

“GOD BLESS AMERICA”

REGULAR MEETING

JUNE 6, 2018

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

PRESENT: Mayor Magovern, Councilman Brennan, Councilman Levis, Councilman Walsifer, Councilwoman Nicolay, Borough Attorney Greg Cannon, Esq., Business Administrator Colleen Connolly, and Borough Clerk April Claudio

“Adequate notice of this meeting has been provided to The Coast Star, the official newspaper of the Borough of Belmar, and the Asbury Park Press on March 27, 2018 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

PROCLAMATIONS:

- Kevin Woolley
 - o Postponed until next the meeting

WORKSHOP DISCUSSION:

- Council Committees
 - o Mayor Magovern stated the Council has reviewed the changes and found them acceptable.
- Trees
 - o Ms. Connolly prepared a resolution for their consideration which would establish a Dedication by Rider for a bench and tree memorial program in the public parks. Ms. Connolly and the Director of Public Works would work to create an execution plan and a location plan to present to the Council later. Mayor Magovern stated Silver Lake was dedicated Ferrugiaro Park but the plaque was lost after Sandy and would like it rededicated. Council member Nicolay suggested considering a memorial brick program somewhere else in town like what’s at Doughboy Park. Mayor Magovern suggested allowing someone to do a plaque on an existing tree.
 - o Council member Levis made a motion to add the resolution to the Consent Agenda, which was seconded by Council member Walsifer and approved unanimously.
- FOBH
 - o Board Members were present to discuss how they wish to enhance their two camps. Discussed their need for a new shed and a covered area for hot or rainy days, a water supply, and electricity. Mr. Campbell confirmed there is water there but was unsure about electricity but will look into it. Council member Levis felt it would be good if we can make improvements for them to help with their programs. They would work to raise funds for any of the improvements. Council member Walsifer stated we are limited as to what we can do. Ms. Connolly stated there are limitations but there is a footprint on the green acres approvals for something to be there. She suggested the FOBH propose a design to the Mayor and Council. Council member Brennan stated he understands the reasons for their needs and feels it’s a great program. Council member Nicolay has had nothing but great interactions with the FOBH.

PETITIONS: None

APPROVAL OF MINUTES: Council member Nicolay made a motion to approve the minutes of the May 15, 2018 meeting, which was seconded by Council member Brennan and approved unanimously.

REPORTS OF COUNCIL:

Council member Levis: Discussed the recent sewer backup after the last rain storm. Met with SMRSA to discuss the problem. Last sewer study was 15 years ago and should be done again. Also need to advise residents that sump pumps and gutters shouldn’t be connected to the sanitary sewer.

Council member Walsifer: Mary Brabazon, DPW and Police Department did a great job with Seafood Festival despite the rain. Harbor Commission would like to pursue a Citi bike program. Mayor Magovern stated the person who runs Bradley Beach’s ride share program would like to come speak to us at a future meeting about bringing the program to Belmar.

Council member Brennan: Was a chaperone for the Belmar Elementary School 8th grade trip to Washington D.C. Commended Officer Speakman for coming on the trip. Was proud of how the students behaved on the trip.

Council member Nicolay: 7th Grade is already working on fundraising for next year's trip. Parks look great and are well attended. Arts Council has a new summertime program. Strollos is open. Asked everyone to buy local.

Mayor Magovern: Tomorrow from 4-7 pm is the DOT meeting on the Main Street bridge. They have agreed to replace the bridge with the same. Hopes they will use a quality bridge contractor so it is done as quickly as possible. The Lake Como outfall pipe worked great during the last rain storm. This Friday the Belmar Beach Patrol is doing a water safety program at the Belmar Elementary School. DPW is working on completing the path at the top of Lake Como.

Council member Levis: Went to a meeting with Army Corp. of Engineers and DEP where they discussed a feasibility study for a storm-water management system for the entire New Jersey coastline.

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

None

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

RESOLUTIONS:

Council member Brennan recused himself from voting on all liquor license resolutions.

Mayor Magovern offered for adoption: **2018-72, RESOLUTION AUTHORIZING ISSUANCE OF PLENARY RETAIL DISTRIBUTION LICENSE FOR DAI SENG CORP. T/A LITTLE RED BARN FOR THE PERIOD ENDING JUNE 30, 2019**, which was seconded by Council member Walsifer and approved by the following vote:

AYES: Magovern, Levis, Walsifer, and Nicolay

Mayor Magovern offered for adoption: **2018-73, RESOLUTION AUTHORIZING ISSUANCE OF SEASONAL RETAIL CONSUMPTION LICENSE NO. 1306-34-011-008 TO SLBD ASSOCIATES LLC (TO BE HELD IN POCKET) PERIOD ENDING JUNE 30, 2019**, which was seconded by Council member Nicolay and approved by the following vote:

AYES: Magovern, Levis, Walsifer, and Nicolay

Mayor Magovern offered for adoption: **2018-74, RESOLUTION AUTHORIZING ISSUANCE OF PLENARY RETAIL CONSUMPTION LICENSE NO. 1306-32-015-007 TO FUSAL, LLC T/A LA DOLCE VITA FOR THE PERIOD ENDING JUNE 30, 2019**, which was seconded by Council member Walsifer and approved by the following vote:

AYES: Magovern, Levis, Walsifer, and Nicolay

Mayor Magovern offered for adoption: **2018-75, RESOLUTION AUTHORIZING ISSUANCE OF PLENARY RETAIL CONSUMPTION LICENSE NO. 1306-33-010-006 TO WATERVIEW PAVILION, INC. T/A RIVERVIEW PAVILION, WATERVIEW PAVILION FOR PERIOD ENDING JUNE 30, 2019**, which was seconded by Council member Levis and approved by the following vote:

AYES: Magovern, Levis, Walsifer, and Nicolay

Mayor Magovern offered for adoption: **2018-76, RESOLUTION AUTHORIZING ISSUANCE OF A PLENARY RETAIL CONSUMPTION LICENSE NO. 1306-33-001-010 FOR CHEFS INTERNATIONAL INC. FOR THE PERIOD ENDING JUNE 30, 2019.**

Council member Walsifer mentioned he thought they discussed changing the time for outdoor music from 11 pm to 10 pm. The Council agreed to the change. Council member Walsifer made a motion to amend the resolution, which was seconded by Mayor Magovern and approved unanimously.

Council member Walsifer seconded the motion to adopt the resolution, which was approved by the following vote:

AYES: Magovern, Levis, Walsifer, and Nicolay

Mayor Magovern offered for adoption: **2018-77, RESOLUTION AUTHORIZING ISSUANCE OF SEASONAL RETAIL CONSUMPTION LICENSE TO D’JAIS LLC, T/A D’JAIS FOR THE PERIOD ENDING JUNE 30, 2019**, which was seconded by Council member Nicolay and approved by the following vote:

AYES: Magovern, Levis, Walsifer, and Nicolay

Council member Levis made a motion to modify Resolution 2018-78 to change the time for outdoor music from 11 pm to 10 pm, which was seconded by Council member Walsifer and approved unanimously.

Mayor Magovern offered for adoption: **2018-78, RESOLUTION AUTHORIZING ISSUANCE OF A RETAIL CONSUMPTION LICENSE TO THE IRISH CURSE, LLC DBA 10TH AVENUE BURRITO LICENSE NO. 1306-33-007-003, FOR THE PERIOD ENDING JUNE 30, 2019**, which was seconded by Council member Levis and approved by the following vote:

AYES: Magovern, Levis, Walsifer, and Nicolay

Mayor Magovern offered for adoption: **2018-79, RESOLUTION AUTHORIZING ISSUANCE OF SEASONAL PLENARY RETAIL CONSUMPTION ALCOHOLIC BEVERAGE LICENSE FOR CSL BELMAR LLC FOR PERIOD ENDING JUNE 30, 2019 TO BE HELD IN POCKET**, which was seconded by Council member Walsifer, and approved by the following vote:

AYES: Magovern, Levis, Walsifer, and Nicolay

Mayor Magovern offered for adoption: **2018-80, RESOLUTION APPOINTING SPECIAL POLICE OFFICERS FOR 2018**, which was seconded by Council member Brennan and approved by the following vote:

AYES: Magovern, Levis, Walsifer, Brennan, and Nicolay

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 Magovern offered the following resolutions for adoption:

2018-81, RESOLUTION AUTHORIZING PAYMENT OF BILLS

PAYMENT OF BILLS: certification that the vouchers listed on the warrant register numbering 2255 thru 2366 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	\$951,159.51
05	General Capital Account	\$389,085.32
11	Water/Sewer Account	\$8,441.79
21	Beach Utility Account	\$85,335.34
41	Dog License Account	\$1,476.60
55	Trust Fund Account	\$76,976.90
61	Tourism Development Account	\$2,421.67
Total:		\$1,514,897.13

2018-82, RESOLUTION APPOINTING AND CONFIRMING APPOINTMENT TO THE TOURISM COMMISSION AS PROVIDED BY BOROUGH ORDINANCE 1993-3

2018-83, RESOLUTION PERMITTING SPECIAL EVENTS

2018-84, RESOLUTION APPOINTING MEMBERS TO THE BELMAR PLANNING BOARD

2018-85, RESOLUTION AUTHORIZING REFUNDS

2018-86, RESOLUTION OF THE BOROUGH OF BELMAR DEDICATING BY RIDER TO THE BUDGET OF THE BOROUGH REVENUE TO IMPLEMENTATION OF A BENCH AND TREE MEMORIAL DEDICATIONS AT PUBLIC PARKS WITHIN THE BOROUGH OF BELMAR

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

AYES: Magovern, Levis, Walsifer, Brennan and Nicolay

ORDINANCES:

Second Reading & Public Hearing

ORDINANCE 2018-08

ORDINANCE OF THE BOROUGH OF BELMAR AMENDING THE REVISED GENERAL ORDINANCE CHAPTER 19: “TRAFFIC” TO CLARIFY CERTAIN PARKING RESTRICTIONS AND TO MOVE AND DESIGNATE CERTAIN RESERVED FIRST RESPONDER PARKING SPACES ON OCEAN AVENUE

Public Hearing: Robert Moore, attorney for Mayfair Hotel, stated they object to this ordinance. These parking spaces are used by hotel guests. Asked if Council consulted with the County or the emergency services to learn that these spaces don’t meet the requirements. Asked that this ordinance be postponed allowing discussions on this further. Would like to work out a plan that works for the hotel guests and the Borough without doing harm to the hotel. Ken Entwistle, owner, stated they are working on improving the hotel.

Council member Walsifer asked if a loading zone was in place would that be enough or do they need the parking spaces as well.

Mayor Magovern suggested limiting the emergency vehicle parking to the hours of 9 to 5. Mr. Entwistle stated he would prefer the vehicles park across the street. He was concerned if they are parking out front of the hotel it will look like there’s a problem at the hotel.

Council member Nicolay pointed out that the spaces in front of the hotel can be used by anyone not just guests.

Council member Brennan stated they do need spaces for emergency vehicles. He liked the idea of restricting the time where it is limited to the emergency vehicles.

Ms. Connolly stated there were 8 parking spaces designated on the east side for emergency vehicles and concessionaires. This ordinance would drop that to three and put four spaces across the street. This was a recommendation from the first responders.

Council member Walsifer stated he sees the lifeguards parking there and not an ambulance or police car. Suggested giving parking for the lifeguards on 10th Avenue instead.

Ms. Connolly stated 10th Avenue was considered but there were concerns about going into the neighborhood.

Council member Levis stated he would be in favor of tabling this to look into it further. Mayor Magovern agreed.

Council member Brennan made a motion to table this ordinance, which was seconded by Council member Walsifer and approved unanimously.

Second Reading & Public Hearing

ORDINANCE 2018-09

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

Public hearing: none

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

Mayor Magovern made a motion to adopt Ordinance 2018-09, which was seconded by Council member Brennan and approved by the following vote:

AYES: Magovern, Levis, Walsifer, Brennan, and Nicolay

First Reading & Introduction

ORDINANCE NO. 2018-10

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER XL OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BELMAR, SECTIONS 40-3.14 FEES

Mayor Magovern made a motion to offer Ordinance 2018-10 for first reading and introduction, which was seconded by Council member Walsifer and approved by the following vote:

AYES: Magovern, Levis, Walsifer, Brennan, and Nicolay

First Reading & Introduction

ORDINANCE NO. 2018-11

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 19, TRAFFIC – ONE WAY STREETS

Mayor Magovern discussed the other Streets going north and south and if there are too many going south. Asked Captain Cox to speak to the Police Chief about changing any; specifically, Snyder Avenue.

Mayor Magovern offered Ordinance 2018-11 for first reading and introduction, which was seconded by Council member Walsifer and approved by the following vote:

AYES: Magovern, Levis, Walsifer, Brennan, and Nicolay

PUBLIC SESSION:

Maria Florio, 115 12th Avenue, asked if the special police officers are aware of the ordinances. She witnessed beer pong on a porch on Memorial Day weekend. Captain Cox will make sure they aware of it. Ms. Florio was also concerned about Uber drivers.

Peter Piro, North Blvd., thanked the council for the outfall pipe at Lake Como and the change to 19th Avenue. Asked if signs limiting truck sizes on 19th Avenue. Suggested a two-way traffic sign at 19th and B Street.

Claire Hayner, 221 18th Avenue, thankful for stop signs at 18th and B Street. Suggested the two spots near 18th and B Street on the Lake Como side causes a traffic jam. Also, would like to see Snyder Avenue changed. Would have liked a ramp at 18th and Snyder instead of a full-size curb.

Bill Karatz, 90 Inlet Terrace, stated he came to this meeting a few months ago when the lifeguards were fired because stands were down and noticed there were several stands down this past weekend. Belmar has a lot less lifeguards this season than ever in past years. Would like to know whose idea this was. Knows of four lifeguards that didn't come back under these conditions.

Sandy Caputo, Surf Avenue, thankful the microphones are working.

Jim Venino, Wall Township, has worked in Belmar for 25 years as a lifeguard, a lot of the lifeguards are being asked what happened to the lifeguards this year. Asked how they should address it with the public when asked. Mayor Magovern stated it was a personnel issue. Those lifeguards that didn't come back had conversations with the Police Chief as to why. Mayor Magovern suggested he speak to those lifeguards directly.

Charles Peters, 202 19th Avenue, stated there used to be a "Do Not Enter" sign at 20th and A Street but it is covered up. There is an area at the end of the gravel path along the lake that looks like it's missing gravel.

Eileen Thiede, 210 10th, has had problems with her water meter for many years. The meter works but the port they connect to, to read it, doesn't work. Got a letter that she needs to replace the meter. Doesn't think it is her responsibility. Tried to get it fixed but it is too old. Sounds like the town just wants her to upgrade her meter to a newer model. Ms. Connolly stated she can take another look at it to see if there is anything else we can do.

Pat Tecza, 903 Main Street, stated it is a pleasure to see Mayor Magovern talking to the residents with empathy and really listening to them. BBP Pirate Walk is this Sunday. Hasn't see the 2-hour parking on Main Street being enforced.

Michael Druz, 404 Ocean Avenue, asked how a contract is given for credit card processing for beach badges, asked why there's a \$1 charge per a badge and not per a transaction, why do they have to fill out a card for every single beach badge, why isn't it computerized and why aren't there online sales. Doesn't think the parking spaces in front of the Mayfair are needed. Asked about towing reimbursements if a car is towed but are found not guilty.

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

Respectively submitted,

April Claudio
Municipal Clerk