

**MAYOR AND COUNCIL  
AGENDA**

**JUNE 5, 2019**

**6:00 PM**

Present: Mayor Mark Walsifer, Council President Thomas Brennan, Councilman James McCracken, Councilwoman Patricia Wann, Borough Attorneys Jerry Dasti and Chuck Schlager, Borough Clerk April Claudio

Absent: Councilman Thomas Carvelli and Acting Business Administrator Edward Kirschenbaum and

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 and Muffie Cinelli

**WORKSHOP DISCUSSION:**

Ms. Claudio explained the changes that are required to be made to the flood damage prevention ordinance. The town's Flood Plain Manager asked if we also wanted to change some of the requirements to be stricter. The Mayor and council did not want to put a burden on the residents and would like to only make the changes required to be in compliance with FEMA and the CRS program.

Mayor Walsifer stated the changes to the Taylor Pavilion rental fees does not affect the Woman's Club, Historical Society and like groups.

**PETITIONS:** None

**APPROVAL OF MINUTES:** Councilwoman Wann made a motion to approve the minutes of the May 21, 2019 meeting, which was seconded by Councilman Brennan and approved unanimously.

**REPORTS OF COUNCIL:**

Councilman McCracken: VFW and Historical Society had a very good Memorial Day program. Housing Authority met, and everything is status quo.

Councilwoman Wann: Community Policing program is moving forward. Parks and Recreation Committee will be meeting in two weeks.

Councilman Brennan: Shout out to two former Belmar students: Julia Nicolay who played Taps at the Memorial Day program and Taylor Fowler who was put in the Red Bank Regional High School Hall of Fame.

Mayor Walsifer: Councilman Brennan has brought the kids to the Memorial Day event every for as long as he can remember but this is last year with Belmar School. Appreciates all the work he has done. Commended Gene Cory for putting together a great beach staff and operating the beach very smoothly. Also thanked Mike Campbell and the DPW guys for getting the beach ready.

**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 Brennan made a motion to close the public session, which was seconded by Councilwoman Wann and approved unanimously.

Ms. Claudio stated there is a correction to Resolution 2019-123, the sentence regarding it being an inactive/pocket license is incorrect and will be removed. She also stated resolutions 2019-128 and 2019-132 will be removed from the agenda and voted on a later date.

**CONSENT AGENDA #1:**

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.

Councilman Brennan stated he would recuse himself from voting on these resolutions because his band often plays at liquor license establishments.

Councilman McCracken made a motion to adopt the resolutions in Consent Agenda #1, as amended, which was seconded by Councilwoman Wann and approved by the following vote:

AYES: McCracken, Wann and Walsifer

**No. 2019-123 RESOLUTION AUTHORIZING ISSUANCE OF SEASONAL RETAIL CONSUMPTION LICENSE NO. 1306-34-011-010 TO 1000 MAIN LIQUOR LICENSE LLC FOR THE PERIOD ENDING JUNE 30, 2020**

**No. 2019-124 RESOLUTION AUTHORIZING ISSUANCE OF PLENARY RETAIL DISTRIBUTION LICENSE FOR DAI SENG CORP. T/A LITTLE RED BARN FOR THE PERIOD ENDING JUNE 30, 2020**

**No. 2019-125 RESOLUTION AUTHORIZING ISSUANCE OF PLENARY RETAIL CONSUMPTION LICENSE NO. 1306-32-015-009 TO FUSAL, LLC T/A LA DOLCE VITA FOR THE PERIOD ENDING JUNE 30, 2020**

**No. 2019-126 RESOLUTION AUTHORIZING ISSUANCE OF PLENARY RETAIL CONSUMPTION LICENSE NO. 1306-33-010-008 TO WATERVIEW PAVILION, INC.T/A RIVERVIEW PAVILION, WATERVIEW PAVILION FOR PERIOD ENDING JUNE 30, 2020**

**No. 2019-127 RESOLUTION TO ALLOW STATE OF NEW JERSEY DIVISION OF A.B.C TO RENEW CLUB LICENSE TO THE BELMAR FISHING CLUB FOR PERIOD ENDING JUNE 30, 2020**

~~**No. 2019-128 RESOLUTION AUTHORIZING ISSUANCE OF CLUB LICENSE TO THE ORDER OF FRIENDLY SONS OF SHILLELAGH FOR PERIOD ENDING JUNE 30, 2020**~~

**No. 2019-129 RESOLUTION AUTHORIZING ISSUANCE OF PLENARY RETAIL CONSUMPTION LICENSE TO KLEIN'S FISH MARKET, INC. FOR THE PERIOD ENDING JUNE 30, 2020**

**No. 2019-130 RESOLUTION AUTHORIZING ISSUANCE OF PLENARY RETAIL DISTRIBUTION LICENSE TO ARPADO, INC. T/A HANLEY'S LIQUORS FOR THE PERIOD ENDING JUNE 30, 2020**

**No. 2019-131 RESOLUTION AUTHORIZING ISSUANCE OF SEASONAL RETAIL CONSUMPTION LICENSE TO D'JAIS LLC, T/A D'JAIS FOR THE PERIOD ENDING JUNE 30, 2020**

~~**No. 2019-132 RESOLUTION AUTHORIZING ISSUANCE OF SEASONAL PLENARY RETAIL CONSUMPTION ALCOHOLIC BEVERAGE LICENSE FOR CSL BELMAR LLC FOR PERIOD ENDING JUNE 30, 2020 TO BE HELD IN POCKET**~~

**No. 2019-133 RESOLUTION AUTHORIZING ISSUANCE OF PLENARY RETAIL CONSUMPTION LICENSE FOR JOBIL, INC., T/A JACK'S TAVERN FOR PERIOD ENDING JUNE 30, 2020**

**CONSENT AGENDA #2:**

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.

Councilman Brennan made a motion to adopt the resolutions listed in Consent Agenda #2, which was seconded by Councilwoman Wann and approved by the following vote:

AYES: McCracken, Wann, Brennan, and Walsifer

**No. 2019-134 RESOLUTION AUTHORIZING PAYMENT OF BILLS**

**No. 2019-135 RESOLUTION PROVIDING FOR THE INSERTION OF A SPECIAL ITEMS OF REVENUE IN THE BUDGET OF THE BOROUGH OF BELMAR PURSUANT TO N.J.S.A. 40A:4-87 (CHAPTER 159, P.L. 1948)**

**No. 2019-136 RESOLUTION AUTHORIZING REFUNDS**

No. 2019-137 RESOLUTION PERMITTING SPECIAL EVENTS

**ORDINANCES:**

**ORDINANCE NO. 2019-18**

*Second Reading & Public Hearing*

**ORDINANCE OF THE BOROUGH COUNCIL OF THE BOROUGH OF BELMAR, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING SUBSECTION F. OF CHAPTER 40-3.3 OF THE CODE OF THE BOROUGH OF BELMAR ENTITLED PROVISIONS APPLICABLE TO BOTH MUNICIPAL AGENCIES (PLANNING BOARD, ZONING BOARD OF ADJUSTMENT)**

Public Hearing: None

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

Councilman Brennan offered Ordinance 2019-18 for adoption, which was seconded by Mayor Walsifer and approved by the following vote:

AYES: Wann, McCracken, Brennan and Walsifer

**ORDINANCE NO. 2019-19**

*Second Reading & Public Hearing*

**ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER XI "PERSONNEL" "SEC. 11-3, SCHEDULES "A-F", FIXING AND DETERMINING SALARIES OF CERTAIN OFFICERS, POSITIONS AND EMPLOYEES OF THE BOROUGH OF BELMAR, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, AND REPEALING ALL OTHER ORDINANCES HERETOFORE ADOPTED WHICH ARE INCONSISTENT HERewith**

Public Hearing: None

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

Councilman Brennan offered Ordinance 2019-19 for adoption, which was seconded by Councilwoman Wann and approved by the following vote:

AYES: Wann, McCracken, Brennan and Walsifer

**ORDINANCE NO. 2019-20**

*Second Reading & Public Hearing*

**ORDINANCE OF THE BOROUGH COUNCIL, BOROUGH OF BELMAR, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, CREATING NEW CHAPTER XLIII OF THE BOROUGH CODE ENTITLED "PLACEMENT OF SMALL CELL EQUIPMENT AND WIRELESS POLES IN THE PUBLIC RIGHT-OF-WAY"**

Public Hearing:

Anita Peccorelli, River Ridge Apts., asked for explanation. Mr. Dasti stated this is the next wave of telecommunication advancement. The FCC has required all municipalities to adopt ordinances to review and approve applications for 5G equipment. Will start to eliminate antennas on water towers.

Gene Creamer, 4<sup>th</sup> Avenue, glad the Mayor and Council are looking at the standards for small cell service. Asked if the planning board reviewed this. Mr. Dasti stated they need to, will hold off on adoption until the next meeting.

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

Councilman Brennan made a motion to table ordinance 2019-20, which was seconded by Councilwoman Wann and approved by the following vote:

AYES: Wann, McCracken, Brennan and Walsifer

**ORDINANCE NO. 2019-21**

*Second Reading & Public Hearing*

**ORDINANCE OF THE BOROUGH OF BELMAR AMENDING THE REVISED GENERAL ORDINANCE CHAPTER 18: "BEACHFRONT AND MARINE REGULATIONS" TO INSERT NEW SECTION 18-2.7c. (PREVIOUSLY RESERVED) PROHIBITING USE OF TENTS AND CANOPIES ON THE BEACHFRONT AT CERTAIN TIMES WITH EXCEPTIONS**

Public Hearing: None

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

Councilwoman Wann offered Ordinance 2019-21 for adoption, which was seconded by Councilman Brennan and approved by the following vote:

AYES: Wann, McCracken, Brennan and Walsifer

**ORDINANCE NO. 2019-22**

*Second Reading & Public Hearing*

**ORDINANCE AMENDING AND SUPPLEMENTING CHAPTERS IV DEPARTMENT OF FINANCE, SECTION 4-4 DIVISION OF TREASURY FUNCTIONS OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BELMAR, IN THE COUNTY OF MONMOUTH, NEW JERSEY**

Public Hearing: Mike Long, 2<sup>nd</sup> Avenue, stated it's about time.

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

Councilwoman Wann offered Ordinance 2019-22 for adoption, which was seconded by Mayor Walsifer and approved by the following vote:

AYES: Wann, McCracken, Brennan and Walsifer

Mayor Walsifer offered the following resolution for adoption:

**No. 2019-138 RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF BELMAR ESTABLISHING FEES FOR THE USE OF TAYLOR PAVILION**

Seconded by Councilman Brennan and approved by the following vote:

AYES: Wann, McCracken, Brennan and Walsifer

**ORDINANCE NO. 2019-23**

*First Reading & Introduction*

**ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER XIX (TRAFFIC) OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BELMAR, SECTIONS 19-46 HANDICAPPED PARKING SPACES**

Mayor Walsifer offered Ordinance 2019-23 for first reading and introduction, which was seconded by Councilwoman Wann and approved by the following vote:

AYES: Wann, McCracken, Brennan and Walsifer

**PUBLIC SESSION:**

Sandy Caputo, Surf Avenue, asked to discuss ball playing, kite flying etc. on the beach. Would like to make sure the lifeguards know the rules. It's a safety concern with men running and footballs flying everywhere.

Rick Flanders, Pinetree Way, thankful Belmar gives free access to military which is a great benefit. This Memorial Day weekend he had to prove in front of his family that he is a disabled veteran so could get the same privilege. First, he was embarrassed and then when he went home he was angry and is now confused. Understands retired veterans no longer get the free access and asked how that could be a good idea. Suggested that disabled veterans get a beach badge for the whole season so don't have to go through this every time.

Mayor Walsifer stated he has talked to our assembly people about getting the state statue amended. Will talk to Beach Director about his suggestion. Mike Campbell, DPW Director, apologized this happened. When he learned about it they educated the beach staff. Each ticket booth now has a flyer to educate them on how to handle disabled veterans.

Maria Rondinaro, 1246 Pinetree Way, Memorial Day Service was wonderful. Here to support her neighbor Mr. Flanders. Would like to see the rules changed to include all veterans and first responders.

Cheri Russo, 1218 Briarwood Road, agreed it should include all veterans.

Councilman Brennan suggested we all reach out to our state legislation and ask them to change the law.

Kyle Rizzitello, 1003 14<sup>th</sup> Avenue, in 2011 approached Mayor and Council about turning K Street and L Street into one way. It was only done for one summer. Captain Cox stated he will speak to the Chief and the Traffic Safety Officer and see if it will be feasible. Ms. Rizzitello stated her husband is being awarded a Valor award from the Marine Corp and invited them to attend the ceremony.

Joe Mangione, South Lake Drive, asked if the light at 8<sup>th</sup> and Main Street can be looked at. It's confusing as to who is going straight and who is turning. Mayor Walsifer stated it is a state road which is a problem. Captain Cox will contact the State to have them look into it.

Cy Reitmayer, 5<sup>th</sup> Avenue, asked who is paying for the badge checker behind Cruz Bay Café. Suggested just closing off that entrance. Asked for the profit and loss statement on the Seafood Festival. Mayor Walsifer stated he hopes to have it at the next meeting. Mr. Reitmayer stated he mentioned at one of the meetings to have a post about the Mabrey girl being signed by the WNBA on the Route 35 sign and it wasn't done. There needs to be follow through. At the last meeting a lot of people got up and spoke about the budget increase and none of that was taken into consideration, it was just approved.

John Walsh, E Street, would like to see the free beach access for veterans come back. Would also like to see first responders get free access as well.

Tom Dilberger, 1000 River Road, stated he is not joyful about the tax increase but is not upset about it. Understood it was going to happen. Unhappy it's all on the tax payers and there are no cuts being made. At least none visible to the people.

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

Respectively submitted,

April Claudio  
Municipal Clerk