

“GOD BLESS AMERICA”

REGULAR MEETING

FEBRUARY 21, 2017

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, Councilman Walsifer, Councilman Magovern, Councilwoman Nicolay, Borough Attorney Greg Cannon, Esq., and Borough Clerk April Claudio

ABSENT: Business Administrator Colleen Connolly

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 7, 2016 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 RESOLUTIONS:

- Honoring St. Patrick’s Day Parade Grand Marshal Edward Donovan and Deputy Grand Marshal Miriam Sheridan
- Postponed until next meeting

WORKSHOP DISCUSSION:

- Artificial turf
 - Eleven properties have artificial turf. Mayor Doherty would like Code Enforcement to send a letter to each of them advising that they are in violation of the ordinance and either have to remove it or submit a zoning application to obtain approval. Mr. Cannon will look for model ordinances from other towns to discuss at the next meeting. Mayor Doherty would like the properties that have the turf in the area between the curb and sidewalk to have it removed as per the ordinance.
 - Ms. Claudio stated Robbin Kirk, CFO held a note sale and the interest was 3% however premiums were paid which reduced the interest to 1.3%.
 - Council member Magovern asked how we did with getting cars off the street during the last snow storm. Captain Cox stated the Code Red helped but there were some cars that received tickets.

PETITIONS: None

APPROVAL OF MINUTES: Council member Magovern offered a motion to approve the February 7, 2017 regular meeting and closed session minutes, which was seconded by Council member Brennan and approved by the following vote:

AYES: Magovern, Walsifer, Brennan, Nicolay and Doherty

REPORTS OF COUNCIL:

Council member Magovern: No Report

Council member Walsifer: Mike Campbell and his DPW crew are handling a Green Acres violation in the marina involving the FOBH.

Council member Brennan: Have done research on trash skimmers for the marina but technology is not ready for implementation yet. Thanked Tom Burke for allowing him to speak at the Belmar Business Group meeting yesterday. Looking into having an electronic newsletter for residents. Still looking into how to handle the plastic bag issue and talking to merchants in town.

Council member Nicolay: Arts Council has a photography exhibit that everyone should check out. Tonight is last night for little league registration. February 27th is first Belmar Business Summit.

Mayor Doherty: Congratulated and thanked our Fire Department, Police Department and Department of Public

Works for their response to the dangerous fire in the Inlet Marina. Also thanked neighboring towns who responded. St. Patrick’s Day Parade is March 5th. This past weekend the town was booming because of the good weather. New building in the marina is scheduled to open in April.

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

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

RESOLUTIONS:

The Mayor abstained from voting on these Resolutions by reason of his or her “General Ineligibility” as provided by Belmar Ord. No. 9-5.

Council member Magovern offered, **2017-50, RESOLUTION AUTHORIZING PAYMENT OF BILLS**, for adoption, which was seconded by Council member Walsifer and approved by the following vote:

AYES: Magovern, Walsifer, Brennan and Nicolay

PAYMENT OF BILLS: certification that the vouchers listed on the warrant register numbering 66878 thru 66929 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	\$1,658,843.51
03	Grant Account	\$172.88
11	Water/Sewer Account	\$337,901.37
21	Beach Utility Account	\$897.82
41	Dog License Account	\$37.80
55	Trust Fund Account	\$4,680.22
61	Tourism Development Account	\$675.49
Total:		\$2,003,209.09

Council member Magovern offered, **2017-51, RESOLUTION AUTHORIZING THE COUNTY OF MONMOUTH MOSQUITO CONTROL DIVISION TO CONDUCT AERIAL MOSQUITO CONTROL OPERATIONS WITHIN THE BOROUGH OF BELMAR**, for adoption, which was seconded by Council member Brennan and approved by the following vote:

AYES: Magovern, Walsifer, Brennan and Nicolay

ORDINANCES:

ORDINANCE 2017-04: *Second Reading & Public Hearing*
ORDINANCE OF THE BOROUGH OF BELMAR AMENDING THE REVISED GENERAL ORDINANCE CHAPTER 31: “ENVIRONMENT AND NATURAL RESOURCES” TO ADD SECTION 31-5 “RELEASE OF BALLOONS”

Public Hearing: none

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

Mayor Doherty offered Ordinance 2017-04 for adoption, which was seconded by Council member Brennan and approved by the following vote:

AYES: Magovern, Walsifer, Brennan, Nicolay and Doherty

ORDINANCE 2017-05: *Second Reading & Public Hearing*
ORDINANCE OF THE BOROUGH OF BELMAR AMENDING THE REVISED GENERAL ORDINANCE CHAPTER 29: “WATER-SEWER UTILITY” TO ADD SECTION 29-9.4 “GREASE DISCHARGE ABATEMENT”

Public Hearing: none

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

Mayor Doherty offered Ordinance 2017-05 for adoption, which was seconded by Council member Brennan and approved by the following vote:

AYES: Magovern, Walsifer, Brennan, Nicolay and Doherty

ORDINANCE 2017-06: Second Reading & Public Hearing
ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER IV DEPARTMENT OF FINANCE, CHAPTER XVII ALCOHOLIC BEVERAGE CONTROL AND CHAPTER XVI POLICE REGULATIONS OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BELMAR, IN THE COUNTY OF MONMOUTH, NEW JERSEY

Public Hearing: none

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

Mayor Doherty offered Ordinance 2017-06 for adoption, which was seconded by Council member Magovern and approved by the following vote:

AYES: Magovern, Walsifer, Brennan, Nicolay and Doherty

ORDINANCE 2017-07: Second Reading & Public Hearing
BOND ORDINANCE PROVIDING FOR VARIOUS PARK AND RECREATION IMPROVEMENTS IN AND BY THE BOROUGH OF BELMAR, IN THE COUNTY OF MONMOUTH, NEW JERSEY, APPROPRIATING \$1,000,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$950,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF.

Public Hearing: Katrina Clapsis, B Street, felt the 15th Avenue playground doesn’t look like it really needs any work done. Concerned about the price tag in the ordinance.

Mayor Doherty stated the dollar amount in the ordinance is based off estimates. The 15th Avenue playground is in disarray. DPW is constantly cleaning it up and repainting it. It’s also very old. The surface is not up to modern code. The entire park would be redone and brought into compliance. Along with 8th Avenue being entirely re-done. Also going to do fencing at Maclerie Park and Memorial Field.

Council member Magovern added that the benefit of putting in new equipment and a new surface would help us in an insurance matter which could cost more than 1 million if someone got hurt.

David Schneck, 302 C Street, asked if the fencing and equipment would be put out to bid. Mayor Doherty stated the playground equipment will be done through state contract and the fencing would be put out to bid.

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

Council member Walsifer stated he had a long discussion with Robbin and Colleen because he had reservations on the amount of money. He is not against doing the work but feels they are routine maintenance items that should be budgeted over a few years.

Council member Magovern would like to be involved in the discussion of colors for the playgrounds.

Mayor Doherty offered Ordinance 2017-07 for adoption, which was seconded by Council member Brennan and approved by the following vote:

AYES: Magovern, Brennan, Nicolay and Doherty
NAYS: Walsifer

PUBLIC SESSION:
Molly Spanarkel, 133 Terrace Road, stated she is grateful to the first responders who handled the marina fire that was in her back yard. She has concerns whether or not things are up to code in the marina and whether or not permits and approvals have been obtained. Concerned about safety for the property owner and the neighbors.

Mayor Doherty stated the investigation did determine it was an accident and are looking into it further.

Ronni Lippsett, 620 11th Avenue, has had an ongoing problem with a sewer backup for the last three years. Had a recent backup in December and her plumber determined the cause was in the street and not her property. She's been told that it's her responsibility to dig up the street to fix it. Feels she shouldn't have to pay for it since it's in the street. Hand delivered letters to the Mayor, Council members Magovern and Walsifer and Ms. Connolly. Also left messages for Ms. Connolly but has not received a response back from anyone.

Mr. Cannon read the current ordinance. Mayor Doherty and Mr. Campbell explained that it would be their responsibility to finance the repair.

Elaine Stevens, 827 13th Avenue, feels we need to address the parking problem in town. Has spoken to Mayor Doherty about a parking garage. Has interested parties who would want to participate in constructing a four story parking garage. Mayor Doherty stated we have looked into it and the last estimate we got was for \$20,000 per a space which comes to \$8 million. She would like the requirements to construct one because she has clients who would fund it.

Gavin O'Day, 1903 Snyder Avenue, complimented the Recreation Director and all the guys who ref basketball and do the scoreboard, it's a great program and they are a fantastic group of guys. Feels they don't often get enough praise. He then talked about the bill regarding changing the seasonal liquor licenses to year round licenses. Has been following the bill process and is disturbed by the process and the articles he's read in the press. Had sent letters to politicians encouraging them to vote no and felt it was disheartening to not receive any response. The news only talks about the bars perspectives and not the residents who are affected by the bill. Encouraged residents to review the bill and contact Governor Christie asking him to vote no.

Mike Seebeck, 110 Second Avenue, asked for more information on the note sales. Mayor Doherty explained. Mr. Seebeck asked about a payment to the JIF. He would like to know what the county will be spraying over the town for the mosquitoes. He questioned who is responsible for the green acres permit for the area used by the FOBH and the violations that were issued and hoped we lobbied to try to keep the facilities.

Katrina Clapsis, B Street, reviewed the annual debt statement and asked how much the tax payers are responsible for of the \$19 million debt. Mayor Doherty stated some of the debt is paid for through the beach utility, water/sewer utility, special assessments, and FEMA reimbursements. Part of the debt is the marina which will be paid off through revenue. She asked where the Buy a Board money is. Mayor Doherty stated we did a dedication by rider for the program and it allocated the money to be used for capital improvements at the beachfront which included the boardwalk and pavilions.

Mark Kirschenbaum, Wall Township, suggested the town write to corporations asking them to switch from plastic bags to paper. He discussed the property assessments from the revaluation company which he said are all over the place. There are clauses in the contract he feels would help the town fight the company on appeals.

David Schneck, 302 C Street, questioned where Mayor Doherty got the \$3.2 million in debt number from. Mayor Doherty stated he reports numbers based on information he received from CFO. Mr. Schneck stated the judge's decision stated the Buy a Board money is to be used in the beach utility. Mayor Doherty stated we are appealing that decision and the money is sitting in an account on hold.

Mr. Seebeck asked about the community disaster loan after Hurricane Sandy. He would like to know how much of the loan would be forgiven and be kept up to date on any FEMA money received. Mayor Doherty stated he will keep everyone updated.

Lennie Klein, 306 11th Avenue, asked if anything could be done with the bike riding on the boardwalk. Captain Cox stated the ordinance does have dates and times for off season and in season. He did have special officers on the boardwalk this past weekend to address issues.

Bruce Blattner, 407 9th Avenue, asked if there is any concern about properties that have stones or just artificial turf. Mayor Doherty stated stones are addressed in the ordinance but turf is not.

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

Respectively submitted,

April Claudio
Municipal Clerk