

MAYOR AND COUNCIL

MINUTES

DECEMBER 21, 2021

6:00 PM

PRESENT: Mayor Mark Walsifer, Councilman Thomas Brennan, Councilman James McCracken, Councilman Thomas Carvelli, Council President Patricia Wann, Borough Attorney Patrick Varga, 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 2, 2020 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:

- Mayor Walsifer and Recreation Director Barry Trogu announced the winners of the holiday decorating contest.
- Sackman Enterprises presented a redevelopment proposal for 708-710 Main Street. Andrew Karas, attorney, stated the proposal is for a multi-family use with retail on the first floor. Architect Josh Eckert gave a PowerPoint presentation. Ground floor parking with 2 ½ floors of residential above. Have three different options for the ground floor use. Option 1, all residential, complies with the parking requirements. Option 2, with retail on the ground floor, with 91 parking spaces. Option 3, hybrid option with 97 parking spaces. Each option includes 45 residential units. Planner Dave Roberts was involved in the creation of Belmar's redevelopment plan and amendments. He spoke about those plans and how their proposal fits in.
 - o Jen Beahm, Borough Planner, believes there should be retail on Main Street and all residential parking must be on site. They do not have all residential parking on site and do not comply with the floor area ratio. The size of the building would have to be reduced to comply with one or the other or both.
 - o Mayor Walsifer stated we definitely want retail on Main Street. He was concerned about adding more angle parking on 8th Avenue and would want feedback from the Police Department on the impact. The building is a nice design though.
 - o Councilman Brennan stated he cannot support it without enough parking.
 - o Councilwoman Wann agreed. She was concerned about the angle parking as well.
 - o Councilman Carvelli agreed parking is important.
 - o Councilman McCracken agreed. He was also concerned about the tandem parking inside the building. Parking is already an issue there now because of the St. Rose students. It would be great if some of those parking issues could be relieved. He suggested the units be condos rather than luxury rental apartments.
 - o Carter Sackman questioned how the new electric vehicle law would apply to the parking calculations. Mr. Varga stated the legislation is still working on how the new law will apply to redevelopment law.
- Mayor Walsifer spoke about the ordinance regarding the changes to the Tourism fee. This money will be used to fund the BBP.

PETITIONS: None

APPROVAL OF MINUTES: Councilman Carvelli made a motion to approve the minutes of the December 7, 2021 meeting, which was seconded by Councilman Brennan and approved unanimously.

REPORTS OF COUNCIL

Councilman Carvelli: Planning Board met last week and reviewed ordinance amending the seaport redevelopment plan. Finance Committee met and looking to hire a consultant to gage the value of the water/sewer system.

Councilman McCracken: Shade Tree Commission met and are moving forward with various projects. This time of year is a great time to know your neighbor and embrace your neighbor. Wished everyone a happy holiday and a happy and safe new year.

Councilman Brennan: Harbor Commission working on a capital improvement plan.

Councilwoman Wann: Health Department offering covid vaccines and booster shots on January 12th at Taylor Pavilion. Thanked everyone who voted for her three years ago. This is her last meeting on the Council. It has been an honor to serve the town she loves so much. Been an honor to work with the Mayor and Council and everyone at Borough Hall. Wished everyone a Merry Christmas and a Happy New Year.

Mayor Walsifer: We will miss Councilwoman Wann. Thanked Police Dept. and DPW for doing a great event, delivering toys to the children. Wished everyone a Merry Christmas and a great, safe, 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 about Resolution 2021-257. Mayor Walsifer stated we are looking at a different piece of property to house the EMS, so we want to make sure there are no contaminants or environmental issues on the property.

Cheri Russo, 1218 Briarwood Road, asked where the property is. Mayor Walsifer stated we are looking at a few different sites but hope to have more information in January.

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

CONSENT AGENDA - RESOLUTIONS:
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.

Councilwoman Wann offered the following resolutions for adoption:

No. 2021-249	RESOLUTION AUTHORIZING PAYMENT OF BILLS
No. 2021-250	RESOLUTION PURSUANT TO N.J.A.C. 5:30-14.4 ET SEQ. CHANGE ORDER NUMBER TWO FOR THE 15 TH AVENUE WATER MAIN PROJECT
No. 2021-251	RESOLUTION SETTING 2022 MEETING DATES
No. 2021-252	RESOLUTION TO APPROVE SHARED SERVICES/PURCHASE AGREEMENT WITH WALL TOWNSHIP
No. 2021-253	RESOLUTION CERTIFYING THE 2020 ANNUAL AUDIT
No. 2021-254	RESOLUTION INDICATING CORRECTIVE ACTION PLAN/STATUS REGARDING THE 2020 MUNICIPAL AUDIT REPORT
No. 2021-255	RESOLUTION AUTHORIZING REFUNDS
No. 2021-256	RESOLUTION AUTHORIZING TRANSFERS OF APPROPRIATIONS
No. 2021-257	RESOLUTION APPOINTING AND CONFIRMING A PROFESSIONAL SERVICE CONTRACT FOR ENVIRONMENTAL SERVICES

Seconded by Mayor Walsifer and approved by the following vote:

AYES: Wann, Brennan, Carvelli, McCracken and Walsifer

ORDINANCES:

ORDINANCE 2021-36 *Second Reading & Public Hearing*
ORDINANCE BY THE BOROUGH COUNCIL OF THE BOROUGH OF BELMAR IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY AMENDING THE SEAPORT REDEVELOPMENT ZONE

Public: Ms. Claudio read three statements into the record from members of the public that could not be present.

Mayor Walsifer clarified the ordinance only is changing the height and number of stories and has no effect on parking and impervious coverage or other zoning regulations. Mr. Varga stated it also removing some permitted uses.

Jen Beahm, Borough Planner, explained the same and added that while a redevelopment project was proposed, no formal application has been made.

Ed Lippincott, 4th Avenue, he was concerned there was no public impact about this change when previous amendments to the plan had a lot of public input. He felt the Environmental Commission should have had input as they had previously done. Mr. Varga stated this form of amendment does not involve the Environmental Commission.

Mark Levis, 904 13th Avenue, felt the proposed development for the site should have been shot down once it was proposed with underground parking. Mr. Varga stated this is for an amendment to the seaport redevelopment plan and there has been no development project submitted yet. Ms. Beahm stated she understands the concerns, but it is not appropriate for what is being discussed tonight. Mayor Walsifer stated we are simply discussing the increase of 8 feet in height. Councilman Carvelli asked Mr. Levis if he has a problem with the 8 feet. Mr. Levis replied yes. Ms. Beahm felt that a normal person standing on the street would not realize the difference between 52 and 60 feet. Mr. Levis felt the seaport redevelopment plan should not be amended. Mr. Varga added that that Planning Board deemed the amendment to be consistent with the master plan.

Councilman Carvelli felt nobody will object to removing some uses but may object to the height and that’s what we need to discuss.

Cheri Russo, 1218 Briarwood Road, asked for clarification on parking in the redevelopment plan. Ms. Beahm stated the redevelopment plan calls for two per a unit. Ms. Russo felt the height is too high.

John Walsh, 1101 B Street, asked if the ordinance passes, does the proposal we saw at the last meeting come back before the Council. Ms. Beahm explained it has to come back to the Council and the Council would have to designate a redeveloper and approve a redevelopment agreement. Mr. Walsh felt there was confusion because some of the Council voted against the ordinance based on the proposed redevelopment project.

Maria Rondinaro, 1246 Pinetree Way, asked that the ordinance be tabled. She was concerned about the height adding to density and increasing flooding.

Merry Brennan, 404 11th Avenue, stated she is all for smart development but has concerns the increased height adds more density and more impact on the infrastructure. She was also concerned that it will open the door for other areas to be amended.

Councilman McCracken asked Ms. Beahm to explain how much can be required of the development to address infrastructure needs. Jerry Freda, Borough Engineer, stated anyone that develops this particular site will have to provide funding to the Borough for off site improvements. The sanitary sewer will need to be addressed. The Borough cannot put 100% of the cost on the developer but can put a dollar amount in the developer’s agreement. Mayor Walsifer stated whether a project gets done or not, 8th Avenue’s infrastructure needs to be done.

Gene Creamer, 4th Avenue, asked for clarification on what lots are affected. Ms. Beahm stated it was Block 87 Lots 1, 2, 3. Mr. Varga stated the cover sheet on the plan that was introduced on first reading did have other block and lots which was incorrect. Mr. Varga suggested we table the ordinance and reintroduce it in January.

ORDINANCE 2021-37 *Second Reading & Public Hearing*
ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER III TOURISM DEVELOPMENT COMMISSION OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BELMAR, IN THE COUNTY OF MONMOUTH, NEW JERSEY, SECTION 3-6.69, TOURISM FEE ASSESSMENT

Public: none

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

Councilman Brennan offered Ordinance 2021-37 for adoption, which was seconded by Mayor Walsifer and approved by the following vote:

AYES: Wann, Brennan, Carvelli, McCracken and Walsifer

PUBLIC SESSION:

Linda Sharkus, 4th Avenue, thanked Michael Nunes of the Coast Star for reporting on Belmar for many years. Wished him all the best moving forward.

Gerald Buccafusco, 409 5th Avenue, spoke about his concerns regarding the Mediterranean project that was presented at the last meeting. He felt the last meeting was confusing by having the ordinance and the developer's proposal done at the same time. He felt he has not heard from the Council how the amendment to the redevelopment plan is a benefit to Belmar.

Councilman McCracken stated when the ordinance comes back up, he fully plans on giving comments and his opinion.

Mark Pheiffer, 319 5th Avenue, asked if there is a plan to inspect dead trees and limbs that could fall. Councilman McCracken stated the Shade Tree Commission has done a hazardous tree inventory and those who have hazardous trees have been notified.

Angela Pheiffer, 319 5th Avenue, stated there was a lot of confusion surrounding Ordinance 2021-36. She echoed Ms. Brennan's comments. She felt it will change the character of the town. She wants to see more families and children moving into town.

John Walsh, B Street, stated he would love to discuss things with the Council out in the public, but he doesn't see all of the council around town.

Joe McEvoy, 700 Main Street, thanked Councilwoman Wann for her service. He stated at the last Council meeting they were told there would be no public comment at the planning board meeting but there was. Ms. Beahm and Mr. Varga stated that legally there was no public hearing requirement. Mr. Freda stated the Board did allow for a few comments from the public.

Gene Creamer, 4th Avenue, requested at the reorganization meeting that the Mayor and Council take a look at the form of the agenda. He prefers the form of the agenda that is listed in the municipal code.

Cheris Russo, 1218 Briarwood Road, stated the Council now has more time to think about everything (referring to Ordinance 2021-36).

Councilman Brennan 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