

**“GOD BLESS AMERICA”**

**REGULAR MEETING**

**NOVEMBER 5, 2014**

A regular meeting of the Mayor and Council of the Borough of Belmar held on the above date at 5:30 PM at the Belmar Municipal Building, 601 Main Street.

**PRESENT:** Mayor Doherty, Councilman Magovern, Councilwoman Keown-Blackburn, Acting Borough Attorney Ed Washburne, Esq., and Business Administrator Colleen Connolly

**ABSENT:** Councilwoman Nicolay, Councilman Bean, and Borough Clerk April Claudio

The Borough Administrator 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 October 22, 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 and Art Pasquariello

**BELMAR YOUTH GOVERNMENT:** Mayor and Council Mock Meeting (Postponed to 11/18/14)

**SPECIAL PRESENTATION:** none

**WORKSHOP DISCUSSION:**

The Best Practices Checklist was reviewed and discussed by the Mayor and Council. Ms. Connolly stated the Borough has the required points in order to continue to receive state aid.

**PETITIONS:** none

**REPORTS OF MAYOR AND COUNCIL:**

Council member Magovern: Harbor Commission has reported that work has started on the concrete docks. Army Corp of Engineers is doing dredging in the inlet but they aren't going to dredge all the way to the bulkhead and are only doing pockets of areas. Ms. Connolly stated we are receiving greater dredging than other towns but will review the plans further. Council member Magovern asked why they can take their dredging material out to the Ocean and the Borough cannot. Ms. Connolly stated she did not know why the Federal government can do this and we can't. Council member Magovern talked positively about Dick Fay who recently passed away. Marshall Boxer, resident, took a nice photo of a bald eagle over Lake Como today.

Council member Keown-Blackburn: Met with Ms. Connolly and Tom Burke to discuss pedestrian and bike safety in Belmar. The bonfire was great, thanked everyone who put it together. Bash for Cash was a great success. Upcoming events: Veteran's Day Services, USS Juneau service, Library 100<sup>th</sup> birthday celebration, Belmar Cares women's health program, and a rabies clinic.

Mayor Doherty: The 50<sup>th</sup> anniversary of the Library was on December 4<sup>th</sup> and Frank Magovern spoke at it and then this year at the 100<sup>th</sup> anniversary Brian Magovern will be speaking.

**APPROVAL OF MINUTES:** Council member Magovern made a motion to approve the minutes of the October 16, 2014 meeting, which was seconded by Mayor Doherty and approved by the following vote:

**AYES:** Magovern, Keown-Blackburn, and Doherty

**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 and approved by unanimously.

**RESOLUTIONS:**

Mayor Doherty offered Resolution 2014-176 for adoption, **RESOLUTION AUTHORIZING PAYMENT OF BILLS**, which was seconded by Council member Keown-Blackburn and approved by the following vote:

AYES: Magovern, Keown-Blackburn and Doherty

**PAYMENT OF BILLS:** certification that the vouchers listed on the warrant register numbering 62515 thru 62654 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	\$1,044,954.69
03 Grant Account	\$600.00
05 General Capital Account	\$163,547.80
11 Water/Sewer Account	\$65,343.50
15 Water/Sewer Capital Account	\$304,631.24
21 Beach Utility Account	\$20,414.85
41 Dog License Account	\$150.00
55 Trust Fund Account	\$4,330.00
61 Tourism Development Account	\$6,548.94
Total	\$1,610,521.02

Mayor Doherty made a motion to remove the raffle license resolution from the consent agenda, which was seconded by Council member Magovern and approved unanimously.

Council member Keown-Blackburn offered Resolution 2014-177 for adoption, **RESOLUTION MAKING FINDINGS AND DETERMINATIONS ON LEGALIZED GAMES OF CHANCE APPLICATION NUMBER 2014-18 & 19**, which was seconded by Council member Magovern and approved by the following vote:

AYES: Magovern and Keown-Blackburn

ABSTAIN: 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:

**2014-178**

**RESOLUTION EXECUTING GRANT CONTRACT WITH NJDOT FOR IMPROVEMENTS TO RHODE ISLAND POINT AREA – PHASE I PROJECT**

**2014-179**

**RESOLUTION RELEASING PERFORMANCE BOND FOR TROP PUB REDEVCO LLC**

**2014-180**

**RESOLUTION APPROVING THE CALENDAR YEAR 2015 SPECIAL IMPROVEMENT DISTRICT BUDGET AND SETTING THE HEARING ON THE BUDGET**

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

AYES: Magovern, Keown-Blackburn, and Doherty

**ORDINANCES:**

*Second Reading & Public Hearing*

**ORDINANCE 2014-18**

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER IV,  
DEPARTMENT OF FINANCE, OF THE GENERAL ORDINANCES OF THE  
BOROUGH OF BELMAR PERTAINING TO SECTION 13, RECEIPT OF BIDS**

Mayor Doherty recused himself from discussion and voting on this ordinance as he did for the first reading and introduction.

Public Hearing: Patricia Corea, 303 Ocean Avenue, asked for an explanation of the ordinance. Mr. Washburne stated it is an ordinance amending a previously adopted ordinance by deleting certain sections. Ms. Connolly explained Ordinance 2014-01 inserted four paragraphs into the Borough's code section 4-13 and ordinance 2014-18 is deleting those sections, the rest of section 4-13 still remain.

David Schneck, 302 C Street, asked if two members of the Council constitute a quorum. Mr. Magovern and Mr. Washburne stated were three members present but Mayor Doherty is recusing himself so that leaves two to vote. Mr. Schneck thought that at least 50% of the Council must be present to vote on the ordinance.

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

Council member Magovern offered ordinance 2014-18 for adoption, which was seconded by Council member Keown-Blackburn and approved by the following vote:

AYES: Magovern and Keown-Blackburn

ABSTAIN: Doherty

**PUBLIC SESSION:**

Patricia Corea, 303 Ocean Avenue, suggested that the council meetings be set for the first and third Tuesdays or Wednesdays and they be kept to that schedule so the public can prepare to attend. She also suggested that when people have questions that they get answers at the meeting with an open dialogue.

Gene Creamer, Fourth Avenue, stated there have been 15 meetings of the mayor and council this year, and Mr. DuPont who is the Borough Attorney has only attended 8 of those meetings and he feels it's obvious that Belmar is not Mr. DuPont's priority.

Michael Seebeck, 110 Second Avenue, congratulated Mayor Doherty on his re-election. Also congratulated Thomas Brennan on his election to the Council. He stated he would like the Mayor and Council to listen to all residents no matter what party affiliation and wished them the best of luck. Mayor Doherty congratulated Mr. Seebeck for running in the election as well.

David Schneck, 302 C Street, echoed Mr. Seebeck's comments. He added that Council member Bean's son is being promoted in the Junior Civil Airmen program. He stated he is going to start a discussion on his blog about changing the form of the government. He is concerned about the Council being 100% of one party when there is 50% of the town that has no voice now. He feels a lot of the town feels like they are not being listened to. Acknowledged all the hard work put in on the republican side. Specifically thanked Pat Corea and Joy DeSanctis.

Council member Magovern stated he understands it may look like they are always agreeing with the Mayor but in fact they discuss their concerns privately and then when it comes to meeting time their positions may have been adjusted. He added that the form of government was changed in the 90's and not sure a change in government will change anything.

Mr. Schneck felt there are other forms of government the Borough could change to rather than going back to the previous form.

Mayor Doherty stated he feels he was elected by the whole town of Belmar. He doesn't feel the town is big enough to warrant having wards. He added that changing the form of government because of the outcome of one election seems extreme. He added he was elected to represent the whole town not just those that voted for him.

Council member Keown-Blackburn stated she has met with Tom Burke over his concerns in town and she is willing to meet with anyone who contacts her no matter how they vote.

Janet Grosshandler, 701 Ocean Avenue, stated she would like to hear more from the Mayor and Council and have everyone work together and not through a lawsuit, petition or a blog.

Betty Sullivan, Eighth Avenue, stated respect is a two way street, if you want respect you show respect. Congratulated Mayor Doherty and the entire council and added she feels they will do a very good job.

Ted Ehmann, Oakwood Road, congratulated Mayor Doherty and Tom Brennan. He stated he sent out a request to Rosemary Volker to extend an olive branch when things were getting petty. He feels it is very important that we have conversations. He is sick of the party politics. He felt it was obscene to see how much money was spent by each party during their campaigns. He stated he is a peacemaker and he will work hard to change the form of government in the next four years because he has learned that having a strong mayor doesn't work.

Mayor Doherty stated he feels it's ironic for someone to say they are peacemaker but at the same time wants to change the form of government because they aren't happy the way the election went. He said if you want to get rid of the divisiveness and start being civil then stop talking about his children and his wife and talk about real issues important to Belmar. The form of government has nothing to do with it. He said if folks want to work together then they can't submit petitions and referendums to make it more difficult.

Connie Dallaportas, 1002 Main Street, stated she is not happy the police officers are using parking spots on the streets to use their computers to catch people to give summonses to.

Brendan Reed, 100 Ninth Avenue, congratulated Mayor Doherty and his running mate. He remembered seeing all of the destruction after hurricane sandy and would like to see the council look at the plans for the pavilions and make some changes so we can get them rebuilt.

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

Respectively submitted,

April Claudio  
Municipal Clerk