

“GOD BLESS AMERICA”

REGULAR MEETING

NOVEMBER 18, 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, Councilwoman Nicolay, Councilman Bean, Councilman Magovern, Councilwoman Keown-Blackburn, Borough Attorney Michael DuPont, Esq., 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 November 10, 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

BELMAR YOUTH GOVERNMENT: Mayor and Council Mock Meeting
Acting Mayor and Council: Sara Caldwell, Riley Kirk, Michelle Wooden, Amber Axelson and Evelyn Gonzalez. The presented resolutions to create quarterly clean up days, install solar light poles, create an annual street fair and to hold a hot dog eating and dance contest.

SPECIAL PRESENTATION:

- Employee of the Month for November and December
 - o Kevin Gahan & Sal Circelli

WORKSHOP DISCUSSION: none

PETITIONS: none

REPORTS OF MAYOR AND COUNCIL:

Council member Magovern – no report

Council member Keown-Blackburn: Thanked Arts Council, Historical Society and VFW for a nice Veteran’s Day service. Senior luncheon tomorrow in the gym. Library birthday is December 4th. Rabies clinic on December 7th at DPW.

Council member Bean: Read a part of the D’Jais liquor license renewal resolution which stated that D’Jais is to provide a list of their employees to the Police Department. He submitted and OPRA request and was told there were no records. He asked Chief Palmisano about it. Chief Palmisano stated each year employees must come in to get an ABC ID card. Chief Palmisano was unaware as to why Captain Huisman stated there were no records.

Council member Nicolay: Belmar Elementary School renovating 11th Avenue playground and fields. The school is also integrating Google apps into their classrooms. December 5th is the tree lighting and December 17th Santa will be delivering wrapped presents to children in town. BBP website is being re-done. BBP has asked for ADA compliant guides to distribute to all businesses. Read DPW report.

Mayor Doherty: On December 6th he will be guest bartending at Connolly Station as a fundraiser to collect donations of money and toys for the holidays.

APPROVAL OF MINUTES:

Council member Magovern made a motion to approve the minutes of the November 5, 2014 meeting, which was seconded by Mayor Doherty and approved by the following vote:

AYES: Magovern, Keown-Blackburn, and Doherty

ABSTAIN: Bean and Nicolay

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 last resolution on the consent agenda. He questioned the last paragraph having relevance to the resolution. Ms. Connolly explained it was a typo. Mr. Creamer asked about the resolution for Christmas banners as well. He stated the resolution lists Cablevision of Monmouth and he doesn't think they have any utility poles.

Peter Piro, North Blvd., thanked Ms. Connolly for learning about new federal funding and putting the resolution on the agenda.

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

RESOLUTIONS:

Mayor Doherty offered Resolution 2014-181 for adoption, **RESOLUTION AUTHORIZING PAYMENT OF BILLS**, which was seconded by Council member Magovern and approved by the following vote:

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

PAYMENT OF BILLS: certification that the vouchers listed on the warrant register numbering 62656 thru 62789 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	\$6,491,490.32
05 General Capital Account	\$32,780.00
11 Water/Sewer Account	\$21,949.83
15 Water/Sewer Capital Account	\$14,537.50
21 Beach Utility Account	\$33,712.72
25 Beach Capital Account	\$353,234.07
41 Dog License Account	\$1,464.00
55 Trust Fund Account	\$19,317.41
61 Tourism Development Account	\$7,461.95
Total	\$6,976,021.73

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:

2014-182

RESOLUTION AUTHORIZING THE MAYOR AND BOROUGH CLERK TO REQUEST PERMISSION FROM THE UTILITY COMPANIES FOR USE OF POLES FOR CHRISTMAS DECORATIVE BANNERS FOR 2014

2014-183

RESOLUTION ESTABLISHING FEE FOR "BELMAR LOGO" MAGNETS

2014-184

RESOLUTION ADOPTING THE MONMOUTH COUNTY HAZARD MITIGATION PLAN

2014-185

**RESOLUTION REJECTING ALL BIDS FOR THE BELMAR WATERWORKS
GROUND STORAGE TANK EXTERIOR PAINTINGS & REPAIRS**

2014-186

**RESOLUTION AUTHORIZING THE BOROUGH OF BELMAR TO ENTER INTO A
SUBRECIPIENT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF
ENVIRONMENTAL PROTECTION (NJDEP)**

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**

Public Hearing: Mayor Doherty recused himself. Mr. DuPont explained at the last meeting there was a quorum but when the vote was taken on this ordinance there may not have been a quorum. He discussed it with the plaintiff's attorney regarding this and out of an abundance of caution we will re-vote on it.

Pat Corea, 303 Ocean Avenue, asked if this is to get rid of the ordinance and if it will be re-written. Council member Magovern stated eventually we will come up with an ordinance that will fit us but we are looking at what other towns have.

Gene Creamer, Fourth Avenue, questioned if this hearing was noticed in the paper. Mr. DuPont felt out of an abundance of caution that it be published and postponed to the December 2nd meeting.

Council member Magovern made a motion to close the public hearing, which was seconded by Council member Keown-Blackburn.

This matter will be rescheduled for the December 2nd meeting.

First Reading & Introduction

ORDINANCE 2014-19

**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 made a motion to offer Ordinance 2014-19 for first reading and introduction, which was seconded by Council member Nicolay and approved by the following vote:

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

PUBLIC SESSION:

Pat Corea, Ocean Avenue, stated at the November 5th meeting she had a comment about setting a schedule for the council meetings. Council member Magovern stated we haven't set the 2015 schedule yet. She also wants to get rid of the five minute time limit.

Joy DeSanctis, 101 6th Avenue, questioned Mr. DuPont making a phone call about her to the Board of Elections on Election day. Mayor Doherty stated he did not know the outcome of their conversation but was told the Board of Elections asked for her to be removed from the polling place because of her inappropriate behavior challenging voters. She read a letter from the County that stated they did not give authorization to remove her from the polls. Mayor Doherty stated he is going to contact the County and ask that she not be a challenger in any future elections. Ms. Connolly stated she was on the phone with the Clerk of Elections and was told that two Deputy Attorney Generals gave permission to have her removed from the polling place but we had to deliver the news so Lieutenant Cox asked her to leave and gave her the number to call. Ms. DeSanctis felt Mr. DuPont should not have been involved. Mr. DuPont stated he spoke to Ms. Connolly who said there was a disturbance and he contacted the Board of Elections who he asked to reach out to Ms. Connolly to discuss. Mayor Doherty stated the Deputy Attorney Generals made the decision which they have the ability to do.

Connie Dallaportas, 1002 Main Street, questioned why her daughter was threatened with a summons regarding her canopy. Mayor Doherty stated Code Enforcement had told her to remove the canopy or she was going to get a summons but she ended up working it out. She

wants to take the canopy off the polls because it's her right and doesn't want Code Enforcement to tell her otherwise.

Pat Corea, Ocean Avenue, stated she was at the polls and Ms. DeSanctis did not show any behavior that would have been appalling to anyone.

Carmine DeSanctis, 101 Sixth Avenue, asked who received allegations about his wife and if there is any documentation. Mayor Doherty stated all he knows is there were complaints about Ms. DeSanctis. Mr. DeSanctis stated his wife was not a challenger in the afternoon she was just there to pick him up. He wants a name of who made a complaint. He feels this is a made up story.

Mark Pheiffer, 319 Fifth Avenue, asked if the entire town got re-assessed. Mr. DuPont stated its part of the pilot program that the County put in place that allows Tax Assessors to do re-assessments. Ms. Connolly stated she will initiate a phone a call with him and the Tax Assessor.

Katrina Clapsis, B Street, stated her assessment also went up. Mr. DuPont advised she speak to the Tax Assessor. She stated she was at the polls on Election Day almost the whole day and she did not see any disturbance with any of the challengers. She would like matters discussed more before voting because she feels sometimes things are said that aren't true.

David Schneck, 302 C Street, stated he was also a challenger and he didn't see any challengers behaving badly. He would like to see ordinances crafted during workshop discussion liked they used to be when Karl Kemm was the attorney. He stated Assemblyman O'Scanlon is introducing a bill to change the law for messengers to handle vote by mail applications. He doesn't see the need for messengers when people can just put their ballots in the mail.

Brendan Reed, 100 Ninth Avenue, spoke against those who tried to suppress votes of veterans and other voters. He felt voter suppression by any party is not right.

Michael Druz, 16th Avenue, asked if we own the Belmar logo and can we control the use of it. He felt we should have control over who can use it. He stated he disagrees with Assemblyman O'Scanlon's bill.

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

Respectively submitted,

April Claudio
Municipal Clerk