

“GOD BLESS AMERICA”

REGULAR MEETING

JUNE 16, 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, Borough Attorney Michael DuPont Esq., Business Administrator Colleen Connolly, and Borough Clerk April Claudio

ABSENT: Councilwoman Nicolay

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

WORKSHOP DISCUSSION:

- Mayor Doherty stated this past weekend was the 29th Annual Seafood Festival. Mary Brabazon did a tremendous job putting it together. The amount of people and cars in town was abundant and not what we anticipated. Stopping traffic from coming into Belmar on Sunday at 3 pm helped alleviate some of the conditions and traffic flow. There were no issues with the crowd; no arrests and no incidents. So we don't have something like that happen again the Mayor and Council will meet with the Police Chief and Tourism Commission and look at how to make changes to the festival so we are never in a position where public safety is a concern.
 - o Council member Magovern stated Mary did a great job however the Seafood Festival is too big. The amount of cars was because there were too many people. He suggested scaling back the festival. Feels the beer and wine tent is a feature that has drawn more people over the years. He would like to have a nice festival for the residents and isn't concerned about how much money the vendors make.
 - o Council member Keown-Blackburn stated other events in other towns this past weekend were busy as well. Main Street business owners did well this weekend as well. DPW and the Police Department did a phenomenal job. The traffic does need to be addressed.
 - o Council member Brennan congratulated Mary Brabazon on possibly doing too good of a job bringing people to town. He hopes they enjoyed their visit here. Traffic was a concern as well as public safety. Feels it is important that everyone take a breath and think about what was good and what was bad about the festival. We will look at everything we can and consider all options to make the festival work.
- Mayor Doherty explained Bond Ordinances 2015-24 and 25. Ordinance 2015-24 amends the bond ordinance adopted at the last meeting to remove Taylor Pavilion from it and Ordinance 2015-25 creates a separate ordinance for Taylor Pavilion. These changes should mean there would be no reason for anyone to submit a petition opposing Ordinance 2015-22.
 - o Council member Magovern stated he is glad these changes were made. He feels now people can see exactly where we stand with the cost of building Taylor Pavilion. He doesn't see why anyone would oppose rebuilding this pavilion that has benefited so many people.
 - o Council member Keown-Blackburn stated she is fine with the changes however she thought the original ordinance was the quickest and cheapest way to get things done.
 - o Council member Brennan agreed with Council member Keown-Blackburn. He realizes that logic is not the issue that its emotions and this change will make some people happy.
 - o Mayor Doherty agreed. He added that there should be no petition against Ordinance 2015-22 now because if there is one then they are petitioning against the Lake Como pipe. The committee for Taylor Pavilion will be Tom Brennan, Mike Campbell, Colleen Connolly, engineer Nick DeCotiis, resident Matt Sharin and resident James Carpino. This committee will look to see if there are any ways to reduce construction costs.
- Mayor Doherty stated we received word from DEP that the grant and low interest loan for Maclearie Park was approved. It is for \$825,000, \$225,000 is a grant and \$600,000 is a low interest loan. Monmouth County Board of Chosen Freeholders also gave us a grant for \$250,000 for the park. Hope to start the work at the park in the fall.

PETITIONS: James Lang, 19th Avenue, circulated a petition to amend ordinance 2015-22 to take out Taylor Pavilion. Since ordinance 2015-24 won't be adopted before the time period for filing their petition ends they are filing their petition tonight. However, they have issued a letter of irrevocable withdrawal with their attorney and will issue it once ordinance 2015-24 is adopted which would withdraw their petition. Ed Bonnano, attorney for petitioners, stated they are protecting their rights by doing this.

Mayor Doherty and Council member Brennan stated we are doing what they want so they don't understand why there is a need to even file the petition. Mayor Doherty was concerned that we would have to trust them to actually withdraw their petition. Mayor Doherty asked for the withdrawal letter now.

Mr. DuPont suggested that he hold the withdrawal letter in escrow rather than Mr. Bonnano. Council member Keown-Blackburn asked that Mr. Bonnano hand over the letter to Mr. DuPont tonight.

Mayor Doherty suggested they hold their petition until after the vote on Ordinance 2015-24. Mr. Bonnano stated they need to submit their petition to protect their rights.

There were actually two petitions submitted regarding Ordinance 2015-22.

APPROVAL OF MINUTES: Council member Magovern made a motion to approve the minutes of the June 3, 2015 meeting, which was seconded by Council member Brennan and approved by the following vote:

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

REPORTS OF COUNCIL:

Council member Magovern: Beach badge sales have reached over a million dollars. A JCP&L tree expert will come in and prune trees on 8th Avenue with branches near the wires. Planning Board approved an application for Klein's to open a location at the old Chill building at the corner of 5th and Main St. The Belmar movie viewing held by the Historical Society was very well attended. The Belmar rain garden on North Lake Drive and D Street will be renovated to be a Monarch butterfly garden.

Council member Keown-Blackburn: Walking group started this morning. About 20 people signed up. Anyone who wants to participate can contact Ray Claudio in Recreation to get a pedometer. Senior lunch scheduled for tomorrow has been postponed one week to the 24th. The food will be provided by Mike's Subs.

Council member Brennan: Belmar Environmental Commission is having a speaker at the library on the 24th regarding how to attract bees to your garden. St. Rose Grammar School's last day is this Friday. Belmar Elementary School 8th grade students are graduating this Friday. NJ Transit is beginning their summer weekend express trains to NY beginning Sunday. Acknowledged DPW for doing a great job with clean-up of the seafood festival.

Mayor Doherty had no report.

Mayor Doherty made a motion to add a resolution authorizing the joining of the LESO program to the consent agenda. Seconded by Council member Magovern 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.

No comments

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

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:

2015-131
RESOLUTION AUTHORIZING PAYMENT OF BILLS

2015-132
RESOLUTION PROVIDING FOR THE INSERTION OF A SPECIAL ITEM OF REVENUE IN THE BUDGET OF THE BOROUGH OF BELMAR PURSUANT TO N.J.S.A. 40A:4-87 (CHAPTER 159, P.L. 1948)

2015-133
RESOLUTION AUTHORIZING THE ISSUANCE OF REQUESTS FOR QUALIFICATIONS FOR ENGINEERING SERVICES FOR CONSTRUCTION ADMINISTRATION TO THE BOROUGH OF BELMAR

2015-134
RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF BELMAR AUTHORIZING AND APPROVING THE BELMAR BOROUGH POLICE DEPARTMENT'S APPLICATION AND PARTICIPATION FOR ENROLLMENT IN THE LAW ENFORCEMENT SUPPORT OFFICE (LESO) 1033 PROGRAM

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

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

PAYMENT OF BILLS: certification that the vouchers listed on the warrant register numbering 63802 thru 63894 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	\$257,862.63
05 General Capital Account	\$123,313.51
11 Water/Sewer Account	\$72,321.95
15 Water/Sewer Capital Account	\$110,119.30
21 Beach Utility Account	\$40,985.02
31 Public Assist I Account	\$100.00
41 Dog License Account	\$1,464.00
55 Trust Fund Account	\$2,129.00
61 Tourism Development Account	\$8,091.90
Total	\$616,387.31

ORDINANCES:

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 3, 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

Mayor Doherty offered Ordinance 2015-24 for first reading and introduction, which was seconded by Council member Magovern and approved by the following vote:

Mr. DuPont confirmed he has in his possession the irrevocable withdrawal letter for the petition submitted earlier, which he will hold in escrow.

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

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.

Mayor Doherty offered ordinance 2015-25 for first reading and introduction, which was seconded by Council member Magovern and approved by the following vote:

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

PUBLIC SESSION:

Joe Mangione, South Lake Drive, had some incidents with people who attended the seafood festival and knows of other people who had incidents. It was out of control. There needs to be more consideration for the quality of life of the residents. There were residents who were afraid to leave their homes. Suggested it would have been good to use the code red system to let people know the roads were being closed. Suggested putting together a group of people in town that could look at the festival and make suggestions to the mayor and council.

Peter Piro, North Blvd., thanked Mayor and Council for voting in favor of Ordinance 2015-24.

Thomas Asfar, 304 10th Avenue, stated enforcement of ball playing and Frisbee throwing near the water on the beach is not being enforced. Concerned about safety of children and people being hit by a ball and being injured. Would like the lifeguards to enforce the ordinance.

Anita Sanzio, 1305 B Street, thanked Mayor and Council for unbundling the lake como pipe and taylor pavilion. She would like taylor pavilion to be rebuilt but like others is concerned about the cost. Would like a complete breakdown of all costs available to the public. Would also like public meetings held and a financial proforma provided.

Marty Ricchio, 300 10th Avenue, owner of Salt Water Inn, felt this past weekend was a disaster. The crowd was rough and he had to apologize to his guests. Suggested putting a stop to the festival for a couple years. He doesn't see it slowing down. There are a lot of negative comments on social media about the festival.

Claire Deicke, 1017 14th Avenue, is pleased the Mayor and Council will review the events of the weekend and will put the residents first. Also stated people booing those speaking at the microphone is inappropriate and rude.

Gene Murray, 710 8th Avenue, the Mayor's Ball was terrific. Thanked the Mayor for having all of the money raised donated to the St. Vincent DePaul Society.

Tom Dilberger, 1000 River Road, stated petition is being put through because the residents feel they keep getting tricked.

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

Respectively submitted,

April Claudio
Municipal Clerk