

ARBOR DAY 2017

WHEREAS, In 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees; and

WHEREAS, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska; and

WHEREAS, Arbor Day is now observed throughout the nation and the world; and

WHEREAS, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce life-giving oxygen, and provide habitat for wildlife; and

WHEREAS, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products; and

WHEREAS, trees in our town increase property values, enhance the economic vitality of business areas, and beautify our community; and

WHEREAS, trees, wherever they are planted, are a source of joy and spiritual renewal.

NOW, THEREFORE, the Mayor and Council of the Borough of Belmar do hereby proclaim April 28, 2017 as Arbor Day in the Borough of Belmar. And the Mayor and Council hereby urge all citizens to celebrate Arbor Day and support efforts to protect our trees and woodlands and to plant trees to gladden the heart and promote the well-being of this and future generations.

Whereas, The Office of the Municipal Clerk, a time honored and vital part of local government exists throughout the world, and

Whereas, The Office of the Municipal Clerk is the oldest among public servants, and

Whereas, The Office of the Municipal Clerk provides the professional link between the citizens, the local governing bodies and agencies of government at other levels, and

Whereas, Municipal Clerks have pledged to be ever mindful of their neutrality and impartiality, rendering equal service to all.

Whereas, The Municipal Clerk serves as the information center on functions of local government and community.

Whereas, Municipal Clerks continually strive to improve the administration of the affairs of the Office of the Municipal Clerk through participation in education programs, seminars, workshops and the annual meetings of their state, province, county and international professional organizations.

Whereas, It is most appropriate that we recognize the accomplishments of the Office of the Municipal Clerk.

Now, Therefore, the Mayor and Council of the Borough of Belmar do recognize the week of May 7 through May 13, 2017 as Municipal Clerks Week, and further extend appreciation to our Municipal Clerk, April Claudio and to all Municipal Clerks for the vital services they perform and their exemplary dedication to the communities they represent.

**RESOLUTION OF THE BOROUGH BELMAR MAYOR AND
COUNCIL SUPPORTING INITIATIVES TO LESSEN THE NEGATIVE
IMPACT OF SINGLE-USE PLASTIC BAGS ON OUR ENVIRONMENT**

WHEREAS, The Borough of Belmar is diligent in its efforts to preserve the beautiful environment that is so vital to the health, economy, tourism and recreational opportunities of the Borough of Belmar and the State of New Jersey; and

WHEREAS, plastic bags are detrimental to our oceans and land environments; and

WHEREAS, plastic bags create the potential for death of land and marine animals through entanglement and ingestion; and

WHEREAS, the expansive usage of single-use shopping bags and their typical disposal rates creates an impediment to the Borough’s waste reduction and recycling goals while creating unsightly litter; and

WHEREAS, single-use plastic bags are difficult to recycle and frequently contaminate material that is processed through the Borough’s curbside recycling and composting programs; and

WHEREAS, reusable bags are considered to be the best option to reduce waste and litter, protect wildlife and conserve resources; and

WHEREAS, Council acknowledges that some businesses have taken affirmative steps to accomplish this goal and recognizes their proactive efforts.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough Belmar is committed to the long-term goal of reducing the harms of plastic pollution on our fragile environment and committed to ensuring a thriving, attractive and safe environment for current and future residents and tourists;

BE IT FURTHER RESOLVED, that the Mayor and Council of the Borough Belmar does hereby support initiatives to lessen the negative impact of single-use plastic bags specifically, and supports the promotion of reusable shopping bags as the best alternative to single-use plastic or single-use paper bags;

BE IT FURTHER RESOLVED, that the Mayor and Council of the Borough Belmar supports the state wide initiatives to alleviate the harms cause by single-use shopping bags;

BE IT FURTHER RESOLVED, that the Borough of Belmar, through the Belmar Administration and the Belmar Environmental Commission will conduct a public education campaign to promote reusable shopping bags and encourage businesses to opt in to a program eliminating single use plastic bags.

offered the above resolution and moved its adoption.

Seconded by and adopted by the following vote:

Councilmembers:	AYES	NAYS	ABSTAIN	ABSENT
Mr. Walsifer				
Mr. Magovern				
Mr. Brennan				
Mrs. Nicolay				
Mayor Doherty				

Adopted:

RESOLUTION NO. 2017-

RESOLUTION APPOINTING MUNICIPAL COURT ADMINISTRATOR

BE IT RESOLVED by the Mayor and Council of the Borough of Belmar on this 4th day of May 2017 that Patricia White be and is hereby appointed as Municipal Court Administrator effective immediately.

offered the above resolution and moved its adoption.

Seconded by and adopted by the following vote:

Councilmembers:	AYES	NAYS	ABSTAIN	ABSENT
Mr. Walsifer				
Mr. Magovern				
Mr. Brennan				
Mrs. Nicolay				
Mayor Doherty				

Adopted: \

RESOLUTION NO. 2017-

RESOLUTION DESIGNATING THE DATES FOR CLOSING THE BEACHFRONT EXCEPT FOR PAYMENT OF CERTAIN FEES TO THE GENERAL PUBLIC AND RESIDENTS OF THE BOROUGH OF BELMAR FOR 2017

WHEREAS, Section 18-2.2 of the Revised General Ordinances of the Borough of Belmar provides that the Borough Council shall designate by resolution, the dates for closing of the beachfront to the general public and residents of the Borough of Belmar except upon payment of certain fees; and the protected bathing beaches from which persons must bathe and swim; and

WHEREAS, Section 18-2.7w of the Revised General Ordinances of the Borough of Belmar provides that the Borough Council shall designate, by resolution, the specific areas where surf mats and surfboards may be used.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Beach and Beachfront of the Borough of Belmar from the northern boundary line adjacent to the Shark River Inlet to the southern boundary line adjacent to the Borough of Spring Lake are hereby declared closed for the 2017 summer session, except upon payment of beach badge fees as follows:
 - a. Weekends beginning May 27, 2017 including Memorial Day and every day beginning June 19, 2017 through September 4, 2017.
 - b. In accordance with section 18-2.4 of the ordinances of the Borough of Belmar, each and every person over the age of 15 years, entering upon and using the beachfront of the Borough, during the hours of 9am to 5pm on weekdays and 9am to 6pm on weekends and holidays, on the dates listed in a. above shall obtain and display a beach badge.
2. The official Bathing Beaches hereby set aside for the season of 2017 are:
 - a. 2nd, 3rd, 4th, 5th, 7th, 8th, 9th, 10th, 11th, 12th, 13th, 16th, 17th, 18th and 20th Avenues and any additional beaches at the discretion of the lifeguards.
3. Inflatable surf mats and boogie boards, as described in Section 18-2.7w of the Revised General Ordinances of the Borough of Belmar, shall be used at the following designated beaches, only when posted for such use and within the area posted.
 - a. An area immediately north of the 8th Avenue Official Bathing Beach, and
 - b. South of the 13th Avenue jetty and north of the 16th Avenue and 17th Avenue jetty.
 - c. South of 19th Avenue jetty-only when posted for such use at the discretion of lifeguards.
4. Surf Boards, as described in Section 18-2.7w of the Revised General Ordinances of the Borough of Belmar, shall be used only south of the jetty located between 16th Avenue and 17th Avenue and north of the 19th Avenue jetty and south of the 19th Ave. jetty only when posted for such use at the discretion of the lifeguards. The lifeguards will take into consideration the number of surfers, when the number is less than three, the head lifeguard will exercise their discretion to allow swimmers to use the above-designated area for swimming. The lifeguards in exercising their discretion will take into consideration, wind direction, wave heights, and other conditions effecting surfing.
5. Jetties - No person shall be permitted on the jetties unless they are wearing non-slip footwear. Jetties may not be used for any activity except fishing.
6. "L" Street Beach will be open to swimming only when posted and staffed by a lifeguard.

- 7. Personal Kayaks and Standup Paddleboards may be used south of the 20th Ave. Bathing Area at the discretion of the lifeguards.
- 8. The Mayor and Council reserve the right to partition off certain sections of the beach for a Special Event and authorize the Borough Administrator to donate, for purposes of beach promotion, 100 daily beach badges to charitable and promotional causes.

offered the above resolution and moved its adoption.

Seconded by and adopted by the following vote on roll call:

Council members:	AYES	NAYS	ABSTAIN	ABSENT
Mr. Walsifer				
Mr. Magovern				
Mr. Brennan				
Mrs. Nicolay				
Mayor Doherty				

Adopted:

RESOLUTION NO. 2017-

**RESOLUTION HONORING AND RECOGNIZING THE SERVICE TO THE
COMMUNITY BY ALL FIRST RESPONDERS AND AUTHORIZING FREE BEACH
ADMISSION DURING THE 2017 BEACH SEASON TO ALL ACTIVE FIRST
RESPONDERS PURSUANT TO BELMAR BOROUGH ORDINANCE
SECTION 18-2.5(i)**

WHEREAS, Belmar has a long history of volunteerism which is exemplified by the volunteer service to the community by the members of the Belmar Fire Department and Belmar First Aid Squad;

WHEREAS, the members of the Belmar Fire Department and Belmar First Aid Squad volunteer their time to provide for the safety of the community;

WHEREAS, this volunteer service is required at all times of the day and night and often required in the middle of the night and on holidays;

WHEREAS, this service, all for the selfless benefit of the community, can place the volunteers in harms way and at personal risk;

WHEREAS, it is important to recognize the enormity of the day-to-day sacrifices and heroism of the volunteer members of the Belmar Fire Department and Belmar First Aid Squad;

WHEREAS, the residents of the Borough of Belmar want the volunteer members of the Belmar Fire Department and Belmar First Aid Squad to know that they are in hearts on our minds, that we support them and are extremely grateful for the sacrifices they are making each and every day;

WHEREAS, the Mayor and Council are authorized pursuant to Belmar General Ordinance 18-2.5(i) to provide free admission to the beaches for participants in “special beach events, programs or promotions”; and,

WHEREAS, the Mayor and Borough Council, on behalf of all the families of Belmar, wish to honor and recognize the volunteer members of the Belmar Fire Department and Belmar First Aid Squad by establishing a special program for the Summer of 2017; and

WHEREAS, in the days and weeks after Hurricane Sandy, Belmar received support, vehicles, supplies and manpower that allowed for Belmar residents to remain safe during the state of emergency from dozens of law enforcement agencies including: New Jersey National Guard, Monmouth County Sheriff’s Officers, Monmouth County Prosecutors Officers, Bergen County Sheriff’s Officers, Port Authority Police, Wall Township Police Officers, New Jersey State Troopers, Maryland State Troopers, Michigan State Police, Illinois State Police, Florida

State Police Officers, and Mississippi Highway Patrol Officers and therefore the Mayor and Borough Council, wish to not only honor and recognize the Belmar volunteers but all first responders including but not limited to law enforcement, water rescue, fire, and first aid volunteers and any other emergency response groups by establishing a special program for the Summer of 2017; and

NOW, THEREFORE, BE IT RESOLVED that pursuant to and in accordance with Section 18-2.5(i) of the Revised General Ordinances of the Borough of Belmar, that each qualified active volunteer member of the Belmar Fire Department and Belmar First Aid Squad will be provided with a Borough issued identification card for free beach access for the 2017 Season as determined by the Belmar Director of Public Safety. Any active volunteer member for any Law Enforcement Department, Fire Department, First Aid Squad or any other emergency response group may obtain a Belmar Borough issued identification card or may use a valid municipal government identification card from the Municipality where they volunteer.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately and shall remain in effect throughout the 2017 beach season;

offered the above resolution and moved its adoption.

Seconded by and adopted by the following vote on roll call:

Council members:	AYES	NAYS	ABSTAIN	ABSENT
Mr. Walsifer				
Mr. Magovern				
Mr. Brennan				
Mrs. Nicolay				
Mayor Doherty				

Adopted:

RESOLUTION NO. 2017-

**RESOLUTION HONORING THE MEN AND WOMEN OF OUR ARMED FORCES
AND RECOGNIZING THE SACRIFICES BEING MADE BY THEM, AND ALSO BY
THEIR FAMILIES, AND PROCLAIMING THE COMMENCEMENT OF
“OPERATION: THANK YOU” WITHIN THE BOROUGH OF BELMAR, AND
AUTHORIZING FREE BEACH ADMISSION DURING THE 2017 BEACH SEASON TO
ALL ACTIVE MILITARY PERSONNEL AND THEIR DEPENDENTS AND ALL
VETERANS PURSUANT TO BELMAR BOROUGH ORDINANCE SECTION 18-2.5(i)**

WHEREAS, members of the armed forces of the United States, including residents of the Borough of Belmar, are today actively engaged in combat operations in the middle East or are deployed or otherwise serving in support of those operations, and/or in support of the on-going efforts of our Armed Forces throughout the world to protect and defend our nation and its citizens;

WHEREAS, it is important that the enormity of the day-to-day sacrifices and heroism of our troops and their families, current and past, not be lost or forgotten amidst the media’s unwavering focus on the sensational;

WHEREAS, the residents of the Borough of Belmar want our troops and their families and veterans to know that they are in hearts on our minds, that we support them and are extremely grateful for the sacrifices they are making each and every day or have made previously;

WHEREAS, the Mayor and Council are authorized pursuant to Belmar General Ordinance 18-2.5(h) to provide free admission to the beaches for participants in “special beach events, programs or promotions”; and,

WHEREAS, the Mayor and Borough Council, on behalf of all the families of Belmar, wish to honor and recognize our active military personnel and their families and military veterans by establishing a special program for the Summer of 2017;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Belmar that in honor and recognition of our active military personnel and their families, and in honor and recognition of military veterans, and to demonstrate the gratitude of the residents of the Borough of Belmar for the daily sacrifices they are making, the Mayor and Council of the Borough of Belmar hereby announce the commencement of **“OPERATION: THANK YOU”**; and

BE IT FURTHER RESOLVED, that pursuant to and in accordance with Section 18-2.5(i) of the Revised General Ordinances of the Borough of Belmar, *that free beach admission be provided during the 2017 Season to each member of the active military, including but not limited to the NJ National Guard, Coast Guard and all United States Armed Forces branches and their dependents, as well as military veterans, upon the presentation of a valid military identification card at any beach gate;*

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately and shall remain in effect throughout the 2017 beach season;

offered the above resolution and moved its adoption.

Seconded by and adopted by the following vote on roll call:

Council members:	AYES	NAYS	ABSTAIN	ABSENT
Mr. Walsifer				
Mr. Magovern				
Mr. Brennan				
Mrs. Nicolay				
Mayor Doherty				

Adopted:

RESOLUTION NO. 2017-

RESOLUTION INTRODUCING THE 2017 LOCAL MUNICIPAL BUDGET

BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Belmar, that the 2017 Local Municipal Budget of the Borough of Belmar (copy of which is annexed hereto) be and is hereby introduced on first reading and the Borough Clerk is directed to read the title thereof in full. The public hearing for the budget will be held on June 7, 2017 at 6 PM at the Municipal Building located at 601 Main St.

offered the above resolution and moved its adoption.

Seconded by and adopted by the following vote on roll call:

Council members:	AYES	NAYS	ABSTAIN	ABSENT
Mr. Walsifer				
Mr. Magovern				
Mr. Brennan				
Mrs. Nicolay				
Mayor Doherty				

Adopted:

RESOLUTION 2017-

RESOLUTION OF THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF BELMAR, IN THE COUNTY OF MONMOUTH, NEW JERSEY, DIRECTING THE PLANNING BOARD TO INVESTIGATE WHETHER CERTAIN PROPERTIES SHOULD BE DESIGNATED AS AN AREA IN NEED OF REDEVELOPMENT WITHOUT CONDEMNATION (NON-CONDEMNATION REDEVELOPMENT AREA)

WHEREAS, the Local Redevelopment and Housing Law authorizes municipalities to determine whether certain parcels of land in the municipality may constitute areas in need of redevelopment, without the use of condemnation to acquire private property for redevelopment purposes; and

WHEREAS, to determine whether certain parcels of land constitute areas in need of redevelopment, the Belmar Borough Council (“Borough Council”) must authorize the Belmar Planning Board (“Planning Board”) to conduct a preliminary investigation of the area and make recommendations to the Borough Council; and

WHEREAS, the Local Redevelopment and Housing Law (NJSA 40A:12A-1 et seq.) was amended in 2013 to provide for the designation of a Redevelopment Area without the use of condemnation (Condemnation Redevelopment Area vs Non-Condemnation Redevelopment Area) and the Borough Council believes it is in the best interest of the Borough of Belmar (the “Borough”) to investigate whether Block 95 Lot 5 should be added to the investigation study (Resolution 2017-74) in order to determine if the property meets the criteria set forth within N.J.S.A. 40A:12A-5 and should be designated as an area in need of redevelopment without condemnation;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council:

1. The Planning Board is hereby authorized and directed to conduct an investigation pursuant to N.J.S.A. 40A:12A-6 to determine whether the properties located East of Main Street between Ninth and Tenth Street, specifically including Block 95 Lot 5 as a part of the investigation study (Resolution 2017-74) which includes Block 95, Lots 7, 8, 9, 10, 11, 12 and 13 in order to determine if it satisfies the criteria set forth in N.J.S.A. 40A:12A-5 to be designated as an area in need of redevelopment without condemnation; and
3. The Planning Board shall conduct a public hearing after giving notice as required by N.J.S.A. 40A:12A-6b; and
4. At the hearing, the Planning Board shall hear from all persons who are interested in or would be affected by the determination of the area delineated in the notice area is an area in need of redevelopment. All objections shall be received and considered by the Planning Board and made part of the public record; and
5. After conducting its investigation, preparing a map of the area and conducting a public hearing, at which all objections to the designation are received and considered, the Planning Board shall make the recommendation to the Borough Council as to whether the Borough Council should designate all or some or none of the should be designated as an area in need of redevelopment (Non-Condemnation Redevelopment Area).

The Mayor shall abstain from voting on this Resolution by reason of his or her “General Ineligibility” as provided by Belmar Ord. No. 9-5.

offered the above resolution and moved its adoption.

Seconded by and adopted by the following vote on roll call:

Council members:	AYES	NAYS	ABSTAIN	ABSENT
Mr. Walsifer				
Mr. Magovern				
Mrs. Nicolay				
Mr. Brennan				
Mayor Doherty				

Adopted:

RESOLUTION NO 2017-

RESOLUTION AUTHORIZING REFUNDS

BE IT RESOLVED, by the Mayor and Borough Council that the following refunds are hereby authorized upon certification by the Chief Financial Officer to the following:

Name
David & Jeannie McGillis
517 Sixth Avenue
Belmar, NJ 07719

Water/Sewer Overpayment: \$890.98

offered the above resolution and moved its adoption.

Seconded by and adopted by the following vote on roll call:

Council members:	AYES	NAYS	ABSENT	ABSTAIN
Mr. Walsifer				
Mr. Magovern				
Mr. Brennan				
Mrs. Nicolay				
Mayor Doherty				

Adopted:

RESOLUTION NO. 2017-

RESOLUTION PERMITTING SPECIAL EVENTS

WHEREAS, applications have been received by the Special Events Committee as per Ordinance 16-14.4 “Permits and Special Event Permits;” and

WHEREAS, said applications have been reviewed by the Special Events Committee and by the Borough Council; and

WHEREAS, the following events are recommended for approval with conditions if applicable:

Belmar Recreation 5K: Saturday, August 26, 2017. Event will begin and end at D’Jais Bar and Restaurant on Ocean Avenue in Belmar. Event will begin at 8:00am and be finished by 11:00am. Belmar Police Department will approve the race route. No Additional Borough resources are required.

Extreme Fitness 2-hour Boot Camp: Sunday, August 13, 2017. Event will take place on 8th Avenue Beach, event will begin at 7:00am and all persons will be off the beach by 9:00am. No Additional Borough Resources are required.

Belmar Business Partnership Pirate Day: Sunday, June 25, 2017. Event will take place downtown Belmar and in Pyanoe Plaza. Event will begin at 10:00am and end by 5:00Pm. Pyanoe Plaza will be left in the same condition in which it was found. Attendees will remain on the sidewalk at all times. No Additional Borough Resources are required.

Conserve Wildlife Foundation of NJ: One Day Summer Program, Wednesday, July 26, 2017. Event will take place on Belmar Beach between the jetty and 1st Avenue. Event will begin at 10:00am and end by 2:00pm. No Additional Borough Resources are required.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Belmar that permission is granted for the special events as noted above with conditions if cited.

offered the above resolution and moved its adoption.

Seconded by and adopted by the following vote:

Councilmembers:	AYES	NAYS	ABSTAIN	ABSENT
Mr. Walsifer				
Mr. Magovern				
Mr. Brennan				
Mrs. Nicolay				
Mayor Doherty				

Adopted:

RESOLUTION NO. 2017-

RESOLUTION APPOINTING SPECIAL POLICE OFFICERS FOR 2017

Therefore be it resolved by the Mayor and Borough Council of the Borough of Belmar that the following persons are hereby appointed and confirmed effective immediately:

Class One Specials

Franklin L. Doremus III
Gregory F. T. Glezman
Dominick Lorusso
Kevin J. Poppert
Jason T. Rienzo
Elijan Z. Smith
Ailise C. Sullivan

Pursuant to N.J.S.A. 40A:14-146.11, the above persons shall not commence their duties as a special law enforcement officer until they have successfully completed the Academy training course.

Class One Specials, continued:

Already certified: Michael D. Fantini

offered the above resolution and moved its adoption.

Seconded by and adopted by the following vote:

Councilmembers:	AYES	NAYS	ABSTAIN	ABSENT
Mr. Walsifer				
Mr. Magovern				
Mr. Brennan				
Mrs. Nicolay				
Mayor Doherty				

Adopted:

RESOLUTION 2017-
RESOLUTION WAIVING CONSTRUCTION PERMIT FEES

WHEREAS, the Borough of Belmar wishes to waive the fees for all permits submitted for construction, renovation, repairs, or replacement of appliances which were damaged by fire.

WHEREAS, per the State of New Jersey Division of Codes and Standards a municipality is permitted to waive all permit fees excluding the State permit surcharge for all permits.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Belmar, County of Monmouth and State of New Jersey that the Construction Department is hereby authorized to waive all permit fees related to damage by fire.

offered the above resolution and moved its adoption.

Seconded by and adopted by the following vote on roll call:

Council members:	AYES	NAYS	ABSENT	ABSTAIN
Mr. Walsifer				
Mr. Magovern				
Mr. Brennan				
Mrs. Nicolay				
Mayor Doherty				

Adopted:

RESOLUTION NO 2017-

**RESOLUTION APPOINTING AND CONFIRMING APPOINTMENTS
TO THE ENVIRONMENTAL COMMISSION AS PROVIDED BY BOROUGH
ORDINANCE 1991-3 AND ORDINANCE 2004-19**

BE IT RESOLVED by the Borough Council of the Borough of Belmar that the following are appointed to the Environmental Commission as recommended by Mayor Doherty per Borough Ordinance:

Rose DeGauyna shall fill the unexpired term of Ginny Siedel which expires December 31, 2017.

offered the above resolution and moved its adoption. Seconded by Council member and adopted by the following vote on roll call:

Council members:	AYES	NAYS	ABSTAIN	ABSENT
Mr. Walsifer				
Mr. Magovern				
Mr. Brennan				
Mrs. Nicolay				
Mayor Doherty				

Adopted: