

“GOD BLESS AMERICA”

REGULAR MEETING

JULY 7, 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, Councilwoman Nicolay, Borough Attorney Michael DuPont Esq., Business Administrator Colleen Connolly, and Borough Clerk April Claudio

ABSENT: Councilman Magovern

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 29, 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

SPECIAL PRESENTATION:

- First Responder of the Month: Louie Anderson of the Belmar First Aid

WORKSHOP DISCUSSION:

Mayor Doherty talked about former resident Jack Manutti who was a big part of Belmar. When he passed away there was discussion on dedicating the marina to him which he would like to move forward on. He was an ample part of making the marina what it is today. Council member Brennan stated it is very appropriate and feels it’s the least we can do.

PETITIONS: none

APPROVAL OF MINUTES: Council member Keown-Blackburn made a motion to approve the minutes of the June 16, 2015 regular meeting, which was seconded by Council member Brennan and approved by the following vote:

AYES: Keown-Blackburn, Brennan, Nicolay and Doherty

REPORTS OF COUNCIL:

Council member Keown-Blackburn: There was a fire on 8th Avenue a couple a weeks ago which was handled quickly and the fire department did a fantastic job. Belmar lifeguards took first place in the Howard Roland lifeguard tournament. Choose Your Cover free skin cancer screening is July 18th at the 5th Avenue beach.

Council member Brennan: Harbor Commission met last night and discussed several items. Jet ski slips are not going well. Marina is using a new service for transient slips where boaters can make reservations through their phones. Two more port-o-johns have been added to the L Street beach. Next week is the sandcastle contest. Taylor Pavilion committee had their first meeting last night and it was very productive.

Council member Nicolay: Thanked DPW, the town looks great. Thanked Colleen Connolly, Ray Claudio, and Colleen Dillon; the summer camp is a huge success. Thanked Summertime Surf and the Sailing program for offering something to do in town for kids. Encouraged everyone to buy local.

Mayor Doherty: Thanked Council member Nicolay for having the idea to have the summer camp this year. Sidewalk assessment has started. Next step would be to prepare a bid package and notice to go out to residents explaining the program in the fall. Council member Keown-Blackburn is being inducted into the NJ Aviation Hall of Fame.

Mayor Doherty made a motion to take payment of bills resolution off of the consent agenda because he has a conflict with one of the bills, which was seconded by Council member Brennan and approved unanimously.

Council member Brennan made a motion to add a resolution to the agenda that authorizes the signing of water contracts, which was seconded by Council member Keown-Blackburn and approved unanimously.

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

Mike Seebeck, 110 2nd Avenue, asked that the payment of bills list be posted on the website early enough for him to review before the meeting. He asked for someone to read the water contract resolution since it wasn't on the agenda. Ms. Connolly read the heading of the resolution.

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

Council member Keown-Blackburn offered **Resolution 2015-135, RESOLUTION AUTHORIZING PAYMENT OF BILLS**, for adoption, which was seconded by Council member Brennan and approved by the following vote:

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

PAYMENT OF BILLS: certification that the vouchers listed on the warrant register numbering 63895 thru 64002 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	\$259,160.79
05 General Capital Account	\$9,500.00
11 Water/Sewer Account	\$522,034.36
21 Beach Utility Account	\$60,177.78
23 Parking Utility Fund	\$811.00
31 Public Assist I Account	\$100.00
41 Dog License Account	\$1,464.00
55 Trust Fund Account	\$3,325.50
61 Tourism Development Account	\$27,414.30
Total	\$883,987.73

Council member Keown-Blackburn offered **Resolution 2015-136, RESOLUTION AUTHORIZING THE BUSINESS ADMINISTRATOR OF THE BOROUGH OF BELMAR TO EXECUTE AGREEMENTS WITH NEW JERSEY WATER SUPPLY AUTHORITY AND NEW JERSEY AMERICAN WATER**, for adoption, which was seconded by Council member Brennan and approved by the following vote:

AYES: Keown-Blackburn, Brennan, and Nicolay
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:

2015-137
RESOLUTION ADOPTING AMENDMENTS TO THE BOROUGH EMPLOYEE HANDBOOK AND POLICES AND PROCEDURES FOR THE BOROUGH OF BELMAR, COUNTY OF MONMOUTH, STATE OF NEW JERSEY

2015-138
RESOLUTION AUTHORIZING SALE OF PERSONAL PROPERTY AT AUCTION

2015-139
RESOLUTION AUTHORIZING REFUNDS

2015-140
RESOLUTION AUTHORIZING PRIVATE SLIP RENTAL FEES FOR THE YEAR 2015 AT THE BELMAR MARINA

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

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

ORDINANCES:

Second Reading & Public Hearing:

ORDINANCE 2015-24
BOND ORDINANCE AMENDING IN ITS ENTIRETY BOND ORDINANCE NUMBERED 2015-22 OF THE BOROUGH OF BELMAR, IN THE COUNTY OF MONMOUTH, NEW JERSEY FINALLY ADOPTED JUNE 5, 2015, IN ORDER TO REMOVE THE PURPOSE SET FORTH IN SECTION 3(a) THEREOF – \$4,100,000 FOR THE CONSTRUCTION OF THE 5TH AVENUE PAVILION – AND TO MAKE CORRESPONDING AMENDMENTS RELATED THERETO

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 offered Ordinance 2015-24 for adoption, which was seconded by Council member Brennan and approved by the following vote:

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

Prior to the vote:
Council member Keown-Blackburn stated she is very upset that we had to separate the bond ordinances. Feels it’s a vendetta. Upset that people in the area of Lake Como would even sign the petition. Taylor Pavilion may not have generated a lot of revenue but it was used by a lot of Belmar organizations who saved money and raised money for their organizations: summer camp, historical society, fire departments, and women’s club to name a few. Very Disappointed in the residents fighting this.

Council member Brennan said Council member Keown-Blackburn said it well.

Mayor Doherty agreed. He added that at the last meeting it was discussed that there was a letter to withdraw the petitions against bond ordinance 2015-22 which we got before voting on this ordinance. Now Mr. DuPont is being sued in an event to stop him from serving this letter to the mayor and council. We now have to go to court tomorrow to go up against the petitioners who are represented by Ken Pringle’s law firm which the tax payers have to pay for. He read an excerpt from the lawsuit. Attorney Edward Bonanno represented the petitioners with the letter and now they want to take it back.

Second Reading & Public Hearing:

ORDINANCE 2015-25
BOND ORDINANCE PROVIDING FOR THE CONSTRUCTION OF THE 5TH AVENUE PAVILION IN AND BY THE BOROUGH OF BELMAR, IN THE COUNTY OF MONMOUTH, NEW JERSEY, APPROPRIATING \$4,100,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$3,895,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF.

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 offered Ordinance 2015-25 for adoption, which was seconded by Council member Brennan and approved by the following vote:

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

PUBLIC SESSION:

Claire Deicke, 1017 14th Avenue, complimented the police department for how well the town was handled over

the busy holiday weekend. Not only has the beach been busy but so is Main Street. Thanked the Mayor and Council for everything they have done to recover the town from hurricane sandy and drawing people to town.

Mike Seebeck, 110 2nd Avenue, asked how much money has been raised for home by summer and where it's at. Ms. Connolly estimated about \$150,000 has been received as well as in-kind donations have been made.

Ken Pringle, 203 First Avenue, stated the reason for the lawsuit is because attorney Ed Bonanno did not understand the terms of the letter being held in escrow for the bond ordinance petition and did not have the ability to make modifications to the letter. He added the letter was to only be released after the 20 day estoppel period expired not when the ordinance was adopted. This was explained to Mr. DuPont and he was sent an amended escrow agreement to sign. Mr. DuPont had told him he was unable to sign it without getting the approval of the mayor and council at tonight's meeting which left him no option but to file the lawsuit. He wants Mr. DuPont to sign the amended escrow agreement or return the letter to his firm.

Council member Brennan stated it was presented to the council at the last meeting that the letter would be presented to them upon adoption of the ordinance, there was no mention of waiting.

Thomas Asfar, 10th Avenue, was thrilled to hear the lifeguards would be spoken to about ball playing but it didn't work. There is still an issue. He spoke to some of the lifeguards who said they didn't know anything about it. Mayor Doherty stated the head lifeguard would be informed to notify all of the lifeguards again.

David Schneck, 302 C Street, asked a rhetorical question, if someone supports the woman's club or has received benefits from them are they obligated to support a 4.5 million dollar building.

Joy DeSanctis, 101 6th Avenue, asked for a clarification on the funding for the 4.5 million for Taylor pavilion.

Mr. DuPont suggested we hold off on any discussions regarding Taylor pavilion given the pending lawsuits.

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

Respectively submitted,

April Claudio
Municipal Clerk