

“GOD BLESS AMERICA”

REGULAR MEETING

MARCH 7, 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, Borough Attorney Greg Cannon, Esq., Business Administrator Colleen Connolly, and Borough Clerk April Claudio

ABSENT: Councilwoman Nicolay

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 PRESENTATION:

- St. Patrick’s Day Parade Grand Marshal and Deputy Grand Marshal

PUBLIC BIDS:

- Zumba: DeCarlo Fitness made the minimum bid of \$500 and was the only bidder.
- 5th Avenue Pavilion & 10th Avenue Pavilion
 - o One bid received for 5th Avenue Pavilion from M2 Concessions for \$9,100 per a month.
 - o Two bids received for 10th Avenue Pavilion: Brandl \$4500 per a month and 10th Avenue Freeze Out \$6111 per a month.

WORKSHOP DISCUSSION:

- Assemblyman David Rible addressed the Mayor and Council. He’s the Borough’ Advocate on any state projects or issues. There will be money available to towns through the Transportation Trust Fund. The marina dredging project was discussed. Mayor Doherty discussed the flooding at L Street beach on Route 35. He would like DOT to raise the elevation of the road. Council member Magovern would like to see the utility poles on Route 35 placed underground and removed. Council member Brennan would like to see a foot bridge over Route 35.
- Redevelopment projects: 500 Main & 707 10th Avenue
 - o Mayor Doherty stepped off the dais.
 - o Barry Depeppe gave an update on his proposed projects. Presented revised architectural drawings based on the TDRC’s comments.
 - o William Northgrave, Esq. stated there are two resolutions and two ordinances on the agenda tonight for the Council to consider that would establish the redevelopment agreements and financial agreements for both projects.
 - o Next step is to present both projects to the Planning Board.
- AP’s Inlet/Seaport Inlet Marina
 - o Mayor Doherty discussed the fire that occurred there in February. The Business Administrator, Code Enforcement, Chief of Police and himself met with the property owner to discuss what he can do to make the property safer. Some of the things discussed was no fuel storage on site, reducing or removing all fuel in boats, all batteries disconnected, fire lanes painted, fire extinguishers every 20 feet along boat racks, suppression systems or sprinklers on the racks, marina suppression systems, and a fire hydrant on the property. Also, discussed setbacks for the boats to the property line.
- Mr. Cannon presented model ordinances from other towns around the country regarding artificial turf for the Council to review. The council’s concerns were the type of turf used and how it affects water runoff and impervious coverage. He asked the council to review the ordinances and provide comments to him so he can prepare a draft ordinance for review at the next meeting. Mayor Doherty stated there are some

that are very cheap looking and there are others that may even be more environmentally friendly than grass. Council member Magovern would like to know the effect it has on the environment as far as how it affects the life underground, the natural soil, birds and insects. He doesn't just want to consider aesthetics. Mr. Cannon stated the only environmental concern he noticed was what type of fill would be used. He suggested at some point reaching out to turf companies to learn more about manufacturer specs. Mayor Doherty stated he was originally against turf but after doing some research and seeing the types of turf available he now has a more open mind. Council member Brennan stated his main concern is storm water runoff. He doesn't want to limit too much as to what a person can do on their property. Council member Walsifer would like to establish a specific type of product that would be listed in the ordinance.

PETITIONS: None

APPROVAL OF MINUTES: Council member Magovern made a motion to approve the February 21, 2017 meeting minutes, which was seconded by Mayor Doherty and approved unanimously.

REPORTS OF COUNCIL:

Council member Magovern: TDRC meeting did a good job discussing the two redevelopment projects last week. A lot of good feedback was given and the developer was very receptive to the feedback. Congratulated Dara Mabrey who won the Kerwin award for best female basketball player in the shore conference. A total of five Belmar residents have received that award over the years. Congratulated Eric Koseyan for winning the wrestling state championship. Would like to recognize him at the next meeting.

Council member Walsifer: Attended the PBA Valor Awards and a lot of Belmar Police Officers received awards. Commended DPW, Police and everyone who was involved with the parade.

Council member Brennan: Echoed Council member Walsifer's comments about the parade. They always do a great job. Was impressed with the attendance given how cold it was. This Friday and Saturday the Belmar Elementary School drama club is presenting Peter Pan.

Mayor Doherty had no report.

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 Brennan 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, **2017-52, RESOLUTION AUTHORIZING PAYMENT OF BILLS**, for adoption, which seconded by Council member Walsifer and approved by the following vote:

AYES: Magovern, Brennan, and Walsifer

PAYMENT OF BILLS: certification that the vouchers listed on the warrant register numbering 66930 thru 67013 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	\$832,160.14
05	General Capital Account	\$170,505.95
11	Water/Sewer Account	\$34,836.99
21	Beach Utility Account	\$15,552.21
25	Beach Capital Account	\$70,270.87
23	Parking Utility Fund	\$14,509.46
31	Public Assist I Account	\$100.00
41	Dog License Account	\$1,464.00
55	Trust Fund Account	\$42,637.47
61	Tourism Development Account	\$568.18
Total:		\$1,182,605.27

Council member Magovern offered, **2017-53, RESOLUTION OF THE BOROUGH OF BELMAR, COUNTY OF MONMOUTH, NEW JERSEY DESIGNATING 500 MAIN STREET PARTNERS URBAN RENEWAL LLC (THE “REDEVELOPER”) AS REDEVELOPER AND AUTHORIZING EXECUTION OF A REDEVELOPMENT AGREEMENT**, for adoption, which was seconded by Council member Brennan and approved by the following vote:

AYES: Magovern, Brennan, and Walsifer

Council member Magovern offered, **2017-54, RESOLUTION OF THE BOROUGH OF BELMAR, COUNTY OF MONMOUTH, NEW JERSEY DESIGNATING 707 TENTH AVENUE URBAN RENEWAL LLC (THE “REDEVELOPER”) AS REDEVELOPER AND AUTHORIZING EXECUTION OF A REDEVELOPMENT AGREEMENT**, for adoption, which was seconded by Council member Walsifer and approved by the following vote:

AYES: Magovern, Brennan, and Walsifer

CONSENT AGENDA:

All matters listed in the Consent Agenda are 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:

**2017-55
STATE OF NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION GREEN ACRES PROGRAM ENABLING RESOLUTION**

**2017-56
RESOLUTION APPOINTING AND CONFIRMING REGISTRAR AND DEPUTY REGISTRAR OF VITAL STATISTICS FOR THE BOROUGH OF BELMAR, COUNTY OF MONMOUTH, STATE OF NEW JERSEY**

**2017-57
RESOLUTION APPROVING MEMBERSHIP APPLICATIONS FOR VOLUNTEER HOOK & LADDER FIRE DEPARTMENT**

**2017-58
RESOLUTION AUTHORIZING THE ISSUANCE OF REQUESTS FOR QUALIFICATIONS FOR ENGINEERING SERVICES TO THE BOROUGH OF BELMAR**

**2017-59
RESOLUTION AUTHORIZING THE RECEIPT OF BIDS FOR PARK FENCING**

**2017-60
RESOLUTION AUTHORIZING THE RECEIPT OF BIDS FOR BOARDWALK RAILING**

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

AYES: Magovern, Brennan, Walsifer, and Doherty

ORDINANCES: *First Reading & Introduction*

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

**ORDINANCE 2017-08
ORDINANCE OF THE BOROUGH OF BELMAR, COUNTY OF MONMOUTH, NEW JERSEY AUTHORIZING THE EXECUTION OF A FINANCIAL AGREEMENT WITH 500 MAIN STREET PARTNERS URBAN RENEWAL, LLC**

Council member Magovern offered Ordinance 2017-08 for first reading and introduction, which was seconded by Council member Walsifer and approved by the following vote:

AYES: Magovern, Brennan and Walsifer

ORDINANCE 2017-09

**ORDINANCE OF THE BOROUGH OF BELMAR, COUNTY OF MONMOUTH, NEW JERSEY
AUTHORIZING THE EXECUTION OF A FINANCIAL AGREEMENT WITH 707 TENTH
AVENUE URBAN RENEWAL, LLC**

Council member Magovern offered Ordinance 2017-09 for first reading and introduction, which was seconded by Council member Brennan and approved by the following vote:

AYES: Magovern, Brennan and Walsifer

PUBLIC SESSION:

Ed Monte, 117 19th Avenue, has had artificial turf for about six years and had it installed professionally. He had it installed because after great cost and time to grow his lawn he felt this was a better option. Being near D’Jais the trash and public urination was a detriment to his property. His notes from six years ago show he called the town and was told no permits were required. He submitted photos and specs on the material he used. He pays to have it maintained every year.

Jason Rusak, Forever Lawn, stated he offers artificial turf. His business is in Avon. Submitted information to the Council on guidelines for specs, installation procedures, etc. Presented some samples of artificial turf. Problem in Belmar is sandy soil which isn’t healthy to grow grass. Would be willing to help with creating an ordinance.

Lisa Ledo, 101 9th Avenue, stated her property is her second home. Showed photos of her house before and after she did renovations and installed artificial turf. Her property looks a lot better now and the turf was installed professionally and was expensive. She felt this is a minor issue and there are bigger issues in town that should be addressed.

James Koffman, Terrace Road, was glad to hear of all things that will be done at the inlet marina to make the area safe.

Robin Monte, 117 19th Avenue, felt it would be very unfair to ask them to remove their artificial turf because they spent a lot of money to install it and maintain it.

Rick Adase, 413 13th Avenue, stated he has artificial turf and did get a letter about it. Submitted before and after photos. Showed a sample of the turf he had installed and a spec sheet.

Mayor Doherty 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