RESOLUTION AUTHORIZING THE CANCELATION OF PRIOR YEARS' GRANTS RECEIVABLE

WHEREAS, there exists on the records of the Borough of Belmar Grants Receivable and Appropriation Reserves as follows:

CDBG Grant	\$158,889.00
Cops in Shops Grant	20,080.00
Monmouth County Open Space Grant	158,000.00
Assistance to Firefighters Grant	5,666.67
Fire Prevention Grant	1,468.94; and,

WHEREAS, these balances exist from prior years and final expenditures and reimbursements have been made; and,

WHEREAS, it is required to formally cancel said balances by resolution.

NOW, THEREFORE, BE IT RESOLVED BY the Borough Council of the Borough of Belmar that the above listed grants receivable be canceled and the Chief Financial Officer is directed to adjust the Borough records accordingly.

offered the above resolution and moved its adoption. Seconded by adopted by the following vote on roll call:					and
Council Members: Mayor Walsifer	AYES	NAYS	ABSTAIN	ABSENT	
Mr. Brennan					
Ms. Kinney					

Mr. McCracken Mr. Carvelli

Adopted: December 20, 2022

RESOLUTION APPROVING ELECTION OF DEPARTMENTAL OFFICERS FOR THE FIRE DEPARTMENT 2023

WHEREAS, the secretaries of the Goodwill Hose Company, Union Fire Company No. 1 and Volunteer Hook and Ladder Company have certified that the following men were elected Departmental Officers at the annual election held on November 8, 2022.

Fire Chief – Steven Hudson

1st Assistant Fire Chief – Nick Lorusso

2nd Assistant Fire Chief – Sean Pringle

Incident Safety Officer – Michael Provenzano Sr.

Department Training Officer – Tucker Brendle

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Belmar that the action of the fire companies in electing the aforesaid Departmental Officers be and the same is approved and the persons so elected be confirmed to their respective positions for the yearly term beginning January 1, 2023.

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

Council members: AYES NAYS ABSTAIN ABSENT

Mayor Walsifer

Mr. Carvelli

Mr. McCracken

Ms. Kinney

Mr. Brennan

RESOLUTION APPROVING DRIVERS OF FIRE APPARATUS FOR GOODWILL HOSE FIRE CO. NO. 1 FOR 2023

WHEREAS, Goodwill Hose Fire Co. No. 1 has advised the Borough Council that the following men be added as approved drivers or operators of fire apparatus for the year 2023:

Engine 87-3-76 Head Driver – Chip Cavanaugh

Engine 87-3-76 Ast. Driver – Ken Child

Engine 87-3-75 Head Driver – Brad Child

Engine 87-3-75 Ast. Driver – Jason Downing

The following members have been approved by their respective officer as qualified apparatus drivers: William Aker, Eugene Cavanagh Jr, Cody Child, Brad Child, Ken Child, Jeff Ciccone, Jason Downing, Frank Neigel, Glenn Pringle, Sean Pringle, Tyler Pringle, Adam Sherman, Charles Spannos, Peter Sykes, Louis Theilen Jr., Greg Wilusz, Mario Gargiulo, Matt Pringle, John Purdy, and George Burr.

WHEREAS, the aforesaid drivers or operators have been certified to and approved as competent by the Fire Chief.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Belmar that the action of the Goodwill Hose Fire Company No. 1 in appointing the aforesaid drivers or operators be and the same are confirmed and approved and the persons so appointed be confirmed in their respective positions.

BE IT FURTHER RESOLVED that the above named drivers be authorized to drive or operate either vehicle in the event of any emergency fire call.

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

Council Members: AYES NAYS ABSTAIN ABSENT

Mayor Walsifer

Mr. Brennan

Mr. McCracken

Mr. Carvelli

Ms. Kinney

RESOLUTION APPROVING DRIVERS OF FIRE APPARATUS FOR HOOK & LADDER FIRE COMPANY NO. 1 FOR 2023

WHEREAS, Hook & Ladder Co. No. 1 has advised the Borough Council that the following men be added as approved drivers or operators of fire apparatus for the year 2023:

Engine 87-1-76 Head Driver – Dominick Lorusso

Engine 87-1-76 Ast. Driver – Nick Lorusso

Engine 87-1-75 Head Driver – Russel Lorusso

Engine 87-1-75 Ast. Driver – Victor Lorusso

The following members have been approved by their respective officer as qualified apparatus drivers: Dominick Lorusso, Nick Lorusso, Victor Lorusso, Russell Lorusso, Patsy Lorusso Sr., James Lorusso, Steve Hines, Jamie Damaso, Charles Lorusso Jr, Barry Trogu, and Patsy Lorusso.

WHEREAS, the aforesaid drivers or operators have been certified to and approved as competent by the Fire Chief.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Belmar that the action of the Hook & Ladder Fire Company No. 1 in appointing the aforesaid drivers or operators be and the same are confirmed and approved and the persons so appointed be confirmed in their respective positions.

BE IT FURTHER RESOLVED that the above named drivers be authorized to drive or operate either vehicle in the event of any emergency fire call.

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

Council Members: AYES NAYS ABSTAIN ABSENT

Mayor Walsifer

Mr. Brennan

Mr. McCracken

Mr. Carvelli

Ms. Kinney

RESOLUTION APPROVING DRIVERS OF FIRE APPARATUS FOR UNION FIRE COMPANY NO. 1 FOR 2023

WHEREAS, Union Fire Co. No. 1 has advised the Borough Council that the following men be added as approved drivers or operators of fire apparatus for the year 2023:

Ladder 87-2-90 Head Driver – Tucker Brendle Ladder 87-2-90 Ast. Driver – Doug Brand Rescue 87-2-86 Head Driver – Logan Rogers Rescue 87-2-86 Ast. Driver – Jason Boege

The following members have been approved by their respective officer as qualified apparatus drivers for 87-2-90: Joe Rizzitello Sr, Doug Brand, Cliff Russel, Tucker Brendle, Logan Rogers, Steve Hudson, Joe Tompey, James Yannazzone, Bob Pollock, Justin Pettit, and Don Zessin.

WHEREAS, the aforesaid drivers or operators have been certified to and approved as competent by the Fire Chief.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Belmar that the action of the Union Fire Company No. 1 in appointing the aforesaid drivers or operators be and the same are confirmed and approved and the persons so appointed be confirmed in their respective positions.

BE IT FURTHER RESOLVED that the above named drivers be authorized to drive or operate either vehicle in the event of any emergency fire call.

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

Council Members: AYES NAYS ABSTAIN ABSENT

Mayor Walsifer

Mr. Brennan

Mr. McCracken

Mr. Carvelli

Ms. Kinney

RESOLUTION AWARDING CONTRACT FOR ONLINE PUBLIC AUCTION SERVICES

WHEREAS, the Mayor and Council of the Borough of Belmar wishes to enter into a contract with USGovBid, 300 Commerce Drive, Tinton Falls, NJ 07753 for full service online auction services; and

WHEREAS, full service includes a complete photo shoot. USGovBid.com will place all listings on the internet, collect all proceeds and handle all customer service; and

WHEREAS, USGovBid shall receive as compensation for promoting and conducting the online auction 0% commission, which shall be payable by the Seller. This amount does not include any allocation for advertising or the personal property to be sold. Said amount is simply the compensation given to the auctioneers for the performance of their obligations as defined herein. Seller understands that the Auction Company will be charging a 8% Buyer's Internet Service Fee and (which is payable by the buyer to the Auction Company), and it will be retained by USGovBid/Auction Liquidation Services.

NOW, THEREFORE, BE IT RESOLVED, that the Business Administrator and Purchasing Agent are hereby authorized to execute a contract with USGovBid.

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

Council Members: AYES NAYS ABSTAIN ABSENT
Mayor Walsifer
Mr. Brennan
Mr. McCracken
Mr. Carvelli
Ms. Kinney

RESOLUTION AUTHORIZING DISPOSAL OF SURPLUS PROPERTY VIA AN ONLINE AUCTION

WHEREAS, the Borough of Belmar is the owner of certain surplus property which is no longer needed for public use; and

WHEREAS, the Mayor and Council are desirous of selling said surplus property in an "as is" condition without express or implied warranties.

NOW THEREFORE, be it RESOLVED by the Mayor and Council of the Borough of Belmar, County of Monmouth, as follows:

- (1) The sale of the surplus property shall be conducted through the following auction sites:
 - a. USGovBid/Auction Liquidation Services.
- (2) The sale will be conducted online and potential buyers can bid upon these items via an Internet based auction system. USGovBid.com
- (3) The sale is being conducted pursuant to Local Finance Notice 2008-9.
- (4) A list of the surplus property to be sold is as follows:

ltem	Quantity	Year
RAVO SWEEPER	1	2013
	1	
CHEVY TRAILBLAZER	1	2003
CHEVY IMPALA	1	2004
FREIGHTLINER (NO TITLE)	1	1991
GMC 3500	1	1996
FORD F350	1	2008
FORD CROWN VIC	1	2003
MILITARY SHELTER, 15X30	2	
PARKING KIOSK	19	
PALLET OF ROOFING SHINGLES	1	
10 FT GLEDHILL SNOW PLOW	1	
10X12 POPUP MILITARY KITCHEN		
TRAILER	1	
VENDING MACHINE	1	

(5) The surplus property as identified shall be sold in an "as-is" condition without express or implied warranties with the successful bidder required to execute a

Hold Harmless and Indemnification Agreement concerning use of said surplus property.

(6) The Mayor and Council reserves the right to accept or reject any bid submitted.

offered the above resolution and moved its adoption, seconded by and adopted by the following vote on roll call:

Council Members: AYES NAYS ABSTAIN ABSENT

Mayor Walsifer

Mr. Brennan

Mr. McCracken

Ms. Kinney

Mr. Carvelli

RESOLUTION AUTHORIZING REFUND OF ANIMAL HOUSE BOND FOR 203 12^{TH} AVENUE

WHEREAS, Imre & Jacqueline Perger, 370 Wayne Terrace, Union, NJ 07083 owners of 203 12th Avenue have requested the remaining balance of their Animal House Bond for said property be refunded; and

WHEREAS, there is a balance of \$2000.00 to be refunded; and

WHEREAS, the Animal House Bond has expired, and the property has been sold.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Belmar that said refund request shall be granted.

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

Council members: AYES NAYS ABSTAIN ABSENT

Mayor Walsifer

Mr. Carvelli

Mr. McCracken

Ms. Kinney

Mr. Brennan

RESOLUTION AUTHORIZING EXECUTION OF TRADEMARK AND LICENSING AGREEMENT BETWEEN THE BOROUGH OF BELMAR AND SUZANNE ANAN

WHEREAS, in or around 2011 Suzanne Anan ("Licensor") designed a stylized wave design including the literal elements "Belmar Beautiful Sea" beneath the stylized wave ("Belmar Logo"); and

WHEREAS, the Licensor owns all common law trademark rights in and to the Belmar Logo as well as United States Trademark Registration No. 9,455,909, which covers the Belmar Logo for use with clothing, namely hoodies, tops as clothing, and wrap arounds; and for promoting tourism in the Jersey Shore Area; and

WHEREAS, the Licensor also owns United States Copy Registration No. VA002102787 for the Belmar Logo; and

WHEREAS, the Mayor and Council of the Borough of Belmar desires to enter into a licensing agreement with the Licensor to memorialize their license relationship with the licensor (Exhibit A);

WHEREAS, the Mayor and Council find it necessary and proper to enter into this licensing agreement with the Licensor to continue to utilize the Belmar Logo; and:

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Belmar, County of Monmouth, State of New Jersey that the Borough of Belmar, authorizes the Mayor, Borough Clerk, Borough administrator and Borough Attorney to execute any and all documents necessary to implement the intent of this Resolution

offered the above resolution and moved its adoption.

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

Council members:	AYES	NAYS	ABSTAIN	ABSENT
Mr. Carvelli				
Mr. McCracken				
Ms. Kinney				
Mr. Brennan				
Mayor Walsifer				
Adopted:	_			

RESOLUTION AUTHORIZING REFUNDS

BE IT RESOLVED, by the Mayor and Borough Council that the following refunds are hereby authorized upon certification by the Chief Financial Officer to the following:

William & Linda Neely, 301 Fourth Avenue, \$200 Huisman Gazebo Deposit

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

Council Members: AYES NAYS ABSTAIN ABSENT

Mayor Walsifer

Mr. Brennan

Ms. Kinney

Mr. McCracken

Mr. Carvelli

RESOLUTION PERMITTING SPECIAL EVENTS AS PER BOROUGH ORDINANCE 16-14.4

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

Belmar Dine & Discover: Sunday, March 12, 2023. Event will take place in downtown Belmar. No additional Borough resources are required.

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

offered the above resolution and moved its adoption, seconded by and adopted by the following vote on roll call:

Council Members: AYES NAYS ABSTAIN ABSENT

Mayor Walsifer

Mr. Brennan

Mr. McCracken

Ms. Kinney

Mr. Carvelli

RESOLUTION APPROVING MEMBERSHIP APPLICATIONS FOR GOODWILL FIRE DEPARTMENT

WHEREAS, Goodwill Fire Department has advised the Borough Council that the following have submitted applications to join the Goodwill Fire Department as probationary members:

RICK LOWE

WHEREAS, each application will be reviewed by the Belmar Police Department;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Belmar that the above application be hereby approved pending final approval from the Police Department.

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

Council Members: AYES NAYS ABSTAIN ABSENT

Mayor Walsifer

Mr. Brennan

Mr. McCracken

Mr. Carvelli

Ms. Kinney

Resolution No. 2022-229

RESOLUTION AUTHORIZING THE TRANSFER OF FUNDS FROM CURRENT APPROPRIATIONS TO THE TRUST FUND FOR STORM RECOVERY

WHEREAS, there exists a surplus of funds in the Borough of Belmar Current Budget appropriations entitled Snow Removal, Salaries and Wages, account number 2-01- -049-121, \$10,000.00; and Snow Removal, Other Expenses, account number 2-01- -049-299, \$20,000.00; and,

WHEREAS, the State permits these balances to be transferred into a Trust account entitled Storm Recovery, account number T-55-00-900-062 and thereby reserved for the future needs of the Borough.

NOW, THEREFORE, BE IT RESOLVED BY the Borough Council of the Borough of Belmar that the transfers listed above be and the same are hereby approved.

BE IT FURTHER RESOLVED that the Chief Financial Officer is directed to adjust the Borough records accordingly.

Council Members:	AYES	NAYS	ABSTAIN	ABSENT	
Mayor Walsifer	ATES	NAIS	ADSTAIN	ADSENT	
Mr. Brennan					
Ms. Kinney					
Mr. McCracken					
Mr. Carvelli					

Resolution No. 2022-230

RESOLUTION AMENDING A CONTRACT AWARDED TO GRIFFITH-ALLIED TRUCKING, LLC dba ALLIED OIL, HILLSBOROUGH, NJ FOR THE PROVISION OF MID-GRADE ULTRA LOW NO-LEAD GASOLINE AND ULTRA LOW-SULFUR PREMIUM DIESEL FUEL TO THE BOROUGH OF BELMAR TO PERMIT A TEMPORARY PRICE INCREASE CONSISTENT WITH STATE PROCUREMENT RULES

WHEREAS, pursuant to Resolution No. 2022-185, the Borough of Belmar awarded a contract to Griffith-Allied Trucking, LLC dba Allied Oil, Hillsborough, NJ for the provision of mid-grade ultra-low no-lead gasoline and ultra-low-sulfur premium diesel fuel to the Borough at an upcharge of 0.1950 per gallon of fuel purchased; and,

WHEREAS, there is significant price volatility currently impacting fuel markets in the State and northeastern US, and to address this volatility and to ensure that the State has an uninterrupted supply of fuel, the State has adopted a temporary price revision to its fuel contracts to change the daily price paid per delivered gallon the following formula: the daily price shall be determined by adding the contracted (awarded) upcharge price for each line item to the average of the daily low and high end cost (Newark, NJ) of the fuel as determined by the Oil Price Daily posting; and,

WHEREAS, the Borough of Belmar wishes to ensure that it has an uninterrupted supply of fuel during 2023 and therefore, will permit a temporary price increase effective January 1, 2023 through June 1, 2023, inclusive, consistent with the formula adopted by the State of NJ as specified above.

NOW, THEREFORE, BE IT RESOLVED BY the Borough Council of the Borough of Belmar that it hereby approves the amendment to the contract awarded to Griffith-Allied Trucking, LLC dba Allied Oil, Hillsborough, NJ that the price per delivered gallon of mid-grade ultra-low no-lead gasoline and ultra-low-sulfur premium diesel fuel that shall be determined by adding the contracted (awarded) upcharge price (0.1950) for each line item to the average of the daily low and high end cost (Newark, NJ) of the fuel as determined by the Oil Price Daily posting effective January 1, 2023 through June 1, 2023, inclusive.

BE IT FURTHER RESOLVED that a certified copy of this Resolution shall be supplied to Griffith-Allied Trucking, LLC dba Allied Oil, Hillsborough, NJ, for their information and the Borough of Belmar Qualified Purchasing Agent for further action as necessary.

__ and

offered the above resolution and moved its adoption. Seconded by						
adopted by the following vote on roll call:						
Council Members: Mayor Walsifer	AYES	NAYS	ABSTAIN	ABSENT		
Mr. Brennan Ms. Kinney						
Mr. McCracken Mr. Carvelli						
Adopted:						

Resolution No. 2022-231

RESOLUTION AUTHORIZING TRANSFER OF APPROPRIATIONS

WHEREAS, the Local Budget Law, *N.J.S.A.* 40A-4:20, et seq., permits the transfer of funds from appropriations which have available balances to those that do not during the last two months of the fiscal year under certain circumstances; and,

WHEREAS, the Borough Council of the Borough of Belmar wishes to transfer funds as permitted by *N.J.S.A.* 40A:4-58, et seq. and as recommended by Chief Financial Officer.

NOW, THEREFORE, BE IT RESOLVED BY the Borough Council of the Borough of Belmar that transfers between appropriations as listed below are hereby authorized:

Current Fund:

		Transfer	
Account No.	Appropriation Title	Out	In
2-01035-224	PD, OE	\$3,000.00	
2-01037-299	PD Comm, OE		\$3,000.00

BE IT FURTHER RESOLVED that a certified copy of this Resolution shall be provided to the Chief Financial Officer for further action.

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

Council Members:

AYES

NAYS

ABSTAIN

ABSENT

Mayor Walsifer

Mr. Brennan

Ms. Kinney

Mr. McCracken

Mr. Carvelli

Adopted: December 20, 2022

RESOLOUTION 2022-232

RESOLUTION AUTHORIZING THE TAX COLLECTOR TO CANCEL TAXES DEEMED UNCOLLECTIBLE

WHEREAS, in accordance with N.J.S.A. 54:4-91.1 requires the Tax Collector of the Borough of Belmar, County of Monmouth, State of New Jersey to submit to the governing body a list of uncollectible taxes and charges for the current year for cancellation; and

WHEREAS, NJSA 54:4-91.2 requires the governing body must examine this list and by resolution, release the collation thereof and order the same to be cancelled; and

NOW THEREFORE BE IT RESOLVED, by the Council of the Borough of Belmar, County of Monmouth, State of New Jersey that the Tax Collector is hereby authorized and directed to cancel the taxes and/or charges below:

Owner Borough of Belmar	Block 125	Lot 7	Tax Year 2022	Amount \$3,850.49	1 -	Acquired by lity – Exempt	
offered the ab				adoption. Sec	onded by		and
Council Members: Mayor Walsifer Mr. Brennan Ms. Kinney Mr. McCracken Mr. Carvelli		AYES	NAYS	ABST	AIN AI	BSENT	

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 DATED DECEMBER 20, 2022 WITH EASTPORT OF BELMAR, LLC

WHEREAS, the Borough of Belmar, County of Monmouth, State of New Jersey (hereinafter referred to as "Borough") has previously approved and adopted a Redevelopment Agreement affecting property known and designated as Block 106, Lots 1-3, 5-6, 10.01, 10.02 and 11; Block 116, Lots 1-2; Block 117, Lots 1-4, 6-9, and 12-15; Block 67, Lot 4.01; Block 86, Lots 1-7; Block 86.01, Lot 1; Block 87, Lots 1-3; and Block 96, Lots 1 and 3-9, Belmar, New Jersey (hereinafter referred to as the "Property"); and

WHEREAS, on July 20, 2016, the Borough adopted a Resolution designating the Property as an area in need of redevelopment without the power of condemnation, which area is to be included in the Seaport Redevelopment Area; and

WHEREAS, the Redevelopment Agreement has been prepared by the attorney for the Redeveloper and reviewed by Belmar's professional and administrative staff, and found to be acceptable; and

WHEREAS, a true copy of the Redevelopment Agreement is on file with the Office of the Borough Clerk and can be reviewed by the public during normal business hours; and

NOW, THEREFORE, BE IT RESOLVED this 20th day of December, 2022, by the Mayor and Council of the Borough of Belmar, County of Monmouth, State of New Jersey, as follows:

- 1. The Borough approves and authorizes execution of the Redevelopment Agreement dated December 20, 2022, a true copy of which is on file at the Office of the Borough Clerk and can be reviewed during normal business hours..
- 2. The Borough Council authorizes and directs the Mayor, Borough Clerk and Borough Administrator to execute any and all necessary documents to implement the intent of this Resolution.
- 3. A copy of this Resolution shall be forwarded by the Borough Clerk to the following:
 - (a) Honorable Mark Walsifer, Mayor;
 - (b) Edward D. Kirschenbaum, Sr., Borough Administrator;
 - (c) Gerald Freda, P.E., P.P.; Borough Engineer;
 - (d) William Wolf, Esquire, attorney for Eastport at Belmar, LLC
 - (e) Jerry J. Dasti, Esquire, Borough Attorney.

CERTIFICATION

I certify that the foregoing Resolution was duly adopted by the Borough	Council of the
Borough of Belmar at a regular meeting held on the day of	, 2022, a
quorum being present and voting in the majority.	
APRIL CLAUDIO, Municipa	al Clark
APRIL CLAUDIO, WIUIICIPA	ai Cicik