

“GOD BLESS AMERICA”

REGULAR MEETING

DECEMBER 2, 2014

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, 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 December 30, 2013 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

WORKSHOP DISCUSSION:

- Chef’s International: Attorney John Jackson, Bob Cooper, Engineer John Palus, and Architect Greg Sonnenfeld
 - o Mr. Jackson stated they made some tweaks to the plans for the new building in the marina that they feel will be better overall.
 - o Mr. Palus explained the changes to the plans which includes eliminating the alleyway, the building was pulled out of the V Flood zone which brings down the elevation requirement, the second floor of the building was eliminated, the restaurant and retail components will now all be on the first floor and the overall square footage of the building is slightly reduced, and increased parking by 21 spaces.
 - o Mr. Sonennfeld explained the new interior layout and the new exterior look.
 - o Council member Bean asked why the plans were changed after a year has gone by.
 - Mr. Jackson stated there are several reasons, some are the location of utilities, reducing the building elevation for better accessibility, and construction won’t disrupt the Pier operation.
 - Council member Bean asked if the rent changed. Mr. Jackson stated they will be paying the Borough the same rent. Council member Bean asked if the Borough received the \$450,000 rent listed in the budget. Mr. Cooper stated it will be paid by the end of the year.
 - Council member Bean asked if there will be anything on the roof. Mr. Sonennfeld stated only the mechanical equipment.
 - Council member Bean asked if there is a PLA agreement. Mr. Jackson believes there is some language. Ms. Connolly explained there is no PLA, its public property so any contractors will have to be paid prevailing wages no matter what.
 - o Council member Magovern stated it looks like a really good project; no complaints.
 - o Council member Keown-Blackburn asked for a number on the outdoor seating. Mr. Sonennfeld stated it would be about 200.
 - o Council member Nicolay stated she is pleased to hear about the improvement to the parking. She asked about the public restrooms. Ms. Connolly stated they would be operated by the Borough.
 - o Council member Bean asked when the start date is. Mr. Cooper stated September.
 - o Mayor Doherty stated Chef’s International is financing this project and once it’s completed they will be paying \$125,000 a year in rent.

PETITIONS: none

REPORTS OF MAYOR AND COUNCIL:

Council member Magovern: Congratulated Recreation Department for putting on a great bus trip to see Disney’s Frozen on Ice. His granddaughter had a great time. Neal Sterling who is attending Monmouth University is being watched by the NFL. Harbor Commission meeting was last night and discussed some concerns they have which he will discuss with Ms. Connolly. Thursday is the Library’s 100th Anniversary celebration.

Council member Keown-Blackburn: Historical Society display case in the lobby has items for sale. Council member Magovern is the guest speaker at the Library celebration. There is also a dinner for the Library at Brandl’s that evening. Beach badges are on sale now and make nice Christmas gifts.

Council member Bean: Asked if there are any active leases for the boardwalk. Ms. Connolly stated there are. Council member Bean asked why Brandl’s lemon is still on the boardwalk. Mayor Doherty stated it is coming down this week. His son won his first wrestling match tonight.

Council member Nicolay: Congratulated Bob Cooper on his restaurant award. Read DPW report. The Belmar Business Partnership will be putting up holiday flags, new welcome signs were put up, and they helped a new business move into the old bridal shop location. Arts Council is having a holiday craft market and a concert this Saturday.

Mayor Doherty: Received our verification letter for CRS, we got a score of 6 which means if you have a property in a special flood hazard area you can receive a discount off your flood insurance of up to 20% and if you are not in a flood hazard area you can get a discount of up to 10%. Still working on obtaining grant money for Lake Como. Hope to hear by the end of February if our application is approved. Tree lighting is this Friday at 5:30 pm. This Saturday he will be guest bartending at Connolly Station for toy drive.

APPROVAL OF MINUTES: Council member Magovern made a motion to waive the reading and approve the minutes of the November 18, 2014 regular meeting, which was seconded by Mayor Doherty and approved by the following vote:

AYES: Magovern, Keown-Blackburn, Bean, Nicolay, 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 Council member Nicolay and approved unanimously.

RESOLUTIONS:

Mayor Doherty offered Resolution, 2014-187, **RESOLUTION AUTHORIZING PAYMENT OF BILLS**, for adoption, which was seconded by Council member Magovern and approved by the following vote:

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

PAYMENT OF BILLS: certification that the vouchers listed on the warrant register numbering 62790 thru 62838 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	\$577,406.36
05 General Capital Account	\$110,395.04
11 Water/Sewer Account	\$2,985.24
25 Beach Capital Account	\$1,700.00
55 Trust Fund Account	\$5,727.35
Total	\$700,113.99

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:

2014-188

RESOLUTION APPROVING SPECIAL EVENTS

2014-189

RESOLUTION APPOINTING SPECIAL II POLICE OFFICERS

2014-190

RESOLUTION SUPPORTING NJDOT'S "NO PASSING ZONE" ROUTES IN THE BOROUGH OF BELMAR

2014-191

RESOLUTION AWARDING CONTRACT FOR MID-GRADE ULTRA LOW NO LEAD GASOLINE AND ULTRA LOW SULFUR PREMIUM DIESEL

2014-192

RESOLUTION AWARDING CONTRACT FOR RECYCLING SERVICES

2014-193

RESOLUTION OF THE BOROUGH OF BELMAR, COUNTY OF MONMOUTH, NEW JERSEY DESIGNATING CHEF'S INTERNATIONAL, INC. AS REDEVELOPER OF BLOCK 98, LOT 1 AT THE MARINA AND AUTHORIZING EXECUTION OF A REDEVELOPMENT AGREEMENT AND LEASE AMENDMENT IN CONNECTION THEREWITH.

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

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

Public Hearing: Mayor Doherty recused himself.

David Schneck, 302 C Street, asked if we are aware of an assembly bill regarding responsible bidders and public bidding, which was vetoed by Governor Christie. The bill has very similar language as this ordinance. He read excerpts from the Governor's conditional veto.

Council member Magovern stated we are just looking to repeal this ordinance and have not decided on any future ordinances for responsible bidders yet.

Tom Volker, 301 Fourth Avenue, stated he is glad the ordinance is being repealed because he feels it gives larger companies an advantage.

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

Council member Magovern made a motion to adopt Ordinance 2014-18, which was seconded by Council member Keown-Blackburn and approved by the following vote:

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

ABSTAIN: Doherty

Second Reading & Public Hearing

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**

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 made a motion to adopt Ordinance 2014-19, which was seconded by Council member Keown-Blackburn and approved by the following vote:

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

PUBLIC SESSION:

Meloney Hunt, 222 15th Avenue, requested a review of the animal house ordinance. Has an animal house neighbor at 220 15th Avenue, the landlord is not willing to make a change. Specifically look at what can be done for chronic animal house offenders such as increasing the bond amount or revoking summer rental license privileges.

Mayor Doherty stated he is aware of this property and will look at what changes can be made.

Kathleen Guerin, 216 15th Avenue, stated 220 15th Avenue is a horror story. She stated the owner could care less. Landlord gets money from tenants when he is fined so he is not being punished. Suggested having a police officer posted there next summer.

Mayor Doherty discussed the public hearing on the rooming house license for 405 14th Avenue. He met with the property owners and they have rescinded their application and will work to make it a residential property.

Katrina Clapsis, 1304 B Street, stated she has concerns about 13th and 11th Avenue. There are a couple Oxford houses in the area and near her house. Mayor Doherty stated per DCA they are considered single family residences which means there are no restrictions that can be imposed. He added that the Police Department has not had any issues at these houses. There is nothing we can do legally.

David Schneck, 302 C Street, asked if there is another regular meeting scheduled for December 16th. Mayor Doherty replied yes. Mr. Schneck asked if Council member Bean will be at this meeting. He replied yes.

Richard Seidel, 2010 Surf Avenue, asked if someone could look into the huge sand bags at Lake Como on the Spring Lake side. Ms. Connolly stated she is meeting with their Business Administrator on Thursday and it's on her list to discuss.

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