"GOD BLESS AMERICA"

REGULAR MEETING

OCTOBER 6, 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, Business Administrator Colleen Connolly, and Borough Clerk April Claudio

ABSENT: Borough Attorney Michael DuPont Esq.,

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

SPECIAL PRESENTATION:

- Employee of the Month: Joe Daniels
- Breast Cancer Awareness Month

RESOLUTIONS:

Mayor Doherty offered, Resolution **2015-174**, **RESOLUTION APPOINTING KEVIN JONES JR. AS PATROLMAN OF THE BELMAR POLICE DEPARTMENT WITH ADVICE AND CONSENT OF THE BOROUGH COUNCIL**, for adoption, which was seconded by Council member Magovern and approved by the following vote:

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

WORKSHOP DISCUSSION: NONE

PETITIONS: NONE

APPROVAL OF MINUTES: Council member Magovern made a motion to approve the minutes of the September 15, 2015 meeting, which was seconded by Council member Brennan and approved unanimously.

REPORTS OF COUNCIL:

Council member Magovern: Historical Society has a new display in the lobby about the bootleggers that were in Belmar during the prohibition. Historical Society holding a Bootleggers Ball on November 7th as a fundraiser.

Council member Keown-Blackburn: Starting December 1st is winter walking in the gym on every Tuesday and Thursday. October 15th Toddler Time begins. Kearny Bank is sponsoring Paws in the Park again this year. October 14th is senior luncheon at D'Jais. Library has been busy with lots of activities; the Pat Roddy concert was a big success.

Council member Brennan: This Sunday is the Ocktoberfest and a Book Con.

Council member Nicolay: Arts Council has two exhibits out that people should go see. Tomorrow is walk to school day for Belmar Elementary School. This week at BES is Respect Week. Belmar-opoly is on sale.

Mayor Doherty: DPW did a great job preparing for this past weekends' storms. There was some flooding on Route 35 which could be addressed during the Road Diet study when that is explored. Thanked all of the residents, Ms. Connolly and Director of Public Works Mike Campbell.

Mayor Doherty stated today he asked for the resignation of Michael Dupont as Borough Attorney due to a case we lost last week regarding the explanatory statement of the bond question on the ballot. The explanatory

statement was deemed by the Judge to have needed approval via a resolution of the Mayor and Council. William Northgrave will be appointed, he is our redevelopment counsel now. Council member Magovern felt in defense of Mr. DuPont that the County Clerk's office should have also advised us if there was an issue.

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

Vincent Ehmann, Oakwood Road, stated he is not in support of Mr. Northgrave being our Municipal Attorney. He asked about a Kintech bill on the payment of bills list that was for a letter sent out regarding Maclearie Park. He felt the letter was all lies and should not be paid for by the tax payers. He asked where the emergency is for the bulkhead. He felt the Construction Official is the one that should determine the bulkhead to be an unsafe structure and should order it to be vacated, not the engineer.

David Schneck, 302 C Street, asked if there will be a bond for the bulkhead. Ms. Connolly stated there is an existing bond in place that has room to finance the repair. He asked how many request for proposals were received on Friday for the engineering services. Ms. Connolly replied just Maser. Mr. Schneck asked if we plan to advertise for a Borough Attorney or is Mr. Northgrave permanent until further notice. Mayor Doherty stated Mr. Northgrave will be the attorney through December 31, 2015.

Claire Deicke, 1017 14th Avenue, questioned what will happen to her, her husbands and her son's votes because they already voted by mail. This was in regards to the issue involving Mr. DuPont that the Mayor discussed earlier. Mayor Doherty stated he doesn't know what the outcome will be but will fight to make sure everyone's votes are counted.

Joy DeSanctis, 101 Sixth Avenue, asked what the emergency is on the bulkhead. Mayor Doherty stated the bulkhead is failing and needs to be replaced as soon as possible. She would like a copy of the engineering report. She asked if the judge found any other issues with the explanatory statement for the ballot question.

Gene Creamer, Fourth Avenue, stated he witnessed Mr. Northgrave during the Grau case regarding the beachfront being deemed a redevelopment area and felt he gave the worst showing of any attorney he has ever seen.

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

Mayor Doherty made a motion to remove the resolution regarding the liquor license transfer from the Consent Agenda so it could be voted on separately, which was seconded by Council member Brennan and approved unanimously.

Mayor Doherty made a motion to add a resolution to the Consent Agenda for the awarding of a contract to Maser Consulting for engineering services for the Lake Como pipe grant, which was seconded by Council member Nicolay and approved unanimously.

Mayor Doherty made a motion to add a resolution to the Consent Agenda, appointing a Borough Attorney, which was seconded by Council member Keown-Blackburn and approved unanimously.

Mayor Doherty offered, Resolution **2015-175**, **RESOLUTION AUTHORIZING A PERSON TO PERSON TRANSFER OF PLENARY RETAIL CONSUMPTION LICENSE NO. 1306-33-001-010 8TH AVENUE VENTURES TO CHEF'S INTERNATIONAL INC.**, for adoption, which was seconded by Council member Keown-Blackburn and approved by the following vote:

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

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:

2015-176
RESOLUTION AUTHORIZING PAYMENT OF BILLS

2015-177
RESOLUTION AUTHORIZING THE RECEIPT OF BIDS FOR WIRELESS COMMUNICATION FACILITY

2015-178
RESOLUTION AUTHORIZING THE COUNTY TO PARTICIPATE IN INTRA-COUNTY MUTUAL AID AND ASSISTANCE AGREEMENTS WITH PARTICIPATING UNITS IN THE COUNTY OF MONMOUTH

2015-179
RESOLUTION AUTHORIZING REFUNDS OF ANIMAL HOUSE BONDS

2015-180
RESOLUTION AUTHORIZING MISCELLANEOUS FEES FOR THE YEAR 2015

2015-181
RESOLUTION AUTHORIZING MAYOR AND COUNCIL TO DECLARE HALLOWEEN CURFEW

2015-182
RESOLUTION AUTHORIZING THE RECEIPT OF BIDS FOR OCEAN AVENUE ROAD AND INFRASTRUCTURE IMPROVEMENTS

2015-183
RESOLUTION AUTHORIZING EMERGENCY PURCHASE PURSUANT TO NJSA 40A:11-6

2015-184
RESOLUTION AUTHORIZING STATE CONTRACT PURCHASE OF ELECTRICAL SUPPLIES & MATERIALS

2015-185
RESOLUTION AWARDING CONTRACT FOR ENGINEERING SERVICES TO INCLUDE DESIGN & CONSTRUCTION MANAGEMENT SERVICES, GRANTS ADMINISTRATION & REPORTING

2015-186
RESOLUTION APPOINTING AND CONFIRMING MUNICIPAL ATTORNEY

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

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

PAYMENT OF BILLS: certification that the vouchers listed on the warrant register numbering 64376 thru 64460 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	$980,950.54
11 Water/Sewer Account	$38,072.83
21 Beach Utility Account	$21,999.02
41 Dog License Account	$1,464.00
55 Trust Fund Account	$4,082.25
61 Tourism Development Account	$759.60
Total	$1,047,328.24

ORDINANCES: None

PUBLIC SESSION:

Peter Piro, 300 North Blvd., thanked Ms. Connolly and Mr. Campbell for working to get the pumps at Lake Como.

Mayor Doherty stated we haven't assessed how much beach erosion there was yet.

Jon Eniss, 418 7th Avenue, handed out pictures of a sign that DPW puts out for the summer season. He believes the sign is put up to accommodate the Methodist Church but is confusing to summer residents and guests.

Suggested changing the sign to no parking because the congregation of the church is only about a dozen people and the space is not needed for them or suggested making D Street one way south bound to alleviate the traffic issues.

Mayor Doherty stated the Police Department likes to have D Street to have two way traffic so they can get through town since the other streets are one ways. He suggested that it may be better to just change it to a no parking sign.

Claire Deicke, 1017 14th Avenue, stated she is passionate about woman getting mammograms; it's the only way to fight breast cancer. Thanked Council member Nicolay for reading the proclamation.

Brendan Reed, 100 Ninth Avenue, stated the Belmar-opoly game will also be available at the Oktoberfest if they don't sell out this Saturday. Agreed with Council member Magovern on the importance of supporting the Historical Society's bootleggers ball.

John LaSpina, Manasquan, stated he is here about an ordinance amending the taxicab ordinance not on the agenda. Ms. Claudio stated the ordinance was already adopted earlier this year. He questioned why the taxi companies were not notified. His concern was if the yearly taxi licenses will be auctioned or not. Mayor Doherty stated no decision has been made yet but all taxi companies will be notified if there is an auction.

Tom Burke, Tenth Avenue, asked to take his five minutes for a political statement. He discussed the turmoil regarding the Republican Party in the senate and locally. Talked about the divide in the Belmar republican party and how the turmoil helps their opponents to win elections every year. Feels he can be the voice of reason and feels respect and compromise can serve the town well. Feels there needs to be less defensive tactics against progress. Encouraged everyone to vote yes for the rebuilding of Taylor Pavilion. Encouraged everyone to get out and vote.

Mayor Doherty made a motion to close the public session and adjourn the meeting, which was seconded by Council member Keown-Blackburn and approved unanimously.

Respectively submitted,

April Claudio
Municipal Clerk