#### "GOD BLESS AMERICA"

#### **REGULAR MEETING**

## MAY 3, 2016

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

PRESENT: Mayor Doherty, Councilman Brennan, Councilwoman Nicolay, Councilwoman Keown-

Blackburn, Councilman Magovern, Acting Borough Attorney Tom Hall Esq., and Borough Clerk

April Claudio

ABSENT: Business Administrator Colleen Connolly and Borough Attorney George McGill

"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 4, 2015 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.

## <u>PLEDGE OF ALLEGIANCE</u>

**MOMENT OF SILENCE:** Our troops and their families, Rita Lane and Jane Smyth

#### **PROCLAMATIONS:**

- Municipal Clerks Week
- Arbor Day

## **WORKSHOP DISCUSSION:**

- Special Needs Registry: Lieutenant Cox gave an explanation on the program. Patrolman Michael Allen will be the Borough's liaison for this program.

## **PETITIONS:** none

**APPROVAL OF MINUTES:** Council member Magovern made a motion to approve the minutes of the April 19, 2016 meeting, which was seconded by Council member Nicolay and approved unanimously.

## **REPORTS OF COUNCIL:**

Council member Magovern: Historical Society has now digitized all copies of the Coaster newspaper. Shade Tree Commission working towards Belmar becoming a Tree City again. Arbor Day programs were held at BES and St. Rose last week.

Council member Keown-Blackburn: BPU had a hearing last week regarding NJNG rate hike which she attended and spoke against. The Library will be holding a drug awareness ceremony on May 17<sup>th</sup> in the court room. Safety Day is May 21<sup>st</sup>. ADA Committee will be in attendance with a table. ADA Committee mobility device exchange is out of wheelchairs.

Council member Brennan: Shark River Clean-up Coalition had a clean-up this past weekend. BES had a great fundraiser last week.

Council member Nicolay: Her son's Tiger Scout Troop did a beach clean-up near 2<sup>nd</sup> Avenue beach. BBP is running their commercial again this year. Arts Center has a youth art workshop next week and a weaving class on May 10<sup>th</sup>. Thanks to all those who attended and participated in the Art Walk this past weekend. Thanked Colleen Connolly, Mary Brabazon and DPW for their assistance. This week is also Teacher Appreciation Week and BES is celebrating it each day. May is Paint the Town Pink month. Ribbons have been put up in town, businesses will be decorating their store fronts, the Atlantic Wind Ensemble is performing a concert next Monday in the gym, and May 25tth is the In the Pink event.

Mayor Doherty: Chief Huisman's Son Drew did really well in a track and field meet this weekend. Will continue to fight NJNG rate hike. Attended opening of the pier at the fishing club. Rock for Autism is this Friday at D'Jais; raises a lot of money for Surfers Healing. Pilings for Taylor Pavilion will be done this week. Read a letter from a resident on 17<sup>th</sup> Avenue that was happy to see all the work going on in town and gave a donation of \$250 to the Taylor Pavilion rebuild. Ocean Avenue paving is finishing up. Marina building moving along and should be done by next year. Anchor Tavern on Main Street should be done with their renovations by Memorial Day. Barry Depeppe will be back before the Council with his proposal for a development at 5<sup>th</sup> and

Main Street. Will work with developers to address parking concerns. There is a rumor going around that Belmar will use the money from Lake Como to fund Taylor Pavilion, there is another rumor that he no longer works for Met Life, and another rumor that he is selling his house to Bob Cooper of Chef's International. All of these rumors are not true. There are some people that call DEP to try to get us in trouble for the work being done in the marina, Taylor Pavilion and Lake Como. Met with DEP and they asked him what is wrong with these people.

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

Mayor Doherty explained the resolution authorizing the signing of a contract with Lake Como for Police Services. The agreement we came to is 25% of Belmar's cost for running the Police Department and the cost for the number of Special Officers that will be needed. The 25% stays the same each year. We currently have 20 police officers and should probably have 22; will add three more to handle Lake Como which would total 25 officers. Lake Como will be disbanding their police department. There will be no impact on Belmar's response time by the Police Department. Fire and First Aid Departments.

Joan Corallo, A Street, asked how long the contract is for. Mayor Doherty stated it is ten years with a review at five years. Ms. Corallo asked if there are measures in place to protect us if Lake Como cannot pay. Mayor Doherty stated he is confident they will be able to make their payments.

Joy Desanctis, 101 Sixth Avenue, felt it was unprofessional of the Mayor to call people a naysayer when they have legitimate concerns.

Mike Tardio, PBA delegate, asked if the special police officers will be Belmar or Lake Como specials. Mayor Doherty stated they will be Belmar specials. Mr. Tardio felt this is prohibited by Title 40. Mayor Doherty stated the Chief has already met with the Monmouth County Prosecutor's Office about this.

David Schneck, 302 C Street, felt Lake Como might have voted differently if they didn't know Belmar was going to police them.

Andrew Maroney, 16<sup>th</sup> Avenue, asked how much money Belmar will generate off this deal. Mayor Doherty explained the contract and the budget. Mr. Maroney feels we are not putting enough police officers on the road.

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

## **RESOLUTIONS:**

Mayor Doherty offered, **2016-85**, **RESOLUTION AUTHORIZING SIGNING OF A CONTRACT WITH THE BOROUGH OF LAKE COMO FOR POLICE SERVICES**, for adoption, which was seconded by Council member Keown-Blackburn and approved by the following vote:

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

# **PUBLIC SESSION ON CONSENT AGENDA:**

Mayor Doherty stated the budget will have no tax increase for the sixth year in a row. This has saved the tax payers about \$250,000 over the years. Thanked Colleen Connolly, CFO Robbin Kirk, Director of Public Works Mike Campbell, and Police Chief Huisman for their assistance on this.

Mayor Doherty explained the change order on the pavilions.

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

## **CONSENT AGENDA:**

All matters listed in the Consent Agenda are considered to be routine by the Borough Council and will be enacted by one motion. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

## **RESOLUTIONS BY CONSENT:**

Mayor Doherty offered the following resolutions for adoption:

#### 2016-86

RESOLUTION AUTHORIZING PAYMENT OF BILLS

<u>PAYMENT OF BILLS:</u> certification that the vouchers listed on the warrant register numbering 65426 thru 65540 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	\$127,757.35
05	General Capital Account	\$135,821.01
11	Water/Sewer Account	\$16,069.54
21	Beach Utility Account	\$40,972.47
23	Parking Utility Fund	\$7,512.79
55	Trust Fund Account	\$3,700.00
61	Tourism Development Account	\$19,019.86
Total:		\$350,853.02

#### 2016-87

RESOLUTION AWARDING A LEASE AGREEMENT FOR THE  $13^{\mathrm{TH}}$  AVENUE BOARDWALK CONCESSION #2

#### 2016-88

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 2016 BEACH SEASON TO ALL ACTIVE MILITARY PERSONNEL AND THEIR DEPENDENTS PURSUANT TO BELMAR BOROUGH ORDINANCE SECTION 18-2.5(i)

## 2016-89

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 2016

## 2016-90

RESOLUTION HONORING AND RECOGNIZING THE SERVICE TO THE COMMUNITY BY ALL FIRST RESPONDERS AND AUTHORIZING FREE BEACH ADMISSION DURING THE 2016 BEACH SEASON TO ALL ACTIVE FIRST RESPONDERS PURSUANT TO BELMAR BOROUGH ORDINANCE SECTION 18-2.5(i)

#### 2016-91

RESOLUTION INTRODUCING THE 2016 LOCAL MUNICIPAL BUDGET

#### 2016-92

RESOLUTION AUTHORIZING MARINA FEES

## 2016-93

RESOLUTION PURSUANT TO N.J.A.C. 5:30-14.4 ET SEQ. CHANGE ORDER NUMBER ONE FOR THE FIFTH AND TENTH AVENUE PAVILIONS

## 2016-94

RESOLUTION PERMITTING SPECIAL EVENTS

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

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

## **ORDINANCES:**

First Reading & Introduction:

## **ORDINANCE NO. 2016-05**

# CALENDAR YEAR 2016 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK

Mayor Doherty offered Ordinance 2016-05 for first reading and introduction, which was seconded by Council member Keown-Blackburn and approved by the following vote:

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

## **PUBLIC SESSION:**

Katrina Clapsis, 1304 B Street, stated is on the committee of petitioners against ordinance 2016-01. This was before Judge Gummer last week and one of her orders was to have this ordinance removed which hasn't been done yet. Mayor Doherty stated he cannot comment on ongoing litigation. Ms. Clapsis asked about the Borough's debt. Mayor Doherty stated the annual debt statement is posted on the website.

Claire Deicke, 1017 14<sup>th</sup> Avenue, stated she appreciates the taxes are not going up. She talked about the names she is called on a certain blog which is worse than being called a naysayer. She is pleased with the amount of positive letters that have been circulating.

Ron Stavron, Brick, asked about the fuel pumps in the marina. DPW Director Campbell stated he hopes the pumps will be back in service this Friday, worst case scenario is next Friday.

Angela Pheiffer, 319 Fifth Avenue, asked if Lake Como has their own Municipal Court. Mayor Doherty stated their court is held here and they use our staff but they have different ticket numbers. HE added that when a police officer writes a ticket to someone in Lake Como they get a Lake Como ticket and they get the revenue. The state will not permit us to get the revenue.

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

Respectively submitted,

April Claudio Municipal Clerk