

RESOLUTION 2017-

**RESOLUTION AUTHORIZING NOTICE TO BIDDERS FOR FIFTH AVENUE
CONCESSION/RESTAURANT ON BELMAR BOARDWALK**

WHEREAS, the Borough of Belmar has determined that the Fifth Avenue Pavilion north end, hereafter referred to as “the property”, on the Boardwalk is not needed for public use and is not otherwise dedicated or restricted pursuant to law.

BE IT RESOLVED, the Borough Clerk is hereby authorized and directed by the Mayor and Council to advertise for bids to lease said Property upon the following terms and conditions:

North end of the 5th Avenue Pavilion having a total square footage of approximately 1,300 square feet. Bidders shall make their highest and best offer by way of sealed bid, the minimum bid for this lease is \$8,000.00 per month. A bid deposit of \$1,000.00 is required to be submitted with the sealed bid in the form of certified check or money order payable to the Borough of Belmar. The Lease will be awarded to the highest bidder.

The property is leased in as is condition with the successful bidder responsible for fit out. A pre-bid walk through of the property will be held on Friday, February 24, 2017 at 10:00am.

In recognition of the successful bidder fit out, a 50% rent reduction for the first six (6) months of operation will be applied to the rent. All equipment and fixtures will remain with the structure at the end of the lease and become the property of the Borough of Belmar.

The lease if for a term of ten (10) years from the execution of the lease through December 31, 2027, with an option to renew for one (1) additional ten (10) year term.

The Mayor and Borough Council reserve the right to reject all bids.

The successful bidder shall be required to execute the form of lease available from the Borough Clerk during Borough business hours, the terms and conditions of said lease being incorporated in this Resolution and Notice to Bidders as if set forth fully herein.

BE IT FURTHER RESOLVED, that the advertisement for bids shall conform to the requirements of N.J.S.A. 40A:12-14(a) by the insertion of the Notice to Bidders in the Asbury Park Press for publication on February 18, 2017 and February 25, 2017; and

BE IT FURTHER RESOLVED, that sealed bids shall be submitted to the Municipal Clerk by March 7, 2017, 601 Main Street, Belmar, New Jersey, at 4:00 p.m. The bids will be opened publicly at the Mayor and Council meeting on March 7, 2017 at 6:00 p.m.; and

BE IT FURTHER RESOLVED, that the Borough Council shall accept or reject the bid or bids no later than the next regular meeting of the Borough Council scheduled for March 21, 2017 otherwise said bids shall be deemed to have been rejected.

offered the above resolution and moved its adoption.

Council members:	AYES	NAYS	ABSTAIN	ABSENT
Mr. Walsifer				
Mr. Magovern				
Mr. Brennan				
Mrs. Nicolay				
Mayor Doherty				

Adopted:

RESOLUTION 2017-

**RESOLUTION AUTHORIZING NOTICE TO BIDDERS FOR TENTH AVENUE
CONCESSION/RESTAURANT ON BELMAR BOARDWALK**

WHEREAS, the Borough of Belmar has determined that the Tenth Avenue Pavilion south end, on the Boardwalk is not needed for public use, hereafter referred to as “the property”, and is not otherwise dedicated or restricted pursuant to law.

BE IT RESOLVED, the Borough Clerk is hereby authorized and directed by the Mayor and Council to advertise for bids to lease the property upon the following terms and conditions:

South end of the 10th Avenue Pavilion having a total square footage of approximately 800 square feet. Bidders shall make their highest and best offer by way of sealed bid, the minimum bid for this lease is \$4,000.00 per month. A bid deposit of \$1,000.00 is required to be submitted with the sealed bid in the form of certified check or money order payable to the Borough of Belmar. The Lease will be awarded to the highest bidder.

The property is leased in as is condition with the successful bidder responsible for fit out. A pre-bid walk through of the property will be held on Friday, February 24, 2017 at 12:00pm.

In recognition of the successful bidder fit out, a 50% rent reduction for the first six (6) months of operation will be applied to the rent. All equipment and fixtures will remain with the structure at the end of the lease and become the property of the Borough of Belmar.

The lease is for a term of ten (10) years from the execution of the lease through December 31, 2027, with an option to renew for one (1) additional ten (10) year term.

The Mayor and Borough Council reserve the right to reject all bids.

The successful bidder shall be required to execute the form of lease available from the Borough Clerk during Borough business hours, the terms and conditions of said lease being incorporated in this Resolution and Notice to Bidders as if set forth fully herein.

BE IT FURTHER RESOLVED, that the advertisement for bids shall conform to the requirements of N.J.S.A. 40A:12-14(a) by the insertion of the Notice to Bidders in the Asbury Park Press for publication on February 18, 2017 and February 25, 2017; and

BE IT FURTHER RESOLVED, that sealed bids shall be submitted to the Municipal Clerk by March 7, 2017, 601 Main Street, Belmar, New Jersey, at 4:00 p.m. The bids will be opened publicly at the Mayor and Council meeting on March 7, 2017 at 6:00 p.m.; and

BE IT FURTHER RESOLVED, that the Borough Council shall accept or reject the bid or bids no later than the next regular meeting of the Borough Council scheduled for March 21, 2017 otherwise said bids shall be deemed to have been rejected.

offered the above resolution and moved its adoption.

Council members:	AYES	NAYS	ABSTAIN	ABSENT
Mr. Walsifer				
Mr. Magovern				
Mr. Brennan				
Mrs. Nicolay				
Mayor Doherty				

Adopted:

RESOLUTION No. 2017-

**RESOLUTION AWARDING A LEASE AGREEMENT
FOR THE PADDLEBOARD CLASSES**

WHEREAS, the Borough of Belmar authorized and advertised for a Lease Agreement for use of a portion of L Street Beach for paddleboard classes with an open public bid by auction on January 17, 2017; and

WHEREAS, after receipt of the bids on January 17, 2017 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:

The Endless SUP Company
809 Main Street
Belmar, NJ 07719

on the bid of \$5200 per a year for a term of May 1, 2017 to September 30, 2017, 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	ABSENT	ABSTAIN
Mr. Walsifer				
Mr. Magovern				
Mr. Brennan				
Mrs. Nicolay				
Mayor Doherty				

Adopted:

RESOLUTION NO. 2017-

RESOLUTION AUTHORIZING THE ADVERTISEMENT FOR BIDS TO LEASE A PORTION OF TAYLOR PAVILION FOR ZUMBA CLASSES

WHEREAS, the Borough Council has determined that certain portions of the Taylor Pavilion can be used for Zumba fitness classes without substantial interference with the public's use during the times in which the classes will be operated and is not otherwise dedicated or restricted pursuant to law; and

WHEREAS, the use of said area shall be limited to the operation of Zumba Classes from May 1, 2017 to September 30, 2017.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Belmar that the Borough Clerk be and is hereby authorized and directed to advertise for bids to lease the following property on the following terms and conditions:

The Lease shall be made to the highest bidder by open public bidding at auction.

The area to be leased is a portion of the Taylor Pavilion for Zumba classes subject to the terms and conditions of the Lease which is on file and available for inspection at the Municipal Clerk's Office, 601 Main Street, Belmar, New Jersey during regular business hours. All bidders should inspect the lease prior to bidding.

The Lease shall be made to the highest bidder by open public bidding at auction.

The minimum acceptable bid is hereby fixed as Five Hundred Dollars (\$500.00).

A bid deposit of two hundred and fifty Dollars (\$250.00) must be submitted no later than prior to the beginning of the Public Auction on Tuesday, March 7, 2017 at 6:00 p.m. by cash, money order or certified bank check. The deposit will be a credit toward the lease rent in favor of the successful bidder.

The term of the Lease is from May 1, 2017 to September 30, 2017 and is subject to the terms and conditions of the Lease.

The Borough Council reserves the right to, in any event, reject the highest bid, and if the highest bid is rejected, to reject all bids.

The successful bidder must execute the form of lease setting forth the terms and conditions as if fully set forth herein within ten (10) days of the award of the bid.

BE IT FURTHER RESOLVED that the advertisement for bids shall conform to the requirements of N.J.S.A. 40A:12-14(a) and such notice will be published in the Asbury Park Press on February 16th and February 23rd.

BE IT FURTHER RESOLVED that the bidding by auction shall take place on Tuesday, March 7, 2017 at the Municipal Complex, Council Chambers, 601 Main Street, Belmar, New Jersey at 6:00 p.m. offered the above resolution and moved its adoption.

Seconded by and adopted by the following vote:

Councilmembers:	AYES	NAYS	ABSTAIN	ABSENT
Mr. Walsifer				
Mr. Magovern				
Mr. Brennan				
Mrs. Nicolay				
Mayor Doherty				

Adopted:

RESOLUTION NO 2017-

**RESOLUTION AUTHORIZING THE PAYMENT OF UNCLAIMED
CHECKS IN THE BELMAR MUNICIPAL COURT TO THE
BOROUGH OF BELMAR GENERAL ACCOUNT**

WHEREAS, Kathryn Garrecht, Municipal Court Administrator has provided a listing of outstanding and unclaimed checks in the amount of \$612.56 from the bail fund account; and

WHEREAS, the Municipal Court has utilized every effort to forward these checks to the individuals who are entitled to the funds; and

WHEREAS, all of the checks are at least six (6) months old and may no longer be processed by TD Bank.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Belmar that the Municipal Court Administrator is directed to turn over the above amount of \$612.56 from the bail fund account, to the Certified Municipal Finance Officer; and

BE IT FURTHER RESOLVED, that if any individual should attempt to claim these funds that same will be refunded from the Borough of Belmar by voucher.

offered the above resolution and moved its adoption.

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

Council members:	AYES	NAYS	ABSENT	ABSTAIN
Mr. Walsifer				
Mr. Magovern				
Mr. Brennan				
Mrs. Nicolay				
Mayor Doherty				

Adopted:

RESOLUTION 2016-

**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:

SIDEWALKS/CURBS/SITE PERMITS AS REQUIRED UNDER CHAPTER 27 STREET EXCAVATIONS, SIDEWALKS & CURBS:

The fee for every application shall be ten (\$10.00) dollars. Plus a fee of fifty (\$50.00) dollars for the first fifty (50) linear feet or less of sidewalk, curb, curb cut or driveway or street to be altered and twenty five (\$25.00) dollars for each additional fifty (50') feet or fraction thereof.

DUMPSTERS & PODS AS REQUIRED UNDER CHAPTER 33:

Dumpster Permit (3 days or less) – No Cost
Dumpster Permit (3-10 days) - \$50
Dumpster Permit Renewal - \$50 per each additional 10 days
Pod Permit - \$50 per month

RECREATION DEPARTMENT FEES:

Program	Belmar Resident Fee	Non Resident Fee
Junior Lifeguards	\$70	\$95
Summer Camp	\$600	\$800
Summer Basketball	\$45	\$55
Running Club	\$35	\$60
Toddler Time	Free	\$30

Other Recreation Fees:
Youth Club \$25
Soccer \$45
Winter Basketball \$30 for clinics and \$50 for league registration

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 ABSENT ABSTAIN
Mr. Walsifer
Mr. Magovern
Mr. Brennan
Mrs. Nicolay
Mayor Doherty

Adopted:

RESOLUTION 2017-

**RESOLUTION ESTABLISHING FEES AND RULES FOR BEACH BONFIRES
IN THE BOROUGH OF BELMAR, MONMOUTH COUNTY, NEW JERSEY**

WHEREAS, Ordinance 18-2.7y of the Borough of Belmar Revised General Ordinances allows for permits to be issued for bonfires on the beachfront; and,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Belmar that the attached Rules and Regulations and fees for bonfires are hereby adopted.

BE IT FURTHER RESOLVED that the attached Rules and Regulations shall remain in effect until superceded by a subsequent Resolution.

offered the above Resolution and moved for its adoption.

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

AYES	NAYS	ABSTAIN	ABSENT
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Mr. Brennan
Mr. Magovern
Mrs. Nicolay
Mayor Doherty
Mr. Walsifer

Adopted:

Open Burning Permit Bonfire Permit Fire Safety Regulations

The following is a list of fire safety regulations that must be followed: before, during and after an open burn or bonfire permit has been issued. You as the permit holder are responsible for full compliance with all fire safety regulations.

- The permit is only valid for the date, time & location approved by the Fire Marshal.
- Only one bonfire permit shall be issued per calendar week.
- The fee per bonfire shall be \$500.00 (by way of two checks; one for \$42.00 for the fire permit and one for \$458.00 for the application fee and DPW costs).
- The Borough of Belmar must be named as an additional insured in the amount of \$1,000,000. Proof of insurance must be made at time of permit issuance.
- The Permit Holder must keep readily available in his/her possession a copy of the Open Burn or Bonfire permit including the Approval request from the Borough of Belmar for inspection by the Fire Marshal or Police Department.
- The location is ONLY granted on the Beach between 5th and 6th Avenues as designated not be less than 100 feet from any structure.
- Fuel for open burning or bonfires shall consist of only seasoned dry firewood and must be ignited with a small amount of paper. The fire shall not be used for waste disposal purposes, and the fuel shall be chosen to minimize the generation of air contaminants. The wood must be provided by the permit holder and delivered to the 1st Avenue Beach no later than noon on the day of the event. No pallets, furniture or other contaminated or pressure treated wood is permitted. If such unacceptable wood is delivered to 1st Avenue it will not be placed on site and permit shall be revoked.

NO PALLETTS, FURNITURE OR OTHER CONTAMINATED TYPE WOOD.

- Fire pit is dug and wood placed on the day by Belmar Department of Public Works.
- Any open burn or bonfire must be constantly attended until the fire is extinguished. The permit holder, aged 18 or above, is deemed the responsible person and must remain in attendance for the duration of the burn to assure maximum safety and compliance.
- At least one portable fire extinguisher with a minimum 4-A rating, two portable fire extinguishers with a minimum 2-A rating each, or other approved on-site fire extinguishing equipment, such as dirt, sand, water, or fire apparatus shall be available for immediate utilization for extinguishment.
 - Fire Extinguisher ratings are located on the fire extinguisher.
 - Fire Extinguisher must be purchased new or be certified and tagged same for within the calendar year
- Open Burn or bonfire sizes shall not be more than five (5) feet, by five (5) feet in dimension and height and shall not burn longer than three (3) hours and is only permitted during the hours of 6 pm to 10 pm.
- At anytime the Fire Marshal has the authority to restrict or limit the actual size and location of the open burn or bonfire based on safety and atmospheric conditions.
- Fuel for open burning or bonfires shall consist of only seasoned dry firewood and must be ignited with a small amount of paper. The fire shall not be used for waste disposal

purposes, and the fuel shall be chosen to minimize the generation of air contaminants.
NO PALLETTS, FURNITURE OR OTHER CONTAMINATED TYPE WOOD.

- All trash must be removed from the beach, clean-up is the responsibility of the permit holder.
- No structures are permitted to be constructed or placed on the beach (tents, huts, etc.)
- No amplified music is permitted.
- No alcohol is permitted on the beach.
- No candles, lanterns, balloons, or any other type of item with a flame in or around the item will be permitted.
- At anytime the Fire Marshal, Police Chief or their designees has the authority to adjust, or terminate any fire or fire permit that is deemed offensive, objectionable or hazardous due to smoke odor or emissions or when atmospheric conditions and/or local circumstances make such hazards.
- After the fire:
 - Assure the fire is out. Utilize sand, water or your fire extinguisher if necessary.
 - *ALL ashes and or fire debris MUST be buried in the sand within your fire pit when complete; including partially burned or consumed material.*
 - *DO NOT DISPOSE OF ANY ASHES, WOOD or ANY other BURNED material into ANY TRASH RECEPTICLE or GARBAGE CAN.*
- *Any violation including but not limited to the above regulations may result in criminal charges, including serious monetary penalties.*

Belmar Police Department – 732.681.1700

Office of the Fire Marshal – 732.681.3700 extension 239

Updated: February 7, 2017

RESOLUTION 2017-

RESOLUTION AMENDING 2017 TEMPORARY BUDGET

WHEREAS, the Local Budget Law provides that (where any contracts, commitments, or payments are to be made prior to the final adoption of the 2017 Budget) temporary appropriations should be made for the purpose and amount required in the manner and time therein provided; and

WHEREAS, not exceeding 26.25 percent of the total operating appropriations in the 2016 budget may be temporarily appropriated less full debt service and capital improvement fund for 2017;

NOW, THEREFORE, BE IT RESOLVED that the following temporary appropriations be made and that a certified copy of the resolution be transmitted to the Chief Financial Officer for her records:

GENERAL GOVERNMENT

CAPITAL IMPROVEMENTS

Capital Improvement Fund	50,000.00
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**TOTAL ADDITIONAL GENERAL APPROPRIATIONS
FOR 2017 TEMPORARY BUDGET**

\$50,000.00

offered the above resolution and moved its adoption.

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

Council members:	AYES	NAYS	ABSENT	ABSTAIN
Mr. Walsifer				
Mr. Magovern				
Mr. Brennan				
Mrs. Nicolay				
Mayor Doherty				

Adopted:

RESOLUTION 2017-
RESOLUTION AUTHORIZING A 2017 TEMPORARY CAPITAL BUDGET

WHEREAS, the Borough of Belmar desires to constitute the 2017 Temporary Capital Budget of the Borough of Belmar by inserting therein various capital projects,

NOW, THEREFORE, BE IT RESOLVED the Governing Body of the Borough of Belmar as follows:

Section 1. The 2017 Capital Budget of the Borough of Belmar is hereby amended by adding thereto a schedule to read as follows:

Capital Budget of the Borough of Belmar
County of Monmouth, New Jersey

Project Scheduled for 2017

Project	Estimated Cost	Capital Improvement	Other Funds	Debt Authorized
Various Park and Recreation Improvements	\$1,000,000	\$50,000		\$950,000

Section 2. The Clerk be and is authorized and directed to file a certified copy of this resolution with the Division of Local Government Services within three days after the adoption of Resolution.

offered the above resolution and moved its adoption.

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

Council members:	AYES	NAYS	ABSENT	ABSTAIN
Mr. Walsifer				
Mr. Magovern				
Mr. Brennan				
Mrs. Nicolay				
Mayor Doherty				

Adopted:

RESOLUTION NO. 2017-

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:

Crossfit Speakeasy Belmar Beatdown: Saturday, July 16, 2017. Event will begin set-up at 8:00am in Dempsey Park and breakdown will be complete by 4:00pm. Area will be left in the same condition in which it was found. No additional Borough resources are required.

Belmar Business Partnership Kite Festival: Sunday, October 22, 2017. Event will take place on the Belmar Beach between 8th and 10th Avenue. Area will be left in the same condition in which it was found. No additional Borough resources are required.

St. Rose Alumni Parade Party: Sunday, March 5, 2017. Event set-up will begin at 3:00pm on Friday March 3rd and breakdown will be complete by Sunday, March 5th by 4:00pm. Event will take place in the High School Main Street Parking lot. Event organizers will be responsible for all security. No additional Borough resources are required.

Belmar Five Mile Race: Saturday, July 8, 2017. Set-up will begin on Thursday, July 6th at Noon and Breakdown will be complete by Noon on Sunday. Organizers will meet with The Belmar Police Department and The Department of Public Works on Monday, June 12th at which time they will present a complete list of volunteers (minimum of 45 people, all at least 18 years of age) and complete the discussion on logistics for the event. No additional Borough resources are required.

DQ Events Triathlon: Sunday, August 6, 2017. Set-up will begin at 2:00pm on Saturday, August 5th and breakdown will be complete by noon on Sunday, August 6th. Organization must inform all residents impacted by the event at least one week prior to the event, either through a mailing or a door to door drop off. Organization must pay \$2,161.00 in Borough costs, check made payable to The Borough of Belmar no later than May 1, 2017

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	ABSENT	ABSTAIN
Mr. Walsifer				
Mr. Magovern				
Mr. Brennan				
Mrs. Nicolay				
Mayor Doherty				

Adopted: