

**MAYOR AND COUNCIL
MINUTES**

FEBRUARY 5, 2019

6:00 PM

Mayor Mark Walsifer, Council President Thomas Brennan, Councilman James McCracken, Councilman Thomas Carvelli, Councilwoman Patricia Wann, Borough Attorneys Jerry Dasti and Chuck Schlager, Acting Business Administrator Edward Kirschenbaum 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 19, 2018 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.

PLEDGE OF ALLEGIANCE

MOMENT OF SILENCE: Our troops and their families

WORKSHOP DISCUSSION:

- Lake Como outflow pipe
 - o Mr. Dasti stated we received a letter from the Attorney General's office regarding the grant. They have advised us that they will not be awarding us engineering fees for Maser Consulting's work on the project because the way they were hired to do the work was not done according to the grant requirements. Will be working on trying to resolve this issue.
- Beach badge fees
 - o Mayor Walsifer discussed the increase in the beach badge fees. There will no longer be a teen badge because the State statute says we can't charge a discounted rate. Senior age is also increasing to 65 per the statute. Military, veterans and Gold Star Families will still have free access.
- Seafood Festival
 - o Mayor Walsifer stated the event is being moved to the plaza. This will alleviate a lot of concerns regarding crowd control and security.
 - o Councilwoman Wann asked if we would still have a beer and wine tent. Mayor Walsifer replied no but will be talking to one of the Belmar liquor license establishments handling it.
 - o Councilman Brennan stated 10th Avenue Burrito handled the beer tent at the fall festival. Was impressed of the layout of the festival in the Plaza. Thinks overall this will be a good move.
- Director of Special Operations
 - o Mayor Walsifer stated this position will be for someone that is already an employee. Frank Cinelli from Code Enforcement will be in this role. This position will include consolidating several responsibilities such as OEM and Tourism. We are no longer using Spark Marketing.
 - o Councilman Brennan stated there has been a lack of communication between the Tourism Commission and the BBP. This is long overdue, and people will be happy.
- Salary Ordinance
 - o Mayor Walsifer and Mr. Schlager stated there is an ordinance on the agenda to amend the salary ordinance. Amendments include adding positions that were missing and updating salary ranges.

PETITIONS: None

APPROVAL OF MINUTES: Councilman Brennan made a motion to approve the January 15, 2019 meeting minutes, which was seconded by Councilwoman Wann and approved unanimously.

REPORTS OF COUNCIL:

Councilman Carvelli: Utility pole replacement on Main Street is about half way done. Had a question asked about recycling. Would like to share the County's website link regarding what is and what isn't recyclable. Working on website changes with Frank Cinelli. Attending first ADA Committee meeting this month.

Councilman McCracken: Attended first meeting of Belmar Housing Authority. Shade Tree Commission's first meeting will be February 27th at the Belmar Library. First Aid has requested a meeting with the Borough to discuss their finances.

Councilwoman Wann: Excited to be involved in government. Attended first Planning Board class. Tomorrow will meet with the Council of Churches. Will also be attending the ADA Committee meeting this month. Looks forward to serving the residents.

Councilman Brennan: Attended the Tourism Commission meeting. Don Tarrant was appointed Chair and Danny White was appointed Vice Chair. Discussed the move of the Seafood Festival. Attended the County's class for elected officials. They have a lot of shared services we should investigate.

Mayor Walsifer: Allowed Mr. Kirschenbaum to explain why Bob Ferguson is being appointed as a volunteer. He will be reviewing all the Borough's policies and procedures and doing research on how to do things better. Engineers working on getting 10th Avenue Pavilion operational. Also looking at roof and HVAC repairs to Borough Hall.

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

Councilman McCracken made a motion to close the public session, which was seconded by Councilwoman Wann 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.

Mayor Walsifer offered the following resolutions for adoption:

No. 2019-47 RESOLUTION AUTHORIZING PAYMENT OF BILLS

No. 2019-48 RESOLUTION AUTHORIZING THE COUNTY OF MONMOUTH MOSQUITO CONTROL DIVISION TO CONDUCT AERIAL MOSQUITO CONTROL OPERATIONS WITHIN THE BOROUGH OF BELMAR

No. 2019-49 RESOLUTION PERMITTING SPECIAL EVENTS

No. 2019-50 RESOLUTION AUTHORIZING THE ACCEPTANCE OF THE COPS IN SHOPS SUMMER SHORE INITIATIVE 2019 GRANT #AL-18-45-05-01 AWARD

No. 2019-51 RESOLUTION AUTHORIZING REFUNDS

No. 2019-52 RESOLUTION APPROVING MEMBERSHIP APPLICATIONS FOR VOLUNTEER HOOK & LADDER FIRE DEPARTMENT

No. 2019-53 RESOLUTION AUTHORIZING TRANSFER OF APPROPRIATIONS FOR 2019

No. 2019-54 RESOLUTION APPOINTING ROBERT FERGUSON AS AN ADMINISTRATIVE VOLUNTEER FOR THE BOROUGH OF BELMAR

No. 2019-55 RESOLUTION AUTHORIZING THE SIGNING OF CERTIFICATES OF COMPLETIONS FOR VARIOUS REDEVELOPMENT PROJECTS

No. 2019-56 RESOLUTION REGARDING A CLOSED-END MOTOR VEHICLE LEASE

Seconded by Councilwoman Wann and approved by the following vote:

AYES: Walsifer, Wann, McCracken, Carvelli and Brennan

CLOSED SESSION:

Mayor Walsifer offered for adoption:

No. 2019-57 RESOLUTION AUTHORIZING EXECUTIVE SESSION

Seconded by Councilwoman Wann and approved by the following vote:

AYES: Walsifer, Wann, McCracken, Carvelli and Brennan

RESOLUTIONS:

Councilman McCracken offered for adoption:

No. 2019-58 RESOLUTION AUTHORIZING A PERSON TO PERSON AND PLACE TO PLACE TRANSFER OF SEASONAL RETAIL CONSUMPTION LICENSE 1306-34-011-009 SLBD ASSOCIATES LLC TO 1000 MAIN LIQUOR LICENSE LLC

Seconded by Councilwoman Wann and approved by the following vote:

AYES: Walsifer, Wann, McCracken, and Carvelli

ABSTAIN: Brennan

Councilman Brennan offered for adoption:

No. 2019-59 RESOLUTION OF THE COUNCIL OF THE BOROUGH OF BELMAR, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, TO ACCEPT AND APPROVE THE SETTLEMENT AGREEMENT TO RESOLVE THE LITIGATION IN THE MATTER OF RAY ELMS, ET AL VS. THE BOROUGH OF BELMAR, MATTHEW DOHERTY, BRIAN MAGOVERN, ANDREW HUISMAN, COLLEEN CONNOLLY, THOMAS BRENNAN, JENNIFER NICOLAY, and JOHN DOES 1-5

Seconded by Mayor Walsifer and approved by the following vote:

AYES: Walsifer, Wann, McCracken, Carvelli and Brennan

Councilwoman Wann offered for adoption:

No. 2019-60 RESOLUTION AUTHORIZING THE HIRING OF 2019 CHIEF OF LIFEGUARDS

Seconded by Mayor Walsifer and approved by the following vote:

AYES: Walsifer, Wann, McCracken, Carvelli and Brennan

ORDINANCES:

Second Reading & Public Hearing:

ORDINANCE NO. 2019-01

ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER III OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BELMAR, SECTIONS 3-6.2 COMMISSION ESTABLISHED

Public Hearing: None

Mayor Walsifer made a motion to close the public hearing, which was seconded by Councilman Brennan and approved unanimously.

Mayor Walsifer made a motion to adopt Ordinance 2019-01, which was seconded by Councilman McCracken and approved by the following vote:

AYES: Walsifer, Wann, McCracken, Carvelli and Brennan

Second Reading & Public Hearing:

ORDINANCE NO. 2019-02

ORDINANCE AMENDING AND SUPPLEMENTING BOROUGH CODE CHAPTER XVIII, SECTION 2.5 ENTITLED "FEES AND CHARGES" (BEACH BADGE FEES)

Public Hearing: Steve Lemoine, 403 C Street, asked what our neighboring towns are doing. Mayor Walsifer stated they have discounted badges for teens, but the state law does not allow that. Mr. Lemoine felt the increase in the senior badge was excessive. Mayor Walsifer stated the rate is still lower than other towns.

Rose Dagayna, 201 9th Avenue, asked if badge checkers can ask for ID for teenagers. Mayor Walsifer stated they are working with the Beachfront Director on different options to address this.

Gene Creamer, 4th Avenue, asked that section b only state senior season not senior citizen season. The statute says "may" there is no mandate that these discounts must be offered. He felt the disabled badge should be deleted and they should pay the regular season fee.

Mayor Walsifer made a motion to close the public hearing, which was seconded by Councilman Brennan and approved unanimously.

Councilman Brennan made a motion to adopt Ordinance 2019-02, which was seconded by Mayor Walsifer and approved by the following vote:

AYES: Walsifer, Wann, McCracken, Carvelli and Brennan

First Reading & Introduction

ORDINANCE NO. 2019-03 (revised)

ORDINANCE AMENDING AND SUPPLEMENTING BOROUGH CODE CHAPTER XVIII, SECTION 2.5 ENTITLED “FEES AND CHARGES” (BEACH LOCKER FEES)

Mayor Walsifer offered Ordinance 2019-03 for first reading, which was seconded by Councilwoman Wann and approved by the following vote:

AYES: Walsifer, Wann, McCracken, Carvelli and Brennan

First Reading & Introduction:

ORDINANCE NO. 2019-04

ORDINANCE AMENDING AND SUPPLEMENTING BOROUGH CODE SECTION 18-2.7, TO PROHIBIT SMOKING ON BOROUGH BEACHES WHEREAS ADJACENT THERETO

Councilman McCracken offered Ordinance 2019-04 for first reading, which was seconded by Mayor Walsifer and approved by the following vote:

AYES: Walsifer, Wann, McCracken, Carvelli and Brennan

First Reading & Introduction:

ORDINANCE NO. 2019-05

ORDINANCE ESTABLISHING SALARIES FOR CERTAIN BOROUGH EMPLOYEES FOR 2019

Mayor Walsifer offered Ordinance 2019-05 for first reading, which was seconded by Councilman McCracken and approved by the following vote:

AYES: Walsifer, Wann, McCracken, Carvelli and Brennan

First Reading & Introduction:

ORDINANCE NO. 2019-06

ORDINANCE CREATING THE UNCLASSIFIED, CONFIDENTIAL POSITION OF “DIRECTOR OF SPECIAL OPERATIONS” IN THE BOROUGH OF BELMAR

Councilman Brennan offered Ordinance 2019-06 for first reading, which was seconded by Mayor Walsifer and approved by the following vote:

AYES: Walsifer, Wann, McCracken, Carvelli and Brennan

First Reading & Introduction:

ORDINANCE NO. 2019-07

ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER XIX, TRAFFIC, SECTION 19-40.1 PARKING METER ZONES AND REGULATIONS, OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BELMAR, IN THE COUNTY OF MONMOUTH, NEW JERSEY

Councilman Brennan made a motion to table Ordinance 2019-07, which was seconded by Mayor Walsifer and approved by the following vote:

AYES: Walsifer, Wann, McCracken, Carvelli and Brennan

PUBLIC SESSION:

Linda Sharkus, 400 4th Avenue, was sad to see a property clearing all the trees on their property. Asked if anything could be done. Would like to see enforcement of the shade tree ordinance.

Tom Volker, 527 8th Avenue, complimented police who handled the rabid raccoon incident. Would like to see a Code Red informing resident of animals that are not acting correctly.

John Walsh, 1001 B Street, doesn't understand why not having the Belmar Sol 5k since the money goes to Recreation. Mayor Walsifer stated there have been too many road closures during the summer months. May pick another date for this. Only going to have the Belmar Five Mile Run during the summer. Mr. Walsh was concerned about the roads being backed up when a train is coming during the Seafood Festival. Felt if it's not broke don't fix it. Thinks it is bad idea to move it.

Cy Reittmeier, 4th Avenue, Borough Hall renovations is a positive step. Applauds the council for bringing the beach back to what it was. Thinks the senior beach badge fee is too much. Thinks the town is entitled to transparency when it comes to things that weren't followed through by the past administration. Need to see who is liable for these items. Asked what we are doing to address the debt. Need to look at spending.

Krista Sperber, 512 ½ 8th Avenue, asked what steps are being taken to mitigate flooding at Route 35 and K Street. Would like to see our Community Rating System looked at and improved to help lower flood insurance

costs for the residents. Mayor Walsifer stated we are working on both issues with our engineering firm and DEP.

Nancy Koenig, 303 C Street, asked if there is any recourse for us to get the \$600,000 for Maser bills back from the people responsible for this. Mr. Dasti stated we are looking into it further. If it's found there is someone responsible for this from the Borough, they will be held accountable.

Steve Lemoine, 403 C Street, asked if the building on 10th Avenue is part of the PILOT program. Asked if they are paying any money to the school district. Mr. Dasti stated those agreements were signed several years ago and would have to review but doubts there is a special assessment going to the school board.

Gene Creamer, 4th Avenue, thinks we should go back to regulating cats.

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

Respectively submitted,

April Claudio
Municipal Clerk