

“GOD BLESS AMERICA”

REGULAR MEETING

MAY 15, 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 December 7, 2017 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 and Sharon Day

PROCLAMATIONS: National Gun Violence Awareness Day

WORKSHOP DISCUSSION:

- Zoning Board Annual Report
 - o Ms. Claudio explained the definition of a bedroom and what concerns the Zoning Board had about people labeling rooms as a den or office instead of a bedroom when they could convert it to a bedroom. Mr. Northgrave stated there are ways to set architectural guidelines to address this.
 - o Ms. Claudio explained the garage definition says for vehicles only. The Zoning Board would like some guidance or language in the ordinance to allow for storage of bicycles, beach supplies and like. They also asked for guidance on if other uses such as offices or art studios should be allowed in a garage.
 - o Ms. Connolly stated one of their items was regarding decorative features for people who elevate their homes. Council member Levis felt this could create a financial hardship on people.
 - o Ms. Claudio explained their concerns about the multifamily cluster ordinance and the driveway ordinance.
 - o Ms. Claudio explained the Board would like to increase the special meeting fee as well. This is a fee for applicants who request a special meeting so they can essentially jump the line and get before the Board quickly.
 - o Mr. Cannon is going to review the report with the Zoning Board Attorney and Planning Board Attorney to get more details. The Planning Board would then review these issues and make any recommendations to the Mayor and Council.
- Loko Redevelopment, River Avenue
 - o William Wolf, attorney for Loko, explained they received Planning Board approvals to develop a mixed-use building at their River Avenue site. They came before the Mayor and Council last year asking for approval to change the plan to all residential which was denied because of a 2-2 vote. They asked the Mayor and Council to reconsider the proposal to allow 16 residential units and no commercial units. This would result in 10 additional parking spaces becoming available for the public.
 - o Bill Northgrave, Borough’s Redevelopment Attorney, stated he thinks this would require an amendment to the developer’s agreement.
 - o Council member Nicolay asked if there are areas where the public can get to the waterfront. Mr. Wolf stated there are three access points.
 - o Council member Brennan would like signage informing the public there is access to the Riverwalk.
 - o Council member Walsifer stated he is fine with the project.
 - o Council member Levis asked if the walkways will be ADA compliant. Greg Kapalko, developer, stated there are two ADA accessible access points. Council member Levis asked about the flood elevation. Mr. Kapalko stated they plan to be 1-1.5 feet over the required elevation. Council member Levis felt the residential use would be better for the area.
 - o Mayor Magovern agreed residential use is better.
 - o Mr. Northgrave stated the Mayor and Council could vote on a resolution amending the developer’s agreement. Council member Nicolay made a motion to approve the amendment,

Resolution 2018-65, which was seconded by Council member Brennan and approved by the following vote:

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

- Mayor Magovern stated the Brandywine project for a new Borough Hall and apartment complex is not moving as quickly as we thought. He felt with it getting closer to summer that any further discussions on it be postponed for six months. Council member Levis stated we do need a new Borough Hall but the rest of the project is too big. Ms. Connolly stated there are a lot of details that still need to be worked out and felt tabling discussions is appropriate. Council member Nicolay stated it is an exciting opportunity but agrees the timing is difficult right now. Council member Walsifer stated he agrees. He also stated he would still like to put together a committee of people that would be involved with the project. Mayor Magovern agreed we need a new gym and police department but would also like to get the tax ratables from a new development. Mayor Magovern asked if we could do an RFP to see if there are other developers that would want to do something similar. Mr. Northgrave stated that could be done but recommended figuring out costs to build a new Borough Hall first.

PETITIONS: None

APPROVAL OF MINUTES: Council member Nicolay made a motion to approve the minutes of the May 1, 2018 meeting, which was seconded by Council member Brennan and approved unanimously.

REPORTS OF COUNCIL:

Council member Levis: Horseshoe crab tagging will be taking place tomorrow at the L Street beach.

Council member Walsifer; Harbor Commission met and continued to discuss marketing. Tap Into It is going to help with marketing. Also discussed permit parking which is on the agenda.

Council member Brennan: Thanked Pat Tecza of Nostalgic Nonsense for supporting the Belmar students. Visited New Orleans and they are encouraging use of reusable shopping bags.

Council member Nicolay: Thanked everyone who put together the Belmar Cares concert last night. May 23rd is the Belmar Cares Health Fair.

Mayor Magovern: Thanked CFO Robbin Kirk and Ms. Connolly for their hard work putting together the budget with a 0% tax increase. Discussed the increase in revenues we anticipate this year. Department budgets are being kept at the same amount as 2017. Discussed other areas of the budget that are different than 2017's budget. Can see there are a lot of people moving to Belmar and building here which is a good sign. Belmar is now reaping the benefits of all the hard work done by Mayor Pringle and Mayor Doherty. Several members of the Police Department participated in the Police Unity Tour this week. Seafood Festival is this weekend. To open the festival on Friday he will be pardoning a lobster by freeing one into the ocean.

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 Nicolay 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:

Council member Levis offered the following resolutions for adoption:

2018-66, RESOLUTION AUTHORIZING PAYMENT OF BILLS

PAYMENT OF BILLS: certification that the vouchers listed on the warrant register numbering 2179 thru 2254 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	\$109,952.45
05 Grant Account	\$830,111.88

11	Water/Sewer Account	\$24,951.12
21	Beach Utility Account	\$40,435.96
23	Parking Utility Account	\$750.00
41	Dog License Account	\$16.80
55	Trust Fund Account	\$23,346.26
61	Tourism Development Account	\$2,522.62
Total:		\$1,032,087.89

2018-67, RESOLUTION APPROVING MEMBERSHIP APPLICATIONS FOR GOODWILL FIRE DEPARTMENT

2018-68, RESOLUTION INTRODUCING THE 2018 LOCAL MUNICIPAL BUDGET

2018-69, RESOLUTION ESTABLISHING PERMIT PARKING IN THE BELMAR MARINA

2018-70, RESOLUTION AUTHORIZING REFUNDS

2018-71, RESOLUTION APPOINTING SPECIAL POLICE OFFICERS FOR 2018

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

AYES: Magovern, Nicolay, Brennan, Walsifer and Levis

ORDINANCES:

ORDINANCE NO. 2018-04

Second Reading & Public Hearing

ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER XIX (TRAFFIC) OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BELMAR, SECTION 19-46 HANDICAPPED PARKING SPACES AND SECTION 19-15 PARKING PROHIBITED DURING CERTAIN HOURS ON CERTAIN STREETS

Public Hearing: None

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

Mayor Magovern made a motion to adopt Ordinance 2018-04, which was seconded by Council member Nicolay and approved by the following vote:

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

ORDINANCE NO. 2018-05

Second Reading & Public Hearing

ORDINANCE OF THE BOROUGH OF BELMAR AMENDING THE REVISED GENERAL ORDINANCE CHAPTER 19: “TRAFFIC” TO DESIGNATE CERTAIN INTERSECTIONS AS MULTI-WAY “STOP INTERSECTIONS” AND TO DELETE CERTAIN “THROUGH STREETS”

Public Hearing: Peter Piro, North Blvd., asked if the one-way street issue discussed last night made it into this ordinance.

Ms. Connolly stated this ordinance is for stop signs not one-way streets. That issue will be at a future meeting.

Council member Levis suggested looking at the section of 13th and K Street to reflect it is a multi-way stop.

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

Mayor Magovern made a motion to adopt Ordinance 2018-05, which was seconded by Council member Nicolay and approved by the following vote:

AYES: Magovern, Brennan, Nicolay, Walsifer and Levis

Second Reading & Public Hearing

ORDINANCE 2018-06

ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER XXV, STATE UNIFORM CONSTRUCTION CODE ENFORCING AGENCY, SECTION 25-1.4 STATE UNIFORM CONSTRUCTION CODE FEES, OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BELMAR, IN THE COUNTY OF MONMOUTH, NEW JERSEY

Public Hearing: None

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

Mayor Magovern made a motion to adopt ordinance 2018-06, which was seconded by Council member Walsifer and approved by the following vote:

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

Second Reading & Public Hearing

ORDINANCE 2018-07

ORDINANCE OF THE BOROUGH OF BELMAR AMENDING THE REVISED GENERAL ORDINANCE CHAPTER 31: “ENVIRONMENT AND NATURAL RESOURCES” TO ADD ARTICLE 31-6 “USE OF PLASTIC BAGS BY BUSINESSES”

Public Hearing: None

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

Mayor Magovern made a motion to adopt ordinance 2018-07, which was seconded by Council member Brennan and approved by the following vote:

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

First Reading & Introduction

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

Mayor Magovern offered Ordinance 2018-08 for first reading and introduction, which was seconded by Council member Brennan and approved by the following vote:

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

First Reading & Introduction

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)

Mayor Magovern offered Ordinance 2018-09 for first reading and introduction, which was seconded by Council member Nicolay and approved by the following vote:

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

PUBLIC SESSION:

Linda Sharkus, 400 4th Avenue, noticed there are a number of box trucks parked around town and a bus parked in someone’s driveway. Asked if there are any regulations on this. Captain Cox stated he would have to review the ordinance but there are some restrictions. Ms. Sharkus was also concerned about backyards becoming parking areas where there is no pavement. Ms. Connolly stated this would be an issue for Code Enforcement to address.

David Schneck, 302 C Street, asked if there was a meeting prior to the council meeting. Mayor Magovern stated it was a training session for the Mayor and Council by our insurance company.

Pat Tecza, 903 Main Street, stated June 10th is the second annual pirate walk on Main Street sponsored by the BBP.

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