for the following Special Permit for Social Affairs ("One Day Liquor License"):

March 1, 2015 – 610 Seventh Avenue – St. Patrick's Day Parade

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 Affair to be conducted by the Belmar Fire Department 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 2015.

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. Brennan				
Mrs. Nicolay				
Mayor Doherty				

Adopted:

RESOLUTION NO. 2015-

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

WHEREAS, the Borough Council has determined that certain portions of the Second Avenue Boardwalk can be used for Yoga 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 Yoga Classes from the signing of the lease to September 30, 2015.

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 Yoga 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 Four Hundred and Fifty Dollars ($500.00).

A bid deposit of two hundred dollars ($250.00) must be submitted no later than prior to the beginning of the Public Auction on Tuesday, March 17, 2015 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 the signing of the lease to September 30, 2015 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 March 3, 2015 and March 10, 2015.

BE IT FURTHER RESOLVED that the bidding by auction shall take place on Tuesday, March 17, 2015 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	ABSENT	ABSTAIN
Ms. Keown-Blackburn				
Mr. Magovern				
Mr. Brennan				
Mrs. Nicolay				
Mayor Doherty				

Adopted:

RESOLUTION NO. 2015-

RESOLUTION AUTHORIZING EXTENTION OF LICENSED PREMISES FOR ONE DAY

WHEREAS, application has been made by 8th Avenue Ventures LLC, DBA Connolly Station Restaurant and Tavern, License 1306-33-001-012; and

WHEREAS, this application is for an extension of licensed premise for one day, March 1, 2015, from 9:00 a.m. to 12:00 p.m.; and

WHEREAS, this application is for an extension of the liquor license to include an outdoor area consisting of a 20x40 tent in the rear of the licensed property; and

NOW, THEREFORE, BE IT RESOLVED that the Borough Clerk be and is authorized to deliver a copy of this resolution to the applicant and the Local Alcoholic Beverage Control Board.

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. Brennan				
Mrs. Nicolay				
Mayor Doherty				

Adopted:

RESOLUTION NO. 2015-

RESOLUTION AUTHORIZING THE BOROUGH OF BELMAR TO ENTER INTO A SHARED SERVICE AGREEMENT WITH THE BOROUGH OF LAKE COMO FOR STREET BRINING

WHEREAS, Borough of Belmar and Borough of Lake Como desire to share services in accordance with the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1, et seq. and N.J.S.A. 2B:12-1(c), in order to conserve resources.

WHEREAS, Belmar has agreed to brining of Lake Como's streets and Lake Como has agreed to allow Belmar to do so when needed upon execution of this Agreement; and

WHEREAS, the term of this Agreement shall commence upon the final execution of the Agreement by the duly authorized representatives of both Parties (the "Effective Date"), and shall continue for a term of five (5) years until December 31, 2017 which may be extended for additional terms.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Belmar, County of Monmouth that the Mayor and Borough Administrator are hereby authorized to execute and deliver the attached Shared Service Agreement and all other documents and undertake all actions reasonably necessary to effectuate this Resolution and the Shared Service Agreement.

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. Brennan				
Mayor Doherty				

Adopted:

RESOLUTION NO 2015-

RESOLUTION MAKING FINDINGS AND DETERMINATIONS ON LEGALIZED GAMES OF CHANCE APPLICATION NUMBER 2014-06, 07, 08, 09

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:

APPLICANT	NUMBER	PREMISES	DATE	TIME
Rosary & Alter Society of St. Rose	2015-06	St. Rose Community Room	2/27/15	6:00-10:00 pm
Shark River Hills PTA	2015-07,08	Waterview	3/20/15	6:00-10:30pm
Company of Dance Arts	2015-09	Waterview	3/13/15	6:00-11:00pm

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

Adopted:

RESOLUTION 2015-

RESOLUTION PERMITTING SPECIAL PERMITS FOR SOCIAL AFFAIRS FOR IRISH CURSE LLC DBA 10TH AVENUE BURRITO

WHEREAS, Irish Curse LLC DBA 10th Avenue Burrito has applied for the following Special Permit for Social Affairs ("One Day Liquor License"):

May 5, 2015 – 801 Belmar Plaza/Belmar Plaza Parking Lot

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 Affair to be conducted by Irish Curse LLC 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 2015.

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. Brennan				
Mrs. Nicolay				
Mayor Doherty				

Adopted:

RESOLUTION 2015-

RESOLUTION PERMITTING SPECIAL PERMITS FOR SOCIAL AFFAIRS FOR BELMAR TOURISM COMMISSION

WHEREAS, the Belmar Tourism Commission has applied for the following Special Permit for Social Affairs ("One Day Liquor License"):

Seafood Festival – June 12th-14th
San Gennaro Festival – September 18th & 20th
Oktoberfest – October 11th

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 Permits for Social Affairs to be conducted by the Belmar Tourism Commission and that the issuance of said Permits 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 2015.

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. Brennan				
Mrs. Nicolay				
Mayor Doherty				

Adopted:

RESOLUTION 2015-

RESOLUTION AUTHORIZING A 2015 TEMPORARY BUDGET

WHEREAS, the Borough of Belmar desires to constitute the 2015- Temporary 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:

GENERAL APPROPRIATIONS	2015 Temp
Administration & Executive-Salary & Wage	17,875.00
Administration & Executive-DE	250.00
Mayor & Council Salary&Wage	4,700.00
Municipal Clerk-Salary & Wage	15,750.00
Municpal Clerk-Other Expenses	14,250.00
Personnel Office-Salary & Wage	15,500.00
Personnel Office-Other Expenses	125.00
Financial Administration-Salary & Wage	29,875.00
Financial Administration-Other Expenses	6,500.00
Assessment of Taxes-Salary & Wage	5,250.00
Assessment of Taxes-Other Expenses	1,687.50
Collection of Taxes-Salary & Wage	3,625.00
Collection of Taxes-Other Expenses	1,062.50
Legal Services & Costs-Salary & Wage	9,000.00
Legal Services & Costs-Other Expenses	21,250.00
Engineering Services & Costs-Other Expenses	12,500.00
Public Buildings & Grounds-Salary & Wage	28,250.00
Public Buildings & Grounds-Other Expenses	14,500.00
Municipal Land Use (N.J.S.AAO:SSD-1)-Salary & Wage	750.00
Municipal Land Use (N.J.S.A.40:55D-1)-0ther Expenses	5,750.00
State Uniform Construction Code-Salary & Wage	19,250.00
State Uniform Construction Code-Other Expenses	1,750.00
Housing Inspections-Salary & Wage	14,250.00
Housing Inspections-Other Expenses	625.00
Environmental-Other Expenses	500.00
Historical-DE	500.00
Insurance Group for Employees-Other Expenses	497,000.00
Insurance Workmen's Compensation-Other Expenses	225,000.00
Insurance Other-Other Expenses	140,000.00
Fire-Salary & Wage	1,750.00
Fire -Other Expenses	15,875.00
Uniform Fire Safety Code-Salary & Wage	11,551.50
Uniform Fire Safety Code-Other Expenses	875.00
Police-Salary & Wage	577,775.00
Police-Other Expenses	38,750.00
Police Radio & Communications-Salary & Wage	54,750.00
Police Radio & Communications-Other Expenses	8,250.00
First Aid Organization-Other Expenses	7,200.00
Municipal Prosecutor-Salary & Wage	8,437.50
Road Repair & Maintenance-Salary & Wage	104,062.50
Road Repair & Maintenance-Other Expenses	22,125.00
Shade Tree Comm-Other Expenses	750.00
Snow Removal-Salary & Wage	30,000.00
Snow Removal-Other Expenses	30,000.00
Equipment Repair & Maintenance-Salary & Wage	12,750.00
Equipment Repair & Maintenance-Other Expenses	24,125.00
Garbage & Trash Removal-Salary & Wage	16,000.00
Garbage & Trash Removal-Other Expenses	55,500.00
Recycling P.L.1987, Ch.74-Salary& Wage	6,500.00
Recycling-Other Expenses	19,875.00
Dog Regulations-Other Expenses	4,400.00
Senior Citizens Services-S&W	3,250.00
Senior Citizens Services-DE	2,400.00
Parks & Playgrounds-Salary & Wage	70,500.00
Parks & Playgrounds-Other Expenses	12,500.00
Recreation-Salary & Wage	19,775.00
Recreation-Other Expenses	22,500.00

Harbor Commission-Salary & Wage	54,750.00
Harbor Commission-Other Expenses	26,500.00
Gasoline & Diesel Fuel for Resale-Other Expenses	340,000.00
Celebration of Public Events-Other Expenses	1,500.00
Electricty-Other Expenses	32,500.00
Street Lighting-Other Expenses	40,000.00
Telephone-Other Expenses	25,000.00
Natural Gas-Other Expenses	18,750.00
Sanitary Landfill-Other Expenses	107,500.00
Contribution Social Security System-Other Expenses	60,000.00
Municipal Court-Salary & Wage	54,375.00
Municipal Court-Other Expenses	30,000.00
Public Defender-Salary &Wage	1,250.00
Library-Salary & Wage	51,125.00
Maintenance of Public Free Library-Other Expenses	82,125.00
Payment of Notes	1'108,800.00
Payment of Interest on Notes	56,994.44
TOTAL GENERAL APPROPRIATIONS	4,380,720.94
WATER/SEWER UTILITY	
Operations-Salary & Wage	54,750.00
Operations-Other Expenses	101,000.00
Sewer Treatment-SMRSA-Other Expenses	300,587.99
American Water Co.-Other Expenses	93,750.00
N.J. Water Supply Authority-Other Expenses	63,750.00
Contribution Social Security System-Other Expenses	5,000.00
Water/Sewer Capital Outlay	25,000.00
Principal on Notes	125,000.00
TOTAL WATER/SEWER UTILITY APPROPRIATIONS:	768,837.99
BEACH UTILITY	
Financial Admin..-S&W	15,625.00
Engineering Services-Other Expenses	7,125.00
Police-Salary & Wage	50,000.00
Police-Other Expenses	10,000.00
Police Communications Salary & Wages	25,875.00
Parking Meter Main-Other Expenses	30,000.00
Equip Repair & Maintenance-Salary & Wage	10,250.00
Equip Repair & Maint Other Expenses	2,500.00
Bathing Beach-Other Expenses	37,500.00
Beachfront Maintenance-Salary & Wage	65,750.00
Beachfront Maintenance-Other Expenses	33,000.00
Contribution to Social Security System	15,000.00
Beach Capitaly Outlay	37,500.00
TOTAL BEACH UTILITY APPROPRIATIONS:	340,125.00

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. Brennan				
Mrs. Nicolay				
Mayor Doherty				

Adopted:

RESOLUTION 2015-

RESOLUTION TEMPORARILY ALLOWING THE USE OF OUTDOOR EATING AREAS DURING THE BELMAR & LAKE COMO ST. PATRICK'S DAY PARADE FOR THE BOROUGH OF BELMAR, MONMOUTH COUNTY, NEW JERSEY

WHEREAS, businesses in the Borough of Belmar may obtain approval from the Planning Board or Zoning Board of Adjustment ("Board") for an Outdoor Eating Area, Outdoor Dining Area, or Sidewalk Dining Area ("Outdoor Eating Areas") pursuant to Ordinance Section 40-7.8(h) of the Belmar Development Regulations, and, if approval is granted, the Outdoor Eating Areas may only be utilized from April 1 to November 1 of each year, per 40-7.8(h)(11); and,

WHEREAS, businesses in the Borough of Belmar experience an exceptional demand for space during the Belmar & Lake Como St. Patrick's Day Parade ("Parade"), and have requested to use their approved Outdoor Eating Areas temporarily for the day of the Parade which, this year, is on Sunday, March 2, 2014; and,

WHEREAS, the Mayor and Council have allowed the use of approved Outdoor Eating Areas for the day of the Parade on an informal basis in the past and wish to allow the use of these areas this year by a written Resolution, to create uniform conditions and by the use of a written Resolution to ensure the businesses know what the conditions are; and

WHEREAS, the Mayor and Council wish to temporarily allow businesses to use approved Outdoor Eating Areas for the day of the Parade only under the conditions set forth below.

NOW, THEREFORE, BE IT RESOLVED by the Borough of Belmar, County of Monmouth, New Jersey, that businesses may temporarily use approved Outdoor Eating Areas for the day of the Parade only under the following conditions:

1. The Outdoor Eating Area, Outdoor Dining Area, or Sidewalk Dining Area ("Outdoor Eating Areas") must have received the appropriate approvals from the Belmar Planning Board or Zoning Board of Adjustment ("Board").

2. The business must comply with all Board conditions on the use of the Outdoor Eating Area.

3. The business may not set-up their Outdoor Eating Areas before noon on Saturday, February 21, 2015 and the Outdoor Eating Areas shall be closed down and cleaned up not later than noon on Monday, March 2, 2015.

4. Businesses without a Liquor License shall not permit the consumption of alcoholic beverages by individuals bringing their own alcoholic beverages, known as "BYOB," in the Outdoor Eating Area. These businesses shall provide sufficient staff to ensure no violations of this condition occurs, violations will result in the issuance of summonses.

5. Businesses with a current, valid Liquor License shall not permit the service or consumption of alcoholic beverages in the Outdoor Eating Areas. These businesses shall provide sufficient staff to ensure no violations of this condition occurs, violations will result in the issuance of summonses and/or Alcoholic Beverage Control charges.

6. Any business which violates these conditions and/or Board conditions on the use of the Outdoor Eating Area during the Parade, may upon Order of the Chief of Police or his designee, have their Outdoor Eating Area immediately shut down, and all persons shall vacate the Outdoor Eating Area.

offered the above resolution and moved its adoption.

Seconded by adopted by the following vote on roll call:

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

Adopted:

ORDINANCE NO. 2015-10

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER XXI TAXICABS

Be it ordained by the Mayor and Council of the Borough of Belmar, in the County of Monmouth, State of New Jersey, as follows:

SECTION I. Chapter XXI, Taxicabs, is hereby amended as follows:

21-5.2 Owner's License.

a. Any Autocab/Pedicab Owner's License issued pursuant to the terms of this Chapter shall expire at midnight on December 31 of the year in which it was issued, and may be transferable to a related business entity, such as in the case of a change in the form of a business entity or the purchaser or sale of all or part of a business entity, provided that the new owner complies with Section 21-6 Applications for Licenses and Section 21-7 Fees.

b. Any Taxicab Owner's License issued pursuant to the terms of this Chapter shall expire at midnight on December 31 of the year in which it was issued and may be transferable pursuant to Section 21-6.1(d) Issuance of Licenses.

~~**21-6.1 Application Form.**~~

~~Each applicant for the issuance or renewal of any form of license shall supply in full the information requested on application forms adopted by the Borough Council and obtained from the Department of Code Enforcement and shall verify the correctness thereof by his/her oath or affirmation. He/she shall file the completed application with the Department of Code Enforcement together with the full amount of the proper fee hereinafter fixed.~~

21-6.1 Issuance of Licenses

a. The Municipal Clerk is authorized to advertise for sale ten (10) yearly licenses and ten (10) summer licenses in accordance with N.J.S.A. 48:16-2.1 et seq. Such licenses shall be offered at public auction, after advertising thereof in the official newspaper.
b. The minimum bid price shall be set by resolution of the Governing Body annually.
c. Ten percent (10%) of the minimum bid price shall be paid to the Municipal Clerk by certified check or cash prior to the public auction beginning. The balance shall be paid within ten (10) days of the adoption of the Governing Body's resolution accepting bids. The Governing Body reserves the right to reject all bids where the highest bid is not accepted.
d. Any new license issued pursuant to this section may not be transferred within two (2) years after issuance unless such transfer is approved on the basis of death, disability, serious illness, or severe financial hardship by resolution of the Governing Body.

21-6.2.1 Applications.

a. Applications for new ~~Taxicab/~~Autocab/Pedicab Owner's Licenses shall be filed with the Municipal Clerk ~~Department of Code Enforcement~~ no later than thirty (30) days prior to

the date action is requested on the license application from the Borough Council. If the maximum number of ~~Taxicab/~~Autocab/Pedicab Owner's Licenses have been issued, no new licenses shall be approved before an existing license is surrendered to the Municipal Clerk ~~Department of Code Enforcement.~~

b. Applications for new Taxicab Owner's Licenses per section 21-6.1 of the Borough of Belmar Revised General Ordinances shall be filed with the Municipal Clerk within ten (10) days of the adoption of the Governing Body's resolution accepting bids.

21-6.2.2 Renewals.

a. ~~—~~Applications for ~~Taxicab/~~Autocab/Pedicab owner's license renewals shall be filed with the Municipal Clerk~~Department of Code Enforcement~~ no sooner than November 1 and no later than December 31~~1~~ of the year preceding the year for which application is being made. All applications for renewals shall be acted upon prior to any consideration being given to new applications, which shall be considered in the order of their filing with the Municipal Clerk~~Department of Code Enforcement~~ on a first come/first served basis. Any application for renewal received after December 31~~1~~ of any year shall be treated as an application for a new license.

b. Taxicab Owner's Licenses are not subject to renewal and shall be placed for public auction by the Governing Body annually.

21-6.4 Processing of Applications.

~~The Department of Code Enforcement shall, after receipt of any complete application for an owner's or driver's license, notify the Borough Council in writing of the name and address of the applicant and the type of license sought, and shall post a copy of the notice in at least one (1) public place in the Borough at least seven (7) days before the Borough Council acts upon the application.~~

~~**21-6.5 Action by Borough Council.**~~

~~The Borough Council, by resolution, shall act upon the application at their second meeting after receipt of the notice from the Department of Code Enforcement, and shall either grant or deny the application unless they decide to hold the same over for further investigation.~~

21-6.6 Issuance of Licenses.

Each applicant granted a license under this Chapter shall be issued a license card in evidence thereof in a form approved by the Borough Council and signed by the ~~Code Enforcement Officer~~Municipal Clerk in behalf of the Council.

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.

ORDINANCE 2015-11

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER XXXIV SPECIAL IMPROVEMENT DISTRICT OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BELMAR, IN THE COUNTY OF MONMOUTH, NEW JERSEY

WHEREAS, the Borough of Belmar Mayor and Council wish to amend certain sections of Chapter XXXIV, Belmar Special Improvement District

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

SECTION I. Chapter XXXIV is hereby amended and supplemented as follows:

34-5 ASSESSMENTS.

a. It is hereby determined that the operation and maintenance of the District may involve annual costs relating to services peculiar to the District that are distinguished from operation and maintenance services normally provided by the Borough outside the District. Those annual costs shall be assessed to the benefited properties or businesses measured reasonably and fairly in proportion to the benefits conferred pursuant to this Chapter and N. J. S. A. 40:56-65 et seq. The properties to be assessed to provide for the payment of such annual costs are described in Section 34-4c. hereof and shall be assessed as provided herein, except

1. Any organization organized under Section 501(c) of the Internal Revenue Code shall be at an amount not to exceed one hundred ($100.00) dollars per year; and

2. Any property which is owned by the Borough or any other public entity, which is leased pursuant to the Local Lands and Buildings Law N.J.S.A. 40A:12-1, to anyone other than another public entity or entity which is exempt from real estate taxation, the lessee shall pay an amount as determined by the District Management Corporation, however there shall be no assessment for any boat leases at the Belmar Marina; and

3. All properties known as bed and breakfasts or rooming/boarding houses, included in 34-4c. and which hold a duly issued Belmar Mercantile License for the same shall be assessed at fifty (50%) percent of the maximum assessment rate needed to support the budget as determined by the District Management Corporation.

4. Any commercial properties located west of Main Street and east of the Railroad from 13th Avenue to 16th Avenue, not to include Main Street facing properties shall be included in 34-4c and which hold a duly issued Belmar Mercantile License for the same shall be assessed at fifty (50%) percent of the maximum assessment rate needed to support the budget as determined by the District Management Corporation.

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

Additions are indicated by underline; and, deletions by ~~strikeout~~.

ORDINANCE 2015-12

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER XIX, TRAFFIC, SECTION 19-40.1 PARKING METER ZONES AND REGULATIONS, OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BELMAR, IN THE COUNTY OF MONMOUTH, NEW JERSEY

WHEREAS, the Borough of Belmar Mayor and Council wish to amend certain sections of Chapter XIX, Traffic.

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

SECTION I. Chapter XIX is hereby amended and supplemented as follows:

19-40.1 Parking Meter Zones and Regulations.

The provisions of this subsection shall regulate the parking of vehicles within parking meter zones as hereinafter designated; the designation, use and operation of parking meters; and the payment of fees prescribed herein.

e. *Hours of Operation.* All parking meters ~~installed on Ocean Avenue~~ shall be in operation every day from 8:00 a.m. through 7:00 p.m..

j. *Enforcement.* It shall be the duty of the members of the Belmar Parking Authority to enforce the provisions of this section.

Name of Street	*Sides*	*Limits*
Ocean Avenue	East and west	From the northern boundary line of the Borough to the southern boundary line of the Borough.
Silver Lake	North & South	Ocean Avenue west to A Street on 6th Avenue & to B Street on 5th Avenue, lake side only.
Schroeder Park	All sides	From First to Second Avenue park sides only: First Avenue, Ocean Avenue & River Avenue
Lake Como	North	From Ocean Avenue west to B Street on the South side of North Boulevard.

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

Additions are indicated by underline; and, deletions by ~~strikeout~~.

ORDINANCE NO. 2015-13

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER XIX (TRAFFIC) OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BELMAR, SECTIONS 19-38 LOADING ZONES

THEREFORE, BE IT ORDAINED by the Borough of Belmar, County of Monmouth, New Jersey, that Chapter XIX Traffic, Section 19-38 Loading Zones of the Borough of Belmar Revised General Ordinances is hereby amended and supplemented as follows:

SECTION I. 19-38 Loading Zones

The locations described are hereby designated as Loading Zones. No person shall park a vehicle in these locations during the times indicated other than for the loading or unloading of goods and materials.

Street	Side	Location
12th Avenue	North	Beginning at the northwest corner of Highway 35 (River Road) 150 feet along the north curbline of 12th Avenue

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 ~~deletions~~

ORDINANCE 2015-14

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER XIX, TRAFFIC, SECTION 19-10 TEMPORARY PARKING PROHIBITION FOR SNOW PLOWING AND REMOVAL, OF THE GENERAL ORDINANCES OF THE BOROUGH OF BELMAR

WHEREAS, the Borough of Belmar desires to amend its ordinance to reflect new rules for parking on the street during a snow emergency.

NOW, THEREFORE BE IT ORDAINED by the Borough of Belmar, County of Monmouth, New Jersey that Chapter XIX, Traffic, of the Borough of Belmar, Revised General Ordinance is amended and supplemented as follows:

SECTION I. Chapter XIX, Section 19-10, Temporary Parking Prohibition for Snow Plowing and Removal.

a. Whenever snow is anticipated ~~has fallen~~ and the accumulation is such that it would cover~~s~~ the streets or highways, the Mayor may make a determination that ~~an emergency shall be deemed to exist and~~ no vehicle shall be parked on the streets or highways or portions thereof ~~as provided herein~~. Residents shall be given 24 hour notice of said determination by way of reverse 911 phone notification (e.g. Code Red) and posting on the borough's web-site.

1. All vehicles~~, whenever practicable,~~ shall be parked off-street in driveways or in other permissible off-street parking areas until both sides of the street have been plowed sufficiently and to the extent that parking will not interfere with normal flow of traffic.~~; or~~

~~2. If there is insufficient driveway space or insufficient space in other permissible off-street parking areas, then all vehicles shall be parked on the side of the street containing even-numbered properties; then, within twenty-four (24) hours after the side of the street containing odd-numbered properties has been plowed sufficiently and to the extent that parking will not interfere with normal flow of traffic, all vehicles shall be moved to the side of the street containing odd-numbered properties until the streets have been plowed sufficiently and to the extent that parking will not interfere with normal flow of traffic.~~

b. Any unoccupied vehicle parked or standing in violation shall be deemed a nuisance and a menace to the safe and proper regulation of traffic and any police or code enforcement officer may ticket that vehicle. In the event of a state of emergency declared by the Governor of the State of New Jersey and the Mayor of Belmar, any police officer may provide for the removal of such vehicle. The owner shall pay the reasonable costs of the removal and storage which may result from such removal before regaining possession of the vehicle.

~~*Name of Street*~~	~~*Sides*~~	~~*Location*~~
~~All streets with alphabetic designation~~	~~West~~	~~From intersection to intersection~~
~~All avenues with numeric designation~~	~~North~~	~~From intersection to intersection~~
~~All roads with names~~	~~North~~	~~From intersection to intersection~~

c. Any person, firm or corporation violating any of the provisions of this section shall, upon conviction thereof, shall be subject to a penalty not to exceed one hundred and fifty ($150.00) dollars. ~~the applicable penalty set forth below.~~ Each and every day in which the violation exists shall constitute a separate violation.

~~1. For a first offense, within any one (1) calendar year, fifty ($50.00) dollars, plus costs.~~

~~2. For a second offense, within any one (1) calendar year, one hundred ($100.00) dollars, plus costs.~~

~~3. For a third or subsequent offense, within any one (1) calendar year, a mandatory Court appearance shall be required and a fine upon conviction of one hundred fifty ($150.00) dollars up to the maximum amount provided for in Chapter I, Section 1-5, and the imposition of costs, as determined by the Court.~~

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.