

“GOD BLESS AMERICA”

REGULAR MEETING

AUGUST 18, 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, Borough Attorney Michael DuPont Esq., Business Administrator Colleen Connolly, and Borough Clerk April Claudio

ABSENT:

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 August 13, 2015 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:

- Pavilion Design Advisory Committee report
 - o Nick Decotiis of Maser Consulting presented a PowerPoint presentation of the Committee’s findings.
 - The Committee reviewed the old and new plans to do a comparison on size and design. Looked at any changes that can be made while still maintaining DEP and FEMA regulations. Also looked into whether or not any changes could be made that would be a cost saving and not create a cost for redesign.
 - The building is in the same footprint and is slightly smaller in square footage. The new proposed floor plan was explained. He explained the FEMA and building codes that need to be complied with.
 - Looked at ways to reduce highest cost which is the cost of the foundation but would have to get alternatives approved by DEP.
 - One option is to remove the building from the V zone which would require a sea wall being built but determined this would increase the costs \$300,000.
 - A second option was to use timber piles instead of steel. Concerns with this are its service life and the need to double the amount of piles. It would also increase the costs \$183,000.
 - Other options are to put the columns back in the open area, don’t do the redesign of beachfront sales office and don’t do the hallway; but these are items that they feel would not be a significant savings.
 - o Council member Brennan stated the goal was that any changes would have to save more than the \$25,000 redesign cost. Thanked Mr. Decotiis, Ms. Connolly and Matt Sharin for their work on the Committee.
 - o Council member Magovern asked how high the old building was off the boardwalk. Mr. Decotiis stated he couldn’t find any records but estimated it to be about 4 feet. Council member Magovern asked if there is any access from the restaurant to the community space. Mr. Decotiis stated there is not, it has a separate entrance. Council member Magovern asked if the rear deck would be on the building like before. Mr. Decotiis replied yes.
 - o Council member Nicolay asked what the occupancy is. Ms. Connolly stated it is comparable to the old building.
 - o Mayor Doherty stated the PowerPoint will be posted on the Borough’s website. Thanked Mr. Decotiis, Matt Sharin and the rest of the Committee for their time. Also thanked Tom Burke for coming up with the idea to create the committee.

PETITIONS: none

APPROVAL OF MINUTES: Council member Magovern made a motion to approve the minutes of the August 4, 2015 meeting, which was seconded by Council member Keown-Blackburn and approved by the following vote:

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

REPORTS OF COUNCIL:

Council member Magovern: Read recent beach report. Have already surpassed anticipated revenues for the summer and have already passed last year’s totals. Thanked the thousands of people for coming to Belmar and spending money so the taxpayers don’t have to fund the Borough’s costs.

Council member Nicolay: Thanked the lifeguards for all of their hard work. Cruise Night is this Thursday. Announced upcoming Arts Council events.

Council member Keown-Blackburn, Council member Brennan and Mayor Doherty did not have a report.

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

Tom Burke, 10th Avenue, stated last year there was a yes/no situation that divided the town and was concerned it would happen again when a new petition was filed. Before he made up his mind on whether or not he would be voting yes or no this year he met with Mayor Doherty to ask some questions. One thing they discussed was the ramps and deck were not included in the square footage for the building and therefore the Buy a Board money could possibly be used to fund that construction. Also talked about the \$1 million engineering costs that everyone has been discussing. Mayor Doherty explained those costs were the designs and redesigns of originally three pavilions then two and then changes to Taylor Pavilion. Mr. Burke stated he left the conversation thinking that the risk for the tax payers to bear some of the costs is lower than it was the last time.

Gene Creamer, Fourth Avenue, asked that the words “Taylor Pavilion” be removed from the resolution as there was no reference to that in the bond ordinance.

Larry Reynolds, Ninth Avenue, stated at the last meeting there was a discrepancy over the FEMA money and it was suggested that a FEMA representative come to a meeting. Mayor Doherty stated Ms. Connolly has been applying for more and more money and feels we will get more than \$2.9 million. He agrees it may be helpful to have a FEMA rep present at a future meeting.

Mark Fitzgerald, Surf Avenue, stated those people who want Taylor Pavilion but plan on voting no means that it won’t happen at all not that it will happen cheaper or another time. Feels the information presented tonight is helpful. Feels anyone who thinks the building could be built cheaper needs to review FEMA and building codes and understand the process. Also feels people who are comparing this building to buildings in other areas of the state is not productive as Taylor Pavilion is unique to the site. He would like to know if there are any costs not to be covered how that would affect him as a taxpayer.

Tom Dilberger, 1000 River Road, asked that if the pavilion is voted against again would the Mayor pledge to never bring it up again.

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

Mayor Doherty made a motion to remove the resolution for the Fishing Club from the Consent Agenda, which was seconded by Council member Keown-Blackburn and approved unanimously.

RESOLUTIONS:

Mayor Doherty offered the following resolution for adoption, **2015-159, RESOLUTION OF THE BOROUGH OF BELMAR SEEKING TO SUBMIT A QUESTION TO THE VOTERS ON THE BALLOT OF THE GENERAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 3, 2015**, which was seconded by Council member Brennan and approved by the following vote:

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

Council member Brennan stated he believes the will of the town is to have the pavilion built but people have concerns. Hopes the concerns will be addressed. Feels that if the referendum passes and the pavilion is built people will be very pleased.

Mayor Doherty agreed and feels any opposition is purely political.

Mayor Doherty offered the following resolution for adoption, **2015-160, RESOLUTION AUTHORIZING**

ISSUANCE A CLUB LICENSE TO BELMAR FISHING CLUB FOR PERIOD ENDING JUNE 30, 2016, which was seconded by Council member Keown-Blackburn and approved by the following vote:

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

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:

2015-161
RESOLUTION AUTHORIZING PAYMENT OF BILLS

PAYMENT OF BILLS: certification that the vouchers listed on the warrant register numbering 64158 thru 64212 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	\$1,215,234.98
11 Water/Sewer Account	\$163,769.76
21 Beach Utility Account	\$8,673.41
31 Public Assist I	\$100.00
41 Dog License Account	\$44.40
55 Trust Fund Account	\$2,215.00
61 Tourism Development Account	\$5,299.30
Total	\$1,395,336.85

2015-162
RESOLUTION GRANTING PERMISSION FOR A BLOCK PARTY FOR A STREET RESIDENTS BETWEEN 12TH AND 13TH AVENUES

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

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

ORDINANCES: None

PUBLIC SESSION:

Claire Deicke, 1017 14th Avenue, thought the information presented by Taylor Pavilion was superb and valuable. Hopes this information can be presented to all of the residents.

Maria Florio, 115 12th Avenue, commented about Council member Magovern’s report. She stated the thousands of people coming to town are a nuisance and problem for her.

Mark Fitzgerald, Surf Avenue, asked if a plain English description of the bond ordinance could be on the ballot so it is clear to voters. Ms. Connolly stated there will be an explanation of the ordinance.

Tom Asfar, 304 10th Avenue, stated he is here a third time regarding ball playing on the beach. Wants the ball playing and football throwing near the water’s edge and in the water to stop which is in the ordinance and on the website. Doesn’t understand why the lifeguards won’t enforce it. He asked the Mayor and Council for their opinion on this.

Council member Magovern stated there are some people who are jerks and don’t abide by the rules. He stated when he worked on the beach he would always tell people to go closer to the boardwalk. He felt the lifeguard director should be notified of this.

Council member Nicolay agreed however she has seen some lifeguards telling people to move.

Mayor Doherty felt there needs to be common sense and the lifeguards should use that when determining if

there is a dangerous situation or not.

Tom Dilberger, 1000 River Road, asked if a port-o-john could be put down the other end of Maclearie Park so people who are picnicking don't have to walk all the way to the L Street beach. The marina north of the fishing boats is trashy. The fence is in disrepair. He asked if Councilwoman Nicolay would have a debate with the other people running for election.

Sandy Caputo, 1705 Surf Avenue, appreciates everyone's response about the footballs. Doesn't think giving discretion to the lifeguards will work.

Camille Witkowsky, 419 10th Avenue, works at the beach, stated they try to enforce all of the rules on the beach as much as possible. There's only so much they can do before having to drag people off of the beach or have them arrested. Also from working at the beach hears many people asking when the pavilions will be built.

Mike Campbell, DPW Director, received a call from Steve Sterner yesterday who said he was at the beach last week and there was a lifeguard named Justin who helped him and his wife who were distressed swimmers. He said that Mr. Sterner had stated he thought he was going to die if it wasn't for the lifeguard. He added he doesn't want to take anything away from the issue with the footballs but does see the lifeguards doing their job which is to save people's lives.

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