

“GOD BLESS AMERICA”

REGULAR MEETING

DECEMBER 16, 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., and Borough Clerk April Claudio

ABSENT: Business Administrator Colleen Connolly

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

SPECIAL RESOLUTIONS:

- Councilman Jim Bean

WORKSHOP DISCUSSION: none

PETITIONS: none

REPORTS OF MAYOR AND COUNCIL:

Council member Magovern: Congratulated Library staff for doing a great job at their 100th anniversary rededication. Planning Board approved two subdivisions last night, one on First Avenue that removes five rental units, and the other is the last empty lot on 6th Avenue. Engineers completed maintenance schedule for marina dredging and they will report to the Harbor Commission in January on their findings. Hope to apply for a dredging permit in 2015. Will be attending a meeting to discuss the resiliency and the improvement of the habitat in the Shark River. JCP&L going to be distributing door hangers stating they will be pruning trees throughout town. Asked Mayor Doherty to find someone to be the director or secretary of the Shade Tree Commission because he is having problems committing as much as he would like.

Council member Keown-Blackburn: On December 7th the C.E.R.T. graduated. Historical Society has great items for sale which can be seen out in the lobby. Senior holiday party was wonderful and thanked all of the restaurants who participated. ADA Committee and First Aid Squad will be joining forces to collect non electric wheel chairs, crutches, canes and like items to be stored in the First Aid building and will be available to residents to borrow. Thanked all Borough employees for everything they have done all year long. Wished everyone a Happy Hanukah, a Merry Christmas and Happy New Year.

Council member Bean: Thanked everyone who supported him during his term. During his time he learned politics isn't about ideas it's about ego and power which saddens him. Thanked the Council. Stated he enjoyed his time and we haven't seen the last of him.

Council member Nicolay: Read DPW report. BBP installed Christmas flutter flags and welcome signs were fixed to be more visible. Thanked Council member Bean for being on the Council and wished him and his family well.

Mayor Doherty: Ms. Connolly has been working with engineers to submit a grant application for the Lake Como outflow pipe which was done yesterday. During campaigning he learned that nobody likes the traffic calming set up at 8th Avenue and D Street. Going to reach out to residents in that area to discuss possible alternate solutions. Wished Council member Bean well. Also tonight is the last meeting of Lake Como Mayor Mike Ryan. Thanked him for

working with us through shared services. There's a red fox running around town. Wished everyone a Happy Hanukah that is celebrating tonight.

APPROVAL OF MINUTES: Council member Magovern made a motion to approve the minutes of the December 2, 2014 regular meeting, which was seconded by Council member Keown-Blackburn 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.

Gene Creamer, Fourth Avenue, questioned the dates in the kayak resolution. Mayor Doherty stated there was a typo and made a motion to correct it, which was seconded by Council member Nicolay and approved unanimously.

No further public comments.

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

RESOLUTIONS:

Mayor Doherty offered the following resolution, **2014-194, RESOLUTION AUTHORIZING PAYMENT OF BILLS**, for adoption, which was seconded by Council member Magovern and approved by the following vote:

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

PAYMENT OF BILLS: certification that the vouchers listed on the warrant register numbering 62839 thru 62935 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	\$1,041,907.34
05 General Capital Account	\$77,383.61
11 Water/Sewer Account	\$54,609.08
15 Water/Sewer Capital Account	\$178,809.86
21 Beach Utility Account	\$48,247.98
25 Beach Capital Account	\$1,743.40
23 Parking Utility Fund	\$516.50
55 Trust Fund Account	\$1,757.00
61 Tourism Development Account	\$11,181.18
Total	\$1,416,155.95

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:

2014-195

RESOLUTION AUTHORIZING AN AGREEMENT BETWEEN THE BOROUGH OF BELMAR AND THE MONMOUTH COUNTY SCAT PROJECT FOR 2015

2014-196

RESOLUTION ESTABLISHING SEASONAL BEACH BADGE FEES FOR THE 2015 SEASON IN THE BOROUGH OF BELMAR, MONMOUTH COUNTY, NEW JERSEY

2014-197

RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH THE ASSOCIATED HUMANE SOCIETIES FOR ANIMAL CONTROL SERVICES FOR 2015

2014-198

RESOLUTION MAKING APPOINTMENTS TO THE BELMAR HOUSING AUTHORITY

2014-199

RESOLUTION AUTHORIZING CHANGING THE DATES FOR THE SEASONAL LEASES AT THE BELMAR MARINA

2014-200

RESOLUTION AUTHORIZING KAYAK FEES FOR THE YEAR 2015

2014-201

RESOLUTION AUTHORIZING PRIVATE SLIP RENTAL FEES FOR THE YEAR 2015 AT THE BELMAR MARINA

2014-202

RESOLUTION AUTHORIZING COMMERCIAL BOAT SLIP RENTAL FEES FOR THE YEAR 2015 AT THE BELMAR MARINA

2014-203

RESOLUTION AUTHORIZING MARINA MISCELLANEOUS FEES FOR THE YEAR 2015

2014-204

RESOLUTION APPROVING ELECTION OF DEPARTMENTAL OFFICERS FOR THE FIRE DEPARTMENT 2015

2014-205

RESOLUTION APPROVING ELECTION OF DRIVERS OF FIRE APPARATUS FOR UNION FIRE COMPANY NO. 1 FOR 2015

2014-206

RESOLUTION ESTABLISHING BEACH STORAGE LOCKER FEES FOR THE 2015 SEASON IN THE BOROUGH OF BELMAR, MONMOUTH COUNTY, NEW JERSEY

2014-207

RESOLUTION PURSUANT TO N.J.A.C. 5:30-14.4 ET SEQ. CHANGE ORDER NUMBER TWO FOR THE A STREET DRAINAGE IMPROVEMENTS PROJECT

2014-208

RESOLUTION MAKING FINDINGS AND DETERMINATIONS ON LEGALIZED GAMES OF CHANCE APPLICATION NUMBER 2014-20 & 21

2014-209

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

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

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

ORDINANCES: None

SPECIAL IMPROVEMENT DISTRICT 2015 BUDGET PUBLIC HEARING:

Public Hearing: Norman Einhorn of the BBP stated they are asking for the same budget as last year. They would like to continue the work they've done into 2015 and work on doing more. He discussed the different things the BBP has done in 2014.

Council member Bean asked if the Ocean Avenue commercial properties got a decrease. Mr. Einhorn stated they don't pay the same as Main Street but that hasn't changed since they started.

Council member Keown-Blackburn asked how many businesses have closed and how many new have come in. Mr. Einhorn stated there have been minimal closures but there are a bunch of new businesses. She asked how many grants went out this year. He did not have that information with him.

Council member Magovern stated there used to be a paid director and there no longer is so he asked who is running the show. Mr. Einhorn stated members of the committee have been running everything and they do have an office person that helps.

Council member Keown-Blackburn asked if all business owners are invited to the meetings. Mr. Einhorn stated all of their monthly meetings are posted and turnout is low.

Dirk Reitsma, BBP member, stated they are working on their communicative skills with business owners and property owners. Read a letter sent to the stakeholders.

Robert Harris, 711 13th Avenue, read some sections of the ordinance creating the special improvement district which stated properties in the SID would benefit from the designation. He asked how he has benefited. He has received no benefits; no lights, no benches, no bike racks, no Christmas wreaths. He listed some properties who pay less than him and received benefits that he did not receive. He asked that he only pay 50% instead of 100% since he is not on Main Street. Would like the money spread throughout town and not just spent on Main Street. He has been asking for a reduction for two years and nothing has changed.

Mayor Doherty stated he agrees and will look to change the ordinance in January to reduce his assessment to 50%.

Council member Bean asked Mr. Harris if he ever thought of suing the SID. Mr. Harris stated he did not but knows of someone in Freehold who did and lost. However, in that same case a judge did state there is an argument that the money can't be spent in just one area.

Mr. Einhorn stated he also doesn't have the benefits Mr. Harris stated but he also hasn't asked for them. He stated the BBP has never turned anyone away.

Brendan Reed, 100 Ninth Avenue, stated he has been to all of the meetings where the SID has been discussed and has questioned the value of it and whether to keep it going. He, as a trustee member, believes it has been good and they have done a lot. He urged the Mayor and Council to support their budget so they can continue to do good things and more in 2015.

Joy DeSanctis, 101 Sixth Avenue, questioned whether or not the businesses are required to register with the town and why someone had said there was no inventory and why it was difficult to organize the businesses. Mayor Doherty stated they each get a mercantile license.

Mr. Reitsma stated there are three issues, the dynamic nature of businesses coming in and out of town, compliance which is not enforced, and certain businesses don't have to file a mercantile license. He stated it's difficult to cross check block and lots, business owners, and property owners.

Connie Dallaportas, 1002 Main Street, stated we don't need anything else to pay.

David Schneck, 302 C Street, asked to make it voluntary and not force those that were here before the SID was created to be a part of it.

Gene Creamer, Fourth Avenue, stated Main Street property assessments have gone down. He felt if the SID was successful in improving property values then their assessed values should be going up.

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

Mayor Doherty offered the following resolution, **2014-210, RESOLUTION APPROVING THE CALENDAR YEAR 2015 SPECIAL IMPROVEMENT DISTRICT BUDGET AND ASSESSMENT ROLL**, for adoption, which was seconded by Council member Magovern and approved by the following vote:

Council member Keown-Blackburn stated she gets heartburn every year with this issue but Belmar's commercial area does look great. There are only two business owners here who oppose it. She originally was against the SID but feels within the last year and a half they have done a good job. She stated she would vote yes.

Council member Magovern stated the BBP is doing a good job promoting Belmar businesses. Thanked the committee for all of their hard work. He strongly believes a good businessman knows how to keep their business going. He strongly urged the Council look into relief for the storage place. He stated for this year he will be voting no.

Council member Bean felt the SID is about political gains and not economic gains. He feels the SID is a political arm. He has great ideas on how to get businesses coming to town. One of them is stop allowing businesses with a bar in town. He stated he would be voting no.

Council member Nicolay disagreed. She attends all of the meetings and feels they go way above and beyond just volunteering. They have made good accomplishments despite the difficult beginning they had. She feels the businesses should embrace the SID and take advantage of what they have to offer. The look and perception of the town has improved which is bringing new businesses and new residents into town. She will continue to support them.

Mayor Doherty stated he believes they do a good job through a team effort of the SID, tourism, DPW, police and the town as a whole. Goal is to increase commercial tax base. People need to work together and government and businesses need to work together and support each other. Feels the SID is only going to get better and he will vote yes.

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

PUBLIC SESSION:

Peter Piro, North Blvd., thanked DPW and Ms. Connolly for bringing in the pumps for Lake Como during the last storm. Also thanked Ms. Connolly and Paul Calabrese for submitting the grant application.

Mayor Doherty and Ms. Keown-Blackburn explained there will be an advisory committee to discuss pedestrian and bicycle safety in town.

David Schneck, 302 C Street, thanked Council member Bean for the job he has done the past three years. He feels he's been the taxpayer's best friend.

Joy DeSanctis, 101 Sixth Avenue, asked Mayor Doherty if he would go on record stating he would not change the zoning on Ocean Avenue to allow year round alcohol sales. Mayor Doherty replied no. Thanked Council member Bean for being an outstanding individual and superb council member and she will miss him.

Brendan Reed, 100 Ninth Avenue, recommended the best stocking stuffer that can be purchased in Belmar which is the Belmar car magnet for \$5.

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