

“GOD BLESS AMERICA”

REGULAR MEETING

MARCH 1, 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: Councilman Brennan, Councilwoman Nicolay, Councilwoman Keown-Blackburn, Councilman Magovern, Borough Attorney George McGill Esq., Business Administrator Colleen Connolly, and Borough Clerk April Claudio

ABSENT: Mayor Doherty

“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 Paul Carew

PROCLAMATIONS:

- Irish Heritage Month
- Women’s History Month

PUBLIC BIDS:

- Paddleboard: Summertime Surf was the only bidder and made the bid of \$1500.

WORKSHOP DISCUSSION:

- Council member Magovern discussed the current outdoor dining ordinance. He feels there is a loop hole in the ordinance that could allow commercial properties to have outdoor dining in their rear yards which could possibly abut a residential property. He feels this was not the intent of the ordinance. He asked the Council to consider this and think about changing the ordinance.
 - o Council member Brennan agreed, especially if the residents were there before the outdoor dining. He added his main concern with the ordinance is that those that have outdoor dining on Main Street don’t leave enough room for pedestrians to pass on the sidewalk.
 - o Council member Nicolay stated she has mixed feelings and thinks it could be reviewed on more of a case by case basis. She recommended more specifics such as possibly allowing it if it’s a certain amount of feet from the property line or allow dining only and no music.
 - o Council member Magovern stated perhaps the Planning Board could suggest some more details or a property could seek a variance from the Planning Board.
 - o Council member Keown-Blackburn agreed this is something to look into and likes the idea of those that want it could apply to the Planning Board. She added she is more concerned with those that block the sidewalk.
 - o Council member Magovern asked Ms. Connolly to reach out to the Planning Board and ask for recommendations.

PETITIONS: none

APPROVAL OF MINUTES: Council member Magovern made a motion to approve the minutes of the February 16, 2016 meeting, which was seconded by Council member Keown-Blackburn and approved unanimously.

REPORTS OF COUNCIL:

Council member Keown-Blackburn: March is Colon Cancer Awareness; left flyers on the table with dates on free screenings. ADA Committee has updated their resource guide and it is available on the Borough’s website. Library kicks off the St. Patrick’s Day celebrations with the Thomas Wesley Stern band playing tomorrow night. ADA Committee was offered a free scooter but are unable to take it so they are looking for someone who would want it.

Council member Brennan: This Sunday is the St. Patrick’s Day Parade. Very proud of his daughter who ran a half marathon in New Orleans this past weekend and raised over \$500 for St. Jude’s.

Council member Nicolay: Belmar Arts Council has a new exhibit opening this weekend. The BBP parking committee has a draft parking report that they are finalizing before submitting their recommendations. St. Rose Grammar School plant sale started today. Encouraged everyone to shop local. Summer Camp registration will begin next week.

Council member Magovern: Paul Carew, who was mentioned during the moment of silence, was a longtime resident and was instrumental in bringing the AVP volleyball tournament to Belmar. Historical Society is having their rescheduled story telling event on March 8th. Shade Tree Commission had a report on trees given by Sal Circelli of DPW. They have had to take down 30 trees since September that have died. Looking into what types of trees could be planted throughout town. New curbing is being installed on Ocean Avenue. Once complete, the County will come down Ocean Avenue and repave it. Tomorrow is Read Across America and he and Council member Nicolay will be reading Dr. Seuss at Belmar Elementary School.

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

None

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

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:

Council member Magovern offered the following resolutions for adoption:

**2016-53
RESOLUTION AUTHORIZING PAYMENT OF BILLS**

PAYMENT OF BILLS: certification that the vouchers listed on the warrant register numbering 65117 thru 65183 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	\$709,635.70
11	Water/Sewer Account	\$9,957.28
21	Beach Utility Account	\$1,621.19
23	Parking Utility Fund	\$15,336.00
55	Trust Fund Account	\$2,714.00
61	Tourism Development Account	\$3,771.00
Total:		\$743,035.17

**2016-54
RESOLUTION AWARDING A LEASE AGREEMENT FOR THE 13TH AVENUE BOARDWALK
CONCESSION #1**

**2016-55
RESOLUTION AWARDING A LEASE AGREEMENT FOR THE ZUMBA CLASSES**

**2016-56
RESOLUTION AWARDING A LEASE AGREEMENT FOR THE SKIMBOARDING CLASSES**

**2016-57
RESOLUTION CREATING AN ADDENDUM TO THE BMIA LLC LEASE AGREEMENT FOR
BLOCK 86 LOT 1.01**

**2016-58
RESOLUTION HONORING AND RECOGNIZING THE SERVICE TO THE COMMUNITY BY ALL
FIRST RESPONDERS AND AUTHORIZING FREE BEACH ADMISSION DURING THE 2016**

BEACH SEASON TO ALL ACTIVE FIRST RESPONDERS PURSUANT TO BELMAR BOROUGH ORDINANCE SECTION 18-2.5(i)

2016-59

RESOLUTION HONORING THE MEN AND WOMEN OF OUR ARMED FORCES AND RECOGNIZING THE SACRIFICES BEING MADE BY THEM, AND ALSO BY THEIR FAMILIES, AND PROCLAIMING THE COMMENCEMENT OF “OPERATION: THANK YOU” WITHIN THE BOROUGH OF BELMAR, AND AUTHORIZING FREE BEACH ADMISSION DURING THE 2016 BEACH SEASON TO ALL ACTIVE MILITARY PERSONNEL AND THEIR DEPENDENTS PURSUANT TO BELMAR BOROUGH ORDINANCE SECTION 18-2.5(i)

2016-60

RESOLUTION AUTHORIZING THE RECEIPT OF BIDS FOR SIDEWALK AND CURBING PROJECT

2016-61

RESOLUTION APPOINTING SPECIAL POLICE OFFICERS FOR 2016

Seconded by Council member Keown-Blackburn and approved by the following vote:

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

ORDINANCES: none

PUBLIC SESSION:

Katrina Clapsis, 1304 B Street, read a statement about the Coast Star asking the Mayor and Colleen Connolly to answer three questions about the amended pay to play ordinance. Since they did not answer them she asked former Mayor Ken Pringle the questions and read his answers.

Council member Magovern asked Ms. Clapsis if surrounding towns who don't have an ordinance as strict as ours have problems. She stated she did not know. Council member Magovern explained that the purpose of the ordinance is to allow someone who wants to run for a county seat or higher up to be on a level playing field with a candidate whose town doesn't have strict regulations.

Tim McCorry, 417 12th Avenue, asked about the status of the sidewalk assessment program the Mayor mentioned over a year ago. Ms. Connolly stated there was a resolution on tonight's agenda to authorize going out to bid for prices.

David Schneck, 302 C Street, discussed Council member Magovern's question to Ms. Clapsis about other towns' pay to play ordinances. He felt Belmar is different because we have so many liquor licenses and we are working on declaring the downtown a redevelopment zone.

Claire Deicke, 14th Avenue, stated the best statement she heard about the pay to play ordinance was when Council member Brennan said it is to create a level playing field. She stated she has great confidence in everything the Mayor and Council do and in their integrity.

Connie Dallaportas, 1002 Main Street, stated there should not be any outdoor dining anywhere. They should keep their business inside their building.

Linda Chelsin, L Street, continued reading Ms. Clapsis's question and answers statement with former Mayor Ken Pringle.

Council member Magovern stated everyone is questioning how the changes to the pay to play ordinances affect Mayor Doherty's campaign for Freeholder and not how it affects his and Council member Keown-Blackburn's campaign for re-election to Council.

Ms. Chelsin stated their concerns are the long term consequences of an ordinance that was very effective for over ten years. She feels the ordinance changes create a major trust issue.

Carol Cupoli, 402 Ninth Avenue, stated all of the Council members have been voted in by the residents and doesn't like all of the negativity. Thanked them for all of the goodness they have brought to Belmar.

Pat Corea, Ocean Avenue, read a letter submitted to the Coast Star in 2007 by Mayor Doherty regarding campaign contributions. She added that this new ordinance does affect the Council members. She stated she is welcoming signatures on a petition for anyone who does not agree with this ordinance.

Michael Druz, Ocean Avenue, stated when the original pay to play ordinance was put into effect, dual office holding was permitted. That has since changed. He suggested that the ordinance be amended that a candidate follow whatever regulations are in place for that jurisdiction.

Gene Clapsis, 1304 B Street, stated he gets slammed when he questions the Council but feels everyone is entitled to their opinion and is allowed to act on his opinion legally.

Mr. Schneck felt Mr. Druz's point cannot be done because it doesn't solve the issue of the Mayor still being Mayor while he's running for a county seat.

Carol Moore, 1206 Oakwood Road, stated she respects every member of the Mayor and Council regardless of their party because they gave up their own time to be on the Council. She does not like anyone that questions their integrity and impunes their reputation just because they don't agree with a decision they made.

Mike Seebeck, 110 Second Avenue, stated the pay to play ordinance has been in place for years and functioned very well. Nobody understands the need for the changes. Thanked Council member Magovern for running a nice meeting and allowing some back and forth. Suggested allowing people to talk longer than five minutes sometimes.

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

Respectively submitted,

April Claudio
Municipal Clerk