

“GOD BLESS AMERICA”

REGULAR MEETING

AUGUST 7, 2013

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 Bean, Councilwoman Deicke, Councilman Magovern, Councilwoman Nicolay, Acting Borough Attorney Ed Washburne, Esq., 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 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 & Richard McCormick

SPECIAL PRESENTATION:

- Employee of the Month: Fred Faas
- Wall Central School presented a check donation to the Surfer’s Healing Autism Fund
- Tourism Commission presented a check donation to the Belmar Historical Society
- Special resolution honoring Nicole Pica

WORKSHOP DISCUSSION:

- Chelsea Eareckson’s father, David Eareckson, read a letter from her regarding her concerns about debris in the river and ocean that can harm animals and the environment. She is working with Divers II to schedule a team of divers on August 24th to clean the back bay of the river. The Mayor and Council thought this was a great idea and appreciated her efforts for coordinating the event.
- J Fletcher & Creamer gave a presentation on a proposal for an alternative method to replacing water lines. Presented a video showing the process for installing a concrete lining which is half the price of replacing the pipe. They are one of many companies that is capable of doing this. Ms. Connolly stated the Borough's engineer recommended this method as an alternative option. NJ American Water is a client of theirs. Once it is done it will last forever. Fran Hines, DPW, stated he has looked at this product and thinks it will work great. Mr. Fletcher stated this process is a lot less disruptive than replacing the lines. They would hook up a temporary water line from a fire hydrant to supply water to properties while the work is being done. Also will provide a temporary fire hydrant connected to the line. Ms. Connolly stated we have the funding in place through a bond ordinance and will go out to bid for it and hope to start work in the fall.
- Mayor Doherty explained ordinance 2013-14. The current ordinance makes it difficult for builders to develop smaller lots so the amendments will change that. Allows for garages to be attached to the front of the house and gives a property more of a backyard. Also amends the section that says you can't park in your driveway in the section between the house and the sidewalk.
- Mayor Doherty explained how the proposed boardwalk pavilions would be funded and changes that have been made to the plans. He stated FEMA awarded \$9 million and he expects another \$400,000. The beach utility had zero debt prior to storm Sandy. The

Borough did a \$20 million bond back in December and expect to get back \$17 million which means the balance would be financed. The Buy a Board campaign raised \$720,000. The current fund had a bond for \$7.3 million and we expect to get back \$3.46 million and the balance would be financed over ten years. There will be CDBG money coming out soon and the state is looking into allowing towns to use those funds for infrastructure improvements and the balance of the bonded money. The budget already has \$390,000 allocated for maintenance of the boardwalk and the \$110,000 payment a year for the new boardwalk which needs no maintenance would come out of that and would leave a balance available. He stated that since the last meeting there have been some changes. After listening to comments by residents and finding out the rules FEMA has; the projects will be scaled back. Will move forward tonight with the 10th Avenue Pavilion and Taylor Pavilion only. For next summer we would have the trailers at 8th Avenue again. The 10th Avenue Pavilion will be used for public safety and concessions. He stated that 92% of the events held at Taylor Pavilion were for Belmar residents and families. We cannot increase the footprint but could go up. Propose to add on 14 feet to expand the use of the Taylor Pavilion. It will be designed to have three different Belmar groups using the first floor and the second floor would be the same as the previous Taylor Pavilion area without the columns. Worst case scenario is we get no money from FEMA, CDBG or anyone else and the bond would have to be funded through the beach utility and daily beach badges would be increased from \$7 to \$8 and season badges would be increased by \$10. He gave a comparison of neighboring towns' rates. Belmar would still be lower than neighboring towns. He stated that with increased revenue and the balance in the budget we would have approximately \$600,000 to cover the costs of both buildings. The total estimated costs for both buildings would be \$7.5 million. We will get \$485,000 from our insurance company for the 10th Avenue Pavilion and then bond \$6.64 million against the beach utility for twenty years which would be \$455,000 a year. No property tax dollars will be used to finance the buildings. Will continue discussions with FEMA about getting funds from them. Anticipate will get some funds from FEMA just don't know how much. Both pavilions will also have concessions that will generate revenue. He stated there are flyers going around town with incorrect information which he corrected: the beach utility is not struggling, the buildings will not be 18 feet off the ground and there will be no miniature golf.

- Council member Deicke stated she was approached by those passing around a petition and she tried to advise them they were giving out false information. She encouraged everyone to contact Borough officials or employees for information before signing anything.
- Council member Nicolay stated she too was approached and had a lengthy conversation with the gentleman and tried to clarify the incorrect facts.
- Mayor Doherty stated if the people passing the petition around used that time for good and collected funds instead of passing the petition they could have raised money for those families who are still displaced. He felt it was disheartening that there are residents trying to divide the town; should be working together to move forward.
- Council member Bean asked about the \$2 million FEMA loan that is in the beach utility. Mayor Doherty stated we anticipated no surplus in the beach utility for this year and have the loan in place but don't need to use it if we have enough surplus, which we are already adding into. Council member Bean asked if FEMA contacted us to say how much they will give us for buildings. Mayor Doherty stated we contacted them and are working with them.

- Council member Magovern talked about how many buildings were built throughout town that were 3 stories or more that enhanced the town. The original recreation center on Highway 35 had the capability to have multiple events going on at the same time which was lost when Borough Hall was moved to Main Street. The officials at the time retrofitted Taylor Pavilion to be used for events which didn't mean all the town's needs. He stated everyone should be asking if a one story pavilion would be right for Belmar in the years to come.

PETITIONS:

Jackie Dahrouge, Belmar Elementary School teacher, submitted a petition with 243 names which stated that they request that the Mayor and Council not remove Joe Latesta as the 12th Avenue crossing guard. He is dedicated and hard working and does his job. He's been there for 19 years and is vested in the community. He was also a badge checker for years too and was not hired this year. They felt this is his life and it should not be taken from him.

Ken Pringle and Joy DeSanctis submitted a petition with 519 signatures signed by registered voters. Ms. DeSanctis stated the petition represents a lot of residents who love Belmar and have struggled after the storm and will not allow decisions to be made without their voices heard. Mr. Pringle stated it is an initiative petition for an ordinance requiring a referendum before building multi-story buildings except for public safety use.

REPORTS OF MAYOR AND COUNCIL:

Council member Deicke: ADA Committee discussed the pursuit of a ramp at the train station which is still ongoing. Working with Ray Claudio in recreation to have a music program for autistic children. Harbor Commission discussed going out to bid for a dock in the marina soon. Blue to You boardwalk challenge program is running well. Mayor's Wellness Campaign is seeking participants for annual health fair.

Council member Magovern: Read beach report. Acknowledged beach employees for doing a great job during the week of 90 degree weather. Met with residents around Silver Lake and spoke to the Borough Engineer and it looks like a new pipe going down A Street from the lake will be a good fix. Last Sunday participated in a triathlon with Mayor Doherty and Council member Nicolay and competed against the Belmar Elementary School. Gave a shout out to his 3 year old granddaughter who is in Peter Pan at the Spring Lake Theater.

Council member Bean: Asked if \$9.2 million came in from FEMA. Ms. Connolly replied yes. He asked if anything else came in. Ms. Connolly stated not yet. He asked how much is expected. Ms. Connolly stated we have received \$11 million in, out of the \$21 million expected.

Council member Nicolay: Proud of triathlon team. Read DPW report. Little League was able to raise \$1000. BBP grant program is a success. The "you are here" signs will be replaced. Arts council was given a grant to do a train station mural. Cruise Nights have been successful. Announced upcoming Arts Council events. The trailers on the boardwalk have been great. Encouraged everyone to support Fred Faas at his fundraiser in September.

Mayor Doherty: Belmar Chase is this weekend with multiple public officials participating. Listened to concerns about boardwalk pavilions and took them into consideration. Hope can rally together as a community and support moving forward. Thinks residents will like the modifications.

APPROVAL OF MINUTES: Council member Deicke moved for approval of minutes for the meetings held on July 3, 2013, seconded by Council member Nicolay and approved by the following vote:

AYES: Deicke, Bean, Magovern, Nicolay, and Doherty

Mayor Doherty made a motion to remove 8 resolutions from consent agenda per Council member Bean's request, seconded by Council member Bean and approved by the following vote:

AYES: Deicke, Magovern, Bean, Nicolay, and Doherty

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

Joan Corallo, A Street, asked if the 13th Avenue project is complete. Ms. Connolly replied yes. Ms. Corallo stated there is a problem with the new sewers that were put in at 13th and A Street. There has been more water in sump pumps and basements. She called Mr. Campbell once to clean out the storm drain. Mayor Doherty stated there are many areas in town experiencing water that wasn't there before; engineers say it will take a while for the water table to go down.

Mike Seebeck, 110 Second Avenue, asked about the resolutions for the appointments of the special police officers. Chief Palmisano stated this will cover all of the specials that will work from now until next August. Mr. Seebeck felt that if some of them are working already shouldn't the resolution have been done before. Chief Palmisano stated resolutions were done sending some to the academy which hires them and this is just reiterating that they are hired since they are out of the academy now. Mr. Seebeck encouraged the Mayor to put the question on the ballot about the pavilions.

Mike Druz, 16th Avenue, asked if Council member Bean could explain why he wanted resolutions removed from the consent agenda. Council member Bean stated he would explain his reasons prior to voting on them.

Bill Merkler, 219 Second Avenue, asked the Council if they have looked at the plans for an additional 14 feet and what elevations are required by FEMA and how it will affect the height of the building. Ms. Connolly stated the height of new Taylor Pavilion on the first floor will be approximately the same as it was before. Mr. Merkler felt that was incorrect and there are new regulations. He would like the voters to decide whether to build and suggest we look into the plans further. He stated there is no urgency so why can't it wait until November.

Bill Young, 303 Ninth Avenue, stated after the storm the beach and boardwalk looked like a bomb went off. Now we have a new boardwalk and new lights. Let's build buildings that are right for the town. Need to be progressive. We have come a long way and shouldn't stop. He felt the petition is fake and based on false information. He also felt Mayor Doherty should be applauded for all the work he has done at the beach and the marina.

Brendan Reed, 100 Ninth Avenue, stated his building was not approached by those circulating petitions and he would have liked to have heard all sides. He disagreed that there is no urgency; there are a lot of organizations in town who use Taylor Pavilion and have been shuffling around town without it. Need action as soon as we can.

Chris Lemoult, 700 South Lake Drive, commended the town but the discussion is not about what has been done but what can be done going forward. Felt we should all take a pause and look at what needs to be done. Would like to see a 20 year Performa on the website for everyone to see. Mayor Doherty stated everything discussed tonight will be posted on the website.

Sam Kaye, Seventh Avenue, stated he appreciates Mayor Pringle and witnessed him doing the same thing as Mayor Doherty by fighting for his programs and this is no different. Thanked Mayor Pringle for making Belmar a great place to live and for Mayor Doherty to keep it going.

Suggested everyone look at buildings up and down the coast and see how high other buildings are. They say parking will be an issue, that's a good problem, it means the beach is busy.

David Schneck, C Street, stated a dialogue is opened by speaking against critics. Nobody is against recovery. Should learn from Manasquan since they are similar and their budget is lower. Buildings discussed by Council member Magovern aren't blocking anyone's views of the beach. He asked if there would be a banquet room on second floor. Mayor Doherty stated the second floor will be the same as the original Taylor Pavilion. Mr. Schneck felt we shouldn't compete against the Waterview and Riverview who pay taxes.

Mark Fitzgerald, Surf Avenue, stated we all need to stick to the facts. People confuse height of the building versus height above sea level. The boardwalk is already 8 feet above sea level. We had four buildings, reduced to three, now down to two. The do nothing approach is not the right decision. This is not a bad thing but need to come to some form of a consensus.

Fred Marziano, Second Avenue, thanked Mayor and Council for all their work to put the town back together. Said the buildings are needed but cannot ensure the funds will be available and was concerned about what the costs actually will be. He stated we have to consider increased insurance costs, police costs, and utility costs. Asked how they can take the councils word that it will all work out financially. Would like to see a Performa not just to build but maintain and operate the buildings. He is not for or against a two story building but is for the people getting a voice.

Mayor Doherty stated a Performa is a very reasonable request and will work on that. It is the responsibility of the Mayor and Council as elected to decide what is best. It's important to listen to residents which has been done. Residents should trust the Mayor and Council because since the storm look at what has been done. Zero property tax dollars were used for rebuilding the boardwalk which was said from the beginning and he felt it entitles them to a level of trust from the residents.

Larry Reynolds, 201 Ninth Avenue, stated he appreciates the modifications. He believes one of the reasons the petition went out is the people of Belmar wanted their voices to be heard. Since the storm there have been many things the residents were told to do without a choice such as being with no power, no communication, no heat and then the state police came which was helpful but then a forced a curfew, were blocked off from Ocean Avenue for construction, and Silver Lake was taken away from those who walk their dogs around it.

Bob Forte, 114 8th Avenue, asked how the plans were scaled back. Mayor Doherty stated we had four buildings and are now looking to only build two. He asked if 8th and 13th would be rebuilt. Mayor Doherty stated it is a discussion for down the road. He asked if the buildings would be ADA compliant and CAFRA approved. Mayor Doherty stated they will be ADA compliant and CAFRA approval is not required since they are in the same footprint.

Wendy Callahan, BES teacher, stated she heard a lot of words such as trust, loyalty, honesty and that describes Joe Latesta and it would be a disservice to the town and all the children of Belmar to lose someone like Joe as their crossing guard.

Catherine Brown, 16th Avenue, wanted to discuss Joe Latesta. Mayor Doherty explained that the current discussions are on the resolution calendar only. She stated she witnessed the incident between Mr. Campbell and Joe Latesta. Mayor Doherty explained that is a personnel matter which cannot be discussed at this time.

Kevin Fahy, 2002 Ocean Avenue, stated he whole heartily supports the pavilions. He stated it is time to move ahead and compromise has been made.

Sue Gerber, 208 Fifth Avenue, asked if the old Taylor Pavilion had occupancy of 200. Council member Magovern stated it varied if chairs and tables set up. It was at 385 and then codes became stricter and it was reduced to about 200. Her concern is parking. She asked if FEMA would pay for portion that is wider. Mayor Doherty stated Taylor Pavilion would not be wider, just adding a second floor. She was also concerned about people crossing Ocean Avenue to go to events at the pavilion. Council member Deicke stated we could have crossing guards if there is ever a need.

Luis Pulido, 16th Avenue, stated he fully supports Taylor Pavilion; it is smart to build for the future. The demand for it is there to support the building of the second floor. Demand will grow over time. One of the biggest draws is its location. It will not be in a position to block anyone's view.

Bill McKim, 905 Ocean Avenue, stated he is glad the plans have changed for 8th Avenue. He stated information gets around fast now and the council needs to get ahead to possibly avoid false information. He felt there should be at least one building on the beachfront that the residents can use. Everything that has been done so far has been good.

Joe Mangione, South Lake Drive, there are a lot of things in Belmar that people could have communicated about better. He asked what happens now that petition is filed. Mayor Doherty stated we will review it. Mr. Mangione asked what the downside of letting people vote on it is. Mayor Doherty stated there is no upside or downside but it is the responsibility of the Mayor and Council to rebuild after the storm. Mayor Doherty stated the boardwalk committee has been discussing the plans since January and have made modifications and we need to continue moving forward.

Joy DeSanctis, 101 6th Avenue, stated the problem is how the whole process is being handled. She stated FEMA will not fund new construction, will only fund repairs. She submitted a document regarding FEMA's policy of building in a V zone. Mayor Doherty stated it's not from FEMA it's a different website. She stated they don't know what the buildings are going to look for and what is being bonded for. She stated they are not fighting building pavilions they just want to be heard. She felt the design and amount of money doesn't make sense.

Katrina Clapsis, B Street, stated the petition is asking that all of the residents be given the right to vote so they don't have to come to a meeting and argue. She would like to see a plan and how much it is going to cost.

Mayor Doherty stated we have had numerous public meetings on the boardwalk buildings including last month's Mayor and Council meeting where plans were presented.

Dom Paragano, 200 7th Avenue, asked at the last meeting if FEMA money runs out. Mayor Doherty stated it doesn't necessarily run out but have to submit a plan on what we are going to use the money for within 18 months. He stated he attended some of the meetings and has seen the plans and they are available. He asked why we can't take second the floor from Taylor and put it at the 8th Avenue so FEMA will reimburse.

Mayor Doherty stated the cost of the project will not be born on the tax payers. He stated it is important to take care of the residents and 10th Avenue and Taylor make the most sense.

Mr. Paragano suggested looking at what it will actually cost to build before making a decision. Mayor Doherty agreed if the costs come out too high and it cannot be sustained through the beach utility than we cannot move forward.

Noreen Dean, 106 16th Avenue, one of the petition canvassers, stated she didn't feed any information but just wanted to know if the question should be on the ballot or not. She felt we should hold off on buildings for now and address infrastructure issues. Mayor Doherty stated

we are looking into all issues, Silver Lake, Como Lake, infrastructure, and the beach all at the same time. He stated it is going to take awhile for things underground to go back to normal.

Mark Fitzgerald, 1902 Surf Avenue, stated he reviewed the website Ms. DeSanctis mentioned and it is a marketing site. He stated there is FEMA funding available for rebuilding.

Steve Vita, 402 A Street, stated parking and garbage issues for Taylor Pavilion are a concern.

Gene Cory, 1201 L Street, stated he has been a resident for his whole life has seen a lot of changes. He suggested we take a step back and look at the facts, hold a discussion, and let's compromise and come together no matter what party affiliation.

Rose Degayna, 201 Ninth Avenue, asked if anything is being done with dunes. Mayor Doherty stated we will apply for FEMA hazard mitigation funding to do dunes.

Bill Strauss, Oakwood Road, stated section 10 of the bond ordinance mentions tax levy, asked the Mayor if he knows what that means. Mr. Strauss stated it means if the beach utility can't fund then it's levied against property taxes. Mayor Doherty stated it is required by State to put that language in ordinance but he has repeatedly said no tax dollars will be used.

Carol Moore, Oakwood Road and beach employee, stated she is still getting compliments from tourists about the boardwalk and the fact the beach is open. She would like to see it keep going forward and have the buildings back. People have said they don't have information but they haven't come to any meetings to get the information.

Bob Fallon, 707 15th Avenue, stated the no parking area on 15th Avenue near the storage facility driveway needs to be painted.

Maria Florio, 115 12th Avenue, stated she buys six regular seasonal beach badges every year and if the price goes up she will not buy them.

Mike Seebeck, 110 Second Avenue, asked about the street sweeper resolution and if it's for the one operating in town now. Ms. Connolly stated we are test driving several and the one currently being used is similar to the one to be purchased. He stated he would like to see FEMA project worksheets online. He asked if anything has been denied by FEMA. Ms. Connolly stated she doesn't think so but would double check.

Ted Ehmann, Oakwood Road, stated those that circulated the petitions stated it was about creating the referendum and nothing else. He stated the boardwalk committee was made up of all democrats who gave money to Council member Nicolay's campaign. Council member Magovern, who oversaw the committee, stated the committee consisted of all residents and they didn't always agree and never discussed politics.

Brendan Reed, Ninth Avenue, stated the meetings have been open to the public and the information has been out there, so what more does everyone want. He felt it has been a thorough and open process.

Mark Pfeiffer, 319 5th Avenue, stated he appreciates the opinions of the Mayor and Council and it would be a shame if Taylor Pavilion isn't rebuilt.

Bill Merkler, 219 2nd Avenue, asked Mayor Doherty and Council member Magovern if someone came before them at the Planning Board and said they didn't know the elevations of the building, the infrastructure and garbage wouldn't you ask them to come back. He stated he wants facts presented.

Pat Nugent, 104 16th Avenue, asked what would happen with the petition if they introduce the ordinance. Mr. DuPont stated he has to review the petition and see if it meets the legal requirements for a referendum.

David Schneck, 302 C Street, stated it is outrageous that people have to wait for the public session at the end of meeting; should have two public sessions one in the beginning and one at the end.

Joy DeSanctis stated she would like to clarify the petition is to only address the second floor of Taylor pavilion. She stated there is a second petition circulating to fight the bond ordinance which will be submitted. She stated transparency was poor, discussions at meetings were not memorialized, and no reports were given.

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

RESOLUTIONS:

Ms. Connolly explained the bill list has to be split into two different resolutions because some of the Council must abstain from voting on certain bills.

Mayor Doherty offered Resolution **2013-189, RESOLUTION AUTHORIZING PAYMENT OF BILLS LIST #1**, for adoption, which was seconded by Council member Deicke and approved by the following vote:

AYES: Deicke, Nicolay, Magovern, and Doherty
ABSTAIN: Bean

Prior to voting on the above resolution, Council member Bean stated he was against the payment of \$2500 to Brandl for a kick off meeting. He asked about the parking meter payment which Ms. Connolly explained had gone out to bid. He asked about the payment for ice. Ms. Connolly stated it is a delayed bill from the storm. He also stated there is \$40,000 in payments to unknown people which he cannot vote for.

Mayor Doherty offered Resolution **2013-190, RESOLUTION AUTHORIZING PAYMENT OF BILLS LIST #2**, for adoption, which was seconded by Council member Deicke and approved by the following vote:

AYES: Deicke, Nicolay, and Doherty
ABSTAIN: Bean and Magovern

PAYMENT OF BILLS: certification that the vouchers listed on the warrant register numbering 59777 thru 60009 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	\$2,247,977.31
03 Grant Account	\$3200.00
05 General Capital Account	\$58,418.66
11 Water/Sewer Account	\$119,599.80
15 Water/Sewer Capital Account	\$317,507.13
21 Beach Utility Account	\$385,766.11
25 Beach Capital Account	\$781,331.76
23 Parking Utility Fund	\$2,930.75
55 Trust Fund Account	\$79,591.32
61 Tourism Development Account	\$20,902.87
62 Seafood Festival Account	\$32,783.35
Total	\$4,050,009.06

Mayor Doherty offered Resolution **2013-191, RESOLUTION AUTHORIZING THE RECEIPT OF BIDS FOR CONSTRUCTION OF BOARDWALK PAVILIONS**, for

adoption, which was seconded by Council member Magovern and approved by the following vote:

AYES: Deicke, Magovern, Nicolay, and Doherty
NAYS: Bean

Prior to voting on the above resolution, Council member Bean stated he doesn't care if there is a second floor on Taylor pavilion. He stated he didn't read the petition but felt it sounds reasonable and his concerns are the finances.

Mayor Doherty offered Resolution **2013-192, RESOLUTION PURSUANT TO N.J.A.C. 5:30-14.4 ET SEQ. CHANGE ORDER NUMBER ONE FOR THE BOARDWALK ELECTRICAL RECONSTRUCTION PROJECT**, for adoption, which was seconded by Council member Nicolay and approved by the following vote:

AYES: Deicke, Magovern, Nicolay and Doherty
ABSTAIN: Bean

Prior to voting on the above resolution, Council member Bean asked for information on the change order. Ms. Claudio explained all change orders were sent with the meeting packet to everyone.

Mayor Doherty offered Resolution **2013-193, RESOLUTION PURSUANT TO N.J.A.C. 5:30-14.4 ET SEQ. CHANGE ORDER NUMBER ONE FOR THE IMPROVEMENTS TO 13TH AVENUE FROM B STREET TO OCEAN AVENUE** for adoption, which was seconded by Council member Deicke and approved by the following vote:

AYES: Deicke, Magovern, Nicolay and Doherty
ABSTAIN: Bean

Mayor Doherty offered Resolution **2013-194, RESOLUTION PURSUANT TO N.J.A.C. 5:30-14.4 ET SEQ. CHANGE ORDER NUMBER ONE FOR THE BELMAR LIBRARY SITE WORK IMPROVEMENTS** for adoption, which was seconded by Council member Deicke and approved by the following vote:

AYES: Deicke, Magovern, Nicolay and Doherty
ABSTAIN: Bean

Mayor Doherty offered Resolution **2013-195, RESOLUTION PURSUANT TO N.J.A.C. 5:30-14.4 ET SEQ. CHANGE ORDER NUMBER ONE FOR THE BELMAR MARINA ELECTRICAL REPAIRS PROJECT** for adoption, which was seconded by Council member Deicke and approved by the following vote:

AYES: Deicke, Magovern, Nicolay and Doherty
ABSTAIN: Bean

Mayor Doherty offered Resolution **2013-196, RESOLUTION APPOINTING SPECIAL II POLICE OFFICERS FOR 2013** for adoption, which was seconded by Council member Nicolay and approved by the following vote:

AYES: Deicke, Magovern, Bean, Nicolay and Doherty

Mayor Doherty offered Resolution **2013-197, RESOLUTION APPOINTING SPECIAL IIPOLICE OFFICERS FOR 2013** for adoption, which was seconded by Council member Deicke and approved by the following vote:

AYES: Deicke, Magovern, Bean, Nicolay and Doherty

Mayor Doherty offered Resolution **2013-198, RESOLUTION AWARDDING CONTRACT FOR PURCHASE OF A COMPACT SINGLE ENGINE HYDROSTATIC VACUUM**

SWEEPER for adoption, which was seconded by Council member Nicolay and approved by the following vote:

AYES: Deicke, Magovern, Bean, Nicolay and Doherty
Prior to voting on the above resolution Council member Bean asked for clarification. Ms. Connolly stated DPW has test drove three models.

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:

2013-199

RESOLUTION AUTHORIZING THE ISSUANCE OF PLENARY RETAIL CONSUMPTION ALCOHOLIC BEVERAGE LICENSE NO. 1306-32-006-009 (WITH "BROAD PACKAGE PRIVILEGE" PURSUANT TO P.L. 1948, CH. 98) FOR DCJ BELMAR, INC. T/A 507 MAIN STREET FOR PERIOD ENDING JUNE 30, 2014

2013-200

RESOLUTION AUTHORIZING THE ISSUANCE OF CLASS C LIQUOR LICENSE NO. 1306-33-002-004 TO TWO DAWGS, INC T/A THE BOATHOUSE BAR AND GRILL FOR PERIOD ENDING JUNE 30, 2014

2013-201

RESOLUTION AUTHORIZING ISSUANCE OF PLENARY RETAIL CONSUMPTION ALCOHOLIC BEVERAGE LICENSE FOR CSL BELMAR LLC TO BE HELD IN POCKET FOR PERIOD ENDING JUNE 30, 2014

2013-202

RESOLUTION APPROVING MEMBERSHIP APPLICATIONS FOR GOODWILL FIRE DEPARTMENT

2013-203

RESOLUTION APPROVING MEMBERSHIP APPLICATIONS FOR HOOK AND LADDER FIRE DEPARTMENT

2013-204

RESOLUTION GRANTING TAXICAB OWNERS & DRIVERS LICENSES FOR THE YEAR 2013

2013-205

RESOLUTION CREATING A LEASE AGREEMENT FOR BLOCK 96 LOT 1 FOR A CANOPY AT BRANDL RESTAURANT

2013-206

RESOLUTION OF THE BOROUGH OF BELMAR AUTHORIZING AN APPLICATION FOR A POST-SANDY PLANNING ASSISTANCE GRANT

2013-207

RESOLUTION PURSUANT TO N.J.A.C. 5:30-14.4 ET SEQ. CHANGE ORDER NUMBER ONE FOR THE CONCRETE, PAVING AND STRIPING IMPROVEMENTS ON OCEAN AVENUE

2013-208

RESOLUTION PURSUANT TO N.J.A.C. 5:30-14.4 ET SEQ. CHANGE ORDER NUMBER ONE FOR THE IMPROVEMENTS TO 13TH AVENUE FROM B STREET TO MAIN STREET

2013-209

RESOLUTION PURSUANT TO N.J.A.C. 5:30-14.4 ET SEQ. CHANGE ORDER NUMBER ONE FOR THE SEWER INSPECTION AND CLEANING PROJECT

2013-210

RESOLUTION PURSUANT TO N.J.A.C. 5:30-14.4 ET SEQ. CHANGE ORDER NUMBER ONE FOR THE 13TH AVENUE INFRASTRUCTURE IMPROVEMENTS FROM B STREET TO MAIN STREET

2013-211

RESOLUTION AUTHORIZING THE ADVERTISING FOR SEALED BIDS FOR VARIOUS WATER/SEWER INFRASTRUCTURE IMPROVEMENTS

2013-212

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

2013-213

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

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

AYES: Deicke, Magovern, Nicolay, Bean and Doherty

ORDINANCES:

Second Reading & Public Hearing

ORDINANCE 2013-12

ORDINANCE OF THE BOROUGH OF BELMAR COUNTY OF MONMOUTH, NEW JERSEY (THE "BOROUGH"), APPROVING THE APPLICATION FOR A LONG TERM TAX EXEMPTION AND AUTHORIZING THE EXECUTION OF A FINANCIAL AGREEMENT WITH 500 MAIN STREET URBAN RENEWAL PARTNERS, LLC(THE "ENTITY")

Public Hearing: None

Mayor Doherty made a motion to close the public hearing for Ordinance 2013-12, which was seconded by Council member Magovern and approved unanimously.

Mayor Doherty made a motion to offer Ordinance 2013-12 for adoption, which was seconded by Council member Magovern and approved by the following vote:

AYES: Deicke, Magovern, Nicolay, Bean and Doherty

First Reading & Introduction

ORDINANCE 2013-13

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER XXIV OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BELMAR TO ADD SECTION 24-3 PROHIBITING THE FEEDING OF WILD ANIMALS

Mayor Doherty made a motion to offer Ordinance 2013-13 for introduction and schedule it for public hearing on September 4, 2013, which was seconded by Council member Deicke and approved by the following vote:

AYES: Deicke, Magovern, Nicolay, Bean and Doherty

First Reading & Introduction:

ORDINANCE 2013-14

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER XL,

DEVELOPMENT REGULATIONS OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BELMAR PERTAINING TO GARAGES AND DRIVEWAYS

Mayor Doherty made a motion to offer Ordinance 2013-14 for introduction and schedule it for public hearing on September 18, 2013, which was seconded by Council member Deicke and approved by the following vote:

AYES: Deicke, Magovern, Nicolay, Bean and Doherty

First Reading & Introduction:

ORDINANCE 2013-15

BOND ORDINANCE PROVIDING FOR THE CONSTRUCTION OF BEACHFRONT BUILDINGS IN AND BY THE BOROUGH OF BELMAR, IN THE COUNTY OF MONMOUTH, NEW JERSEY, APPROPRIATING \$7,500,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$7,125,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF.

Mayor Doherty made a motion to offer Ordinance 2013-15 for introduction and schedule it for public hearing on September 4, 2013, which was seconded by Council member Magovern and approved by the following vote:

AYES: Deicke, Magovern, Nicolay and Doherty

NAYS: Bean

Prior to voting on the above ordinance Council member Bean stated he would be voting no because he would like to see bond ordinances for Silver Lake and Como Lake improvements first.

PUBLIC SESSION:

Mike Gratale, 100 17th Avenue, stated he had sidewalk and curb damage during cleanup of the storm. He filed a claim with the Borough's insurance and was told it was 90 days past and the risk management group said they can't open a case unless the Mayor and Council authorize it. Mayor Doherty stated we will do whatever we can to help.

Angela Pfeiffer, 319 5th Avenue, asked if anyone considered using Christmas trees for dunes. Mayor Doherty stated Bradley Beach's dunes were crushed but had rock bulkhead that helped them. She felt there should be a plan "b" if we don't get money.

Sandra Caputo, Surf Avenue, expressed concern about people playing football, soccer and Frisbee on the beach. She stated the lifeguards do a great job but it is difficult to relax with children when worrying about being hit by a ball or person. Mayor Doherty stated the ordinance is still in effect and should be enforced.

Adrienne Hall, 211 19th Avenue, stated her house at 1902 Snyder was destroyed by the storm and she is now only ready to rebuild. She couldn't get permits in before June 30th when fees were waived.

Mayor Doherty made a motion to waive all construction permit fees for storm related repairs from July 1st to December 31st, 2013, seconded by Council member Deicke: **2013-214, RESOLUTION EXTENDING THE PERIOD FOR WAIVED CONSTRUCTION PERMIT FEES DUE TO HURRICANE SANDY DAMAGE**, and approved by the following vote:

AYES: Deicke, Magovern, Bean, Nicolay, and Doherty

Tom Dilberger, 1000 River Road, stated the boardwalk around Maclearie Park and L Street beach was destroyed and asked who is replacing it. DPW is working on it. Mr. Campbell stated he has six guys there every day working on it. He asked what is going on with the cars and lamp posts at Dempsey Park. Ms. Connolly stated the vehicles must be taken away by a

salvage company hired by the Borough's insurance company and the light poles are saved to be used throughout town.

Janis Keown-Blackburn, 106 River Court, stated she is impressed with everything Council member Deicke is involved with. She also thought the presentation from Fletcher and Creamer was very interesting.

Diane Rickshaw, 4th Avenue, asked about the buy a board. Ms. Connolly stated we have a design and they will be up by the end of August.

Tom Volker, 301 4th Avenue, stated he likes the plans for the pavilions and the way it will be financed. Everything that has been done has been better than what was there before. He added that the intersection of B Street and 4th Avenue needs a three way stop sign.

June Seamen, 304 North Lake Drive, stated the town has made fantastic progress but was concerned about the lights on North Lake Drive being pitch black. Ms. Connolly stated JCP&L has started addressing all outstanding issues in town.

Gene Creamer, 4th Avenue, asked if the emergency generator at the senior building is working. Mayor Doherty stated he did not know because the Borough does not maintain it. Janis Keown-Blackburn, member of the Housing Authority Board, stated the generator is working but is not large enough for the entire building; it only works the elevator and the main floor.

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

Respectively submitted,

April Claudio
Municipal Clerk