

“GOD BLESS AMERICA”

REGULAR MEETING

FEBRUARY 2, 2016

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 Nicolay, Councilwoman Keown-Blackburn, Councilman Magovern, Borough Attorney George McGill 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 4, 2015 and 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 and resident Doris Lenz

SPECIAL PRESENTATION:

- The Belmar/Wall Rotary Club presented a check to the Belmar Library to be used for the purchase of a Chromebook charging station.

WORKSHOP DISCUSSION: None

PETITIONS:

Bill Strauss submitted a petition from the Maclearie Park Neighborhood Association seeking the Mayor and Council prioritize the building of restroom facilities at Maclearie Park by adopting their proposed resolution.

APPROVAL OF MINUTES: Council member Magovern made a motion to approve the minutes of the January 19, 2016 meeting, which was seconded by Mayor Doherty and approved by the following vote:

AYES: Magovern, Keown-Blackburn, Brennan, Nicolay and Doherty

REPORTS OF COUNCIL:

Council member Magovern: February 9th the Belmar Historical Society is having a seminar in the community room where residents will share stories. Will be participating in the ALS Polar Plunge on February 13th.

Council member Keown-Blackburn: Road with DPW during plowing of snow; they did a really good job and do more than just plowing. Was surprised of the number of cars that got stuck in the snow or didn't come off the street which doesn't help with the plowing. Thanked DPW staff and everyone that helped. February 11th the Library will be celebrating Chinese New Year. February is National Heart Health Month. Winter Walking is going on in the gym on Tuesdays and Thursdays.

Council member Brennan: Also thanked DPW. The wave action during the storm created some damage on the bulkhead at the marina which will be evaluated. Tomorrow night is the Manasquan High School sending district band concert which he will be taking 38 Belmar students to. Next Tuesday is Mardi Gras and wished everyone a Happy Mardi Gras.

Council member Nicolay: Announced several upcoming events for St. Rose Grammar School, St. Rose High School, Belmar Arts Council and Belmar Elementary School. Encouraged everyone to buy local. Will be donating to Council member Magovern's plunge collection.

Mayor Doherty: Echoed compliments to DPW. The storm caused a lot of beach erosion and loss of sand. His drone is registered and legal to use and was not purchased by the Borough. Yesterday was the groundbreaking for the building in the marina. The lease for the building will generate \$235,000 per a year. The developer is hoping to have the building complete by the end of the year. This summer, parking will be tight in the marina. Encouraged everyone to walk or bike there. Hope to award a contract at the next meeting to finish the Main Street streetscape project.

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

Mayor Doherty stated he would like to review the rules of a public session. If someone would like to ask a question or make a comment they would raise their hand and wait to be called up. When they are called up they would state their name and address and address the chair only. There will be no questions or comments addressed to the attorney, council members or the Business Administrator. The public session will also not be for cross examining anyone. Everyone is expected to behave and be civil.

There were no public comments.

Mayor Doherty made a motion to close the public session, which was seconded by Council member Brennan and approved by the following vote:

AYES: Magovern, Keown-Blackburn, Brennan, Nicolay and Doherty

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:

Mayor Doherty offered the following resolutions for adoption:

**2016-37
RESOLUTION AUTHORIZING PAYMENT OF BILLS**

PAYMENT OF BILLS: certification that the vouchers listed on the warrant register numbering 64966 thru 65027 are as follows and comply with requirements of State Law and Borough Ordinance as to content and form, that proper and sufficient appropriations exist for the payment to be made and that there is legal authority as provided in N.J.S. 40A: 5-17(a)(1) for the payment to be made.

01	General Account	\$92,847.23
05	General Capital Account	\$1,041.25
11	Water/Sewer Account	\$36,600.20
21	Beach Utility Account	\$11,933.33
55	Trust Fund Account	\$3,607.05
61	Tourism Development Account	\$4,135.46
Total:		\$150,164.52

**2016-38
RESOLUTION AUTHORIZING THE ADVERTISEMENT FOR BIDS TO LEASE A PORTION OF L STREET BEACH FOR STAND UP PADDLE BOARD LESSONS**

**2016-39
RESOLUTION AUTHORIZING TRANSFER OF APPROPRIATIONS FOR 2015**

**2016-40
RESOLUTION APPROVING MEMBERSHIP APPLICATIONS FOR UNION FIRE DEPARTMENT**

**2016-41
RESOLUTION PERMITTING SPECIAL EVENTS**

**2016-42
RESOLUTION CANCELLING CERTAIN BALANCES TO SURPLUS**

**2016-43
RESOLUTION AUTHORIZING A 2016 TEMPORARY BUDGET**

Seconded by Council member Brennan and approved by the following vote:

AYES: Magovern, Keown-Blackburn, Brennan, Nicolay and Doherty

Mayor Doherty stated he will recuse from voting on Ordinance 2016-01 as advised by the Borough Attorney even though he doesn't agree. He stepped off the dais.

Council member Keown-Blackburn felt the changes to the ordinance are just tightening it up.

Council member Brennan felt the ordinance if left the way it was would be in violation of a Supreme Court ruling.

ORDINANCES:

First Reading & Introduction:

ORDINANCE NO. 2016-01 *(Revised – Public Hearing Postponed)*

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER IX, CONFLICTS OF INTEREST OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BELMAR, IN THE COUNTY OF MONMOUTH, NEW JERSEY

Council member Brennan offered Ordinance 2016-01 for first reading and introduction, which was seconded by Council member Keown-Blackburn and approved by the following vote:

AYES: Magovern, Keown-Blackburn, Brennan, and Nicolay

First Reading & Introduction:

ORDINANCE NO. 2016-03

AN ORDINANCE OF THE BOROUGH OF BELMAR, AMENDING CHAPTER XXXI, REGULATING THE PLANTING OR GROWING OF BAMBOO WITHIN THE BOROUGH

Council member Brennan offered Ordinance 2016-03 for first reading and introduction, which was seconded by Council member Nicolay and approved by the following vote:

AYES: Magovern, Keown-Blackburn, Brennan, Nicolay and Doherty

First Reading & Introduction:

ORDINANCE NO. 2016-04

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTERS XX LICENSES GENERAL AND XXVI HOUSING AND PROPERTY OF MAINTENANCE OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BELMAR, IN THE COUNTY OF MONMOUTH, NEW JERSEY

Mayor Doherty offered Ordinance 2016-01 for first reading and introduction, which was seconded by Council member Brennan and approved by the following vote:

AYES: Magovern, Keown-Blackburn, Brennan, Nicolay and Doherty

PUBLIC SESSION:

Andy Maroney, 16th Avenue, stated the Democratic Party has taken in \$4000 in donations from local unions and has advocated for union laborers for the pavilions. He questioned how that is different from going up against the PBA regarding Lake Como's officers. He questioned why we hired two officers from Lake Como rather than taking someone off the Civil Service list. He would like to see what police study was done to determine how many officers would be needed if we take on Lake Como. He feels services from the Police Department will be hurt by taking over Lake Como. Was concerned about the eight officers in Lake Como that would lose their jobs. He stated he doesn't understand why we are even getting involved with Lake Como because it's their problem to deal with. He asked how many officers would be hired when we take over patrolling Lake Como.

Mayor Doherty stated nothing has been determined yet.

Tim McCory, 417 12th Avenue, thanked the Mayor and Council, DPW and Police for their efforts during the snow storm. A few weeks ago there was a very large tree in his neighborhood that was being taken down. He contacted DPW who sent arborists over to look at it to make sure it was right to take it down, which he appreciated.

David Schneck, 302 C Street, stated he agreed DPW did a great job during the storm. Felt most people did a good job shoveling their sidewalks except for those on the corner lots who have a harder job because snow gets plowed up onto the cutout where people would stand to cross the street. Would like DPW to help after plowing is done.

Claire Deicke, 14th Avenue, spoke regarding the petition that was submitted. She stated the issues presented will

be addressed through a grant the Borough received and asked when that will be put in place. Ms. Connolly stated she has a meeting tomorrow and the bathroom should be in place by this summer.

Paul Carew, 110 4th Avenue, complimented Mayor Doherty on his drone video of the dunes. Suggested signage be posted at Silver Lake stating it has been stocked with fish and that a license is required to fish there. Thanked DPW for helping him with snow removal.

Mark Levis, 904 13th Avenue, reminded the Mayor and Council to purchase their St. Patrick's Day parade fundraiser shirts.

Ted Ehmann, 1218 Oakwood Road, stated he endorsed the petition that was submitted tonight. He asked for confirmation that permanent bathrooms will be built in Maclearie Park soon. Mayor Doherty replied yes.

Brendan Reed, 100 Ninth Avenue, stated actions speak louder than words. All of the projects to Main Street, the lakes, beach and Maclearie Park are great for our community. Thanked DPW for their work during the snow storm.

Michael Volbrek, PBA 50, discussed the ongoing negotiations with Lake Como regarding their police department. They submitted some OPRA requests and received a response that there were no records and asked if that was true. Mayor Doherty stated if the response they received states there are no records then there are no records. Mr. Volbrek asked if there have been any studies done. Mayor Doherty stated we have been discussing the issue for several years. Mr. Volbrek stated he asked for statistics and research that was done for the RFP. He asked what our proposal was to Lake Como and how did we come up with the response. Mayor Doherty stated the response is public record and explained some of the details of the response.

Mayor Doherty made a motion to close the public session, which was seconded by Council member Brennan and approved unanimously.