

RESOLUTION NO. 2019-

**RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF
BELMAR, COUNTY OF MONMOUTH, STATE OF NEW JERSEY,
EXTENDING FOR ONE YEAR THE PROJECT SCHEDULE FOR THE
REDEVELOPMENT AGREEMENT WITH LOKO CO. LLC.**

WHEREAS, the Mayor and Borough Council of the Borough of Belmar, County of Monmouth, State of New Jersey (hereinafter referred to as the “Borough”) had previously adopted appropriate Resolutions to authorize execution of the Redevelopment Agreement dated January 10, 2014, and the First and Second Amendment to the Redevelopment Agreement, copies of which are on file with the Office of the Borough Clerk and can be reviewed by the public during regular office hours; and

WHEREAS, Exhibit B to the First Amendment to the Redevelopment Agreement contains the Project schedule, which provided for two one-year extensions; and

WHEREAS, by letter dated April 9, 2019 a representative of Loko Co. LLC has requested the second one-year extension of the Project schedule, which would terminate on or about June 30, 2020; and

WHEREAS, the Borough believes that the request of the redeveloper is appropriate under the circumstances.

NOW, THEREFORE, BE IT RESOLVED this ____ day of _____ 2019, by the Mayor and Council of the Borough of Belmar, County of Monmouth, State of New Jersey, as follows:

1. The Borough approves the request of the redeveloper to extend the time period set forth in Exhibit B of the First Amendment to the Redevelopment Agreement (Project Schedule) so that the Project schedule will be extended through June 30, 2020.

2. The Borough authorizes and directs the Mayor, Borough Clerk, Borough Administrator to execute any and all necessary documents in order to implement the intent of this Resolution.

3. A certified 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) Jerry J. Dasti, Esquire

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				
Mr. Brennan				
Ms. Wann				
Mayor Walsifer				

Adopted:

RESOLUTION 2019-111

**RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF BELMAR
ESTABLISHING VARIOUS FEES**

WHEREAS, the Mayor and Council of the Borough of Belmar wish to establish fees for various permits, applications, programs, etc; and

WHEREAS, the fees shall be as follows:

RECREATION DEPARTMENT FEES:

Program	Belmar Resident Fee	Non Resident Fee
Junior Lifeguards	\$70	\$95
Summer Camp	\$700	\$900
Summer Basketball	\$45	\$55
Winter Basketball	\$55	\$55
Soccer	\$45	\$45
Running Club	\$35	\$60
Toddler Time	Free	\$100 per family
Summer Toddler Time	Free	\$40

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Belmar that the above fees shall be in effect after the 20 day estoppel period expires for Ordinance 2017-02.

BE IT FURTHER RESOLOVED, these fees shall remain in effect until superseded by a new resolution of the Mayor and Council.

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				
Mr. Brennan				
Ms. Wann				
Mayor Walsifer				

Adopted:

RESOLUTION No. 2019-112

RESOLUTION AWARDING A LEASE AGREEMENT FOR BEACH VOLLEYBALL

WHEREAS, the Borough of Belmar authorized and advertised for a Lease Agreement for use of a portion of the Third Avenue Beach with an open public bid by auction on May 7, 2019; and

WHEREAS, after receipt of the bids on May 7, 2019 the Borough of Belmar wishes to award the Lease to the highest bidder.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Belmar that the Lease is awarded to:

Belmar Beach Volleyball League
Brian Rushalski
417 Couse Road
Neptune, NJ 07753

on the bid of \$1000 per a year for a term from June 1, 2019 to September 30, 2019, with the option to renew said lease.

BE IT FURTHER RESOLVED, that the Mayor, Borough Clerk, Borough Attorney and other necessary Borough Officials are hereby authorized to execute and deliver the Lease and all other documents and undertake all actions reasonably necessary to effectuate the award of the Lease herein.

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				
Mr. Brennan				
Ms. Wann				
Mayor Walsifer				

Adopted:

RESOLUTION NO 2019-113

**RESOLUTION APPROVING MEMBERSHIP APPLICATIONS FOR VOLUNTEER
HOOK & LADDER FIRE DEPARTMENT**

WHEREAS, Borough Council has been advised that the following have submitted applications to join the Volunteer Hook & Ladder Fire Department as probationary members:

Donald Zessin

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.

Mayor Walsifer offered the above resolution and moved its adoption.

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

Council members:	AYES	NAYS	ABSTAIN	ABSENT
Mr. Carvelli	X			
Mr. McCracken	X			
Ms. Wann	X			
Mr. Brennan	X			
Mayor Walsifer	X			

RESOLUTION NO. 2019-114

RESOLUTION ASSESSING A PROPERTY MAINTENANCE LIEN

WHEREAS, due to emergent conditions found in conflict with the Property Maintenance code and public health concerns and under the direction of the Code Enforcement Officer of the Borough of Belmar such officers have certified to the Mayor and Council the cost to be charged against said dwelling or lands; the amount so charged shall become a fine upon such dwelling or lands and shall be assessed and levied upon the property owner via the Municipal Court.

<u>ADDRESS</u>	<u>BLOCK</u>	<u>LOT</u>	<u>AMOUNT</u>
302 Fourth Avenue	32	18	\$

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				
Mr. Brennan				
Ms. Wann				
Mayor Walsifer				

Adopted:

RESOLUTION NO 2019-115

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:

TAX OVERPAYMENTS

FIRST CONSTITUTION BANK
2650 ROUTE 130
CRANBURY, NJ 08512
BLOCK 45 LOT 1 - \$4,293.19

MICHELE FONTANEZ
214 13TH AVENUE
BELMAR, NJ 07719
BLOCK 121 LOT 16.01 - \$2,662.96

BRIAN FISCHER
794 RIVERSIDE DRIVE
HILLSBOROUGH, NJ 08844
BLOCK 140 LOT 1.06 - \$1,687.04

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

Council members:	AYES	NAYS	ABSTAIN	ABSENT
Mr. Carvelli				
Mr. McCracken				
Ms. Wann				
Mr. Brennan				
Mayor Walsifer				

Adopted:

RESOLUTION NO. 2019-116

RESOLUTION AUTHORIZING THE BOROUGH OF BELMAR TO ENTER INTO A SHARED SERVICE AGREEMENT WITH THE BOROUGH OF LAKE COMO FOR CODE ENFORCEMENT SERVICES

WHEREAS, Borough of Belmar and Borough of Lake Como desire to share facilities, equipment and office staff, in accordance with the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1, et seq. and N.J.S.A. 2B:12-1(c), in order to conserve resources and to provide for a more efficient and more economically sound code enforcement department; and

WHEREAS, the Borough Councils of both Belmar and Lake Como find that it would be in the best interest of the parties for Lake Como to utilize the Belmar Municipal’s employees, under the terms and conditions referenced herein; and

WHEREAS, the term of this Agreement shall commence upon the final execution of the Agreement by the duly authorized representatives of both Parties (the “Effective Date”), and shall continue for a term of two (2) years January 1, 2018 to December 31, 2019.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Belmar, County of Monmouth that the Mayor and Borough Administrator are hereby authorized to execute and deliver the attached Shared Service Agreement and all other documents and undertake all actions reasonably necessary to effectuate this Resolution and the Shared Service Agreement.

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				
Mr. Brennan				
Ms. Wann				
Mayor Walsifer				

Adopted:

RESOLUTION NO. 2019-117

RESOLUTION AUTHORIZING THE BOROUGH OF BELMAR TO ENTER INTO A SHARED SERVICE AGREEMENT WITH THE BOROUGH OF LAKE COMO FOR MUNICIPAL COURT SERVICES

WHEREAS, Borough of Belmar and Borough of Lake Como desire to share facilities, equipment and office staff, in accordance with the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1, et seq. and N.J.S.A. 2B:12-1(c), in order to conserve resources and to provide for a more efficient and more economically sound municipal court system; while each municipality maintains it's rights to appoint their own judge, prosecutor, and public defender; and

WHEREAS, Belmar has agreed to allow Lake Como to utilize Belmar Municipal Building's Court room, and has agreed to allow Lake Como to utilize the Belmar Municipal Building's Court offices upon execution of this Agreement; and

WHEREAS, the Borough Councils of both Belmar and Lake Como find that it would be in the best interest of the parties for Lake Como to utilize the Belmar Municipal Building's Court room, court offices, and to share employees, facilities, and equipment, under the terms and conditions referenced herein; and

WHEREAS, the term of this Agreement shall commence upon the final execution of the Agreement by the duly authorized representatives of both Parties (the "Effective Date") and shall continue for a term of two (2) years January 1, 2018 to December 31, 2019.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Belmar, County of Monmouth that the Mayor and Borough Administrator are hereby authorized to execute and deliver the attached Shared Service Agreement and all other documents and undertake all actions reasonably necessary to effectuate this Resolution and the Shared Service Agreement.

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				
Mr. Brennan				
Ms. Wann				
Mayor Walsifer				

Adopted:

RESOLUTION NO. 2019-118

RESOLUTION AUTHORIZING THE BOROUGH OF BELMAR TO ENTER INTO A SHARED SERVICE AGREEMENT WITH THE BOROUGH OF LAKE COMO FOR SALT

WHEREAS, Borough of Belmar and Borough of Lake Como desire to share facilities, equipment and supplies, in accordance with the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1, et seq. and N.J.S.A. 2B:12-1(c), in order to conserve resources and to provide for the purchase of salt; while each municipality maintains its own rights to; and

WHEREAS, the term of this Agreement shall commence upon the final execution of the Agreement by the duly authorized representatives of both Parties (the “Effective Date”) and shall continue for a term of two (2) years January 1, 2018 to December 31, 2019.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Belmar, County of Monmouth that the Mayor and Borough Administrator are hereby authorized to execute and deliver the attached Shared Service Agreement and all other documents and undertake all actions reasonably necessary to effectuate this Resolution and the Shared Service Agreement.

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				
Mr. Brennan				
Ms. Wann				
Mayor Walsifer				

Adopted:

RESOLUTION 2019-119

RESOLUTION TO AMEND WATER-SEWER UTILITY BUDGET

WHEREAS, the Local Municipal Budget for the Year 2019 was approved on the 21st day of May 2019, and

WHEREAS, the public hearing on said Budget has been held as advertised, and

WHEREAS, it is desired to amend the approved Water-Sewer Utility Budget, now

THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Belmar, County of Monmouth, that the following amendments to the approved Water-Sewer Utility Budget of 2019 be made:

WATER & SEWER UTILITY

	From	To
10. DEDICATED REVENUES FROM WATER & SEWER UTILITY		
Operating Surplus Anticipated	\$ 749,517.33	\$ 789,517.33
 Total Operating Surplus Anticipated	 \$ 749,517.33	 \$ 789,517.33
 Total Water & Sewer Utility Revenues	 \$ <u>3,870,441.33</u>	 \$ <u>3,910,441.33</u>
 11. APPROPRIATIONS FOR WATER & SEWER UTILITY		
Operating:		
Other Expenses	\$ 515,000.00	\$ 555,000.00
 Total Water & Sewer Utility Appropriations	 \$ <u>3,870,441.33</u>	 \$ <u>3,910,441.33</u>

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				
Mr. Brennan				
Ms. Wann				
Mayor Walsifer				

Adopted:

APRIL CLAUDIO
MUNICIPAL CLERK

SUMMARY OF APPROPRIATIONS

5. GENERAL APPROPRIATIONS		XXXXXXXXXX	XXXXXXXXXXXXXXXXXXXX
Within "CAPS"			
(a&b) Operations Including Contingent	34-201	\$	12,184,056.00
(e) Deferred Charges and Statutory Expenditures - Municipal	34-209	\$	1,085,932.39
(g) Cash Deficit	46-885	\$	-
Excluded from "CAPS"			
(a) Operations - Total Operations Excluded from "CAPS"	34-305	\$	1,280,527.79
(c) Capital Improvements	44-999	\$	125,000.00
(d) Municipal Debt Service	45-999	\$	1,394,680.09
(e) Deferred Charges - Municipal	46-999	\$	42,000.00
(f) Judgments	37-480	\$	-
(n) Transferred to Board of Education for Use of Local Schools (N.J.S. 40:48-17.1 & 17.3)	29-405	\$	-
(g) Cash Deficit	46-885	\$	-
(k) For Local District School Purposes	29-410	\$	-
(m) Reserve for Uncollected Taxes (Include Other Reserves if Any)	50-899	\$	510,314.39
(n) Reserve for Uncollected Taxes (Include Other Reserves if Any)	07-195	\$	-
Total Appropriations	34-499	\$	16,622,510.66

It is hereby certified that the within budget is a true copy of the budget finally adopted by resolution of the Governing Body on the _____ day of _____, 2019. It is further certified that each item of revenue and appropriation is set forth in the same amount and by the same title as appeared in the 2019 approved budget and all amendments thereto, if any, which have been previously approved by the Director of Local Government Services.

Certified by me this _____ day of _____, 2019 _____ Clerk

signature

RESOLUTION NO. 2019-121

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:

Country Line Dancing: Monday nights between Memorial Day and Labor Day. Event will take place in Pyanoe Plaza and begin at 6.00pm and end by 9.00pm. Plaza will be left in the same condition in which it was found. Any Borough costs will be assigned at the end of the season.

Hoop Splash Basketball Tournament: June 7th 8th & 9th ,2019. Event will take place in Dempsey Park and begin on June 7th at 5.00pm and end at 9.00pm, on June 8th at 8.00am and end at 7.00pm and on June 9th at 8.00am and end at 7.00pm. Park will be left in the same condition in which it was found. Organization will make a \$500.00 donation to The Belmar Recreation. No additional Borough resources are required

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 and adopted by the following vote on roll call:

Council members:	AYES	NAYS	ABSTAIN	ABSENT
Mr. Carvelli				
Mr. McCracken				
Ms. Wann				
Mr. Brennan				
Mayor Walsifer				

Adopted: