

**MAYOR AND COUNCIL
AGENDA**

DECEMBER 17, 2019

6:00 PM

Mayor Mark Walsifer, Council President Thomas Brennan, Councilman Thomas Carvelli, Councilwoman Patricia Wann, Borough Attorneys Jerry Dasti, Business Administrator Edward Kirschenbaum and Borough Clerk April Claudio

Absent: Councilman James McCracken

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 all first responders

WORKSHOP DISCUSSION:

- Mayor Walsifer announced that Chief Andrew Huisman will be retiring at the end of the year. Chief Huisman gave a brief speech, thanked all the Officers who have made his job easier. Thanked the past and current Mayor and Councils and Administrators he has worked with over the years. Thanked Captain Scott, Captain Cox, Lieutenant Mike Campbell, his assistant Kim VanPelt and all the current Officers. Thanked his wife Lisa and his three sons for their support and patience. Mr. Kirschenbaum stated he has a long good working relationship with Chief Huisman throughout his own career. He added it's been a privilege and honor to work with the Chief.
- Mayor Walsifer stated we had a lot of discussion at the last meeting regarding the 9th Avenue project. Christine Bell, Borough's Planner, stated we have decided the project will be 3 stories, maximum of 36 ft and a setback of 40 feet in the back portion close to the residential properties. It will then step up to the 46 feet as it gets closer to Main Street. Feels this plan is the best option vs. the underlying zoning or the seaport redevelopment plan.
- Mayor Walsifer stated we have a resolution on the agenda for an emergency appropriation which is for two lawsuits where a judge awarded attorney fees of \$219,000.
- Mayor Walsifer stated there is also a resolution for the Newman redevelopment project. Mr. Dasti stated about 2-3 years ago the Council adopted ordinances to put this area into the redevelopment zone. We are now at the stage of adopting a Redevelopment Agreement.

PETITIONS: None

APPROVAL OF MINUTES: Councilman Brennan made a motion to approve the minutes of the December 3, 2019 meeting, which was seconded by Mayor Walsifer and approved by the following vote:

AYES: Walsifer, Brennan and Carvelli

ABSTAIN: Wann

REPORTS OF COUNCIL:

Councilman Carvelli: Attended final BBP meeting for 2019, working on 2020 budget and event schedule. Attended Christmas tree lighting which was well attended. Participated in Youth Government Day. Wished everyone a happy and safe holiday.

Councilwoman Wann: Shelter at Maclearie Park is under construction.

Councilman Brennan: Harbor Commission met last week and will recommend raising fuel prices and establishing monthly fees for the Fall. Attended the Borough holiday park which was a great event. Christmas tree lighting was a nice event. Attended Youth Government Day. Wished everyone the best of holidays. Jade Glab made it through the first round of Miss America.

Mayor Walsifer: Thanked Mike Campbell, Chief Huisman and the Fire Department for the Christmas tree lighting. Also attended Youth Government, nice to see the kids wanting to get involved. Wished everyone happy holidays and happy new year.

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

Gene Creamer, 4th Avenue, asked for clarification on Resolution 2019-228. He stated on page 40 of the redevelopment agreement for Resolution 2019-222 it had the wrong Administrator listed. Mr. Dasti stated he already fixed that. Mr. Creamer asked about the Affordable Housing contribution listed in the agreement. He wanted to make sure redevelopment projects are not excluded from complying with the new Affordable Housing ordinance.

Katrina Clapsis, B Street, asked if there is a PILOT for the redevelopment agreement. Mayor Walsifer stated we took the PILOT out. Mr. Dasti explained they have negotiated a tax payment agreement where conventional taxes will be paid and phased in as construction is completed.

Elaine Giordano, 605 9th Avenue, asked about Ordinance 2019-35. Mayor Walsifer stated the public hearing will be later.

Councilman Brennan 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. 2019-221 RESOLUTION AUTHORIZING PAYMENT OF BILLS

No. 2019-222 RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF BELMAR, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, ACCEPTING AND AUTHORIZING EXECUTION OF A REDEVELOPMENT AGREEMENT WITH NEWMAN VENTURES, LLC

No. 2019-223 RESOLUTION AUTHORIZING TRANSFER OF APPROPRIATIONS

No. 2019-224 RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT FOR ANIMAL CONTROL SERVICES FOR 2020

No. 2019-225 RESOLUTION APPROVING MEMBERSHIP APPLICATIONS FOR VOLUNTEER HOOK & LADDER FIRE DEPARTMENT

No. 2019-226 RESOLUTION AWARDED CONTRACT FOR IMPROVEMENTS TO TWELFTH AVENUE PHASE II

No. 2019-227 RESOLUTION AUTHORIZING REFUNDS

No. 2019-228 RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF BELMAR, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, AUTHORIZING AN EMERGENCY APPROPRIATION TO THE CURRENT FUND TO PAY TWO OUTSTANDING JUDGMENTS AGAINST THE BOROUGH OF BELMAR

No. 2019-229 RESOLUTION CANCELLING 2019 APPROPRIATION AND REVENUE BALANCES

Seconded by Councilman Brennan and approved by the following vote:

AYES: Walsifer, Wann, Brennan and Carvelli

RESOLUTIONS:

No. 2019-230 RESOLUTION AUTHORIZING PERSON-TO-PERSON TRANSFER OF PLENARY RETAIL CONSUMPTION LICENSE NO. 1306-33-014-006 JOBIL INC. D/B/A JACK'S TAVERN TO MBLIQ LLC FOR THE PERIOD ENDING JUNE 30, 2020

Councilman Brennan recused himself as he often performs at ABC establishments. He added that Jacks Tavern will be missed. Mayor Walsifer agreed.

Mayor Walsifer offered Resolution 2019-230 for adoption, which was seconded by Councilwoman Wann and approved by the following vote:

AYES: Walsifer, Carvelli and Wann
ABSTAIN: Brennan

ORDINANCES:

ORDINANCE 2019-35

Second Reading & Public Hearing

ORDINANCE OF THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF BELMAR, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, DETERMINING THAT THE REDEVELOPMENT PLAN PRESENTED TO THE PLANNING BOARD IS ACCEPTABLE AND THEREFORE THE SUBJECT PROPERTY SHOULD BE REZONED ACCORDINGLY

Public Hearing: Brett Lomas, 609 9th Avenue is thankful for the height being reduced in the one section. Glad moving in the right direction. Felt developers shouldn't be able to strong arm the Mayor and Council. Felt this project couldn't be built under the current commercial zoning without variances. Felt the property is being rezoned to avoid variances. The project is an increase in density and creates a parking issue. There are other projects that can be built there with less density.

Elaine Giordano, 605 9th Avenue, feels we are heading in the wrong direction with this.

Linda Sharkus, 400 4th Avenue, stated the Council was going to bring redevelopment under control. If this is allowed to go through will there be more four-story development along Main Street.

Gene Creamer, 4th Avenue, stated keeping the existing zoning is a hollow threat.

Rose Dagny, 201 9th Avenue, would like the Council to relook at the zoning and the Seaport Redevelopment Plan because its not working for the residents.

Martha Maselko, 102 North Blvd., supports the previous speakers and asked the Mayor and Council to listen to them.

Paul Marino, 112 9th Avenue, asked if anyone has an idea where we can meet in the middle.

Councilwoman Wann 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 2019-35, which was seconded by Councilman Carvelli.

Councilwoman Wann voted in favor of the ordinance. She stated her concerns were with parking and height at the Planning Board. They heard what the people wanted and adjusted the height.

Councilman Brennan stated he has seen a lot of redevelopment projects come through, but this is the first time with so much public input. Mayor Walsifer has done a good job listening to the residents and the developer has made changes. Have to work out what most people can live with so we can move forward together. His concerns were the number of units and parking but that hasn't been addressed. He voted "no" on the ordinance.

Mayor Walsifer stated with the recommendations from the Planning and Engineer he voted in favor of the ordinance.

Councilman Carvelli stated everyone's concerns have been heard. We have looked at the plan, the CBD1 zoning and the Seaport Redevelopment Plan. Believes this plan is a compromise. It is a good project for Main Street. What is being approved tonight is different than what was presented to the Planning Board. He voted in favor of the ordinance.

AYES: Walsifer, Wann, Carvelli
NAY: Brennan

PUBLIC SESSION:

Mark Kirschenbaum, West Belmar, asked if anyone on the Board is allowed to call someone at home and threaten them by stating they cannot come to a Council meeting to speak. Mayor Walsifer stated this is a public meeting and anyone can come speak. Mr. Kirschenbaum questioned the tax revaluation that was done years ago. He asked if employees get discounts on boat slips. Mayor Walsifer replied no, they pay the same as everyone else. Mr. Kirschenbaum asked why Bob Ferguson was hired. Mayor Walsifer stated he is a volunteer that gets paid \$1 per a year and does a lot of research for us.

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