

RESOLUTION NO. 2019-132

RESOLUTION AUTHORIZING ISSUANCE OF SEASONAL PLENARY RETAIL CONSUMPTION ALCOHOLIC BEVERAGE LICENSE FOR CSL BELMAR LLC FOR PERIOD ENDING JUNE 30, 2020 TO BE HELD IN POCKET

WHEREAS, application has been made for Plenary Retail Consumption License No. 1306-34-004-003 by CSL Belmar LLC; and

WHEREAS, said application is accompanied by an Affidavit of Publication and reports from Chief of Police and reports from Borough Inspection Officials, and Fire Official if applicable; and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council that Plenary Retail Consumption License No. 1306-34-004-002 for the period from July 1, 2019 to June 30, 2020, dates inclusive, be renewed as an inactive license held in pocket.

BE IT FURTHER RESOLVED that the Borough Clerk be and is authorized to sign and deliver license certificate to the said applicant.

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:

RESOLUTION NO. 2019-147

**RESOLUTION AUTHORIZING PLACE-TO-PLACE TRANSFER OF SEASONAL
RETAIL CONSUMPTION LICENSE NO. 1306-34-011-010 1000 MAIN LIQUOR
LICENSE LLC FOR THE PERIOD ENDING JUNE 30, 2020**

WHEREAS, application has been made for a place-to-place transfer of 1000 Main Liquor License LLC for Seasonal Retail Consumption License No. 1306-34-011-010; and

WHEREAS, this transfer is based upon an expanded floor plan to include the outdoor dining area in front of the establishment on the Main Street side of the building.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council that the place-to-place transfer be approved for the period of July 1, 2019 to June 30, 2020 both dates inclusive.

BE IT FURTHER RESOLVED that the Borough Clerk be and is authorized to deliver a copy of this resolution to the applicant and the Local Alcoholic Beverage Control Board.

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:

RESOLUTION NO. 2019-149

RESOLUTION APPOINTING AN ELECTRIC SUBCODE OFFICIAL AND INSPECTOR

WHEREAS, a need exists to provide an onsite Electric Subcode Official and Inspector pursuant to the Uniform Construction Code Act, N.J.S.A. 52:27D-119 et seq; and

WHEREAS, Theodore Bianchi, Construction Official, has recommended that it is more cost efficient for the Borough to provide its own inspector and that the Borough apply the schedule of fees as delineated in N.J.A.C. 5:23-4.20; and

WHEREAS, Anthony Polisano is a certified Electric Subcode Official and Inspector (License No. 011213) and qualifies to be appointed as Electric Subcode Official and Inspector.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council that Anthony Polisano be and is hereby appointed Electric Subcode Official and Inspector beginning July 11, 2019 at such compensation as shall be provided by Borough Ordinance.

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:

RESOLUTION NO. 2019-150

RESOLUTION APPOINTING DEPUTY MUNICIPAL COURT ADMINISTRATOR

BE IT RESOLVED by the Mayor and Council of the Borough of Belmar that Arielle Frank be and is hereby appointed as Deputy Municipal Court Administrator effective immediately.

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:

RESOLUTION 2019-151

RESOLUTION OF THE BOROUGH OF BELMAR APPOINTING MUNICIPAL PROSECUTOR AND ALTERNATE MUNICIPAL PROSECUTORS

WHEREAS, due to the retirement of the Municipal Prosecutor effective July 15, 2019, the Mayor and Council of the Borough of Belmar are required to name a replacement to serve as Municipal Prosecutor of the Belmar Municipal Court for the remainder of the 2019 year ending December 31, 2019; and,

WHEREAS, the Mayor and Council wish to appoint Sean Kean, Esq., to serve as Municipal Prosecutor through the end of 2019 at a pro rata salary of \$35,000.00 (thirty five thousand dollars) per annum; and,

WHEREAS, the need exists to appoint qualified individuals to serve as Alternate Township Prosecutors in the event of the unavailability of the Township Prosecutor, who shall serve on an as-needed basis; and,

WHEREAS, pursuant to Local Finance Notice 2005-32, such salaried appointments are not subject to the Fair and Open Process; and,

WHEREAS, the Alternate Township Prosecutors shall be compensated for their services in an amount not to exceed a pro rata share of the salary or compensation provided to the Township Prosecutor for his or her services during the calendar year of appointment.

NOW, THEREFORE, BE IT RESOLVED that Sean Kean, Esq. be appointed Municipal Prosecutor and that Morgan R. Montano, Esq., James Carton, Esq., Meghan Bennett, Esq., and Susan De Simone, Esq., be and hereby are appointed as Alternate Township Prosecutors through the end of 2019, consistent with the foregoing terms.

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:

RESOLUTION NO 2019-152

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:

Bill Vittoria
407 Ocean Avenue Apt. 11
Belmar, NJ 07719
Yankees Bus Trip \$75

Rosemary Momich
436 Ann Avenue
Brick, NJ 08724
Yankees Bus Trip \$75

Veteran Beach Badges

Mark Shafer \$30
165 Hollingston Place
East Windsor, NJ 08520

Frederick Shandell \$30
1212 Wallenberg Way
East Windsor, NJ 08550

Stephen Petti \$30
151 Ryan court
Monroe, NJ 08831

Raymond Nasto \$30
17 Turnbridge Court
Jackson, NJ 08527

Kenneth Ballar \$30
72 Gables Way
Jackson, NJ 08527

Richard Kelly \$70
119 Dispatch Drive
Washington Crossing, PA 18977

John Hurley \$30
36 Laurel Road
Princeton, NJ 08540

Richard Mattis \$30
56 Nature Lane
Levittown, PA 19054

Charles Castronova \$30
99 Sixth Avenue
Belmar, NJ 07719

Michael Muglvore \$30
307 East Florence Circle
Farmingdale, NJ 07727

Carl Dellibovi \$30

12 Pennington Road
East Windsor, NJ 08520

Barbara Marko \$30
1268 Easton Avenue
Somerset, NJ 08873

Anthony Martucci \$30
15 Horseshoe Drive
Mount Laurel, NJ 08504

Barry Trogu \$70
605 15th Avenue
Belmar, NJ 07719

Eugene Grodzki \$30
77 Ely Harmony Road
Freehold, NJ 07728

Ron Strach \$30
7 Camelon Court
East Brunswick, NJ 08816

Michael Lamberti \$70
1323 Falston Circle
Old Bridge, NJ 08857

La Dolce Vita
400 Ocean Avenue
Belmar, NJ 07719
\$700 – movies on the beach donation

Jerry Bucci
45 Ellicott Lane
Wayne, NJ 07470
217 12th Ave Zoning Bd. Escrow \$417

TAYLOR PAVILION SECURITY DEPOSITS

Melissa Origoni
275 Winchester Ave.
New Haven, CT 06511
\$200.00

Maria Post
6 Pinehurst Dr. Lakewood, NJ 08701
\$200.00

Raquel Christian
36 Spring Ave.
Bergenfield, NJ
\$500.00

Maria Post
6 Pinehurst Dr.
Lakewood, NJ 08701
\$500.00

Martine Howe
9 Lafayette Ave.
Neptune, NJ 07753
\$500.00

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-

**RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF BELMAR,
COUNTY OF MONMOUTH, STATE OF NEW JERSEY, AUTHORIZING AND
APPROVING AN AMENDMENT TO THE LEASE AGREEMENT WITH M2
CONCESSIONS, LLC**

WHEREAS, the Borough of Belmar (hereinafter referred to as the “Borough”) and M2 Concessions, LLC (hereinafter referred to as the “Tenant”) have previously entered into a Lease Agreement affecting the Fifth Avenue Pavilion Concession Area – North End; and

WHEREAS, the Tenant has approached Belmar and requested a modification to the Lease Agreement, strictly as to the timing for the agreed upon annual rental payments; and

WHEREAS, other than the modification as to the timing of the payments, all other terms and conditions of the Lease Agreement are to remain in full force and effect; and

WHEREAS, the Amendment to the Lease Agreement has been recommended by the Borough Attorney and Borough Administrator:

NOW, THEREFORE, BE IT RESOLVED this 23rd day of July, 2019, by the Mayor and Council of the Borough of Belmar, County of Monmouth, State of New Jersey, as follows:

1. The Borough authorizes and approves the aforementioned Amendment to the Lease Agreement, a true copy of which is on file at the Office of the Borough Clerk and can be reviewed by the public during normal business hours.
2. The Borough authorizes and directs the Mayor, Borough Clerk, and 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., Administrator;
 - (c) Christine Manolio, C.F.O.;
 - (d) Jerry J. Dasti, Esquire;
 - (e) M2 Concessions, LLC.

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:

RESOLUTION NO. 2019-154

RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF BELMAR, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, APPOINTING AND SELECTING THREE VENDORS IN CONJUNCTION WITH UTILIZATION OF THE TAYLOR PAVILION

WHEREAS, the Mayor and Council of the Borough of Belmar, County of Monmouth, State of New Jersey (hereinafter referred to as the “Belmar”) as solicited Request for Proposals (RFPs) for vendors to utilize/cater the Taylor Pavilion; and

WHEREAS, three vendors have properly applied to Belmar in conformance with requirements of the RFP; and

WHEREAS, Belmar has reviewed the RFPs submitted by the three vendors, and has interviewed each of the vendors, and found the applications to be acceptable.

NOW, THEREFORE, BE IT RESOLVED this 23rd day of July, 2019, by the Mayor and Council of the Borough of Belmar, County of Monmouth, State of New Jersey, as follows:

1. For 2019 Belmar appoints as the vendors/caterers for Taylor Pavilion:
 - (a) La Dolce Vita;
 - (b) 10th Avenue Burrito Co.; and
 - (c) Merri-Makers Catering.

2. Each of the aforementioned caterers shall be required to strictly comply with all terms and conditions in the application package and the rules and regulations governing utilization and fees for Taylor Pavilion which has been previously adopted by the Mayor and Council.

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

4. 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., Administrator;
 - (c) Christine Manolio, C.F.O.;
 - (d) Jerry J. Dasti, Esquire;
 - (e) All Vendors.

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:

**AMENDMENT TO LEASE AGREEMENT
BY AND BETWEEN
THE BOROUGH OF BELMAR AND M2 CONCESSIONS, LLC**

WHEREAS, the Borough of Belmar (hereinafter referred to as the “Borough”) and M2 Concessions, LLC (hereinafter referred to as the “Tenant”) have previously entered into a Lease Agreement for the Fifth Avenue Pavilion Area – North End (hereinafter referred to as the “Premises”); and

WHEREAS, the Borough and Tenant have enjoyed a mutually agreeable relationship during the term of the tenancy; and

WHEREAS, the Tenant has approached the Borough seeking to have a minor modification to the Lease Agreement, which the Borough finds to be acceptable.

NOW, THEREFORE, BE IT AGREED this ____ day of _____, 2019, as follows:

1. All yearly lease payments as set forth in the Lease Agreement shall now be payable quarterly. Twenty-Five percent (25%) of each yearly payment shall be due and payable on January 1st, April 1st, July 1st and September 1st.
2. Other than as modified herein all of the terms and conditions of the Lease Agreement are to remain to in full force and effect.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals this ____ day of _____, 2019.

WITNESS:

BOROUGH OF BELMAR

APRIL CLAUDIO, Clerk

BY: _____
EDWARD KIRSCHENBAUM, Administrator

WITNESS:

M2 CONCESSIONS, LLC

BY: _____

RESOLUTION NO. 2019-155

RESOLUTION BY THE MAYOR AND COUNCIL AUTHORIZING THE TAX COLLECTOR TO EXTEND THE GRACE PERIOD FOR THIRD QUARTER PROPERTY TAXES

WHEREAS, according to N.J.S.A. 54:4-64 the delivering of tax bills to property owners shall be at least 47 days before the third installment of taxes fall due, and

WHEREAS, due to a delay in the printing and mailing of the tax bills, the tax bills for the third quarter were not mailed out until _____; and

WHEREAS, the Mayor and Council have granted an extension of the grace period to _____ and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Belmar that the Tax Collector be authorized to grant this extension until _____

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. 2019-156

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:

LILY Montessori Official Opening, Sunday September 22nd, 2019: Event begins at 3:00PM and will end by 6:00PM. Event will remain within the building apart from the van parked in front of the premises. No additional Borough resources are required.

Belmar Beach Music Festival, Sunday August 25th,2019: Event will begin at 5.30pm and end by 9.30pm. Event will take place on the 6th Avenue Bump out and on Belmar Beach. Event organizers will leave the area in the same condition in which it was found. No additional Borough resources are required.

BBP Sidewalk Sale, Saturday August 24th,2019: Event will take place downtown Belmar, event will begin at 8.00am and end by 8.00pm. Event organizers may also use Pyanoe Plaza. No additional Borough resources are required.

Belmar Pro Surfing Event, September 9th-11th,2019: Event takes place on the Belmar beach between 15th and 17th Avenue. Don Tarrant will be the main point of contact for this event. All food vendors will comply with all Local and State regulations. Organizers will pay the Borough of Belmar \$600.00 for Police costs, no later than September 1st,2019. Check to made payable to the Borough of Belmar.

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: