

**RESOLUTION NO 2019-168**

**RESOLUTION AUTHORIZING PROJECT COMPLETION FOR MACLEARIE  
PARK IMPROVEMENTS AND CLOSING OF THE MONMOUTH COUNTY  
OPEN SPACE PROGRAM AGREEMENT**

**WHEREAS**, the Monmouth County Board of Chosen Freeholders has approved an Open Space Trust Fund and established a Municipal Open Space Program to provide Program Grant funds in connection with municipal acquisition of lands for County park, recreation, conservation and farmland preservation purposes, as well as for County recreation and conservation development and maintenance purposes; and

**WHEREAS**, the Borough of Belmar entered into a Municipal Open Space Program Grant Agreement with the County of Monmouth on September 1, 2015 that provided \$250,000.00 for open space, Maclearie Park, improvements that required certain conditions be met by the Borough of Belmar prior to receipt of the aforesaid funds; and

**WHEREAS**, the Monmouth County Park System requires a certified copy of a resolution of the governing body determining that the project aforesaid was finally complete and a closing statement of "Final Change Order" adopted by the governing body.

**NOW, THEREFORE, BE IT RESOLVED**, the Mayor and Council of the Borough of Belmar that all conditions of the September 1, 2015 grant agreement have been satisfied by the Borough of Belmar and that the project has been completed.

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 2019-169**

**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:

John & Pat Lutz  
402 4<sup>th</sup> Avenue  
Belmar, NJ 07719  
Street Opening Deposit \$500

Derasmo Excavating  
PO Box 451  
Point Pleasant, NJ 08742  
Street Opening Deposit – 400 4<sup>th</sup> Avenue - \$500

I2 Ventures  
1623 Martin Road  
Neptune, NJ 07753  
Certificate of Occupancy Overpayment - \$1932

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. 2019-170**

**RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF BELMAR, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, APPOINTING JOHN TRUHAN, PE, PP OF TRUHAN & ASSOCIATES AS SPECIAL PROJECT ENGINEER FOR THE BOROUGH OF BELMAR**

**WHEREAS**, the Mayor and Borough Council of the Borough of Belmar, County of Monmouth, State of New Jersey (hereinafter referred to as “Belmar”) is involved in litigation with its contractor and possibly other parties with regard to the Lake Como outfall drainage project (hereinafter referred to as the “Project”) ; and

**WHEREAS**, the litigation involves in part reimbursement from NJDEP for professional fees and project costs incurred; and

**WHEREAS**, in conjunction therewith NJDEP has recommended that Belmar retain an independent engineer to assist in preparing Requests for Proposals (RFP’s) for another engineer who will act as a closeout engineer for the project; and

**WHEREAS**, NJDEP has mandated that the Borough, in effect, retain and appoint two separate engineering firms for this task; and

**WHEREAS**, the Borough wishes to appoint John Truhan, PE, PP of Truhan & Associates of Manasquan, New Jersey as Special Project Engineer under the non-fair and open process, at a fee not to exceed \$17,500.00; and

**NOW, THEREFORE, BE IT RESOLVED** this 20<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. Belmar appoints John Truhan, PE, PP of Truhan & Associates as Special Project Engineer for Belmar in conjunction with the aforementioned project.
2. The fee to be paid for this service shall not exceed \$17,500.00.
3. This appointment is a non-fair and open appointment in accordance with the provisions of the New Jersey Local Public Contracts Law, N.J.S.A. 40A:11-1 et. seq.
4. The Borough Clerk is hereby authorized and directed to publish the appropriate notification in an official newspaper soliciting Request for Proposals for this purpose.
5. 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;
  - 3) Christine Manolio, Borough CFO; and
  - 4) 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. Brennan				
Mr. Carvelli				
Mr. McCracken				
Ms. Wann				
Mayor Walsifer				

Adopted: