

“GOD BLESS AMERICA”

REGULAR MEETING

AUGUST 7, 2018

A Regular Meeting of the Mayor and Council of the Borough of Belmar to be held on the above date at 6:00 PM at the Belmar Municipal Building, 601 Main Street.

PRESENT: Mayor Magovern, Councilman Brennan, Councilman Levis, Councilman Walsifer, Councilwoman Nicolay, Borough Attorney Greg Cannon, Esq., Business Administrator Colleen Connolly, and Borough Clerk April Claudio

“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 7, 2017 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:

- Historical Society photo presentation of the return of the Doughboy Statue
- Main Street Bridge
 - o Mayor Magovern discussed the repairs or reconstruction of the Main Street Bridge that have been happening. Recalled the bridge would not be closed during these changes, however we received a letter that the bridge will be closed after September for two months for some time to fix guardrails. Doesn't understand why they would be making these repairs when the bridge will be torn down in three to four years. Would like to work with Avon to send letters to DOT showing our disapproval of this and ask for an explanation.
 - o Council member Nicolay agreed it would be better to have more explanation and possibly push it back because September is still busy.
 - o Council member Brennan stated there were two meetings on the bridge and it was discussed the affect the last time the bridge was closed had on both towns. Feels DOT isn't doing what they told us they would do.
 - o Council member Walsifer agreed we need to send a letter. Is it a public safety issue that needs to be addressed in September? Sounds like one section of DOT is not communicating with another section.
 - o Council member Levis would like to see what they are doing. Doesn't understand why they would need to close the bridge for guardrails unless there are mechanical issues. Will be a big headache for the businesses on Main Street.
- Mayor Magovern asked for an update on the lights on Main Street north of 10th Avenue. Ms. Connolly stated they are working with Maser to correct the problem and have the lights turned on before Christmas if not before then.
- Council member Levis stated he heard from some residents a suggestion to form a Parks Commission to handle maintenance and improvements to all the parks. Felt it would be a good idea. The Mayor and other Council members thought it could be a good idea.

PETITIONS: None

APPROVAL OF MINUTES: Council member Nicolay made a motion to approve the minutes of the July 17, 2018 meeting, which was seconded by Council member Brennan and approved by the following vote:

AYES: Magovern, Levis, Brennan

ABSTAIN: Nicolay and Walsifer

REPORTS OF COUNCIL:

Council member Levis: Thanked BBP for a great cruise night in July. The next one is August 22nd. The week of August 20th the lifeguards and Rutgers will do a drone lifesaving test. FOBH is having their regatta on the 17th. This Saturday the Friendly Sons of the Shillelagh are having their annual fluke tournament. Would like to see monthly reports of marina revenue.

Council member Walsifer: Attended the Circle of Friends Golf Outing last month. Bob and Carol Cupoli do a great job with it.

Council member Brennan: The block of beach between 3rd and 4th Avenues will be the second pilot location for native plants along the dunes.

Council member Nicolay: Registration for fall soccer was closed but still taking registrations. Car show was great. Circle of Friends outing was great. Bob and Carol Cupoli are tremendous. Shop local.

Mayor Magovern: Thanked DPW for helping with triathlon setup and gazebo wedding on Saturday. Historical Society is having an event on September 12th at Taylor Pavilion on WW1 equipment.

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

None

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

RESOLUTIONS:

Mayor Magovern offered, **2018-110, RESOLUTION AUTHORIZING ISSUANCE OF PLENARY RETAIL DISTRIBUTION LICENSE TO ARPADO, INC. T/A HANLEY’S LIQUORS FOR THE PERIOD ENDING JUNE 30, 2019**, for adoption, which was seconded by Council member Walsifer and approved by the following vote:

AYES: Magovern, Walsifer, Levis, and Nicolay
ABSTAIN: Brennan

Mayor Magovern offered, **2018-111, RESOLUTION PURSUANT TO N.J.A.C. 5:30-14.4 ET SEQ. CHANGE ORDER NUMBER ONE FOR THE 2017 SIDEWALK PROGRAM**, for adoption, which was seconded by Council member Nicolay and approved by the following vote:

AYES: Magovern, Walsifer, Levis, Brennan and Nicolay

Mayor Magovern offered, **2018-112, RESOLUTION PURSUANT TO N.J.A.C. 5:30-14.4 ET SEQ. CHANGE ORDER NUMBER FOUR FOR THE LAKE COMO STORMWATER OUTFALL IMPROVEMENTS**, for adoption, which was seconded by Council member Walsifer and approved by the following vote:

AYES: Magovern, Walsifer, Levis, Brennan and Nicolay

Council member Levis asked to move resolution amending resolution 2017-118 because he was not on the Council at that time. Motion was seconded by Council member Brennan and approved unanimously.

Mayor Magovern offered, **2018-113, RESOLUTION AMENDING RESOLUTION NO. 2017-118 AUTHORIZING EXECUTIVE SESSION**, for adoption, which was seconded by Council member Brennan and approved by the following vote:

AYES: Magovern, Brennan, Nicolay and Walsifer
ABSTAIN: Levis

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.

Mayor Magovern offered the following resolutions for adoption:

**2018-114
RESOLUTION BY THE MAYOR AND COUNCIL AUTHORIZING THE TAX COLLECTOR TO EXTEND THE GRACE PERIOD FOR THIRD QUARTER PROPERTY TAXES**

**2018-115
RESOLUTION AUTHORIZING EMERGENCY PURCHASE PURSUANT TO NJSA 40A:11-6**

**2018-116
RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF BELMAR ESTABLISHING A BEACH PLANTING AREA AT THE 3RD AVENUE BEACH**

2018-117
RESOLUTION AUTHORIZING REFUNDS

2018-118
RESOLUTION ASSESSING A PROPERTY MAINTENANCE FINE

2018-119
RESOLUTION PERMITTING SPECIAL EVENTS

2018-120
RESOLUTION AUTHORIZING PAYMENT OF BILLS

PAYMENT OF BILLS: certification that the vouchers listed on the warrant register numbering 2652 thru 2747 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	\$463,561.69
05	General Capital Account	\$172,682.86
11	Water/Sewer Account	\$75,772.52
21	Beach Utility Account	\$25,746.19
23	Parking Utility Fund	\$8.00
55	Trust Fund Account	\$17,538.43
61	Tourism Development Account	\$11,626.51
Total:		\$766,936.20

2018-121
RESOLUTION AUTHORIZING THE BUSINESS ADMINISTRATOR OF THE BOROUGH OF BELMAR TO EXECUTE AN MODIFICATION TO VARIOUS EMPLOYEE UNION CONTRACTS

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

AYES: Magovern, Walsifer, Levis, Brennan and Nicolay

ORDINANCES:

First Reading & Introduction

ORDINANCE 2018-12
ORDINANCE OF THE BOROUGH OF BELMAR AMENDING CHAPTER XXIX WATER-SEWER UTILITY DEPARTMENT

Mayor Magovern offered Ordinance 2018-12 for first reading and introduction, which was seconded by Council member Nicolay and approved by the following vote:

AYES: Magovern, Walsifer, Levis, Brennan and Nicolay

PUBLIC SESSION:

David Schneck, 302 C Street, this will be his last meeting he is moving to New Hampshire in two weeks. Said goodbye to everyone and wished everyone the best. Been a great 25 years in Belmar.

Angela Pheiffer, 319 5th Avenue, noticed busloads of campers coming to the beach. Wondered if they give us notice. Ms. Connolly stated some camps do notify us. She was concerned about them using all the lifeguard’s resources. Would like to charge the camps or better coordinate with them.

Rose Dagayna, 201 9th Avenue, asked who determines building height in a town. Mr. Cannon explained it’s listed in our Master plan, redevelopment plans and zoning ordinances. She was concerned about over development and over populating Belmar. She is not happy with the plans for Borough Hall and the development on Tenth Avenue. Mr. Cannon explained the zoning board process. She also asked if we could lower the age for beach badges and adjust the fees to be like other towns.

John Magrini, Mayor of Avon, stated they are equally as concerned about closing the Main Street bridge. Want to oppose it as much as we can.

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

Respectively submitted,

April Claudio
Municipal Clerk