#### **RESOLUTION 2019-158**

# RESOLUTION AUTHORIZING A ISSUANCE OF PLENARY RETAIL CONSUMPTION ALCOHOLIC BEVERAGE LICENSE WITH "BROAD PACKAGE PRIVILEGE" FOR DCJ BELMAR, INC. FOR PERIOD ENDING JUNE 30, 2020 TO BE HELD IN POCKET (INACTIVE)

**WHEREAS,** application has been made for Plenary Retail Consumption License No. 1306-32-006-012 by DCJ Belmar, Inc. to be held in pocket as an inactive license.

**WHEREAS**, said application is accompanied by and reports from Borough Inspection Officials, Chief of Police, Fire Official and Health Officer if applicable.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council that a Plenary Retail Consumption License for the period from July 1, 2019 to June 30, 2020 both dates inclusive be renewed pursuant to the Special 12.39 Ruling issued by the Director of Alcoholic Beverage Control.

**BE IT FURTHER RESOLVED** that the Borough Clerk be and is hereby authorized to sign and deliver the license certificate to 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

#### **RESOLUTION APPOINTING SPECIAL POLICE OFFICERS FOR 2019**

Therefore, be it resolved by the Mayor and Borough Council of the Borough of Belmar that the following persons are hereby appointed and confirmed effective immediately:

<u>Class</u>	<u>One</u>	<b>Specia</b>	<u>ls</u>

Robert Poff

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

#### 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:

Veteran Beach Badges - \$30 each Dominick Annese 22 Whittier Drive Manalapan, NJ

Charles Notabartolo 81 Morris Avenue Neptune, NJ

Philip Bruno 46 Dunberry Drive Freehold, NJ

Mark Kollinger 9 Palermo Drive Tinton Falls, NJ

Lawrence Weissblum 42 Drawbridge Drive Monroe, NJ

Taylor Pavilion Security Deposits
Karen Magana
203 Brinley Ave, Apt.#1
Bradley Beach, NJ 07719
\$200.00

Ebony Farrow 1726 Old Mill Rd. Wall, NJ 07719 \$200.00

Joanna Huisman 33 Sam Drive Tinton Falls, NJ 07724 \$500.00

Colleen Laudlen 2905 Belmar Blvd. Wall, NJ 07719 \$500.00

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

### RESOLUTION AUTHORIZING THE ADVERTISING FOR SEALED BIDS FOR RECYCLING SERVICES

**BE IT RESOLVED** by the Mayor and Council of the Borough of Belmar, County of Monmouth, State of New Jersey, that the Borough Clerk be and is hereby authorized to advertise for sealed bids for recycling services. Bids will be returnable before the Business Administrator in accordance with the terms, conditions and specification of the Notice to Bidders and Standard Proposal Form.

**BE IT FURTHER RESOLVED** that the Administrator report, in writing, as to the detail of the bidding to the Borough Council at its first meeting held after the receipt of bids.

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				
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#### **RESOLUTION 2019-163**

#### RESOLUTION AUTHORIZING EXECUTION OF A GRANT APPLICATION WITH NJ DEPARTMENT OF TRANSPORTATION

WHEREAS, the State of New Jersey, Department of Transportation has notified all municipalities of the availability of funding under the Transportation Trust Fund Municipal Aid Program for the Fiscal Year 2020; and

WHEREAS, the Borough of Belmar is desirous of submitting an application under this program for the following purpose:

FY 2020 Roadway Improvement Program which includes Fifteenth Avenue and portions of D and E Streets.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of Belmar, County of Monmouth, State of New Jersey, formally approves the grant application for the above stated project; and

FURTHER BE IT RESOLVED that the Borough Engineer, Mayor and Municipal Clerk are hereby authorized to submit an electronic grant application identified as MA-2020 – Fifteenth Avenue - 00464 to the New Jersey Department of Transportation on behalf of the Borough of Belmar; and

**FURTHER BE IT RESOLVED** that the Mayor and Municipal Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Belmar and that their signatures constitute acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

#### **ROLL CALL:**

CERTIFICATION		
	rue copy of a resolution passed ting held on , 2019	
	April Claudio Borough Clerk	
· ·	conditions of the grant agreeme	above resolution and constitute nt and approve the execution of the
Attest and Affix Seal	April Claudio Borough Clerk	Mark Walsifer Mayor

RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF BELMAR, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, ACCEPTING AND AUTHORIZING EXECUTION OF THE SECOND AMENDMENT TO THE LEASE AGREEMENT WITH NEW YORK SMSA LIMITED PARTNERSHIP D/B/A VERIZON WIRELESS

**WHEREAS**, the Mayor and Borough Council of the Borough of Belmar, County of Monmouth, State of New Jersey (hereinafter referred to as the "Borough") has previously entered into a Lease Agreement with New York SMSA Limited Partnership d/b/a Verizon Wireless (hereinafter referred to as "Verizon"); and

**WHEREAS**, the Lease affects the property known as designated as 601 Main Street, Belmar, New Jersey; and

**WHEREAS**, the Borough has been contacted by representatives of Verizon seeking to remove two antennas and install a new antenna on the existing tripod mount, at Verizon's expense; and

**WHEREAS**, the Borough finds that the Amendment to the Lease Agreement, a true copy which is on file at the office of the Borough Clerk and can be reviewed during normal business hours, is appropriate and does not adversely impact upon the Borough, the surrounding property owners or its citizens; and

**WHEREAS,** acceptance and execution of the Second Amendment to the Lease Agreement has been recommended by the Borough attorney; and

**NOW, THEREFORE, BE IT RESOLVED** this 6<sup>th</sup> day of August, 2019, by the Mayor and Council of the Borough of Belmar, County of Monmouth, State of New Jersey, as follows:

- 1. The Borough accepts the recommendations of its Borough Attorney and authorizes acceptance and execution of the Second Amendment to the Lease Agreement, a true copy of which is filed at the office of the Borough Clerk and can be reviewed 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 copy of this Resolution shall be forwarded by the Borough Clerk to the following:
  - 1) Mark Walsifer, Mayor;
  - 2) Edward Kirschenbaum, Sr., Borough Administrator;

NAYS

ABSTAIN

**ABSENT** 

- 3) Christine Manolio, Borough CFO; and
- 4) Jerry J. Dasti, Esquire.

**AYES** 

offered the above resolution and moved its adoption.

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

Council members:

Mr. Carvelli Mr. McCracken

Ms. Wann

Mr. Brennan

Mayor Walsifer

#### SECOND AMENDMENT TO LEASE AGREEMENT BY AND BETWEEN THE BOROUGH OF BELMAR AND NEW YORK SMSA LIMITED PARTNERSHIP d/b/a VERIZON WIRELESS

WHEREAS, the Borough of Belmar, County of Monmouth, State of New Jersey (hereinafter referred to as "Belmar") has previously entered into a Lease Agreement with New York SMSA Limited Partnership d/b/a Verizon Wireless (hereinafter referred to as "Verizon"); and

**WHEREAS**, the lease affects the property known and designated as 601 Main Street, Belmar, New Jersey; and

WHEREAS, Belmar has been approached by representatives of Verizon seeking a second amendment to the Lease Agreement so as to allow Verizon to remove two antennas and add a new antenna on an existing tripod mount; and

WHEREAS, other than has modified herein all of the terms and conditions of the Lease Agreement with Verizon, and the First Amendment thereto, shall remain in full force and effect, and not be modified in any manner; and

WHEREAS, acceptance and execution of the Second Amendment to the Lease Agreement has been recommended by the Borough Attorney.

**NOW, THEREFORE, BE IT AGREED** that this Second Amendment to the Lease Agreement shall be executed by and between the appropriate representatives of Belmar and Verizon this \_\_\_\_\_ day of August, 2019.

## IN WITNESS WHEREOF, the parties hereto have set their hands and seals the day and year first above written

WITNESS:	BOROUGH OF BELMAR
APRIL CLAUDIO, Borough Clerk	BY:MARK WALSIFER, Mayor
WITNESS:	NEW YORK SMSA LIMITED PARTNERSHIP d/b/a VERIZON WIRELESS
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#### RESOLUTION AUTHORIZING EXECUTIVE SESSION

**WHEREAS,** Section 8 of the Open Public Meetings Act, Chapter 231, P.L. 1975, permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, there was adequate notice to the public of this meeting; and

**WHEREAS**, the Borough Council is of the opinion that such circumstances presently exist.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Belmar, County of Monmouth, State of New Jersey, as follows:

- 1. The Public shall be excluded from discussion of and action upon the hereinafter-specified subject matter.
- 2. The general nature of the subject matter to be discussed is pending litigation regarding Maser and the Lake Como pipe project.
  - 3. Minutes will be kept of the closed session.
- 4. It is anticipated at this time that the above subject matter will be made public when the need for the confidentiality no longer exists.
  - 5. This Resolution shall take effect 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