"GOD BLESS AMERICA"

REGULAR MEETING

DECEMBER 30, 2013

A regular meeting of the Mayor and Council of the Borough of Belmar held on the above date at **10:00 AM** at the Belmar Municipal Building, 601 Main Street.

PRESENT: Mayor Doherty, Councilman Bean, Councilman Magovern, Borough Attorney Michael DuPont, Esq., Business Administrator Colleen Connolly, and Borough Clerk April Claudio

ASBENT: Councilwoman Nicolay and Councilwoman Deicke

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 January 4, 2013 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:

PETITIONS:

REPORTS OF MAYOR AND COUNCIL:

APPROVAL OF MINUTES:

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 AWARDING CONTRACT FOR THE WATER TREATMENT PLAN ELECTRIC CONTROLS PROJECT**
- **RESOLUTION AWARDING CONTRACT FOR THE A STREET DRAINAGE IMPROVEMENTS**

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:

- **RESOLUTION PERMITTING SPECIAL PERMITS FOR SOCIAL AFFAIRS FOR ST. ROSE HIGH SCHOOL**
- **RESOLUTION MAKING FINDINGS AND DETERMINATIONS ON LEGALIZED GAMES OF CHANCE APPLICATION NUMBER 2013-25, 26, 27**
- **RESOLUTION SETTING 2014 MEETING DATES**
- **RESOLUTION ESTABLISHING SEASONAL BEACH BADGE FEES FOR**

THE 2014 SEASON IN THE BOROUGH OF BELMAR, MONMOUTH COUNTY, NEW JERSEY

- **RESOLUTION ESTABLISHING BEACH STORAGE LOCKER FEES FOR THE 2014 SEASON IN THE BOROUGH OF BELMAR, MONMOUTH COUNTY, NEW JERSEY**

- **RESOLUTION PERMITTING SPECIAL EVENTS**

- **RESOLUTION AUTHORIZING TRANSFER OF APPROPRIATIONS FOR 2013**

PUBLIC SESSION:

MEETING ADJOURNED:

RESOLUTION 2013

RESOLUTION PERMITTING SPECIAL PERMITS FOR SOCIAL AFFAIRS FOR ST. ROSE HIGH SCHOOL

WHEREAS, St. Rose High School has applied for the following Special Permit for Social Affairs ("One Day Liquor License"):

March 2, 2014 – 607 Seventh Avenue – Alumni Fundraiser

WHEREAS, the applications require that the municipality indicate that it has no objection to the granting of said Special Permit;

NOW, THEREFORE, BE IT RESOLVED, that the Borough Clerk be and is hereby authorized and directed to sign the certification stating that the Borough of Belmar has no objection to the granting of the Special Permit for Social Affair to be conducted by St. Rose High School and that the issuance of said Permit is not contrary to any local ordinance, resolution, regulation or policy which would prohibit the same, and that not more than 25 Special Permits have been authorized for the applicant during 2014.

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
Mrs. Deicke				
Mr. Magovern				
Mr. Bean				
Mrs. Nicolay				
Mayor Doherty				

Adopted:

RESOLUTION NO 2013-

RESOLUTION AWARDING CONTRACT FOR THE A STREET DRAINAGE IMPROVEMENTS

WHEREAS, on December 27, 2013 the Borough of Belmar received bids for A Street drainage improvements;

WHEREAS, "Certification As To Availability Of Funds" is annexed hereto.

WHEREAS, Helios Construction Inc., the apparent low bidder, submitted a letter to the Borough Engineer requesting the withdrawal of their bid;

WHEREAS, the second lowest bidder is P&A Construction, Inc.;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council on this 30th day of December 2013 that:

1. Contract is awarded to P&A Construction Inc., P.O. Box 28, Colonia, NJ 07067 for the total amount of $1,212,935.00.

CERTIFICATION AS TO AVAILABILITY OF FUNDS

I herewith certify that there are adequate funds available for the contract noted above per Bond Ordinance 2013-16 which has an available balance in the amount of $1,730,743.

Robbin D. Kirk
Chief Financial Officer

offered the above resolution and moved its adoption.

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

	AYES	NAYS	ABSTAIN	ABSENT
Mrs. Deicke				
Mr. Magovern				
Mrs. Nicolay				
Mr. Bean				
Mayor Doherty				

Adopted:

RESOLUTION NO 2013-

RESOLUTION AWARDING CONTRACT FOR THE WATER TREATMENT PLAN ELECTRIC CONTROLS PROJECT

WHEREAS, on December 27, 2013 the Borough of Belmar received bids for the water treatment plant electric controls project;

WHEREAS, "Certification As To Availability Of Funds" is annexed hereto.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council on this 30th day of December 2013 that:

1. Contract is awarded to Electro Maintenance Inc., 5133 W. Hurley Pond Road, Farmingdale, NJ 07727 for the total amount of $177,850.00.

CERTIFICATION AS TO AVAILABILITY OF FUNDS

I herewith certify that there are adequate funds available for the contract noted above per Bond Ordinance 2013-11 which has an available balance in the amount of $592,023.
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Robbin D. Kirk
Chief Financial Officer

offered the above resolution and moved its adoption.

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

	AYES	NAYS	ABSTAIN	ABSENT
Mrs. Deicke				
Mr. Magovern				
Mrs. Nicolay				
Mr. Bean				
Mayor Doherty				

Adopted:

RESOLUTION NO 2013-

RESOLUTION MAKING FINDINGS AND DETERMINATIONS ON LEGALIZED GAMES OF CHANCE APPLICATION NUMBER 2013-25, 26, 27

WHEREAS, the Borough Council has received from the Chief of Police a written report for the following named applicant for Legalized Games of Chance.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Belmar that it is their Findings and Determinations that the following has qualified for the Raffle License:

APPLICANT	NUMBER	PREMISES	DATE	TIME
Irish Festival	**2013-25**	**815 16th Avenue**	**April 12, 2014**	**5:00 pm**
West Belmar PTA	**2013-26,27**	**Waterview**	**March 7, 2014**	**6:00 – 11:00 pm**

BE IT FURTHER RESOLVED that said licenses are granted and the Clerk of the Borough of Belmar is authorized to issue said licenses upon the payment of required fee, and the Borough Clerk is authorized to file Findings and Determinations Form LGCC5A with the Legalized Games of Chance Commission as the verifying official.

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
Mrs. Deicke				
Mr. Magovern				
Mr. Bean				
Mrs. Nicolay				
Mayor Doherty				

Adopted:

RESOLUTION 2013-

RESOLUTION SETTING 2014 MEETING DATES

WHEREAS, subsection 2-2.6 of the Revised General Ordinances "Administrative Code" of the Borough of Belmar provides that the Mayor and Council determine the dates on which it shall meet by Resolution.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Belmar that Meetings of the Borough Council for 2014 will be held as follows:

All meetings will begin at 6:00 PM

January 7th & 21st
February 4th & 18th
March 4th & 18th
April 1st & 15th
May 6th & 20th
June 3rd & 17th
July 1st & 15th
August 5th & 19th
September 2nd & 16th
October 7th & 21st
November 5th
December 2nd & 16th

December 29th at 10:00 AM
January 3, 2015 – Reorganization Meeting – 12:00 PM

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
Mrs. Deicke				
Mr. Magovern				
Mr. Bean				
Mrs. Nicolay				
Mayor Doherty				

Adopted:

RESOLUTION NO 2013-

RESOLUTION ESTABLISHING SEASONAL BEACH BADGE FEES FOR THE 2014 SEASON IN THE BOROUGH OF BELMAR, MONMOUTH COUNTY, NEW JERSEY

WHEREAS, Borough Code Section 18-2.5 provides for the establishment of Beach Badge fees by resolution

NOW, THEREFORE, BE IT RESOLVED by the Borough of Belmar, County of Monmouth, New Jersey, that the following Seasonal Beach Badge fees are hereby established for the 2014 Season:

Beginning January 1, 2014:

a. Season badges, for entry at any time during the dates when a fee is required, per person $50.00

b. Senior season badges, for entry any time during the dates when a fee is required, per person sixty-two (62) years of age or over $15.00

c. Daily badges, for entry on any one (1) calendar day during the dates when a fee is required per person, per day..... $7.00

d. Disabled individuals, who meet the disability criteria for disability benefits under Title I of the federal Social Security Act (42 U.S.C. 401 et seq.) and who posses adequate proof of the same issued by the Social Security Administration, for entry any time during the dates when a fee is required, per person for a seasonal badge……. $15.00

NOW, THEREFORE, BE IT FURTHER RESOLVED by the Borough of Belmar, County of Monmouth, New Jersey, that the forgoing Beach Badge fees shall remain in effect for future seasons until superceded by a subsequent Resolution.

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
Mrs. Deicke				
Mr. Magovern				
Mr. Bean				
Mrs. Nicolay				
Mayor Doherty				

Adopted:

RESOLUTION NO 2013-

RESOLUTION ESTABLISHING
BEACH STORAGE LOCKER FEES FOR THE 2014 SEASON
IN THE BOROUGH OF BELMAR, MONMOUTH COUNTY, NEW JERSEY

WHEREAS, Borough Code Section 18-2.5 provides for the establishment of Beach Storage Locker fees by Resolution.

NOW, THEREFORE, BE IT RESOLVED by the Borough of Belmar, County of Monmouth, New Jersey, that the following Beach Storage Locker fees are hereby established for the 2014 Season:

1. Storage lockers, for seasonal rental
(Friday prior to Memorial Day through September 15)
payable at the time of agreement execution.
Annual rental fee:.....$175.00

2. Storage lockers, Seniors, for seasonal rental
(Friday prior to Memorial Day through September 15)
payable at the time of agreement execution for individuals who rented a storage locker during the 2013 Season and were sixty-two (62) years of age or older at any time during the 2013 Season, and are renewing their storage locker rental for the 2014 Season.
Annual rental fee:.....$150.00

NOW, THEREFORE, BE IT FURTHER RESOLVED by the Borough of Belmar, County of Monmouth, New Jersey, that the forgoing Beach Storage Locker fees shall remain in effect for future seasons until superseded by a subsequent Resolution.

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
Mrs. Deicke				
Mr. Magovern				
Mrs. Nicolay				
Mr. Bean				
Mayor Doherty				

Adopted:

RESOLUTION NO. 2013-

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 Tourism Commission, weekly entertainment in Pyanoe Plaza, May-September 2014 from 5:00-10:00pm. No additional Borough resources are needed.

Belmar Tourism Commission: Movies on the Beach, July-September, at Dusk. No additional Borough resources are needed.

Belmar Tourism Commission: Beer on the Pier, K St Pier at the Belmar Marina, September 27th 2014 with set-up on the 26th. Food vendors must get approval from the Monmouth County Board of Health. Must obtain one day liquor license. Volunteers must wear shirts that will identify them. Port-o-Johns must be supplied. DPW & Police costs to be discussed.

Seafood Festival: June 13th, 14th & 15th 2014, Friday 4:00-8:00pm, Saturday 11:00am-8:00pm Sunday 11:00am-6:00pm. All vendors must close at the recommended time. Shuttles will run on Saturday and Sunday. No Parking area will be marked off for Sponsors. A fire lane will be marked out between Food Vendors must get approval from the Monmouth County Board of Health. Must obtain a liquor license for all 3 days of the event. Wine tent entrance and exit must be manned at all times and no one under the age of 21 will be permitted in the wine tent. DPW and Police costs to be discussed.

Belmar Tourism Commission: San Gennaro Festival, September 20th & 21st 2014 from 10; 00am-7:00pm on Saturday and from 10:00am-6:00pm on Sunday. Main Street will be closed from 10th to 13th Avenue and from Main St to Railroad on 12th Avenue. Memorial Field will also be used for the event. Food Vendors must get approval from the Monmouth County Board of Health. Must obtain a two day liquor license for this event.
Vendors must provide their own overnight security. Public works will provide garbage pick up and barricades where necessary. DPW and Police costs to be discussed.

Belmar Tourism Commission: Sandcastle Contest, Wednesday 16th July, (rain date 7/30)7:30m-2:00pm in the area of 16th -20th Ave. beach. No additional Borough resources are needed.

Belmar Police Department: Belmar Safety Day, Saturday May 3rd, rain date Sunday May 4th, 9:00am-5:00pm including set up and break down. 12th Avenue between Main Street and railroad will be closed and Memorial Field will be used. DPW and Belmar PD will provide garbage cans and barricades. No additional Borough resources are necessary.

Belmar Business partnership: Belmar Cruise Nights: 3rd Thursday April-September, from 5:00-10:00pm, including set-up and break down time, on Main Street between 10th and 12th Avenue. Main Street will be closed to traffic. The total cost per month is $3000.00, making a total of $24,000.00 to be paid in full by February 1st 2014.

Belmar Tourism Commission: Celtic Chase, Saturday March 1st 2014, 9:00-Noon, Belmar Boardwalk and Beach. No additional Borough resources are necessary.

Belmar Tourism Commission: Oktoberfest/Fall Festival, Sunday October 12th, Main Street, between 8th and 10th Avenue, 11:00am-5:00pm. No additional Borough resources are necessary.

St. Rose Parish: Feast of St. Rose Celebration, Saturday 23rd of August, 7th Avenue between E Street and Main Street, 8:00am-8:00pm. Street will be closed. A one day liquor license will be obtained for the Beer/Wine Tent. All necessary security will be provided by the church. A complete lay out of the event will be submitted by May 1st 2014. No additional Borough resources are necessary.

Active Military Appreciation Day: Saturday June 28th 2014, 11:30am-3:30pm Belmar Beach. No additional Borough resources are necessary.

Belmar Chamber of Commerce: Farmers market, Every Saturday in Pyanoe Plaza, 8:30am-1:30pm beginning in May and ending in October. No additional Borough resources are necessary.

Global Athletics & Marketing Inc.: Belmar 5K Chase, and kid's races, Belmar Beach and Ocean Avenue, Saturday August 9th 5K race route to be confirmed following approval from the Borough of Spring Lake. Kid's races will take place on Belmar Beach Friday August 8th. A complete contact list for all volunteers must be submitted to the Borough of Belmar 15 days prior to the event. Cost for DPW and Belmar Police will be determined as soon as 5K route is approved.

Belmar Tourism Commission in partnership with Claddagh na Gael: GaelFest A Celebration of Celtic Culture, Saturday may 17th 2014, Memorial Field and 12th Ave. between Main Street and railroad. 8:00am-9:30pm includes set up and break down. A one day liquor license will be obtained for Beer/Wine tent. A complete lay out and schedule of entertainment, workshops and sporting events will be submitted by February 1st 2014. DPW and Police costs will be discussed following submission of complete activities for the day.

Claddagh na nGael: Irish summer camp in the Community Room August 4th – 8th 2014 from 8:00am-1:30pm daily. No additional borough resources are necessary.

One Mile Swim: Sunday August 10th 2014, on 10th Avenue Beach from 7:00am-10:00am Organizers must work closely with Head Lifeguard Bill Karatz . No additional Borough resources are necessary.

Belmar Tourism Commission: Day of the Dead Celebration, November 1st, 10:00am-8:00pm includes set up and break down time in Pyanoe plaza parking lot from 8th Avenue to 9th Avenue.
DPW will provide garbage cans and barricades. No additional Borough resources are necessary.

Belmar Tourism Commission: Belmar Music Festival, Tuesday 26th of August 2014, 3:00-10:00pm including set up and break down, live concert on Belmar Beach, Free to all. No additional Borough resources necessary

DQ Events: Triathlon, August 3rd 2014, 5:00am-Noon, Ocean Ave. Applicants will be supplying the Belmar Police Department with a complete list of volunteers, including phone numbers. List must be submitted to the Belmar Police Department for verification at least three weeks prior to the event. Applicant will make a $7000.00 donation to Autism Family Services by July 1st 2014. Applicant will make a $2000.00 donation to Belmar First Aid by July 1st 2014. Police and DPW costs will be approved following final review of all routes.
St. Rose Parish, Feast of St. Rose, Saturday August 23rd , 9:00am-8:00pm
7th Avenue between Main St. & E Street. No additional Borough resources are needed.

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 on roll call:

Council members:	AYES	NAYS	ABSENT	ABSTAIN
Mrs. Deicke				
Mr. Magovern				
Mr. Bean				
Mrs. Nicolay				
Mayor Doherty				

Adopted:

RESOLUTION NO 2013-

RESOLUTION AUTHORIZING TRANSFER OF APPROPRIATIONS FOR 2013

WHEREAS, N.J.S.A. 40A:4-58 provides for the transfer of appropriations when it shall become necessary to expend for any of the purposes specified in the Budget an amount in excess of the respective sums appropriated therefore; and when there shall be an excess in one or more appropriations over and above the amount deemed to be necessary to fulfill the purpose of such appropriations; and

WHEREAS, this condition now exists;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Belmar on this 30th day of December, 2013 that the following transfer of 2013 appropriations be and the same are hereby authorized and the Chief Financial Officer be and is hereby directed to make said transfers on the records:

CURRENT FUND	**To**	**From**
Municipal Clerk OE	7,500.00	
Fuel	175,000.00	
Telephone	11,500.00	
Sanitary Landfill		175,000.00
Other Insurance		9,000.00
Street Lighting		10,000.00
Total Current Fund	194,000.00	194,000.00

BEACH UTILITY	**To**	**From**
Bathing Beach OE	20,000.00	
Beachfront OE		20,000.00
Total Beach Utility	20,000.00	20,000.00
TOTAL	**214,000.00**	**214,000.00**

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	ABSENT	ABSTAIN
Mrs. Deicke				
Mr. Magovern				
Mr. Bean				
Mrs. Nicolay				
Mayor Doherty				

Adopted: December 30, 2013