

“GOD BLESS AMERICA”

REGULAR MEETING

JANUARY 20, 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

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, Ivan Roper and Nick Baldino

SPECIAL PRESENTATION: Employee of the Month – Kelly Williams

WORKSHOP DISCUSSION:

Mayor Doherty announced that Ordinance 2015-06 has been changed to remove the section regarding wet beach towels and bathing suits. Ordinance 2015-02 will be tabled and looked at for possible changes. Mayor Doherty made a motion to table Ordinance 2015-02, which was seconded by Mr. Brennan and approved unanimously.

Mayor Doherty stated he received an email from a resident who asked to discuss an issue with the Council.

Louise Rempe, 519 12th Avenue, had concerns about some of the new buildings and whether or not there’s been discussions about renewable energy sources. Mayor Doherty stated we looked into solar panels for Taylor Pavilion but the roof does not face south. He added the one in the marina doesn’t have solar panels but could mention it to them. Council member Brennan stated he is an advocate of solar panels if they are feasible. He added he will be looking into recommending gray water systems for new construction as well.

Ms. Connolly explained that each department director meets and talks about how things went in the year and things that we want to do or change for next year. This ultimately led to a lot of the ordinance changes that are on the agenda for tonight and there will be more over the next few weeks.

Council member Magovern asked Robbin Kirk, CFO, about the 2013 audit. She explained everything was fine working with the new firm and there is a resolution on the agenda tonight to fix some items listed in the audit. She added it was a very large audit due to all the FEMA money and requirements.

Mayor Doherty discussed putting together a voluntary sidewalk and curb improvement program. Council member Magovern had thought this was done about 15 years ago. Ms. Kirk confirmed and said it was successful. Council member Magovern was concerned about trees being removed during this process which is not permitted.

PETITIONS: none

APPROVAL OF MINUTES: Council member Magovern made a motion to approve the minutes of the January 6, 2015 regular meeting, which was seconded by Council member Keown-Blackburn and approved by the following vote:

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

REPORTS OF COUNCIL:

Council member Magovern: Planning Board approved new plans for Chef’s International building. Attended Fire Chief’s Dinner this past weekend, thanked Doug Brand, the outgoing chief. Attended a meeting last week with neighboring towns to discuss coastal activities, programs and dredging. Two young swans at Silver Lake were moved to Popcorn Park Zoo because they lost their flight feathers.

Council member Keown-Blackburn: Thanked Matisse and Chill Bubble Tea for the senior luncheon last week. First meeting of bicycle/pedestrian safety committee was last week. Met with the Council of Churches today. Winter Walking in the gym started today. Announced several upcoming bus trips.

Council member Brennan: Belmar wrestling team was losing to Point Pleasant today and came back to win. Other schools who don't have wrestling programs are allowed to participate in this program.

Council member Nicolay: Read DPW report. Announced Arts Council upcoming programs. BBP working on a program to encourage people to bike or walk to town. Announced upcoming Belmar School activities.

Mayor Doherty: Met with Chef's International representatives along with some members of the Planning Board to discuss the east elevation of their building that was approved last week and they came up with a new design. There was a report in the press about residents complaining about the volume of church bells. He suggested if anyone has concerns they should go speak to someone at the church. Talked about an issue going on in town where people may be boycotting businesses in town. Recommended people use the "check in" option on Facebook to show support. Read a Facebook post from Tom Burke which talked about Republicans reminding him that certain businesses supported the Mayor and should not be patronized. He added Tom Burke is a great example of someone putting that aside and supporting Belmar's businesses which is great for the town.

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

Gene Creamer, Fourth Avenue, asked about the resolution for the ground storage tank. Ms. Connolly stated that is to authorize a rebid for the painting of the tank at DPW waterworks.

Theresa Sudnik, 103 Second Avenue, dropped a letter off today opposing the cross fit resolution. Added that other residents from Second Avenue are here as well. Read some excerpts from her letter. Felt the existing Zumba classes have loud music playing and was concerned cross fit will be loud as well. Suggested alternatives such as the proprietors using their own locations or have them at the Skate Park or schools. Suggested time on Saturdays be moved to later in the day instead of 7 or 8 am.

David Schneck, 302 C Street, asked about the resolution for the kitchen trailers. Mayor Doherty confirmed it's just for the space not the actual trailer.

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

PLANNING BOARD MEMBER APPOINTMENTS:
Matthew Doherty, Mayor of the Borough of Belmar makes the following appointments to the Planning Board as per Borough Ordinance 1995-07:

Class IV - Chris Hoffman, for a term expiring December 31, 2018

RESOLUTIONS:
Council member Magovern offered Resolution **2015-29, RESOLUTION PERMITTING SPECIAL PERMITS FOR SOCIAL AFFAIRS FOR FRIENDLY SONS OF SHILLELAGH**, for adoption, which was seconded by Council member Keown-Blackburn and approved by the following vote:

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

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:

2015-30
RESOLUTION PERMITTING SPECIAL PERMITS FOR SOCIAL AFFAIRS FOR ST. ROSE HIGH SCHOOL

2015-31
RESOLUTION AUTHORIZING THE USE OF A REQUEST FOR PROPOSAL PROCESS AND

AUTHORIZING THE ADMINISTRATOR OF THE BOROUGH OF BELMAR TO ADVERTISE FOR REQUEST FOR PROPOSAL AND NOTICE TO BIDDERS FOR INFORMATION TECHNOLOGY SERVICES

2015-32

RESOLUTION CERTIFYING TO THE LOCAL FINANCE BOARD THAT ALL MEMBERS OF THE BOROUGH COUNCIL HAVE REVIEWED, AS A MINIMUM, THE SECTION OF THE ANNUAL AUDIT ENTITLED: COMMENTS-RECOMMENDATIONS

2015-33

RESOLUTION MAKING FINDINGS AND DETERMINATIONS ON LEGALIZED GAMES OF CHANCE APPLICATION NUMBER 2014-22 23

2015-34

RESOLUTION MAKING RE-APPOINTMENTS TO THE BELMAR HOUSING AUTHORITY

2015-35

RESOLUTION AUTHORIZING THE ADVERTISEMENT FOR BIDS TO LEASE A PORTION OF THE SECOND AVENUE BEACH FOR CROSS FIT CLASSES

2015-36

RESOLUTION AUTHORIZING THE ADVERTISEMENT FOR BIDS TO LEASE A PORTION OF THE THIRD AVENUE BEACHFRONT FOR A SURF CAMP

2015-37

RESOLUTION AUTHORIZING THE ADVERTISEMENT FOR BIDS FOR A LEASE AGREEMENT FOR A SUMMER DAY CAMP

2015-38

RESOLUTION AUTHORIZING THE CLERK OF THE BOROUGH OF BELMAR TO ADVERTISE FOR BIDS AND NOTICE TO BIDDERS FOR LEASES FOR TWO KITCHEN TRAILERS ON THE BELMAR BOARDWALK

2015-39

RESOLUTION AUTHORIZING THE RECEIPT OF BIDS FOR GROUND STORAGE TANK PAINTING

2015-40

RESOLUTION ESTABLISHING A RISK MANAGEMENT CONSULTANT

2015-41

RESOLUTION AUTHORIZING PAYMENT OF BILLS

2015-42

RESOLUTION AUTHORIZING MISCELLANEOUS MARINA FEES FOR THE YEAR 2015

2015-43

RESOLUTION TO CONSOLIDATE THE BOROUGH'S PUBLIC ASSISTANCE TO THE MONMOUTH COUNTY DIVISION OF SOCIAL SERVICES

2015-44

RESOLUTION PERMITTING SPECIAL EVENTS

2015-45

RESOLUTION AUTHORIZING THE MAYOR AND BOROUGH CLERK TO EXECUTE AN AGREEMENT WITH DENTAL SERVICES ORGANIZATION

2015-46

RESOLUTION INDICATING CORRECTIVE ACTION PLAN/STATUS REGARDING THE 2013 MUNICIPAL AUDIT REPORT

2015-47

RESOLUTION TO CREATE A NEW ADVISORY COMMITTEE FOR THE PURPOSE OF DISCUSSING PEDESTRIAN SAFETY WITHIN THE BOROUGH OF BELMAR

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

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

PAYMENT OF BILLS: certification that the vouchers listed on the warrant register numbering 62990 thru 63084 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	\$826,933.76
11 Water/Sewer Account	\$457,773.40
15 Water/Sewer Capital Account	\$22,515.42
21 Beach Utility Account	\$13,263.30
41 Dog License Account	\$1,702.00
55 Trust Fund Account	\$36,446.22
61 Tourism Development Account	\$13,640.54
Total	\$1,372,274.64

ORDINANCES:

ORDINANCE 2015-01

Second Reading & Public Hearing

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER XXVI HOUSING AND PROPERTY MAINTENANCE OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BELMAR, IN THE COUNTY OF MONMOUTH, NEW JERSEY

Public Hearing: Victoria Renner, 1106 D Street, asked for clarification on what this ordinance is for since there are several housing and property maintenance ordinances on the agenda. Mayor Doherty explained this ordinance is regarding inspection fees for rentals.

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

Mayor Doherty offered Ordinance 2015-01 for adoption, which was seconded by Council member Brennan and approved by the following vote:

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

ORDINANCE 2015-02 – Carried to February 3, 2015 meeting

Second Reading & Public Hearing

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER XVI, POLICE REGULATIONS, OF THE GENERAL ORDINANCES OF THE BOROUGH OF BELMAR PERTAINING TO HOTELS, MOTELS & ROOMING HOUSES

ORDINANCE 2015-03

Second Reading & Public Hearing

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER XX LICENSES- GENERAL OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BELMAR, IN THE COUNTY OF MONMOUTH, NEW JERSEY, SECTION 20-9, GAMES OF CHANCE

Public hearing: none

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

Mayor Doherty offered Ordinance 2015-03 for adoption, which was seconded by Council member Nicolay and approved by the following vote:

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

ORDINANCE 2015-04

First Reading & Introduction

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER XI “PERSONNEL”SEC. 11-3, SCHEDULES “A-F”, FIXING AND DETERMINING SALARIES OF CERTAIN OFFICERS, POSITIONS AND EMPLOYEES OF THE BOROUGH OF BELMAR, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, AND REPEALING ALL OTHER ORDINANCES HERETOFORE ADOPTED WHICH ARE INCONSISTENT HEREWITH.

Mayor Doherty offered ordinance 2015-04 for first reading and introduction, which was seconded by Council member Kewon-Blackburn and approved by the following vote:

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

ORDINANCE 2015-05

First Reading & Introduction

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER XVI POLICE REGULATIONS OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BELMAR, IN THE COUNTY OF MONMOUTH, NEW JERSEY, SECTION 16-17

Mayor Doherty offered ordinance 2015-05 for first reading and introduction, which was seconded by Council member Magovern and approved by the following vote:

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

ORDINANCE 2015-06

First Reading & Introduction

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER XXVI HOUSING AND PROPERTY MAINTENANCE OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BELMAR, IN THE COUNTY OF MONMOUTH, NEW JERSEY, SECTION 26-7

Mayor Doherty offered ordinance 2015-06 for first reading and introduction, which was seconded by Council member Nicolay and approved by the following vote:

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

ORDINANCE 2015-07

First Reading & Introduction

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER III TOURISM DEVELOPMENT COMMISSION OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BELMAR, IN THE COUNTY OF MONMOUTH, NEW JERSEY, SECTION 3-6.69, TOURISM FEE ASSESSMENT

Mayor Doherty offered ordinance 2015-07 for first reading and introduction, which was seconded by Council member Brennan and approved by the following vote:

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

ORDINANCE 2015-08

First Reading & Introduction

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER XX LICENSES GENERAL OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BELMAR, IN THE COUNTY OF MONMOUTH, NEW JERSEY, SECTION 20-15

Mayor Doherty offered ordinance 2015-08 for first reading and introduction, which was seconded by Council member Kewon-Blackburn and approved by the following vote:

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

ORDINANCE 2015-09

First Reading & Introduction

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER XIX (TRAFFIC) OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BELMAR, SECTIONS 19-46 HANDICAPPED PARKING SPACES

Mayor Doherty offered ordinance 2015-09 for first reading and introduction, which was seconded by Council member Brennan and approved by the following vote:

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

PUBLIC SESSION:

Katrina Clapsis, B Street, asked if there is an opening on the Housing Authority. Ms. Connolly stated all of the Belmar spots have been filled.

Vicky Renner, 1106 D Street, suggested when re-writing ordinance 2015-02 that they consider the hotels in

town will try to be sneaky and work around the laws. Glad to see changes to the marina building even though she hasn't seen them.

Terrance English, 506 12th Avenue, has some concerns with language in ordinance 2015-06. Was concerned that it is not clear as to what is included in the section regarding smoke odors; such as does a fireplace or fire pit fall into this. Mayor Doherty stated we will look into it.

David Schneck, 302 C Street, stated he is troubled by the abandoned vehicle ordinance. He stated there are some people that have project cars. Suggested that if someone doesn't have a garage but has a car they are working on that language be added to say it must be covered with a fitted cover. He questioned the change to the filming ordinance. He did not understand how an exemption could be made because the law needs to be equal for everybody. Suggested removing the pedestrian crossing signs on Ocean Avenue because it makes the street congested.

Michael Druz, 16th Avenue, felt the abandoned vehicle ordinance may be superseded by state law.

Adam McCluskey, 201 11th Avenue, asked about Ordinance 2015-02, he felt the definitions of a hotel, motel and rooming house are broad and may include some bed and breakfasts. He felt this ordinance would cause long standing residents, veterans, and displaced persons to have to move out of the motels to allow transients to come in and out. He was worried about what will happen to these people.

Mayor Doherty reiterated that this ordinance will be looked at and revised. He added that this ordinance was brought up by the police department who need the tools to address issues they see in town.

Gene Creamer, Fourth Avenue, suggested there be guidelines for sidewalks. Also suggested providing a location for kids to fly drones in town.

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