

“GOD BLESS AMERICA”

REORGANIZATION MEETING

JANUARY 6, 2015

HAPPY NEW YEAR

A Reorganization Meeting and 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, Councilwoman Nicolay, Business Administrator Colleen Connolly, and Borough Clerk April Claudio

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 12, 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

NOMINATIONS OF COUNCIL PRESIDENT:

REPORT OF MAYOR:

Mayor Doherty’s report concerning the Emergency Management staff for advice and consent

COMMITTEES OF THE COUNCIL - Appointed and Designated by Mayor (NJSA40:69A-123)

PLANNING BOARD MEMBER APPOINTMENTS:

Matthew Doherty, Mayor of the Borough of Belmar makes the following appointments to the Planning Board as per Borough Ordinance 1995-07:

Class I - Matthew Doherty, Mayor, for a term expiring December 31, 2015

Class II – Michael Campbell, municipal official, for a term expiring December 31, 2015

Class III - Brian Magovern, member of the governing body, for a term expiring December 31, 2015

Class IV - Thea Sheridan, for a term expiring December 31, 2018
Robert Forte, Alternate Member, for a term expiring December 31, 2016

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:

No. 2015-01 entitled “RESOLUTION APPOINTING AND CONFIRMING MUNICIPAL

ATTORNEY, BOROUGH ENGINEER, BOND COUNSEL, SPECIAL COUNSEL, & PUBLIC DEFENDER”

No. 2015-02 entitled “RESOLUTION APPOINTING BOROUGH ADMINISTRATOR WITH ADVICE AND CONSENT OF THE BOROUGH COUNCIL”

No. 2015-03 entitled “RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND THE BOROUGH OF BELMAR TO IDENTIFY FUND COMMISSIONER AND SAFETY REPRESENTATIVES TO THE CENTRAL JERSEY JOINT INSURANCE FUND”

No. 2015-04 entitled “RESOLUTION APPOINTING AND CONFIRMING VARIOUS POSITIONS IN THE BOROUGH OF BELMAR, COUNTY OF MONMOUTH, STATE OF NEW JERSEY.”

No. 2015-05 entitled “RESOLUTION APPOINTING AND CONFIRMING APPOINTMENT OF A PUBLIC AGENCY COMPLIANCE OFFICER”

No. 2015-06 entitled “RESOLUTION AUTHORIZING INVESTMENT OF FUNDS”

No. 2015-07 entitled “RESOLUTION ADOPTING CASH MANAGEMENT PLAN”

No. 2015-08 entitled “RESOLUTION APPOINTING COORDINATOR AND MEMBERS TO THE AMERICAN WITH DISABILITIES (ADA) FOR THE BOROUGH OF BELMAR”

No. 2015-09 entitled “RESOLUTION APPOINTING MEMBERS TO THE BELMAR SHADE TREE COMMISSION”

No. 2015-10 entitled “RESOLUTION SPREADING THE RETURNS OF THE GENERAL ELECTION OF NOVEMBER 5, 2013 UPON THE MINUTES”

No. 2015-11 entitled “RESOLUTION APPOINTING STEPHEN G. SCHUELER AS MUNICIPAL PROSECUTOR”

No. 2015-12 entitled “RESOLUTION APPOINTING AND CONFIRMING MEMBERS TO THE BOARD OF ADJUSTMENT AS PER BOROUGH ORDINANCE 2004-21”

No. 2015-13 entitled “RESOLUTION APPOINTING AND CONFIRMING APPOINTMENTS TO THE ENVIRONMENTAL COMMISSION AS PROVIDED BY BOROUGH ORDINANCE 1991-3 AND ORDINANCE 2004-19”

2015-14 entitled “RESOLUTION APPOINTING MEMBERS TO THE HARBOR COMMISSION AS PERMITTED BY N.J.S.A. 40:68-22 AND BOROUGH ORDINANCE 1995-02”

2015-15 entitled “RESOLUTION APPOINTING AND CONFIRMING APPOINTMENT TO THE TOURISM COMMISSION AS PROVIDED BY BOROUGH ORDINANCE 1993-3”

2015-16 entitled “RESOLUTION CONSENTING TO APPOINTMENT OF TRUSTEES TO THE BELMAR FREE PUBLIC LIBRARY AS PERMITTED BY N.J.S.A.40:54-9”

No. 2015-17 entitled “RESOLUTION SETTING FORTH RULES OF ORDER FOR MEETINGS OF THE MAYOR AND COUNCIL”

No. 2015-18 entitled “RESOLUTION APPOINTING AND CONFIRMING APPOINTMENT TO THE LOCAL ASSISTANCE BOARD”

No. 2015-19 entitled “RESOLUTION DESIGNATING OFFICIAL NEWSPAPERS FOR THE BOROUGH OF BELMAR 2015”

No. 2015-20 entitled “RESOLUTION DETERMINING RATE OF INTEREST TO BE CHARGED ON DELINQUENT WATER/SEWER CHARGES AS PERMITTED BY BOROUGH ORDINANCE 1997-19”

No. 2015-21 entitled “RESOLUTION DETERMINING RATE OF INTEREST TO BE

CHARGED ON DELINQUENT TAXES AND ASSESSMENTS AS PERMITTED BY N.J.S.A. 54:4-67"

No. 2015-22 entitled **"RESOLUTION APPOINTING DIRECTORS OF DEPARTMENTS AS ESTABLISHED BY ARTICLE III, DEPARTMENTS AND OFFICES, SECTIONS 2-11 AND 2-12, WITH THE ADVICE AND CONSENT OF THE BOROUGH COUNCIL"**

No. 2015-23 entitled **"RESOLUTION APPOINTING AND CONFIRMING APPOINTMENTS COMMUNITY DEVELOPMENT PROGRAM REPRESENTATIVES FOR 2015"**

No. 2015-24 entitled **"RESOLUTION APPOINTING MICHAEL CAMPBELL DIRECTOR OF PUBLIC WORKS WITH ADVICE AND CONSENT OF THE BOROUGH COUNCIL"**

No. 2015-25 entitled **"RESOLUTION AUTHORIZING THE RETENTION OF SPECIAL COUNSEL ON BEHALF OF THE BOROUGH OF BELMAR FOR ANIMAL HOUSE HEARING OFFICER"**

No. 2015-26 entitled **"RESOLUTION CONFIRMING THE APPOINTMENT OF PETER PIRO AS BOROUGH ADVOCATE"**

REGULAR MEETING

SPECIAL RESOLUTIONS:

- Honoring: Connolly Station, Friendly Sons of Shillelagh and D'Jais

SPECIAL PRESENTATION:

- Mayor's Ball donation to Belmar Youth Club
- Employee of the Month

WORKSHOP DISCUSSION:

PETITIONS:

APPROVAL OF MINUTES:

REPORTS OF COUNCIL:

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

RESOLUTIONS:

- RESOLUTION AUTHORIZING PAYMENT OF BILLS
- RESOLUTION APPOINTING SPECIAL POLICE OFFICERS FOR 2015

ORDINANCES:

ORDINANCE 2015-01

First Reading & Introduction

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER XXVI HOUSING AND PROPERTY MAINTENANCE OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BELMAR, IN THE COUNTY OF MONMOUTH, NEW JERSEY

ORDINANCE 2015-02

First Reading & Introduction

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER XVI, POLICE
REGULATIONS, OF THE GENERAL ORDINANCES OF THE BOROUGH OF
BELMAR PERTAINING TO HOTELS, MOTELS & ROOMING HOUSES**

ORDINANCE 2015-03

First Reading & Introduction

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER XX LICENSES-
GENERAL OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF
BELMAR, IN THE COUNTY OF MONMOUTH, NEW JERSEY, SECTION 20-9,
GAMES OF CHANCE**

PUBLIC SESSION:

MEETING ADJOURNED:

COMMITTEES OF THE COUNCIL - Appointed and Designated by Mayor (NJSA40:69A-123)

The following **Council Committees** are hereby established with the following council members serving as noted:

Finance, Grants, Leasing & Personnel Committee – Magovern & Nicolay

Beach & Environment Committee (operations and activities, except lifeguards)- Brennan and Magovern.

Parks, Roads and Buildings Committee – Magovern & Nicolay

Public Safety Committee (police, fire and first aid, including lifeguards) – Brennan and Keown-Blackburn

Community Services Committee (including youth services, recreation, senior citizen services, Drug Alliance) - Nicolay and Keown-Blackburn

Water/Sewer Committee – Keown-Blackburn and Magovern

HONORING CONNOLLY STATION

WHEREAS, Connolly Station is located on 8th Avenue & Main Street in Belmar and have been a steadfast partner to the Borough of Belmar; and

WHEREAS, Connolly Station is a valuable asset to the Belmar community during the holiday season; hosting toy drives and guest bartending nights in order to generate donations for Belmar's children; and

WHEREAS, in October of this year, Connolly Station commenced a partnership with the Borough of Belmar to host monthly karaoke nights for the Circle of Friends, an organization devoted to offering fun and socially interactive experiences for its young adult members; and

WHEREAS, Connolly Station has allowed to happen what is the most fun and heartwarming evening of karaoke ever seen within the Borough of Belmar;

WHEREAS, Connolly Station continues to exemplify what it is to be a vested member of the community and a valuable partner to the Borough of Belmar;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council and all of the residents of Belmar, that Connolly Station be honored and thanked for all of their many years of support to the Belmar community; and

BE IT FURTHER RESOLVED, that the Mayor and Council thank Connolly Station for their generous ongoing partnership with the Borough of Belmar.

HONORING D'JAIS BAR & GRILLE

WHEREAS, D'Jais Bar & Grille is located at 18th Avenue and Ocean Avenue in Belmar and have been a steadfast partner to the Borough of Belmar; and

WHEREAS, D'Jais Bar & Grille is a valuable asset to the Belmar community; hosting fundraisers and events for vital causes important to Belmar residents; sponsoring the annual Sand Castle Contest; and supporting countless other causes; and

WHEREAS, in 2014 D'Jais Bar & Grille partnered with the Borough of Belmar to host the first ever Town-wide Beach Party & Bonfire, donating all of the food and marshmallows to be enjoyed by Belmar families; and

WHEREAS, in December of this year, D'Jais Bar & Grille made the very generous donation of \$1,500 to the Belmar toy drive to ensure that Belmar children will have a magical Holiday Season; and

WHEREAS, D'Jais Bar & Grille continues to exemplify what it is to be a vested member of the community and a valuable partner to the Borough of Belmar;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council and all of the residents of Belmar, that D'Jais Bar & Grille be honored and thanked for all of their many years of support to the Belmar community; and

BE IT FURTHER RESOLVED, that the Mayor and Council thank D'Jais Bar & Grille for their generous ongoing partnership with the Borough of Belmar.

HONORING THE FRIENDLY SONS OF THE SHILLELAGH

WHEREAS, the Friendly Sons of the Shillelagh are located on 16th Avenue in Belmar and have been a steadfast partner to the Borough of Belmar throughout its tenure; and

WHEREAS, the Friendly Sons of the Shillelagh are a valuable asset to the Belmar community; donating countless volunteer hours, providing food baskets for the less fortunate, running toy drives for Christmas, and consistently and generously donating funds towards local organizations and programs; and

WHEREAS, in November of this year, the Friendly Sons of the Shillelagh approached the Borough of Belmar inquiring as to how to support the Belmar Police Department with any equipment needs; and

WHEREAS, the Friendly Sons of the Shillelagh generously made the donation of two portable defibrillator unit to the Belmar Police Department to support them in their duties; and

WHEREAS, the Friendly Sons of the Shillelagh continue to exemplify what it is to be a vested member of the community and a valuable partner to the Borough of Belmar;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council and all of the residents of Belmar, that the Friendly Sons of the Shillelagh be honored and thanked for all of their many years of support to the Belmar community; and

BE IT FURTHER RESOLVED, that the Mayor and Council thank the Friendly Sons of the Shillelagh for their most generous donation to the Belmar Police Department.

REPORT OF MAYOR DOHERTY

JANUARY 6, 2015

I, Matthew Doherty, Mayor of the Borough of Belmar hereby appoint the following individuals as members to the Local Emergency Planning Committee:

Primary Staff

Director: Mayor Matthew Doherty
Coordinator: Mayor Matthew Doherty
OEM 1st Deputy Coordinator - Francis Hines
OEM 2nd Deputy Coordinator - Thomas Palmisano
OEM 3rd Deputy Coordinator - Tina Scott

Staff Positions

Communications/IT Officer - Andrew Huisman
Resource Officers (2) - TBA
Haz-Mat WMD Officer - George Burr
CERT Officer - Francis Hines
Shelter/Welfare Officer - Kelly Williams
Finance Officer - Robbin Kirk

Secondary Staff:

Councilwoman: Jennifer Nicolay
Councilman: Brian Magovern
Councilwoman: Janis Keown-Blackburn
Councilman: Thomas Brennan
Borough Clerk: April Claudio
Borough Attorney: Michael DuPont, Esq.
Borough Engineer: Paul Calabrese, P.E.
Police Chief: Thomas Palmisano
Administrator - Colleen Connolly
Fire Chief: George Burr
First Aid: Francis Hines
Public Works & Utilities: Michael Campbell
Code Enforcement: Robert Poff
Safety Committee Chairman - Michael Campbell

RESOLUTION NO. 2015-

RESOLUTION APPOINTING SPECIAL POLICE OFFICERS FOR 2015

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 as Special Police Officers for the Borough of Belmar for 2015:

SPECIAL II OFFICERS

JAMES ALESSI
CLINT BARSA
MATTHEW BROWN
JAMES BURDICK
PETER BYLSMA
JOSEPH CLAYTON
SHANE EVANS
CHRISTOPHER HUBERT
DALTON JACOB
JESSICA LERNER
GEORGE NOBLE
ROBERT POFF
EDWIN RAMOS
RANDI RODRIGUEZ
DANIEL SCHLISSERMAN
NICOLE STOLZ

COREY WHITMAN
TIMOTHY YEE
JOSEPH VOJTKO

SPECIAL I OFFICERS

DAMIEN BROSCART
KYLE DEVENNY
JASON DOWNING
JEREMY JEFFERIES
WILLIAM MCCUDDEN
THOMAS PAYCO
OSCAR POLANCO
KEVIN ROMANO
KATHERINE RUBINO
ANTHONY TREBINO
NICHOLAS TROCCHIO
JOSUAH WILLIAMS

Be it further resolved, that the following persons are hereby appointed and confirmed as Special II Police Officers pending completion of the Police Academy. These persons shall not commence duties as a special law enforcement officers until successful completion of the Police Academy training course.

MICHAEL DANIEL
PATRICK KEATING
NICHOLE HAWKINS
MICHAEL MAKWINSKI
CARSTON RAAB
DANIEL WINDEL

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
Ms. Keown-Blackburn				
Mr. Magovern				
Mr. Brennan				
Mrs. Nicolay				
Mayor Doherty				

Adopted:

RESOLUTION NO 2015-01

**RESOLUTION APPOINTING AND CONFIRMING MUNICIPAL
ATTORNEY, BOROUGH ENGINEER, BOND COUNSEL, AUDITOR, SPECIAL COUNSEL &
PUBLIC DEFENDER**

WHEREAS, there exists a need for professional services for a municipal attorney, auditor, borough engineer, and labor attorney.

WHEREAS, a contract for professional services pursuant to N.J.S. 40A:11-5(1)(a)(I) and N.J.S.19:44A-20.5 may be awarded without advertisement for bids or bidding in that the required services must be performed by persons authorized by law to practice a recognized profession, whose practice is regulated by law, and the performance of which requires knowledge of an advanced and specialized type.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Belmar that the following be and are hereby appointed and confirmed to their respective positions as recommended by Mayor Doherty:

Borough Attorney-	Michael DuPont, Esq. McKenna, DuPont, Higgins & Stone 229 Broad Street Red Bank, NJ 07701
Borough Engineer-	Paul Calabrese P.E. Maser Consulting 331 Newman Springs Road Red Bank, NJ 07701
Borough Bond/ - Redevelopment Counsel	Edward J. McManimon, III McManimon & Scotland, L.L.C. 1037 Raymond Boulevard Suite 400 Newark, N.J. 07102-5408
Public Defender -	Kevin Starkey, Esq. Starkey, Kelly, Kenneally, Cunningham & Turnbach 1593 New Jersey 88 Brick, NJ 08723
Auditor -	Thomas P. Fallon, CPA, RMA Fallon & Larsen LLP 1390 Route 36, Suite 102 Hazlet, NJ 07730
Labor Attorney -	James L. Plosia Appruzze, McDermott, Mastro & Murphy PO Box 112 Liberty Corner, NJ 07938
Special Counsel -	Karl Kemm, Esq. McManimon & Scotland, L.L.C. 1037 Raymond Boulevard Suite 400 Newark, N.J. 07102-5408
Special Counsel -	Hoagland, Longo, Moran, Dunst & Doukas, LLP, 40 Paterson Street New Brunswick, NJ 08903

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
Ms. Keown-Blackburn				
Mr. Magovern				
Mr. Brennan				
Ms. Nicolay				
Mayor Doherty				

Adopted:

RESOLUTION NO 2015-02

**RESOLUTION APPOINTING BOROUGH ADMINISTRATOR
WITH ADVICE AND CONSENT OF THE BOROUGH COUNCIL**

WHEREAS, Mayor Doherty has advised the Borough Council of the appointment of Colleen Connolly as Borough Administrator for a term effective January 1, 2015 to December 31, 2015.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council that it does approve, ratify and affirm that Colleen Connolly be and is hereby designated and appointed.

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
Ms. Keown-Blackburn				
Mr. Magovern				
Mr. Brennan				
Ms. Nicolay				
Mayor Doherty				

Adopted:

RESOLUTION NO 2015-03

**RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE THE
AGREEMENT AND THE BOROUGH OF BELMAR TO IDENTIFY FUND
COMMISSIONER AND SAFETY REPRESENTATIVES TO THE CENTRAL
JERSEY JOINT INSURANCE FUND**

WHEREAS, the Borough of Belmar joined the Central Jersey Joint Insurance Fund to provide liability, auto, workers compensation and fire insurance coverage as part of our limited self insurance program; and

WHEREAS, each year the Mayor will execute an Agreement and the Borough of Belmar must identify the Fund Commissioner, alternate and safety representative and alternate.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Belmar, County of Monmouth, State of New Jersey according to the following:

1. Colleen Connolly shall serve as the fund commissioner for the year 2015.
2. Mike Campbell shall serve as the alternate fund commissioner.
3. Mike Campbell shall serve as the safety delegate to the JIF.
4. The Mayor be authorized to execute Agreement.
5. A certified copy of this Resolution and the executed agreement shall be provided by the Municipal Clerk to the Central Jersey Joint Insurance Fund.

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
Ms. Keown-Blackburn				
Mr. Magovern				
Mr. Brennan				
Ms. Nicolay				
Mayor Doherty				

Adopted:

RESOLUTION NO. 2015-04

**RESOLUTION APPOINTING AND CONFIRMING VARIOUS POSITIONS IN THE
BOROUGH OF BELMAR, COUNTY OF MONMOUTH, STATE OF NEW JERSEY.**

BE IT RESOLVED by the Mayor and Borough Council of the Borough of Belmar that the following be and are appointed and confirmed to the following positions, at such compensation as provided by Borough Ordinance:

Sharon K. Day Term 1-1-2015 To 12-31-2015	Deputy Municipal Clerk
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Patricia Zwirz Term 1-1-2015 To 12-31-2015	Registrar Vital Statistics
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April Claudio Term 1-1-2015 To 12-31-2015	Deputy Registrar Vital Statistics
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Sharon K. Day Term 1-1-2015 To 12-31-2015	Alternate Registrar Vital Statistics
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Theodore Bianchi Term 1-1-2015 To 12-31-2015	Zoning Official
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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
Ms. Keown-Blackburn				
Mr. Magovern				
Mr. Brennan				
Ms. Nicolay				
Mayor Doherty				

Adopted:

RESOLUTION NO 2015-05

**RESOLUTION APPOINTING AND CONFIRMING APPOINTMENT
OF A PUBLIC AGENCY COMPLIANCE OFFICER**

BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Belmar that the following person be and is appointed Public Agency Compliance Officer as recommended per N.J.S.A. 10:5-31 et. seq. and N.J.A.C. 17:27.

Patricia A. Zwirz, for a term expiring December 31, 2015

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
Ms. Keown-Blackburn				
Mr. Magovern				
Mr. Brennan				
Ms. Nicolay				
Mayor Doherty				

Adopted:

CONSENT RESOLUTION NO 2015-06

RESOLUTION AUTHORIZING INVESTMENT OF FUNDS

WHEREAS, the Mayor and Borough Council deem it advisable to invest in interest bearing securities when there are funds on hand over and above immediate cash needs; and

NOW, THEREFORE, BE IT RESOLVED that the Mayor be and is authorized to determine when such funds are available for investment, and to invest such funds by purchasing United States Government Securities or Certificates of Deposit in authorized and eligible depositories.

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
Ms. Keown-Blackburn				
Mr. Magovern				
Mr. Brennan				
Ms. Nicolay				
Mayor Doherty				

Adopted:

CONSENT RESOLUTION NO 2015-07

RESOLUTION ADOPTING CASH MANAGEMENT PLAN

BE IT RESOLVED by the Mayor and Borough Council of the Borough of Belmar that a Cash Management Plan for the Borough of Belmar be adopted as follows:

All monies received from any source by or on behalf of the Borough of Belmar or any of its officers, boards or departments shall be deposited within 48 hours after the receipt thereof to the credit of an account of the Borough of Belmar in, Central Jersey Bank, Bank of America, Ocean First Bank, Sovereign Bank, PNC Bank, TD Bank, New Jersey Community Bank, and the New Jersey State Cash Management Fund. In so far as is possible all deposits shall be to interest bearings accounts and transfers shall be made to demand accounts as issuance of checks are authorized by the Mayor and Finance Committee.

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
Ms. Keown-Blackburn				
Mr. Magovern				
Mr. Brennan				
Ms. Nicolay				
Mayor Doherty				

Adopted:

RESOLUTION NO 2015-08

RESOLUTION APPOINTING COORDINATOR AND MEMBERS TO THE AMERICAN WITH DISABILITIES (ADA) FOR THE BOROUGH OF BELMAR

BE IT RESOLVED by the Mayor and Council of the Borough of Belmar that the following persons be appointed members of The American with Disabilities Committee (ADA) for a term expiring December 31, 2015.

ADA COORDINATOR

Janis Keown-Blackburn

MEMBERS:

Mary Louis Anderson
Carol Barnwell
Carol Ann Cupoli
Rose Daganya
Mike O'Connell
Brendan Read

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
Ms. Keown-Blackburn				
Mr. Magovern				
Mr. Brennan				
Ms. Nicolay				
Mayor Doherty				

Adopted:

RESOLUTION NO 2015-09

**RESOLUTION APPOINTING MEMBERS TO THE BELMAR SHADE
TREE COMMISSION**

BE IT RESOLVED, by the Mayor and Council that pursuant to N.J.S.A. 40:64-1 and Borough Ordinance No. 1991-19 which established a Shade Tree Commission of the Borough of Belmar, that the following persons are hereby appointed members of the Shade Tree Commission with advice and consent of the Borough Council.

<u>Members</u>	<u>Term Expiring</u>
Neil Scheck	December 31, 2015
Robert Luetholt	December 31, 2015
Brian Magovern	December 31, 2015

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
Ms. Keown-Blackburn				
Mr. Magovern				
Mr. Brennan				
Ms. Nicolay				
Mayor Doherty				

Adopted:

RESOLUTION NO 2015-10

**RESOLUTION SPREADING THE RETURNS OF THE GENERAL ELECTION OF
NOVEMBER 4, 2014 UPON THE MINUTES**

BE IT RESOLVED that the complete canvass of the Returns of the General Election held in the Borough of Belmar on the 4th day of November, 2014 as certified by the County Board of Elections, be spread upon the minutes.

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
Ms. Keown-Blackburn				
Mr. Magovern				
Mr. Brennan				
Ms. Nicolay				
Mayor Doherty				

Adopted:

RESOLUTION NO. 2015-11

**RESOLUTION APPOINTING STEPHEN G. SCHUELER AS MUNICIPAL
PROSECUTOR**

BE IT RESOLVED by the Mayor and Council of the Borough of Belmar that Stephen G. Schueler be and is hereby appointed as Municipal Prosecutor for a term terminating December 31, 2015.

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
Ms. Keown-Blackburn				
Mr. Magovern				
Mr. Brennan				
Ms. Nicolay				
Mayor Doherty				

Adopted:

RESOLUTION NO 2015-12

**RESOLUTION APPOINTING AND CONFIRMING MEMBERS TO THE
BOARD OF ADJUSTMENT AS PER
BOROUGH ORDINANCE 2004-21**

BE IT RESOLVED by the Borough Council of the Borough of Belmar that the following persons be and are hereby appointed to the Board of Adjustment as recommended by Mayor Doherty per Borough Ordinance 2004-21:

<u>Alternate Members:</u>	<u>Term Expiring</u>
Philip Greig	December 31, 2016
Charles Ross	December 31, 2016

<u>Regular Members:</u>	<u>Term Expiring:</u>
Michelle Casserly	December 31, 2017

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
Ms. Keown-Blackburn				
Mr. Magovern				
Mr. Brennan				
Ms. Nicolay				
Mayor Doherty				

Adopted:

RESOLUTION NO 2015-13

**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:

<u>MEMBERS:</u>	<u>TERM EXPIRING</u>
Ed Lippincott	December 31, 2015
Chris Hoffman	December 31, 2015
Kristen Hill	December 31, 2016
Thea Sheridan	December 31, 2016
Gene Creamer	December 31, 2017

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
Ms. Keown-Blackburn				
Mr. Magovern				
Mr. Brennan				
Ms. Nicolay				
Mayor Doherty				

Adopted:

RESOLUTION NO 2015-14

**RESOLUTION APPOINTING MEMBERS TO THE HARBOR
COMMISSION AS PERMITTED BY N.J.S.A. 40:68-22 AND
BOROUGH ORDINANCE 1995-02**

BE IT RESOLVED by the Borough Council of the Borough of Belmar that the following persons be and are hereby appointed to the Harbor Commission as recommended by Mayor Doherty per N.J.S.A. 40:68-22 and Borough Ordinance 1995-02.

<u>Members</u>	<u>Term Expiring</u>
Thomas Brennan	December 31, 2015
Brian Magovern	December 31, 2015
Michael Rothenberg	December 31, 2015
Robert Lynch	December 31, 2015
Roy Childers	December 31, 2015

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
Ms. Keown-Blackburn				
Mr. Magovern				
Mr. Brennan				
Ms. Nicolay				
Mayor Doherty				

Adopted:

RESOLUTION NO 2015-15

**RESOLUTION APPOINTING AND CONFIRMING APPOINTMENT
TO THE TOURISM COMMISSION AS PROVIDED BY BOROUGH
ORDINANCE 1993-3**

BE IT RESOLVED by the Borough Council of the Borough of Belmar that the following are appointed to the Tourism Commission as recommended by Mayor Doherty per Borough Ordinance 1993-3 with a term expiring December 31, 2015.

Members

Don Tarrant
Brian Magovern (Council Rep)
Frank Sementa
Chris Brandl
Daniel White
Stephen Lacko

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
Ms. Keown-Blackburn				
Mr. Magovern				
Mr. Brennan				
Ms. Nicolay				
Mayor Doherty				

Adopted:

RESOLUTION NO 2015-16

**RESOLUTION CONSENTING TO APPOINTMENT OF TRUSTEE TO
THE BELMAR FREE PUBLIC LIBRARY AS PERMITTED BY
N.J.S.A.40:54-9**

BE IT RESOLVED by the Borough Council of the Borough of Belmar that the following appointments by Mayor Doherty for Trustees of the Belmar Free Public Library are approved and confirmed:

<u>Members</u>	<u>Term Expiring</u>
Mayor Doherty	December 31, 2015
Janis Keown-Blackburn, Council Rep	December 31, 2015
David Hallman, Superintendent of Belmar Elementary School	December 31, 2015
Kerry White, Belmar Elementary School Alternate	December 31, 2015
Sharon Russell	December 31, 2015
Jennifer Lawrence	December 31, 2015

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
Ms. Keown-Blackburn				
Mr. Magovern				
Mr. Brennan				
Ms. Nicolay				
Mayor Doherty				

Adopted:

CONSENT RESOLUTION NO 2015-17

**RESOLUTION SETTING FORTH RULES OF ORDER FOR MEETINGS
OF THE MAYOR AND COUNCIL**

BE IT RESOLVED by the Mayor and Borough Council of the Borough of Belmar that effective January 1, 2015 the following Rules of Order shall govern the meetings of the Mayor and Council:

A. The Mayor and Council shall meet pursuant to N.J.S.A. 10:4-6 “Open Public Meetings Act.” Regular Meetings shall be held in the Council Chambers, Municipal Complex, 601 Main Street, Belmar, New Jersey on those dates and times as determined by resolution of the Mayor and Council.

B. The Order of Business at all Regular Meetings shall be as follows:

1. Pledge of Allegiance.
2. Moment of Silence
3. Call to Order.
4. Roll Call.
5. Minutes of Previous Meeting.
6. Receipt of Bids.
7. Petitions.
8. Special Presentations.
9. Communications.
8. Special Presentations.
9. Communications.
10. Reports of Mayor and Council
11. Public Session for Resolutions
12. Resolutions by consent
13. Resolutions
14. Ordinances
15. Payment of Bills
16. Public
17. Adjourn

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
Ms. Keown-Blackburn				
Mr. Magovern				
Mr. Brennan				
Ms. Nicolay				
Mayor Doherty				

Adopted:

RESOLUTION NO 2015-18

**RESOLUTION APPOINTING AND CONFIRMING APPOINTMENT
TO THE LOCAL ASSISTANCE BOARD**

BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Belmar that the following persons be and is appointed to the Local Assistance Board as recommended by Mayor Doherty as per N.J.S.A. 44:8-116.

Mayor Matthew Doherty for a term expiring December 31, 2015

Patricia A. Zwirz, for a term expiring December 31, 2015

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
Ms. Keown-Blackburn				
Mr. Magovern				
Mr. Brennan				
Ms. Nicolay				
Mayor Doherty				

Adopted:

CONSENT RESOLUTION NO 2015-19

**RESOLUTION DESIGNATING OFFICIAL NEWSPAPERS FOR THE
BOROUGH OF BELMAR 2015**

BE IT RESOLVED that the Asbury Park Press, the Star Ledger, and The Coast Star be and are designated official newspapers of the Borough of Belmar for the publication of advertisements and notices required by law to be published by the Borough of Belmar. Said advertisements or notices may be published in either or all.

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
Ms. Keown-Blackburn				
Mr. Magovern				
Mr. Brennan				
Ms. Nicolay				
Mayor Doherty				

Adopted:

CONSENT RESOLUTION NO 2015-20

**RESOLUTION DETERMINING RATE OF INTEREST TO BE
CHARGED ON DELINQUENT WATER/SEWER CHARGES AS
PERMITTED BY BOROUGH ORDINANCE 1997-19**

BE IT RESOLVED by the Mayor and Borough Council of the Borough of Belmar that the rate of interest to be charged for the non-payment of water/sewer charges on or before that date when they would become delinquent, and providing that no interest shall be charged if payment of any installment is made by the thirtieth calendar day following the date upon which the meter/adjusted bill is due. The rate of interest shall accrue at a rate of eighteen percent (18%) per annum, and shall be added to and payable with the amount of the bill.

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
Ms. Keown-Blackburn				
Mr. Magovern				
Mr. Brennan				
Ms. Nicolay				
Mayor Doherty				

Adopted:

CONSENT RESOLUTION NO 2015-21

**RESOLUTION DETERMINING RATE OF INTEREST TO BE
CHARGED ON DELINQUENT TAXES AND ASSESSMENTS AS
PERMITTED BY N.J.S.A. 54:4-67**

BE IT RESOLVED by the Mayor and Borough Council of the Borough of Belmar that the rate of interest to be charged for the non-payment of taxes and assessments on or before the date when they would become delinquent, and may provide that no interest shall be charged if payment on any installment is made within the tenth calendar day following the date upon which the same became payable. The rate so fixed shall be 8% per annum on the first \$1,500.00, of delinquency and 18% per annum on any amount in excess of \$1,500.00, to be calculated from the date the tax was payable until the date of actual payment.

BE IT FURTHER RESOLVED that an additional penalty of six (6) percent be charged on any delinquency in excess of ten thousand (\$10,000.00) dollars and such delinquency shall be calculated on the sum of all taxes from year to year and not to be calculated on an individual year basis as permitted by N.J.S.A. 54:4-67; and

BE IT FURTHER RESOLVED that tax sale certificates shall accrue interest charges on the amount of the sale as follows:

- 1. Two (2) percent from (\$200.00) dollars to (\$4,999.) dollars; and
- 2. Four (4) percent from (\$5,000.) dollars to \$9,999.) dollars; and
- 3. Six (6) percent in excess of ten thousand (\$10,000.).

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
Ms. Keown-Blackburn				
Mr. Magovern				
Mr. Brennan				
Ms. Nicolay				
Mayor Doherty				

Adopted:

CONSENT RESOLUTION NO 2015-22

**RESOLUTION APPOINTING DIRECTORS OF DEPARTMENTS AS
ESTABLISHED BY ARTICLE III, DEPARTMENTS AND OFFICES,
SECTIONS 2-11 AND 2-12, WITH THE ADVICE AND CONSENT
OF THE BOROUGH COUNCIL**

WHEREAS, Article III, Departments and Offices, Section 2-11 Establishment and Section 2-12 Department heads and subordinates of the Administrative Code provides for the establishment of six departments under the direction and supervision of the Mayor as chief executive; and

WHEREAS, Mayor Doherty has advised the Borough Council of his appointments of certain individuals to head each department and they shall be called Directors.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council that it does consent to the appointments as follows:

1. Department of Finance - Robbin D. Kirk, CFO
2. Department of Public Safety – Thomas Palmisano, Police Chief
3. Department of Code Enforcement – Robert Poff
4. Department of Parks & Recreation – Mayor Matthew Doherty
5. Department of Public Works – Mike Campbell

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
Ms. Keown-Blackburn				
Mr. Magovern				
Mr. Brennan				
Ms. Nicolay				
Mayor Doherty				

Adopted:

CONSENT RESOLUTION NO 2015-23

**RESOLUTION APPOINTING AND CONFIRMING APPOINTMENTS
COMMUNITY DEVELOPMENT PROGRAM REPRESENTATIVES
FOR 2015**

BE IT RESOLVED by the Mayor and Borough Council of the Borough of Belmar that the following persons are appointed as Representatives:

Community Development Program Representatives:

Colleen Connolly, Borough Administrator

Alternate – April Claudio, Borough Clerk

For the term expiring December 31, 2015

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
Ms. Keown-Blackburn				
Mr. Magovern				
Mr. Brennan				
Ms. Nicolay				
Mayor Doherty				

Adopted:

RESOLUTION NO 2015-24

**RESOLUTION APPOINTING MICHAEL CAMPBELL DIRECTOR OF PUBLIC
WORKS WITH ADVICE AND CONSENT OF THE BOROUGH COUNCIL**

WHEREAS, Mayor Doherty has advised the Borough Council of the appointment of Michael Campbell as Director of Public Works for a term effective January 1, 2015 to December 31, 2018.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council that it does approve, ratify and affirm that Michael Campbell is hereby designated to be appointed Director of Public Works effective January 1, 2015 to December 31, 2018.

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
Ms. Keown-Blackburn				
Mr. Magovern				
Mrs. Nicolay				
Mr. Brennan				
Mayor Doherty				

Adopted:

RESOLUTION No. 2015-25

**A RESOLUTION AUTHORIZING THE RETENTION OF SPECIAL COUNSEL ON
BEHALF OF THE BOROUGH OF BELMAR FOR ANIMAL HOUSE HEARING
OFFICER**

WHEREAS, the Mayor and Borough Council have determined that the Borough’s retention of Special Counsel is desirable to represent the interests of the Borough in situations where the Borough Attorney may have a conflict of interest or where the Borough of Belmar or the Borough Attorney determines that the retention of counsel with specialized knowledge or experience will be advantageous to the Borough of Belmar; and,

WHEREAS, the award of a contract for legal services pursuant to N.J.S.A. 40A:11-5(1)(a)(i) may be awarded without advertisement for bids or bidding in that the required services must be performed by an attorney at law in the State of New Jersey, a person authorized by law to practice a recognized profession, whose practice is regulated by law, and the performance of which requires knowledge of an advance and specialized type; and,

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Belmar that Alfred J. D’Auria, Esq. 100 Norwood Avenue, Avon, N.J.07717 be and is hereby authorized to represent the interests of the Borough of Belmar as Animal House Hearing Officer at the rate of \$125.00 per hearing to include a written report of said hearing,(for purposes of calculating the maximum herein only) not to exceed a maximum of \$2,500.00 without prior approval of the Mayor and Borough Council;

BE IT FURTHER RESOLVED, that the Mayor and Borough Clerk be and are authorized to execute a contract for legal services as noted above and the Borough Clerk shall publish a notice of the nature, duration, service and amount of this contract, together with a statement that the Resolution and contract are on file and available for inspection in the Borough Clerk’s Office; and,

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the resolution authorizing the award of contracts for “Professional Services” without competitive bids and the contract itself must be available for public inspection. Notice of the adoption of this resolution shall be published once in The Coast Star, our official newspaper.

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
Ms. Keown-Blackburn				
Mr. Magovern				
Mr. Brennan				
Mrs. Nicolay				
Mayor Doherty				

Adopted:
:

RESOLUTION NO. 2015-26

**RESOLUTION CONFIRMING THE APPOINTMENT OF PETER PIRO
AS BOROUGH ADVOCATE**

WHEREAS, there exists a need for a person to be designated by the Mayor and Council to represent the Borough's interest in hearings pursuant to Borough Ordinance 26-11.3 b. or any code enforcement matters that may fall within the responsibility of the Borough Advocate, and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Belmar that Peter Piro is confirmed and appointed Borough Advocate at a rate of \$125.00 per an hour for a term expiring December 31, 2015.

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
Ms. Keown-Blackburn				
Mr. Magovern				
Mr. Brennan				
Mrs. Nicolay				
Mayor Doherty				

Adopted:

ORDINANCE 2015-01

**AN ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER XXVI HOUSING AND PROPERTY MAINTENANCE
OF THE REVISED GENERAL ORDINANCES OF
THE BOROUGH OF BELMAR, IN THE COUNTY OF MONMOUTH,
NEW JERSEY**

WHEREAS, the Borough of Belmar now desires to amend and supplement specific provisions with regard to summer rental inspection fees in Section 26-5, FEES, of the Borough of Belmar Revised General Ordinances.

NOW, THEREFORE, BE IT ORDAINED by the Borough of Belmar, County of Monmouth, New Jersey, that Chapter XXVI Housing and Property Maintenances of the Borough of Belmar Revised General Ordinances are hereby amended and supplemented as follows:

SECTION I. The following sections of 26-5, Fees, shall be amended as follows:

e. *Reinspection Fees.*

- | | | |
|------|---|--------------------------|
| 1. | Any reinspection required after the first reinspection pursuant to Section 26-2 | \$50.00 each |
| 2. | Any reinspection required after the first reinspection pursuant to Section 26-3 and that is scheduled to occur before May 1 | \$50.00 each |
| 3. | Any reinspection required after the first reinspection pursuant to Section 26-3 and that is scheduled to occur after May 1 | \$100.00 each |
|
 | | |
| 1. | <u>Any second inspection or reinspection required after the first initial inspection pursuant to Section 26-2 shall be \$250.00</u> | |
| 2. | <u>Any reinspection required after a first and second inspection has taken place, pursuant to Section 26-2, shall be \$3500.00</u> | |
| 3. | <u>If an inspection is taking place prior to Memorial Day weekend the Code Enforcement office shall perform a second inspection or reinspection if necessary before Memorial Day.</u> | |
| 4. | <u>If a third inspection is required there shall be no guarantee that the inspection will occur before Memorial Day weekend.</u> | |

SECTION II. If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudicated and the remainder of the Ordinance shall be deemed valid and effective.

SECTION III. All Ordinances or parts of ordinances inconsistent with or in conflict with the ordinance are hereby repealed to the extent of such inconsistency

ORDINANCE 2015-02

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER XVI, POLICE REGULATIONS, OF THE GENERAL ORDINANCES OF THE BOROUGH OF BELMAR PERTAINING TO HOTELS, MOTELS & ROOMING HOUSES

WHEREAS, the Borough of Belmar finds that it is in its best interest to regulate the occupancy and registry for Hotels, Motels and Rooming Houses within the borough;

WHEREAS, the Borough of Belmar seeks to add a section to Police Regulations to add provisions for said regulation;

NOW, THEREFORE BE IT ORDAINED by the Borough of Belmar, County of Monmouth, New Jersey that Chapter XVI, Police Regulations, of the Borough of Belmar, Revised General Ordinance is amended and supplemented as follows:

SECTION I. Chapter XVI shall have the following section 26 added in its entirety:

16-26.1 Definitions

As used in this chapter, the following terms shall have the meanings indicated:

EMPLOYEE

Any person who is employed either full or part time, at any hotel or motel, in any capacity.

HOTEL

Any building, including but not limited to any related structure, accessory building, and land appurtenant thereto, and any part thereof, which contains 10 or more units of dwelling space or has sleeping facilities for 10 or more persons and is kept, used, maintained, advertised as, or held out to be a place where sleeping or dwelling accommodations are available to transit guests.

MOTEL

A "hotel" with individual entrances from the exterior of the building to each room or unit.

OWNER

Any person who owns, purports to own or exercise control of any hotel or motel.

ROOMING HOUSE

Any building, including buildings arranged or occupied for lodging, with or without meals, for compensation and not occupied as a one-family dwelling or a two-family dwelling.

PERSON

Any individual, group of individuals, corporation, association or other legal entity.

16-26.2 Prohibitions

The following acts or activities be and the same are hereby prohibited at any hotel or motel:

- a. No owner or employee shall rent a room or unit in any hotel or motel to any person, nor permit, suffer or allow the renting of any room or unit to any person for less than a period of 12 hours.
- b. No owner or employee shall rent a room or unit in any hotel or motel to any person, nor permit, suffer or allow the renting of any room or unit to any person for a period of time which exceeds 30 days.

16-26.3 Keeping of Registry

- a. Every person operating a hotel or motel in the Borough of Belmar shall keep therein at all times a standard hotel register in which shall be printed legibly the true name and home address of each and every guest or person renting or occupying a room or rooms therein. The names of such guests shall be written upon the register by the persons themselves, and if they cannot write, the names shall be written in by the person renting the room or rooms, stating that the persons occupying such room could not sign their names. The person renting the room shall also require each person over the age of 18 occupying such room or rooms to display to the person in charge of the register one government-issued photo identification, such as a

driver's license, or not less than two other forms of valid identification. The form of identification that is produced shall be recorded, as well as any information from the identification that differs from the information supplied by said person renting the room. The register shall also include the registrant's home address and telephone numbers and the state license number of any motor vehicle then being used by or operated by the registrant, including the make, model and color of the vehicle, and the person renting the room shall thereupon write, opposite the name so registered, the number of the room or rooms assigned to each guest and the time when the same is rented, whether a.m. or p.m. The register shall be signed by the person renting the rooming unit and shall show the date of registration and the date when the occupant of each room shall surrender the room. Until all such entries have been made in such register, no guest shall be permitted to occupy privately any room in the house. If the registrant does not write in the register the information herein required as to the motor vehicle, it shall be the duty of the operator or a duly authorized employee to write in said information. At any time any room or rooms are surrendered, it shall be the further duty of the agent to enter the time thereof in the register opposite the names of all official persons making such surrender.

- b. The register shall be available at all times to any code enforcement or police officer of the Borough upon request.
- c. No person under the age of 18 shall be permitted to rent a room without the permission of a parent or legal guardian. If the parent is not present at the time the room is rented, the minor shall present proof, in writing, of parental consent, the parent's name and telephone number and a legal form of identification, as set forth in Subsection A above, of the parent authorizing the registration.
- d. Each Room can only have the legal limit of adults set by Code Enforcement and the State of New Jersey excepting for minor children and handicapped persons that must be cared for.

16-26.4 Enforcement

- a. The Code Enforcement Official or his or her designee is hereby designated as the local enforcing agency of the provisions of this ordinance applicable to motels, hotels or rooming houses having 10 or more sleeping rooms for guests under the authority vested in him or her at N.J.A.C. 5:10-23.1 The Police Department and any law enforcement agency in whose jurisdiction any of the above-mentioned places may be located may inspect such place at any hour to see that the register requirements of this ordinance are being complied with (N.J.S.A. 29:4-2).

16-26.5 Penalty

- a. The penalty for violation of the foregoing provisions shall be a fine not less than \$500 nor more than \$5,000.

SECTION II. If any section, paragraph, subdivision, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of the Ordinance shall be deemed valid and effective.

SECTION III. All Ordinances or parts of ordinances inconsistent with or in conflict with the ordinance are hereby repealed to the extent of such inconsistency.

SECTION IV. This Ordinance shall take effect 20 days after final passage, adoption and publication according to law.

This ordinance was adopted by the Mayor and Council of the Borough of Belmar on .

April Claudio
Municipal Clerk

ORDINANCE 2015-03

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER XX LICENSES-GENERAL OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BELMAR, IN THE COUNTY OF MONMOUTH, NEW JERSEY, SECTION 20-9, GAMES OF CHANCE

WHEREAS, the Borough of Belmar now desires to amend and supplement specific provisions with regards games of chance of the Borough of Belmar Revised General Ordinances.

WHEREAS, the Mayor and Council of the Borough of Belmar have determined that these changes are necessary and proper to allow the Borough to more efficiently apply and enforce provisions of the Borough's Ordinances.

NOW, THEREFORE, BE IT ORDAINED by the Borough of Belmar, County of Monmouth, New Jersey, that Chapter XX Licenses-General of the Borough of Belmar Revised General Ordinances are hereby amended and supplemented as follows:

SECTION I. Section 20-9 shall be amended as follows:

20-9 GAMES OF CHANCE ~~ON SUNDAY~~

~~Pursuant to N.J.S.A. 5:8-58, games of chance under the "Raffles Licensing Law" of the State of New Jersey (N.J.S.A. 5:8-50 et seq.) may be conducted within the Borough on the first day of the week, commonly known and designated as Sunday.~~

20-9.1 GAMES OF CHANCE APPROVAL PROCESS

The Borough Clerk is hereby delegated the authority to act as the "issuing authority" for the purpose of approving the granting of licenses for games of chance.

20-9.2 GAMES OF CHANCE ON SUNDAY

Pursuant to N.J.S.A. 5:8-58, games of chance under the "Raffles Licensing Law" of the State of New Jersey (N.J.S.A. 5:8-50 et seq.) may be conducted within the Borough on the first day of the week, commonly known and designated as Sunday.

20-9.3 APPLICATION REQUIRED

- (a) The issuing authority shall approve or deny all applications for bingo or raffle licenses with due expedition after the filing of the application. Applications must be filed with the Borough Clerk together with required fees pursuant to law. The applicant shall demonstrate in writing compliance with the provisions of all applicable laws and regulations.
- (b) No license to conduct a game of chance as authorized by law shall be issued to any organization not having a bona fide sites established in good faith within the State of New Jersey and actively engaged in serving one or more of the authorized purposes as defined by the rules and regulations of the Legalized Games of Chance Control Commission.

SECTION II. If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudicated and the remainder of the Ordinance shall be deemed valid and effective.

SECTION III. All Ordinances or parts of ordinances inconsistent with or in conflict with the ordinance are hereby repealed to the extent of such inconsistency