

“GOD BLESS AMERICA”

REGULAR MEETING

OCTOBER 4, 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

PROCLAMATION: Breast Cancer Awareness Month

WORKSHOP DISCUSSION:

- Ed Mullane, Tax Assessor, and Robbin Kirk, Tax Collector, gave an explanation on the tax revaluation that is going on throughout town. The last time it was done was in 2002. The state is mandating it be done. He explained the three different types of approaches to valuation. The state supreme court has ordered all revaluation companies to use the cost approach. Anyone who is not satisfied with their assessment will have the opportunity to appeal by January 15th.
- Mike Campbell, DPW Director, stated they are starting to prepare for the potential upcoming storm by lowering the lakes, preparing dunes, removing remaining two bathroom trailers and putting the lake pumps on standby. Also notified boat owners to be prepared. Ms. Connolly stated the Police Department is in touch with the State OEM and is monitoring the storm.

PETITIONS: none

APPROVAL OF MINUTES: Council member Keown-Blackburn made a motion to approve the minutes of the September 20, 2016 meeting, which was seconded by Council member Brennan and approved unanimously.

REPORTS OF COUNCIL:

Council member Keown-Blackburn: Sidewalk Assessment work will be done by A&A curbing. A letter went out to the properties affected by this notifying them of two information sessions to come to. Lake Como pipe is in the permitting process and bid specs are being finalized. Sixteenth Avenue and Railroad is closed because NJ Transit is fixing the road because of years of flooding issues. Woman’s Club held a blood drive this past Sunday that was successful. Methodist Church has closed but the food and clothing pantry is still open. Have been in talks with the Pastor about turning it into a senior center.

Council member Brennan: Visited the Round Valley Recreation and noticed they had a station where you can recycle your fishing lines. Will look into it and see if it’s something we could have at the marina. Environmental Commission looking into how to protect the boardwalk with native plants. Looking forward to the Oktoberfest this Sunday.

Council member Nicolay: Encouraged people to visit the Arts Center and some of their events. Basketball registration has started. Belmar Elementary School has a week of respect this week. October 22nd is touch a truck, bonfire and fireworks.

Council member Magovern: Next Tuesday the Historical Society is having an author who wrote a book about the history of submarine warfare in NJ. BES preserved a corner stone of the building from when it used to be at 8th and Main Street. Friends of the Shark River came to last week’s Planning Board meeting and talked about putting filters in the storm water drains, which he thinks is a good idea and will discuss with the Harbor

Commission. St. Peters school which he teaches at was named a Blue Ribbon School. Mikayla Mabrey was hired as the assistant basketball coach at the University of Miami. He stated he understood all of the flyers and signage that was out about the special election however he did not approve of one flyer that crossed the line. He was talking about the flyer that had pictures of former Birdsall employees who are in jail, one of which is a Belmar resident. Felt the flyer was mean spirited to have the pictures on the flyer, felt it should have just stuck to the issues instead of humiliating someone. DPW has a new leaf drop off at the recycling center.

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

Tom Fahy, 400 River Avenue, agreed the flyer Council member Magovern spoke of was in bad taste and most of the people who voted “no” thought so too. Had some other comments he wanted to make but were not relative to the resolutions. He will address the Council later during the regular public session.

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

RESOLUTIONS:

Council member Brennan offered, **2016-158, RESOLUTION AUTHORIZING PAYMENT OF BILLS**, for adoption, which was seconded by Council member Keown-Blackburn and approved by the following vote:

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

PAYMENT OF BILLS: certification that the vouchers listed on the warrant register numbering 66170 thru 66258 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	\$1,268,198.90
05	General Capital Account	\$457,851.58
11	Water/Sewer Account	\$359,377.09
21	Beach Utility Account	\$59,259.80
25	Beach Capital Account	\$474,729.40
23	Parking Utility Fund	\$1,100.00
41	Dog License Account	\$1,464.00
55	Trust Fund Account	\$5,758.40
61	Tourism Development Account	\$2,343.82
Total:		\$2,630,082.99

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 Keown-Blackburn offered the following resolutions for adoption:

2016-159
RESOLUTION AUTHORIZING MAYOR AND COUNCIL TO DECLARE HALLOWEEN CURFEW

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2016-160
RESOLUTION OF THE BOROUGH OF BELMAR REGARDING THE RESULTS OF A SPECIAL ELECTION HELD ON SEPTEMBER 27, 2016

2016-161
RESOLUTION ASSESSING A PROPERTY LIEN FOR PROPERTY MAINTENANCE

2016-162
RESOLUTION AUTHORIZING REFUNDS

ORDINANCES:

Second Reading & Public Hearing:

ORDINANCE NO. 2016-10

ORDINANCE OF THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF BELMAR, IN THE COUNTY OF MONMOUTH, NEW JERSEY, AMENDING THE SEAPORT REDEVELOPMENT PLAN TO INCLUDE BLOCK 106, LOTS 1-3, 5-6, 10.01, 10.02 AND 11; BLOCK 116, LOTS 1-2; BLOCK 117, LOTS 1-4, 6-9, AND 12-15; BLOCK 67, LOT 4.01; BLOCK 86, LOTS 1-7; BLOCK 86.01, LOT 1; BLOCK 87, LOTS 1-3; AND BLOCK 96, LOTS 1 AND 3-9

Public Hearing: Jim Bean, 612 16th Avenue, asked how these properties were picked. Council member Magovern stated we had an attorney and a planner work on it. Mr. Bean asked if the properties were notified. Ms. Claudio replied yes. Mr. Magovern stated none came forward and said they don't want to be in it, in fact some did provide feedback that they were happy with it. He added that there is no eminent domain so nobody is obligated to do anything with their property. Mr. Bean asked why certain properties were added. Council member Magovern stated the properties met the criteria and we wanted to have the area uniformed. He added the redevelopment plan was successful in the north end of town and wanted to expand it further.

Katrina Clapsis, B Street, asked what financial advantages are available to properties who redevelop. Council member Brennan stated it is a case by case basis and there is a thorough review process.

Gene Creamer, Fourth Avenue, questioned the types of stores that are listed in the plan. He felt there are some pitfalls that should be addressed before adopting. Such as the plan displacing poorer people. He was concerned about the senior housing building be completely surrounded by a redevelopment area. His other concern was payment in lieu of taxes agreements and how it affects the school taxes. His other concern is transparency. He has never seen an actual signed redevelopment agreement. Ms. Connolly explained that all redevelopment agreements are presented to the Mayor and Council for approval.

Mark Walsifer, Ocean Avenue, asked why the school wasn't carved out. Council member Magovern stated it kept the lines of the area clean and gives them the option to redevelop some day in they choose.

Brendan Reed, 100 Ninth Avenue, supports this ordinance and feels it will help the town's economy. He would like to see a parking study done.

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

Council member Nicolay made a motion to adopt Ordinance 2016-10, which was seconded by Council member Keown-Blackburn, and approved by the following vote:

Council member Brennan stated affordable housing is something that will always be taken into consideration. Will never look to displace any residents by approving a redevelopment plan. Any redevelopment near the river will have to be looked into to ensure there is no impact on Shark River.

Council member Magovern stated when properties come before the Planning Board they have to show sustainability and environmental impact. Reiterated that there is no eminent domain.

Council member Keown-Blackburn agreed with the environmental concern. Also hope people will consider more off street parking when redevelop.

AYES: Brennan, Nicolay, Magovern, Keown-Blackburn

First Reading & Introduction:

ORDINANCE NO. 2016-11

ORDINANCE OF THE BOROUGH OF BELMAR, AMENDING CHAPTER XXVII, STREET EXCAVATIONS, SIDEWALKS AND CURBS

Council member Magovern offered Ordinance 2016-11 for first reading and introduction, which was seconded by Council member Nicolay and approved by the following vote:

AYES: Brennan, Nicolay, Magovern, Keown-Blackburn

PUBLIC SESSION:

Jim Milton, Dorothy Theilen, John Antiss, on behalf of the Methodist Church, discussed the interest Belmar has in their church being used as a senior center. They are willing to meet with anyone and give a tour of the facilities. Want to keep the clothing and food pantry open and the other services they offer because they are

helping a lot of members of the community. Church isn't active but the building is open. Boy Scouts use the building too and hope to stay.

Claire Deicke, 1017 14th Avenue, attends Yoga classes at the church and feels it is very important to see the services there continue. Happy the proclamation was read about Breast Cancer Awareness month. Council member Nicolay stated Belmar Cares is a great organization that supports Breast Cancer awareness.

Tom Fahy, 400 River Avenue, asked the Council if they had any input in crafting the pay to play ordinance that was voted on at the special election. Council member Magovern stated it was a long time ago but the Council was all aware of it. Each council member speaks to the Mayor and the Administrator prior to the meetings so they know what's on the agenda. Mr. Fahy asked if any of them had questions about it. Council member Magovern stated he is sure that they may have had questions. Mr. Fahy asked the Council if they had any input in the hiring of the counsel to defend the ordinance. Ms. Connolly stated the firm that was used, Scarinci and Hollenbeck was appointed by the Mayor and Council at their reorganization meeting as a litigation attorney. Mr. McGill stated he had a conflict with the litigation so it was sent to one of the other attorneys appointed by the Borough.

Marcus Kirschenbaum, Wall Township, discussed his experience with the tax revaluation and his concerns with using the cost approach.

Katrina Clapsis, B Street, asked the Council for their individual opinions on the overwhelming turnout against the pay to play ordinance. She asked if the Council is planning on appealing the pay to play ordinance as the Mayor stated in the Coast Star. Mr. McGill stated that is litigation and is something that would be discussed with the appropriate legal counsel. She felt the Council could stop an appeal and stop wasting taxpayer money.

Aileen Fahy, 400 River Avenue, stated her husband was just trying to understand the timeline of the pay to play ordinance and fully understand it.

Jim Milton, Methodist Church, stated he had put the church on the list for sidewalk replacement and would like curbs done too. Ms. Connolly suggested he come to one of the information sessions.

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