

MAYOR AND COUNCIL

MINUTES

MAY 18, 2021

6:00 PM

Mayor Mark Walsifer, Councilman Thomas Brennan, Councilman James McCracken, Councilman Thomas Carvelli, Council President Patricia Wann, Acting Borough Attorney Patrick Varga, Business Administrator Edward Kirschenbaum 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 2, 2020 and 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, healthcare workers and first responders

WORKSHOP DISCUSSION:

Mayor Walsifer announced the budget has a zero-tax increase. Commended Mr. Kirschenbaum, the Department Heads and finance team for doing a good job putting together the budget.

Mayor Walsifer explained the Verizon lawsuit. They want poles along Ocean Avenue, but the problem is the poles would only be for them and not other carriers. There's an ordinance on the agenda to give the Borough control on aesthetics of the poles. Councilwoman Wann asked if this affects the Verizon application for Mama Luke's. Mayor Walsifer stated that is separate since it's private property.

Ryan Dullea, Fire Administrator, explained the 1985 rescue truck at Hook and Ladder was put out of service in September 2020. The fire department has been trying to locate a new or used vehicle that will fit in the smaller bays of the firehouse. One was found, which would be delivered in December. Financing options are available.

Mayor Walsifer asked the Council if they want to ban the sale of cannabis. Councilwoman Wann stated she is against selling it in town. Councilman Brennan stated he is in favor of it for several reasons. One, is the voters wanted cannabis legal. Second, he does not believe there is property in town large enough for a processing or growth facility. Third, he thinks the demographics of Belmar would deter anyone from wanting to sell in town because of the smaller storefronts and lack of parking. He would like to hear what the residents think about it. Councilman McCracken stated he would be uncomfortable with people coming to town just to buy cannabis. Councilman Carvelli stated he would be interested in hearing the public's opinion. He asked if the zoning ordinances need to be changed. Mr. Varga stated the Council could limit the sale entirely, limit it to specific zones, or allow it. He also stated they could adopt a restrictive ordinance and loosen it later if they choose. However, if the Council doesn't do anything by the deadline, then an ordinance prohibiting cannot be done for 5 years. Mayor Walsifer felt it might be best to do a restrictive ban and consider loosening it later.

APPROVAL OF MINUTES: Councilman Brennan made a motion to approve the minutes of the May 4, 2021 meeting, which was seconded by Councilwoman Wann and approved unanimously.

REPORTS OF COUNCIL

Councilman Carvelli: TDRC and Planning Board met recently. The Planning Board approved a rooftop seating area for Beach Haus Brewery. Planning Board is going to recommend to the Council that a parking study be done. Specifically for the plaza lot.

Councilman McCracken: Library is working on a capital improvement plan. Some paint and windows are needed. He would like to revisit the invasive species ordinance now that Lake Como has adopted a new ordinance. Shade Tree Commission meets tomorrow. He would like the BBP or Tourism to look into the new property tax relief program involving businesses. He felt residents are being misled about the Mediterranean project. He explained that it was simply a presentation by a property owner and developer. No formal action has been taking by the Mayor and Council. Constructive feedback was given, and he hopes the developer will take that into consideration and submit revised plans.

Councilman Brennan: Harbor Commission met last week. Discussed parking along Railroad Avenue for boaters and for Park Mobile. Marina is at 90-95% capacity. Thanked the Borough staff and DPW with help in purchasing beach plants for the Fall.

Councilwoman Wann: Community Policing is starting up. Memorial Day service will be at 9:30 am on Memorial Day at 12th and Main Street. She asked about 14th Avenue being one way between 13th and K Street.

Mayor Walsifer thought that was done but will look into it.

Mayor Walsifer: There are 82 lifeguards coming back this summer, which is great. Beach Director is getting things ready. May 22nd daily beach badges go on sale online. May 28th Friday Night Concerts begin. May 28th is the Howard Roland dedication of the 10th Avenue Pavilion.

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

Councilman Brennan made a motion to close the public session, which was seconded by Mayor Walsifer and approved unanimously.

CONSENT AGENDA - RESOLUTIONS:

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 Walsifer offered the following resolutions for adoption:

No. 2021-115 RESOLUTION AUTHORIZING PAYMENT OF BILLS

No. 2021-116 RESOLUTION APPOINTING SPECIAL POLICE OFFICERS FOR 2021

No. 2021-117 RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF BELMAR ESTABLISHING A VENDOR FEE FOR THE BELMAR FARMER'S MARKET

No. 2021-118 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 2021

No. 2021-119 RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF BELMAR, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, ENTERING INTO A TOLLING AGREEMENT WITH CELLCO PARTNERSHIP D/B/A VERIZON WIRELESS

No. 2021-120 RESOLUTION AUTHORIZING A TEMPORARY CAPITAL BUDGET

No. 2021-121 RESOLUTION AUTHORIZING A TEMPORARY WATER/SEWER CAPITAL BUDGET

No. 2021-122 RESOLUTION INTRODUCING THE 2021 LOCAL MUNICIPAL BUDGET

No. 2021-123 RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF BELMAR ESTABLISHING RECREATION FEES

No. 2021-124 RESOLUTION AWARDED CONTRACT FOR ATM SERVICES

No. 2021-125 RESOLUTION AUTHORIZING THE BOROUGH OF BELMAR TO ENTER INTO A SHARED SERVICE AGREEMENT WITH THE BOROUGH OF SPRING LAKE FOR MUNICIPAL COURT SERVICES

No. 2021-126 RESOLUTION AUTHORIZING THE BOROUGH OF BELMAR TO ENTER INTO A SHARED SERVICE AGREEMENT WITH THE BOROUGH OF SPRING LAKE FOR FIRE PREVENTION SERVICES

No. 2021-127 RESOLUTION TO ESTABLISH A CHANGE FUND FOR THE BELMAR MARINA

Seconded by Councilman Brennan and approved by the following vote:

AYES: Walsifer, Brennan, Wann, McCracken and Carvelli

ORDINANCES:

ORDINANCE NO. 2021-08 *Second Reading & Public Hearing*

ORDINANCE OF THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF BELMAR, COUNTY OF MONMOUTH, STATE OF NEW JERSEY AMENDING AND

SUPPLEMENTING CHAPTER 29-7 OF THE BOROUGH CODE ENTITLED “RATES AND SERVICE CHARGES”

Public Hearing: Gene Creamer, 4th Avenue, asked why rates are higher for those that use a higher volume. Mayor Walsifer stated because they are taxing on the system so they should pay more. Mr. Creamer asked about infiltration. Mayor Walsifer stated the Borough is working with SMRSA and looking into it.

Cheri Russo, 1218 Briarwood, asked if the Borough ever considered selling the water to a larger company. Mayor Walsifer stated it is a possibility and the finance team is looking at all options. Ms. Russo asked about illegal sump pumps connected to the sewer. Mayor Walsifer stated smoke tests could be done to find them.

Councilman Brennan made a motion to close the public hearing, which was seconded by Mayor Walsifer and approved unanimously.

Mayor Walsifer made a motion to adopt ordinance 2021-08, which was seconded by Councilman Carvelli and approved by the following vote:

AYES: Walsifer, Wann, Brennan, McCracken and Walsifer

ORDINANCE NO. 2021-09 *Second Reading & Public Hearing*

ORDINANCE OF THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF BELMAR, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 18-2.7 OF THE BOROUGH CODE ENTITLED “RULES AND REGULATIONS.”

Public Hearing: None

Councilwoman Wann made a motion to close the public hearing, which was seconded by Councilman Carvelli and approved unanimously.

Councilman Brennan made a motion to adopt ordinance 2021-09, which was seconded by Mayor Walsifer and approved by the following vote:

AYES: Walsifer, Wann, Brennan, McCracken and Walsifer

ORDINANCE NO. 2021-10 *Second Reading & Public Hearing*

ORDINANCE OF THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF BELMAR, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 16-14 OF THE BOROUGH CODE ENTITLED “REGULATION OF CONDUCT IN PUBLIC PARKS, RECREATION AREAS OR ANY OTHER PUBLIC PROPERTY.”

Public Hearing: None

Councilman Brennan made a motion to close the public hearing, which was seconded by Councilman Carvelli and approved unanimously.

Councilman McCracken made a motion to adopt ordinance 2021-10, which was seconded by Councilman Brennan and approved by the following vote:

AYES: Walsifer, Wann, Brennan, McCracken and Walsifer

ORDINANCE 2021-11 *First Reading & Introduction*

BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF REAL PROPERTY, AND APPROPRIATING \$1,500,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,425,000 BONDS AND NOTES TO FINANCE A PORTION OF THE COSTS THEREOF, AUTHORIZED IN AND BY THE BOROUGH OF BELMAR, IN THE COUNTY OF MONMOUTH, NEW JERSEY

Mayor Walsifer offered Ordinance 2021-11 for first reading and introduction, which was seconded by Councilman Brennan and approved by the following vote:

AYES: Walsifer, Wann, Brennan, McCracken and Carvelli

ORDINANCE NO. 2021-12 *First Reading & Introduction*

ORDINANCE BY THE MAYOR AND COUNCIL AMENDING THE BOROUGH OF BELMAR CODE OF ORDINANCES TO REPEAL CHAPTER 35; TO ADOPT A NEW CHAPTER 35; TO ADOPT

FLOOD HAZARD MAPS; TO DESIGNATE A FLOODPLAIN ADMINISTRATOR; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE

Councilman Carvelli offered Ordinance 2021-12 for first reading and introduction, which was seconded by Mayor Walsifer and approved by the following vote:

AYES: Walsifer, Wann, Brennan, McCracken and Carvelli

ORDINANCE 2021-13 *First Reading & Introduction*

BOND ORDINANCE AMENDING IN PART BOND ORDINANCE NO. 2020-42 ADOPTED ON DECEMBER 1, 2020, AS AMENDED BY BOND ORDINANCE NO. 2021-02 ADOPTED ON FEBRUARY 2, 2021, PROVIDING FOR THE REPLACEMENT OF A WATER MAIN LOCATED ALONG FIFTEENTH AVENUE FROM EAST RAILROAD AVENUE TO D STREET, IN ORDER TO INCREASE THE APPROPRIATION THEREFOR BY \$100,000 FOR A TOTAL APPROPRIATION OF \$500,000, TO INCREASE THE AUTHORIZED BONDS AND NOTES TO BE ISSUED TO FINANCE A PORTION OF THE COSTS THEREOF BY \$100,000 FOR A TOTAL DEBT AUTHORIZATION OF \$500,000, IN AND BY THE BOROUGH OF BELMAR, IN THE COUNTY OF MONMOUTH, NEW JERSEY

Councilman Brennan offered Ordinance 2021-13 for first reading and introduction, which was seconded by Councilman Carvelli and approved by the following vote:

AYES: Walsifer, Wann, Brennan, McCracken and Carvelli

ORDINANCE 2021-14 *First Reading & Introduction*

ORDINANCE OF THE BOROUGH OF BELMAR, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)

Councilman Carvelli offered Ordinance 2021-14 for first reading and introduction, which was seconded by Councilman Brennan and approved by the following vote:

AYES: Walsifer, Wann, Brennan, McCracken and Carvelli

ORDINANCE 2021-15 *First Reading & Introduction*

ORDINANCE ESTABLISHING PROCEDURES AND STANDARDS REGARDING DEPLOYMENT OF SMALL WIRELESS FACILITIES IN PUBLIC RIGHTS-OF-WAY IN THE BOROUGH OF BELMAR

Mayor Walsifer offered Ordinance 2021-15 for first reading and introduction, which was seconded by Councilman Brennan and approved by the following vote:

AYES: Walsifer, Wann, Brennan, McCracken and Carvelli

PUBLIC SESSION:

Ms. Claudio read an email from Maria Rondinaro, 1246 Pine Tree, asking when the library will be reopening. Mr. Kirschenbaum stated he will be speaking with the library tomorrow about it.

Ms. Claudio read an email from Anita Pecorelli, 1st Avenue, asked about the tree seedlings the students planted at the library and if there is a master plan for road work. Councilman McCracken explained the seedlings will be planted in the planters at the library. Mayor Walsifer stated the engineers have a plan for road repairs. Fifteenth Avenue and 12th Avenue will be finishing up and River Avenue is probably next.

Ms. Claudio read an email from Bob Lynch, 316 9th Avenue asking if parking revenue could pay for the movies on the beach to come back. He also asked about selling the Third Avenue garage and where everything would be stored that's inside. Mayor Walsifer stated he is already working on bringing the movies on the beach back. He added that selling the Third Avenue garage was just a thought, there will need to be several conversations had and inspections of the property before that could be considered.

Linda Sharkus, 4th Avenue, attended the Planning Board meeting and was concerned about businesses being able to share parking spaces when parking is a serious problem. Councilman Carvelli stated the Board is going to recommend the Mayor and Council do a parking study. He added that the rooftop area for Beach Haus will be dependent on weather so will not be used as heavily as one would think. Councilman McCracken recalled the BBP doing a parking study in 2015 that should be looked into.

Jodi Kinney, 400 10th Avenue, asked if Junior Guards will be returning. Mr. Kirschenbaum stated it is being looked into.

Tom Volker, 8th Avenue, congratulated the Council on a zero increase in the budget. He doesn't like Verizon trying to tell us what to do.

Sharon Mahoney, 800 Main Street, asked about bicycle racks on the boardwalk. Mr. Kirschenbaum stated they will be going back. She was concerned about too many people feeding wildlife and requested more signage and education. She was concerned about crosswalks needing paint. Mr. Kirschenbaum stated DPW will work on it after the beach is opened. She asked about the traffic signal at 8th and Main Street. Mayor Walsifer stated we are still waiting on DOT. She asked about bike sharrows on Main Street. Mr. Kirschenbaum felt the County would not approve it because the road is too narrow. She asked about garbage cans on the boardwalk in the winter. Mayor Walsifer stated new garbage cans were ordered. She asked about the pop-up car shows. She was concerned about the noise and speeding. Mayor Walsifer explained the police are doing everything they can. They are writing tickets for any violations they can.

Cheri Russo, 1218 Briarwood, would like a "Last Call" for hands during the public comment session. She asked if handicap persons have to pay to park. Mayor Walsifer replied no if they park in a handicap spot.

Cathy Melango, 900 Ocean Avenue, suggested speed bumps on Ocean Avenue to slow down the cars from the pop-up car shows. Mayor Walsifer explained Ocean Avenue is a County road.

Cy Reitmeyer, 5th Avenue, asked why a traffic study wasn't done before the Beach Haus application was approved. Councilman Carvelli explained how an application process works. Mayor Walsifer stated the Borough engineer and planner reviewed the application and gave approval. Mr. Reitmeyer asked if the tree survey was completed. Councilman McCracken stated it was. Mr. Reitmeyer was concerned about his sidewalk being damaged by a tree and why is it is responsibility and not the Borough's. Mr. Varga offered to review the ordinance and speak to Mr. Reitmeyer directly. Mr. Reitmeyer asked if the Mediterranean project will have affordable housing. Mayor Walsifer explained if it doesn't, they have to pay a fee to the Borough.

Mr. Volker stated he shares everyone's frustrations about the pop-up car shows.

Gene Creamer, 4th Avenue, would like to see the Verizon application. Ms. Claudio suggested he could come to Borough Hall to review it.

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

Respectively submitted,

April Claudio
Municipal Clerk