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“GOD BLESS AMERICA”

REGULAR MEETING

FEBRUARY 1, 2012

A Regular Meeting of the Mayor and Council of the Borough of Belmar on the above date at 6:00 PM in the Belmar Municipal Building.

PRESENT: Mayor Doherty, Councilman Bean, Councilwoman Deicke, Councilwoman Nicolay, Councilman Magovern, Michael DuPont Esq., Borough Administrator William Young, 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 January 24, 2012 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:

PRESENTATION:

- Special Resolution to Mary McDermott
- “Buy In Belmar” Winners
- Mayor’s Wellness Campaign - Healthy Town Designation

WORKSHOP DISCUSSIONS:

- Redevelopment presentation – R. J. Langbein, 511 Main Street
- Marina Development Projects: building, pier concession, and miniature golf course
- Amendments to the seaport redevelopment plan
- Declaration of Restriction – Belmar Plaza parking lot

PETITIONS:

APPROVAL OF MINUTES:

REPORTS OF MAYOR AND COUNCIL:

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

RESOLUTIONS:

RESOLUTION PERMITTING SPECIAL PERMIT FOR A SOCIAL AFFAIR FOR FRIENDLY SONS OF THE SHILLELAGH

RESOLUTION OF THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF BELMAR, IN THE COUNTY OF MONMOUTH, NEW JERSEY, REFERRING REVISIONS TO THE SEAPORT REDEVELOPMENT PLAN TO THE BOROUGH PLANNING BOARD FOR REVIEW AND RECOMMENDATION

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:

RESOLUTION AWARDED CONTRACT FOR MID-GRADE ULTRA LOW NO LEAD GASOLINE AND ULTRA LOW SULFUR PREMIUM DIESEL

RESOLUTION AWARDING CONTRACT FOR BOARDWALK LUMBER

**RESOLUTION TEMPORARILY ALLOWING THE USE OF OUTDOOR EATING AREAS DURING THE BELMAR & LAKE COMO ST. PATRICK'S DAY PARADE FOR THE BOROUGH OF BELMAR, MONMOUTH COUNTY, NEW JERSEY
RESOLUTION PERMITTING SPECIAL PERMIT FOR A SOCIAL AFFAIR FOR ST. ROSE HIGH SCHOOL ALUMNI ASSOCIATION**

RESOLUTION PERMITTING SPECIAL EVENTS

RESOLUTION GRANTING TAXICAB OWNERS & DRIVERS LICENSES FOR THE YEAR 2012

RESOLUTION MAKING FINDINGS AND DETERMINATIONS ON LEGALIZED GAMES OF CHANCE APPLICATION NUMBER 2012-03, 04

RESOLUTION APPROVING PAYMENT OF BILLS LIST FOR FEBRUARY 1, 2012

ORDINANCES:

Second Reading & Public Hearing:

ORDINANCE 2012-01

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER XVII ALCOHOLIC BEVERAGE CONTROL OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BELMAR, IN THE COUNTY OF MONMOUTH, NEW JERSEY TO AMEND HOURS OF OPERATION

PUBLIC SESSION:

ADJOURNMENT

RESOLUTION 2012-

**RESOLUTION PERMITTING SPECIAL PERMIT FOR A SOCIAL AFFAIR
FOR FRIENDLY SONS OF THE SHILLELAGH**

WHEREAS, the Friendly Sons of the Shillelagh has applied for a Special Permit for a Social Affair (“One Day Liquor License”) to be held on March 4, 2012 at 815 16th Avenue, Belmar; and

WHEREAS, the application requires that the municipality indicate that it has no objection to the granting of said Special Permit;

NOW, THEREFORE, BE IT RESOLVED, that the Borough Clerk be and is hereby authorized and directed to sign the certification stating that the Borough of Belmar has no objection to the granting of the Special Permit for a Social Affair to be conducted by the Friendly Sons of the Shillelagh on March 4, 2012 and that the issuance of said Permit is not contrary to any local ordinance, resolution, regulation or policy which would prohibit the same, and that not more than 25 Special Permits have been authorized for the applicant during 2012.

Council member offered the above resolution and moved its adoption.

Seconded by Council member and adopted by the following vote on roll call:

Council members:	AYES	NAYS	ABSTAIN	ABSENT
Mrs. Deicke				
Mr. Magovern				
Mrs. Nicolay				
Mr. Bean				
Mayor Doherty				

Adopted:

RESOLUTION 2012-

**RESOLUTION PERMITTING SPECIAL PERMIT FOR A SOCIAL AFFAIR
FOR ST. ROSE HIGH SCHOOL ALUMNI ASSOCIATION**

WHEREAS, the St. Rose High School Alumni Association has applied for a Special Permit for a Social Affair (“One Day Liquor License”) to be held on March 4, 2012 at 607 Seventh Avenue, Belmar; and

WHEREAS, the application requires that the municipality indicate that it has no objection to the granting of said Special Permit;

NOW, THEREFORE, BE IT RESOLVED, that the Borough Clerk be and is hereby authorized and directed to sign the certification stating that the Borough of Belmar has no objection to the granting of the Special Permit for a Social Affair to be conducted by the St. Rose High School Alumni Association on March 4, 2012 and that the issuance of said Permit is not contrary to any local ordinance, resolution, regulation or policy which would prohibit the same, and that not more than 25 Special Permits have been authorized for the applicant during 2012.

Council member offered the above resolution and moved its adoption.

Seconded by Council member and adopted by the following vote on roll call:

Council members:	AYES	NAYS	ABSTAIN	ABSENT
Mrs. Deicke				
Mr. Magovern				
Mrs. Nicolay				
Mr. Bean				
Mayor Doherty				

Adopted:

RESOLUTION 2012-

**RESOLUTION TEMPORARILY ALLOWING THE USE OF OUTDOOR EATING AREAS
DURING THE BELMAR & LAKE COMO ST. PATRICK'S DAY PARADE
FOR THE BOROUGH OF BELMAR, MONMOUTH COUNTY, NEW JERSEY**

WHEREAS, businesses in the Borough of Belmar may obtain approval from the Planning Board or Zoning Board of Adjustment (“Board”) for an Outdoor Eating Area, Outdoor Dining Area, or Sidewalk Dining Area (“Outdoor Eating Areas”) pursuant to Ordinance Section 40-7.8(h) of the Belmar Development Regulations, and, if approval is granted, the Outdoor Eating Areas may only be utilized from April 1 to November 1 of each year, per 40-7.8(h)(11); and,

WHEREAS, businesses in the Borough of Belmar experience an exceptional demand for space during the Belmar & Lake Como St. Patrick's Day Parade (“Parade”), and have requested to use their approved Outdoor Eating Areas temporarily for the day of the Parade which, this year, is on Sunday, March 4, 2012; and,

WHEREAS, the Mayor and Council have allowed the use of approved Outdoor Eating Areas for the day of the Parade on an informal basis in the past and wish to allow the use of these areas this year by a written Resolution, to create uniform conditions and by the use of a written Resolution to ensure the businesses know what the conditions are; and

WHEREAS, the Mayor and Council wish to temporarily allow businesses to use approved Outdoor Eating Areas for the day of the Parade only under the conditions set forth below.

NOW, THEREFORE, BE IT RESOLVED by the Borough of Belmar, County of Monmouth, New Jersey, that businesses may temporarily use approved Outdoor Eating Areas for the day of the Parade only under the following conditions:

1. The Outdoor Eating Area, Outdoor Dining Area, or Sidewalk Dining Area (“Outdoor Eating Areas”) must have received the appropriate approvals from the Belmar Planning Board or Zoning Board of Adjustment (“Board”).
2. The business must comply with all Board conditions on the use of the Outdoor Eating Area.
3. The business may not set-up their Outdoor Eating Areas before noon on Saturday, February 25, 2012 and the Outdoor Eating Areas shall be closed down and cleaned up not later than noon on Monday, March 5, 2012.
4. Businesses without a Liquor License shall not permit the consumption of alcoholic beverages by individuals bringing their own alcoholic beverages, known as “BYOB,” in the Outdoor Eating Area. These businesses shall provide sufficient staff to ensure no violations of this condition occurs, violations will result in the issuance of summonses.
5. Businesses with a current, valid Liquor License shall not permit the service or consumption of alcoholic beverages in the Outdoor Eating Areas. These businesses shall provide sufficient staff to ensure no violations of this condition occurs, violations will result in the issuance of summonses and/or Alcoholic Beverage Control charges.
6. Any business which violates these conditions and/or Board conditions on the use of the Outdoor Eating Area during the Parade, may upon Order of the Chief of Police or his designee, have their Outdoor Eating Area immediately shut down, and all persons shall vacate the Outdoor Eating Area.

Council member offered the above resolution and moved its adoption. Seconded by Council member and adopted by the following vote on roll call:

Council members:	AYES	NAYS	ABSTAIN	ABSENT
Mrs. Deicke				
Mr. Magovern				
Mrs. Nicolay				
Mr. Bean				
Mayor Doherty				

Adopted:

RESOLUTION NO 2012-

**RESOLUTION MAKING FINDINGS AND DETERMINATIONS ON
LEGALIZED GAMES OF CHANCE APPLICATION NUMBER
2012-03, 04**

WHEREAS, the Borough Council has received from the Chief of Police a written report for the following named applicant for Legalized Games of Chance.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Belmar that it is their Findings and Determinations that the following has qualified for the Raffle License:

<u>APPLICANT</u>	<u>APPL. NO</u>	<u>PREMISES</u>	<u>DATE(S)</u>	<u>TIME</u>
PTA Spring Lake Heights	2012-03/04	Waterview	March 25, 2012	1:00 – 5:00 pm

BE IT FURTHER RESOLVED that said licenses are granted and the Clerk of the Borough of Belmar is authorized to issue said licenses upon the payment of required fee, and the Borough Clerk is authorized to file Findings and Determinations Form LGCC5A with the Legalized Games of Chance Commission as the verifying official.

offered the above resolution and moved its adoption.

Seconded by Council member and adopted by the following vote on roll call:

Council members:	AYES	NAYS	ABSTAIN	ABSENT
Mrs. Deicke				
Mr. Magovern				
Mr. Bean				
Mrs. Nicolay				
Mayor Doherty				

Adopted:

RESOLUTION 2012-

**RESOLUTION OF THE MAYOR AND BOROUGH COUNCIL
OF THE BOROUGH OF BELMAR, IN
THE COUNTY OF MONMOUTH, NEW JERSEY,
REFERRING REVISIONS TO THE
SEAPORT REDEVELOPMENT PLAN TO THE
BOROUGH PLANNING BOARD FOR REVIEW AND
RECOMMENDATION**

WHEREAS, the Borough Council previously adopted an Ordinance approving and adopting the Seaport Redevelopment Plan; and

WHEREAS, the Borough desires to amend the Seaport Redevelopment Plan to reflect certain changes necessary and desirable to effect the redevelopment of the Seaport Redevelopment Area; and

WHEREAS, the Borough Council hereby refers certain proposed amendments to the Seaport Redevelopment Plan, attached as Exhibit A, to the Borough Planning Board for its review and comment pursuant to N.J.S.A. 40A:12A-7(e) .

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF BELMAR AS FOLLOWS:

Section 1. The Borough Council hereby refers the proposed amendments to the Seaport Redevelopment Plan, as attached, to the Planning Board for its review and comment pursuant to N.J.S.A. 40A:12A-7(e). The Planning Board shall prepare its report to the Borough Council within 45 days as required by the N.J.S.A. 40A:12A-1, et seq.

Section 2. This Resolution shall take effect as provided in law.

Council member offered the above resolution and moved its adoption.

Seconded by Council member and adopted by the following vote on roll call:

Council members:	AYES	NAYS	ABSTAIN	ABSENT
Mrs. Deicke				
Mr. Magovern				
Mrs. Nicolay				
Mr. Bean				
Mayor Doherty				

Adopted:

I, April Claudio, Borough Clerk of the Borough of Belmar, Monmouth County, New Jersey, do hereby certify the foregoing to be a true and exact copy of the resolution which was adopted by the Borough Council at a meeting held on the 1st day of February, 2012.

April Claudio
Municipal Clerk

EXHIBIT A

DRAFT AMENDED REDEVELOPMENT PLAN

RESOLUTION NO. 2012-

RESOLUTION PERMITTING SPECIAL EVENTS

WHEREAS, applications have been received by the Special Events Committee as per Ordinance 16-14.4 “Permits and Special Event Permits;” and

WHEREAS, said applications have been reviewed by the Special Events Committee and by the Borough Council; and

WHEREAS, the following events are recommended for approval with conditions if applicable:

Belmar Tourism Commission, Beer on The Pier: Saturday, September 29, 2012, 9:00 am – 8:30 pm, with setup Friday 9:30 am. They must obtain a food permit, notify Monmouth County Health department and obtain a one day liquor license. In addition there will be a “no parking” sign at the 10th Avenue entrance to the Marina, the volunteers will have shirts identifying them and a snow fence will be put around the port-a-johns. Cost for police is \$3,500.00 and cost for Public Works is \$1,000.00 for a total of \$4,500.00 due and payable August 1, 2012.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Belmar that permission is granted for the special events as noted above with conditions if cited.

offered the above resolution and moved its adoption.

Seconded by Council member and adopted by the following vote on roll call:

Council members:	AYES	NAYS	ABSENT	ABSTAIN
Mrs. Deicke				
Mr. Magovern				
Mr. Bean				
Mrs. Nicolay				
Mayor Doherty				

Adopted:

RESOLUTION NO. 2012-

**RESOLUTION GRANTING TAXICAB OWNERS & DRIVERS
LICENSES FOR THE YEAR 2012**

WHEREAS, applications have been received for 2012 Taxicab Owner's and Driver's Licenses for the person listed below under the provisions of Chapter XXI of the Revised General Ordinances of the Borough of Belmar for Taxi Driver's Licenses; and

WHEREAS, said applications appear to conform to the regulations as set forth in Borough Ordinances; and

WHEREAS, said applications have been reviewed by the Police Department as required by Borough ordinance and no objections have been received.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Belmar that the following persons have applied for Taxicab Owner's and Driver's Licenses and have been approved by the Police Dept.

JACK ELHOUSHI
MIAN JAMEEL
ERIC SALTZMAN
MOHAMMED MALIK
HANY MOUSTAFA
MICHAEL MCGEARY
ROBERT CIOFFI
PETER GAGEN
AMARJIT SINGH
THEODORE HAY

offered the above resolution and moved its adoption.

Seconded by Council member and adopted by the following vote on roll call:

Council members:	AYES	NAYS	ABSTAIN	ABSENT
Mrs. Deicke				
Mr. Magovern				
Mrs. Nicolay				
Mr. Bean				
Mayor Doherty				

Adopted:

ORDINANCE NO. 2012-01

**AN ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER XVII ALCOHOLIC BEVERAGE CONTROL
OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BELMAR,
IN THE COUNTY OF MONMOUTH, NEW JERSEY
TO AMEND HOURS OF OPERATION**

WHEREAS, the Borough of Belmar desires to amend the hours of operation for the sale and consumption of alcoholic beverages on licensed premises.

NOW, THEREFORE, BE IT ORDAINED by the Borough of Belmar, County of Monmouth, New Jersey, that Chapter XVII Alcoholic Beverage Control of the Revised General Ordinances of the Borough of Belmar, are hereby amended and supplemented as follows:

Section I. Chapter XVII Alcoholic Beverage Control is hereby amended as follows:

17-6.1 Sale and Consumption.

- b. *Sale and Consumption of Alcoholic Beverages on Premises Maintaining License Other than a Retail Distribution License.* No alcoholic beverages may be sold, served, or consumed on any licensed premises, other than a premises maintaining a retail distribution license, during the following hours:

<i>Weekdays and Saturdays</i>	Between the hours of 2:00 a.m. and 7:00 a.m.
<i>Sundays</i>	Between the hours of 2:00 a.m. and 10:00 a.m.

SECTION II. If any section, paragraph, subdivision, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of the Ordinance shall be deemed valid and effective.

SECTION III. All Ordinances or parts of ordinances inconsistent with or in conflict with the ordinance are hereby repealed to the extent of such inconsistency.

SECTION IV. This Ordinance shall take effect 20 days after final passage, adoption and publication according to law.

RESOLUTION NO 2012-

RESOLUTION AWARDING CONTRACT FOR BOARDWALK LUMBER

WHEREAS, on January 26, 2012 the Borough of Belmar received bids for boardwalk lumber;

WHEREAS, "Certification As To Availability Of Funds" is annexed hereto.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council on this 1st day of February 2012 that:

1. Contract is awarded to Lumbermen Associates Inc., 2101 Hunter Road, Bristol, PA 19007, in the amount of \$73,588.50.

CERTIFICATION AS TO AVAILABILITY OF FUNDS

I herewith certify that, as of February 1, 2012 funds are available for the proposed contract noted above.

Robbin D. Kirk
Chief Financial Officer

Council member offered the above resolution and moved its adoption.

Seconded by Council member and adopted by the following vote on roll call:

	AYES	NAYS	ABSTAIN	ABSENT
Mrs. Deicke				
Mr. Magovern				
Mr. Bean				
Mrs. Nicolay				
Mayor Doherty				

Adopted:

RESOLUTION NO 2012-

RESOLUTION AWARDING CONTRACT FOR MID-GRADE ULTRA LOW NO LEAD GASOLINE AND ULTRA LOW SULFUR PREMIUM DIESEL

WHEREAS, on January 26, 2012 the Borough of Belmar received bids for boardwalk lumber;

WHEREAS, "Certification As To Availability Of Funds" is annexed hereto.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council on this 1st day of February 2012 that:

1. Contract is awarded to Petroleum Traders, 7120 Pointe Inverness Way, Fort Wayne, IN 46804, for the following:

Mid Grade No Lead Gas – .0373 per gallon

Dyed Ultra Low Sulfur Premium Diesel – .0381 per gallon

CERTIFICATION AS TO AVAILABILITY OF FUNDS

I herewith certify that, as of February 1, 2012 funds are available for the proposed contract noted above.

Robbin D. Kirk
Chief Financial Officer

Council member offered the above resolution and moved its adoption.

Seconded by Council member and adopted by the following vote on roll call:

	AYES	NAYS	ABSTAIN	ABSENT
Mrs. Deicke				
Mr. Magovern				
Mr. Bean				
Mrs. Nicolay				
Mayor Doherty				

Adopted:

“GOD BLESS AMERICA”

REGULAR MEETING

FEBARUY 1, 2012

A Regular Meeting of the Mayor and Council of the Borough of Belmar on the above date at 6:00 p.m. in the Belmar Municipal Building.

PRESENT: Mayor Doherty, Councilwoman Nicolay, Councilman Bean, Councilwoman Deicke, Councilman Magovern, Michael DuPont, Esq., Borough Administrator William Young, and Borough Clerk April Claudio

ABSENT: None

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 January 24, 2012 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

PRESENTATION:

- Special Resolution presented to Mary McDermott
- Prizes presented to the “Buy In Belmar” Winners
- NJ Mayor’s Wellness Campaign presented Belmar with the Healthy Town Designation

WORKSHOP DISCUSSIONS:

- Edward Hayden and Felicia Stratton, Jersey Shore Skim Camp, presented a proposal to offer a skim boarding class at the 20th Avenue beach.
- R. J. Langbein, 511 Main Street, and his partner David Keady presented a proposal to build a garden/nursery center behind Belmar Paint. The only construction required would be a small shade structure for certain plants and a removable greenhouse. They anticipate opening by April 1st.
 - o Council member Deicke felt this would be great for the community.
 - o Council member Bean agreed.
 - o Mayor Doherty explained they will be amending the Seaport Redevelopment Plan to allow this type of use.
- David Bettencourt, Mike Tennyson, and their architect Conrad Broncatti, presented illustrated renderings of the proposed marina building, pier concession, and miniature golf course. They stated they would contract with local building equipment suppliers as well as sub-contractors.
 - o Council member Deicke asked if the projects would be ADA compliant. Mr. Broncatti replied yes.
 - o Council member Magovern asked what the timeframe for completion is. Mr. Tennyson stated the miniature golf course and pier concession would be open by the summer and the building would be completed by the end of the year. He hopes to have 50% of the building leased by March 1, 2013.
 - o Council member Magovern asked if parking would be a problem. Mr. Tennyson stated he feels the existing parking is sufficient and they will also offer valet service on busy days. Council member Bean suggested looking into leasing specific parking spaces to them.
 - o Beth Rogers, 1200 Bayview, stated she would love to see this done.
 - o Judy Rokoszak, 1223 Oakwood Road, suggested NJDOT be contacted about adding an additional traffic light on Route 35 since traffic will increase.
 - o Connie Dallaportas, 1002 Main Street, stated the project looks beautiful.
 - o Teri Raskauskas, 912 13th Avenue, stated there are parking and flooding problems now and is concerned they will increase. Mr. Broncatti stated the project would not affect existing flooding conditions.

- Cathy Stisso, 1220 Maplewood, stated she is all for the project but is concerned about litter when there are high winds.
- Tabitha Falcone, 1000 River Road, stated is a great idea but is concerned that the building may block some people's view. Mr. Broncatti explained the building would be no higher than the Belmar Motor Lodge which is across the street and the building would not be directly in front of Marina View Towers; it's more to the North West.
- Carol Moore, 1206 Oakwood, suggested also speaking to NJDOT about the overpass from Rte 138 onto Route 35 because it is a dangerous area.
- Sheila Lamagra, 1003 13th Avenue, asked what the long term affects of this building are on the tax payers.
- Mayor Doherty stated the lease is still being negotiated but he anticipates a 30 year lease with rent of \$200,000 per a year for the first three years, \$235,000 for the fourth and fifth year and with an increase of 3% each year after. These revenues will help offset property taxes. The projects should bring in more transient slip rentals which will add to the revenue as well.
- Harry Ashcroft, River Court, asked about insurance. Bill Northgrave, Belmar's Redevelopment attorney, stated the developer would have to list the Borough as an additional insurer on their policy.
- Mike Kalina, Eighth Avenue, thanked the Mayor and Council for this project as he feels the marina is an untapped resource.
- Dennis Autenrieth, 1238 Maplewood Road, sent an email to the Mayor & Council prior to the meeting which stated he did not want to see a restaurant on the pier as he felt the pier would be better used with benches so people can observe and enjoy the environmental and nature aspects of the marina. He also felt there should be more educational facilities at the marina.
- Mr. Northgrave stated there have been amendments made to the seaport redevelopment plan which make the plan less restrictive. There is a resolution on tonight's agenda authorizing the amendments to go to the Planning Board for review.
- Mr. DuPont stated BMIA has withdrawn all tax appeals and therefore the Declaration of Restriction for the Belmar Plaza parking lot is ready to be signed and filed with the County.

PETITIONS: None

APPROVAL OF MINUTES: Council member Deicke moved for approval of minutes for the regular meeting held on January 18, 2012, seconded by and approved by Mayor Doherty the following vote:

AYES: Deicke, Bean, Nicolay, Doherty, and Magovern

REPORTS OF MAYOR AND COUNCIL:

Council member Magovern: Congratulated the Historical Society on receiving their first grant, which was for \$2,718 for archival supplies. The Historical Society dedicated the display case in the lobby to former resident Claire Archer who was an artist. The Tourism Commission launched the 2012 Belmar magazine. DPW and the Environmental Commission will be offering a free paper shredding day at Dempsey Park on April 15th. Each person is entitled to shred 100 pounds of paper for free.

Council member Deicke: Met with Tina Connelly, Recreation Director to discuss programs. ADA Committee held a meeting to discuss the new playground as well as preparing a list of activities and events available for the disabled. A healthy heart discussion will be presented on April 16th on behalf of the Mayor's Wellness Campaign. Thanked Mayor Doherty for sending his recent letter to all the residents.

Council member Bean: Toured the water/sewer utility with Mike Campbell and Richie Brand last Saturday. He is concerned about the age of the pipes and will be working on a corrective action plan to present to the Mayor and Council. Reminded everyone about the charity hockey event in Avon coming up this Sunday.

Council member Nicolay: Announced her NJELEC financial report was amended to remove

the donation received by Luis Pulido. The Youth Club purchased new equipment and has received 28 registrants for the ski trip. Junior Youth Club will start this weekend. Little League registration begins next week. The Recreation Department now offers alerts via email or text message. The BBP has a request for proposal out for a new Belmar logo. The BBP has arranged for the sidewalks along Main Street to be vacuumed. They also installed more cigarette receptacles.

Mayor Doherty: DPW has been doing an outstanding job. Recreation and the Belmar Elementary School are working together on programs and sharing facilities. Hopes to expand the recreation alerts system to allow for alerts from other departments.

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 Doherty moved that the Public Hearing be closed, seconded by Council member Deicke and approved unanimously.

RESOLUTIONS:

Council member Deicke offered the following resolution for adoption, **Resolution 2012-39 RESOLUTION PERMITTING SPECIAL PERMIT FOR A SOCIAL AFFAIR FOR FRIENDLY SONS OF THE SHILLELAGH**, which was seconded by Council member Magovern and approved by the following vote:

AYES: Deicke, Bean, Nicolay, and Magovern

ABSTAIN: Doherty

Council member Magovern offered the following resolution for adoption, **Resolution 2012- 40, RESOLUTION OF THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF BELMAR, IN THE COUNTY OF MONMOUTH, NEW JERSEY, REFERRING REVISIONS TO THE SEAPORT REDEVELOPMENT PLAN TO THE BOROUGH PLANNING BOARD FOR REVIEW AND RECOMMENDATION**, which was seconded by Mayor Doherty and approved by the following vote:

AYES: Deicke, Bean, Nicolay, Doherty, and Magovern

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:

Mayor Doherty offered the following Resolutions as amended and moved them for adoption:

2012-41

RESOLUTION AWARDING CONTRACT FOR MID-GRADE ULTRA LOW NO LEAD GASOLINE AND ULTRA LOW SULFUR PREMIUM DIESEL

2012-42

RESOLUTION AWARDING CONTRACT FOR BOARDWALK LUMBER

2012-43

RESOLUTION TEMPORARILY ALLOWING THE USE OF OUTDOOR EATING AREAS DURING THE BELMAR & LAKE COMO ST. PATRICK'S DAY PARADE FOR THE BOROUGH OF BELMAR, MONMOUTH COUNTY, NEW JERSEY

2012-44

RESOLUTION PERMITTING SPECIAL EVENTS

2012-45

RESOLUTION GRANTING TAXICAB OWNERS & DRIVERS LICENSES FOR THE YEAR 2012

2012-46

RESOLUTION MAKING FINDINGS AND DETERMINATIONS ON LEGALIZED GAMES OF CHANCE APPLICATION NUMBER 2012-03, 04

2012-47

RESOLUTION PERMITTING SPECIAL PERMIT FOR A SOCIAL AFFAIR FOR ST. ROSE HIGH SCHOOL ALUMNI ASSOCIATION

2012-48

RESOLUTION APPROVING PAYMENT OF BILLS LIST FOR FEBRUARY 1, 2012

PAYMENT OF BILLS: certification that the vouchers listed on the warrant register numbering 56029 thru 56163 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	\$2,496,619.46
03	Grant Account	\$1,300.00
05	General Capital Account	\$106,576.56
11	Water/Sewer Account	\$50,622.41
21	Beach Utility Account	\$85,472.55
23	Parking Utility Fund	\$656.15
41	Dog License Account	\$2,871.38
55	Trust Fund Account	\$9,940.38
61	Tourism Development Account	\$9,252.97
Total:		\$2,763,311.86

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

	AYES	NAYS	ABSTAIN	ABSENT
Mrs. Deicke	X			
Mr. Magovern	X			
Mr. Bean	X			
Mrs. Nicolay	X			
Mayor Doherty	X			

ORDINANCES:

Second Reading & Public Hearing

ORDINANCE 2012-01

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER XVII ALCOHOLIC BEVERAGE CONTROL OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BELMAR, IN THE COUNTY OF MONMOUTH, NEW JERSEY TO AMEND HOURS OF OPERATION

Public Hearing: None

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

Mayor Doherty made a motion to offer Ordinance 2012-01 for adoption, which was seconded by Council member Nicolay and approved by the following vote:

AYES: Deicke, Bean, Nicolay, Doherty, and Magovern

PUBLIC SESSION:

Mr. DuPont stated the Mayor and Council are permitted to set a policy setting a five minute time limit per a person if they choose to do so.

Anne Uricoli, 301 13th Avenue, asked about the cameras on the new traffic lights on Main Street. Mayor Doherty explained they are not red light cameras; they are just sensors to monitor traffic.

Tom Dillberger, 1000 River Road, stated having a time limit doesn't stop a person from coming back up to the microphone a second time and speaking again. Mr. DuPont agreed.

Mike Seebeck, 110 Second Avenue, stated Mayor Doherty filed a NJELEC report that had a contribution on it from the State Troopers Association which is a conflict based upon the Borough's ordinance. He gave a copy of the report to Mayor Doherty so he could review it further.

Rob Wall, 12th Avenue, asked if the wires on Main Street would be placed underground. Mr. Young explained that JCP&L would only be removing 8 poles. Mayor Doherty explained the cost from JCP&L to remove all of the poles is very expensive.

Mr. Wall asked how the restriction on the plaza parking lot benefits the town. Mayor Doherty explained the owner of the building has withdrawn their tax appeals which would have resulted in the Borough losing a lot of money if they went through the process as well as the fact there will be improvements to the parking lot.

Joan Corallo, A Street, asked if the School Board voted to move the school election to November. Mayor Doherty replied yes.

Cathy Stisso, 1220 Maplewood, asked if DPW has recycle cans for residents to purchase. Mike Campbell, DPW Director, stated he does not have cans but has large stickers that residents can have to place on their own cans.

Mayor Doherty made a motion to close the public session and adjourn the meeting, which was seconded by Council member Deicke and approved unanimously.

Respectively submitted,

April Claudio
Borough Clerk