### 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				

### **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:

<b>RECREATION DEPARTM</b>	<u>IENI FEES:</u>		
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	

# **RECREATION DEPARTMENT FEES:**

**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

### **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

### 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	Х			
Mr. McCracken	Х			
Ms. Wann	Х			
Mr. Brennan	Х			
Mayor Walsifer	Х			

### **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.

ADDRESS	<u>BLOCK</u>	LOT	<b>AMOUNT</b>
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: Mr. Carvelli	AYES	NAYS	ABSTAIN	ABSENT
Mr. McCracken Mr. Brennan Ms. Wann				
Mayor Walsifer				

### **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 13<sup>TH</sup> 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

### 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				

### 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

### 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

#### **RESOLUTION 2019-119**

### **RESOLUTION TO AMEND WATER-SEWER UTILITY BUDGET**

WHEREAS, the Local Municipal Budget for the Year 2019 was approved on the 21<sup>st</sup> 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	То
<b>10. DEDICATED REVENUES FROM WATER &amp; SEWER UTILITY</b>		
On a mating a Council of Anaticia at a d	\$	\$
Operating Surplus Anticipated	749,517.33	789,517.33
	\$	\$
Total Operating Surplus Anticipated	, 749,517.33	, 789,517.33
	\$	\$
Total Water & Sewer Utility Revenues	3,870,441.33	3,910,441.33
<b>11. APPROPRIATIONS FOR WATER &amp; SEWER UTILITY</b>		
Operating:		
	\$	\$
Other Expenses	515,000.00	555,000.00
	ć	ę
Total Matar & Sower Litility Appropriations	\$	\$
Total Water & Sewer Utility Appropriations	3,870,441.33	3,910,441.33

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

				. Sheet 41	
16,622,510.66	13-299	-		Total Revenues	Tota
605,921.79	07-192			5. AMOUNT TO BE RAISED BY TAXATION MINIMUM LIBRARY LEVY	5. AMOUNT TO
r t	07-191		NLY:	Total Amount to be Raised by Taxation for Schools in Type I School Districts Only 4. To Be Added TO THE CERTIFICATE FOR AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE II SCHOOL DISTRICTS ONLY: Item 6(b), Sheet 11 (N.J.S. 40A:4-14)	4. To Be Adde Iten
	-		07-191	Item 6(b), Sheet 11 (N.J.S. 40A:4-14)	lten
	1		07-195	Item 6, Sheet 42	lter
8,081,280.87	07-190			2. AMOUNT TO BE RAISED BY TAXATION FOR MUNICIPAL PURPOSES (Item 6(a), Sheet 11) 3. AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE I SCHOOL DISTRICTS ONLY:	2. AMOUNT TO 3. AMOUNT TO
300,000.00	15-499			Receipts from Delinquent Taxes	Rec
6,465,608.00	13-099		***	Miscellaneous Revenues Anticipated	Mis
1,169,700.00	08-100			Surplus Anticipated	Sur
				SUMMARY OF REVENUES	1. General Revenues
		Absent {	·		·
				(Insert last name)	(ins
				Ayes { Nays {	
		Abstained <b>{</b>		RECORDED VOTE	RE
				(e)\$ 605,921.79 (Item 5 below) Minimum Library Tax	\$(a)
				(d)\$	\$(P)
			- <u>a</u>	(a)\$ 8,081,280.87 (Item 2 below) for municipal purposes, and (b)\$ (Item 3 below) for school purposes in Type I School District only (N.J.S. 18A:9-2) to be raised by taxation and, (c)\$ (Item 4 below) to be added to the certificate of amount to be raised by taxation for local school purposes in Type II School Districts only (N.J.S. 18A:9-2) and certification to the County Board of Taxation of the following summary of general revenues and appropriations.	(a)\$ (c)\$
			od and	County or, that the budget hereinbefore set forth is hereby adopted and, that the budget hereinbefore set forth is hereby adopted and, that the budget hereinbefore set forth is hereby adopted and, that the budget hereinbefore set forth is hereby adopted and, that the budget hereinbefore set forth is hereby adopted and, that the budget hereinbefore set forth is hereby adopted and, the budget hereinbefore set forth is hereby adopted and	
		-		Ived by the Borough Council of the Borough	
				RESOLUTION	
				SECTION 2 - UPON ADOPTION FOR YEAR 2019 (Only to be included in the Budget as Finally Adopted)	

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6. SCHOOL APPROPRIATIONS - TYPE I SCHOOL DISTRICTS ONLY (N.J.S. 40A:4-13) 5. GENERAL APPROPRIATIONS Excluded from "CAPS" Within "CAPS" **Total Appropriations** (m) Reserve for Uncollected Taxes (Include Other Reserves if Any) (k) For Local District School Purposes (g)-Cash Deficit (n) Transferred to Board of Education for Use of Local Schools (N.J.S. 40:48-17.1 &17.3) (f) Judgments (e) Deferred Charges - Municipal (d) Municipal Debt Service (c) Capital Improvements (a) Operations - Total Operations Excluded from "CAPS" (g) Cash Deficit (e) Deferred Charges and Statutory Expenditures - Municipal (a&b) Operations including Contingent Certified by me this SUMMARY OF APPROPRIATIONS day of , 2019 signature Clerk 34-209 34-201 07-195 50-899 29-410 46-885 29-405 37-480 45-999 44-999 46-885 34-499 46-999 34-305 \$ 6 \$ ŝ 47 69 69 \$ 12,184,056.00 16,622,510.66 1,085,932.39 1,394,680.09 ,280,527.79 510,314.39 125,000.00 42,000.00

Sheet 42

### **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 7<sup>th</sup> 8<sup>th</sup> & 9<sup>th</sup> ,2019. Event will take place in Dempsey Park and begin on June 7<sup>th</sup> at 5.00pm and end at 9.00pm, on June 8<sup>th</sup> at 8.00am and end at 7.00pm and on June 9<sup>th</sup> 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				