

RESOLUTION NO. 2017-

RESOLUTION AUTHORIZING SALE OF PERSONAL PROPERTY AT AUCTION

BE IT RESOLVED by the Mayor and Borough Council of the Borough of Belmar as follows:

1. Pursuant to N.J.S.A. 40A:12-13(a), a sale at public auction shall be conducted by the Belmar Municipal Clerk or designee at Dempsey Park, 16th Avenue and Railroad, Belmar, New Jersey of certain personal property such as:

	<u>Item Description</u>	<u>Minimum Bid</u>
1	2005 Yamaha Golf Kart G22A – questionable condition	\$50
2	2008 Yamaha Golf Kart YDRA – questionable condition	\$50
3	1994 GMC 3500 – no breaks	\$250
4	2000 John Deere 6310 Tractor – runs but questionable condition	\$1000
5	2006 Dodge Durango – blown engine	\$250
6	2006 Ford Crown Vic – questionable condition	\$250
7	2009 Ford Crown Vic – questionable condition	\$250
8	2008 Gem Kart – questionable condition	\$100
9	2004 Gem Kart – questionable condition	\$100
10	2000 Tennant Vacuum ATLV 4300 – questionable condition	\$400
11	Six 4x4x4 Concrete electric vaults	\$100

2. Said items are no longer needed for public use and said sale shall take place on **Saturday, September 30, 2017 at 9:00 am** prevailing time.
3. In each instance, the sale of personal property shall be made at public auction, item by item, as is, with a minimum bid as listed above, and shall be sold in each case to the highest bidder for cash and the monies received from said sales shall be turned over to the Chief Financial Officer for deposit in the General Municipal Treasury.
4. Items can be inspected the day of the auction beginning at 15 minutes prior to the start of the auction and during the auction.
5. The Borough Clerk shall publish in a newspaper circulating within the Borough of Belmar, County of Monmouth, State of New Jersey, on September 12, 2017 and September 19, 2017 and a notice of the aforementioned sales of the personal property, listing the items for sale, shall be posted on the bulletin board in the Municipal Complex.

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 2017-

RESOLUTION OF THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF BELMAR, IN THE COUNTY OF MONMOUTH, NEW JERSEY, DIRECTING THE PLANNING BOARD TO INVESTIGATE BLOCK 45, LOT 5 AND BLOCK 85, LOT 8 SHOULD BE INCLUDED WITHIN THE SEAPORT VILLAGE REDEVELOPMENT AREA WITHOUT CONDEMNATION (NON-CONDEMNATION REDEVELOPMENT AREA)

WHEREAS, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.* (the “**LRHL**”) authorizes municipalities to determine whether certain parcels of land in the municipality may constitute areas in need of redevelopment, either with or without use of condemnation powers (power of Eminent Domain) to acquire private property for redevelopment purposes; and

WHEREAS, to determine whether certain parcels of land constitute areas in need of redevelopment, the Belmar Borough Council (“**Borough Council**”) must authorize the Belmar Planning Board (“**Planning Board**”) to conduct a preliminary investigation of the area and make recommendations to the Borough Council; and

WHEREAS, on August 13, 2003, the Mayor and Borough Council adopted a Seaport Redevelopment Plan, inclusive of ordinances incorporating standards for development for the Seaport Village Redevelopment Area, which have been amended by subsequent ordinances (the “**Plan**”); and

WHEREAS, the LRHL was amended in 2013 to provide for the designation of a Redevelopment Area either with or without the use of condemnation (Condemnation Redevelopment Area versus Non-Condemnation Redevelopment Area) and the Borough Council believes it is in the best interest of the Borough of Belmar (“**Borough**”) to further investigate whether or not additional areas should be included within the Seaport Village Redevelopment Area as areas in need of redevelopment without condemnation (Non-Condemnation Redevelopment Area) and redeveloped in accordance with the Seaport Redevelopment Plan; and accordingly authorizes and directs the Planning Board to conduct an investigation to determine whether Block 45, Lot 5 and Block 85, Lot 8, as shown on the tax maps of the Borough, meets the criteria set forth within *N.J.S.A. 40A:12A-5* and should be designated as an area in need of redevelopment without condemnation and included within the Seaport Village Redevelopment Area;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council:

1. The Planning Board is hereby authorized and directed to conduct an investigation pursuant to *N.J.S.A. 40A:12A-6* to determine whether Block 45, Lot 5 and Block 85, Lot 8, as shown on the tax maps of the Borough, satisfy the criteria set forth in *N.J.S.A. 40A:12A-5* to be designated as an area in need of redevelopment (Non-Condemnation).

2. As part of its investigation, the Planning Board shall prepare a map showing the boundaries of the proposed area to be included within the existing Seaport Village Redevelopment Area and the location of various parcels contain therein. Appended to the boundary map should be a statement setting forth the basis for the investigation.

3. The Planning Board shall conduct a public hearing after giving notice as required by *N.J.S.A. 40A:12A-6b*.

4. At the hearing, the Planning Board shall hear from all persons who are interested in or would be affected by the determination of the area delineated in the notice area is an area in need of redevelopment. All objections to a determination that Block 45, Lot 5 and Block 85, Lot 8, as shown on the tax maps of the Borough, is an area in need of redevelopment and evidence in support of those objections shall be received and considered by the Planning Board and made part of the public record.

5. After conducting its investigation, preparing a map of Block 45, Lot 5 and Block 85, Lot 8, as shown on the tax maps of the Borough and conducting a public hearing, at which all objections to the designation are received and considered, the Planning Board shall make the recommendation to the Borough Council as to whether the Borough Council should designate all or some or none of Block 45, Lot 5 and Block 85, Lot 8, as shown on the tax maps of the Borough, and should be designated as an area in need of redevelopment (Non-Condernation Redevelopment Area).

RESOLUTION NO. 2017-

RESOLUTION AUTHORIZING THE ISSUANCE OF CLASS C LIQUOR LICENSE NO. 1306-33-002-004 TO TWO DAWGS, INC T/A THE BOATHOUSE BAR AND GRILL FOR PERIOD ENDING JUNE 30, 2018

WHEREAS, application has been made to the Borough Council for a Class C License No. 1306-33-002-004 by for the premises located at 1307-1309 Main Street, Belmar, New Jersey; and

WHEREAS, said application is accompanied by reports from the borough inspection officials, health inspector and Chief of Police if applicable.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Belmar that the Class C License No.1306-33-002-004, be granted to TWO DAWGS, INC., t/a Boathouse Bar & Grill for effective July 1, 2017 to June 30, 2018.

WHEREAS, the Borough Council finds the following:

1. Licensee will designate clean up crew for neighborhood Railroad Ave. to C St., 12th to 15th Ave. This clean up crew shall wear Boathouse shirts and the hours of operation shall be at closing.
2. Licensee shall be prohibited on the distribution of pre-mixed drinks, such as Jello shots.
3. Licensee shall maintain a counting system at each entrance and exit on Fridays, Saturdays and any special promotional nights. The only entrance for patrons shall be the Main Street entrance (south entrance) near 15th Ave. One counter for people entering and one for people leaving will be maintained at that location.
4. No alcoholic beverages shall be sold, served, delivered or consumer in the licenses premises during such time as the number of persons, exclusive of employees, occupying the licensed premise exceeds the occupancy limit established by the fire official. Occupancy for this premise shall be Two Hundred Thirty-Seven (237) Inside and Seventy (70) Outside. Occupancy may be recalculated and designated on a per room basis.
5. The licensee will have posted a minimum of two (2) security personnel, floor men, outside the vestibule of the main entrance to ensure unruly persons are not permitted to enter the establishment and to check the identification of all persons entering the licenses premises. This requirement shall be in effect on Tuesdays, Fridays and Saturdays as well as on high volume Holidays/Sundays as needed in coordination with the Belmar Police Department
6. The licensee will ensure that any fraudulent identification presented at the door will be immediately confiscated and the Police Department shall be immediately notified to respond. The licensee and their employees will make every reasonable attempt to detain the person presenting the identification pending police arrival. If this is not possible, they will provide the responding officers with a description of the person and the direction of travel.
7. It is a requirement that all employees licensed to handle alcoholic beverages undergo TAMS training within 30 days of being hired; records for this requirement must be maintained by the licensee. The Licensee shall maintain the CCTV System for surveillance of inside/outside the establishment.
8. The licensee shall cease all music, live or canned, at 1:30 AM bar time. As stipulated in the establishment's regulations, bar time is calculated as 15 minutes prior to EST.
9. Live entertainment shall be permitted as follows: The current rotation of bands consisting of four (4) to five (5) members. Any other live entertainment consisting of more than four (4) members including instrumentalists and vocalists must be approved by the Borough Council.
10. The licensee shall ensure that all incidents such as fights, disorderly patrons, etc. are

immediately reported to Police Headquarters.

- 11. The licensee shall ensure that any line outside the establishment does not interfere with persons using the sidewalk. A minimum of two (2) security employees of the establishment shall be posted outside to control the line whenever present and ask any disorderly person to leave prior to entering the establishment.
- 12. The licensee shall continue use of Shush Patrols from Memorial Day weekend through and including Labor Day weekend. The Shush Patrols shall be coordinated with and approved by the Police Department. A minimum of two (2) employees of the establishment will be designated for Shush Patrol from 9pm to 2:30am from 13th Avenue to 15th Avenue from Main Street to D Street. This requirement shall be in effect on Tuesdays, Fridays and Saturdays as well as on high volume Holidays/Sundays when the required number of Shush Patrol shall be increased to four (4).
- 13. All outside personnel must be attired in Boathouse shirt and/or jacket with clearly marked, in a minimum of 2” lettering, on back of shirt/jacket “Boathouse Staff”.
- 14. The licensee shall maintain a no entry list, which is a list of persons who the licensee does not permit in the establishment.
- 15. Between the months of March and October the licensee will schedule a monthly meeting with the Chief of Police to review any incidents at the establishment the preceding month.

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

Adopted:

RESOLUTION NO. 2017-

**RESOLUTION AUTHORIZING THE BOROUGH ATTORNEY TO INSTITUTE
IN REM FORECLOSURE SUMMARY PROCEEDINGS PURSUANT TO
N.J.S.A. 54:5-104.29 ET SEQ. AGAINST CERTAIN PROPERTY IN THE
BOROUGH OF BELMAR, COUNTY OF MONMOUTH, STATE OF NEW
JERSEY FOR DELINQUENT TAXES.**

WHEREAS, the Borough of Belmar (the “Borough”) is the holder of the tax sale certificates set forth on the attached Tax Foreclosure List prepared and certified by the Borough’s Tax Collector and presented to the Borough’s Mayor and Council; and

WHEREAS, it is the desire of the Borough’s Mayor and Council to institute foreclosure proceedings, pursuant to the In Rem Foreclosure Act (1948), N.J.S.A. 54:5-104.29, *et seq.*, against certain property set forth on the attached Tax Foreclosure list; and

WHEREAS, N.J.S.A.54:5-104.35 provides, in pertinent part, that the Borough’s Mayor and Council may, by Resolution, foreclose any of the tax sale certificates held by it;

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Belmar that the Borough Attorney, Gregory J. Cannon, Esq, of Sobel Han, LLP, 120 Sylvan Avenue, Suite 304, Englewood Cliffs, New Jersey 07632, is hereby authorized to foreclose the following property noted on the attached Tax Foreclosure List:

<u>Cert#</u>	<u>Block/Lot</u>	<u>Street Address</u>	<u>Property Owner(s)</u>
09-00017	Block 143, Lot 22	1403 C Street, Belmar, NJ	Genise L. Carter & Curtis L. Carter

_____ 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				

I do hereby certify the above to be a true copy of a resolution adopted by the Governing Body of the Borough of Belmar at the Council meeting held on September 5, 2017.

APRIL CLAUDIO, Borough Clerk

RESOLUTION NO 2017-

RESOLUTION ESTABLISHING A GREEN TEAM ADVISORY COMMITTEE

WHEREAS, The Borough of Belmar strives to save tax dollars, assure clean air and water, improve working and living environments to build a community that is sustainable economically, environmentally and socially; a community which would thrive well into the new century; and

WHEREAS, The Borough of Belmar wishes to build a model of government which benefits our residents now and far into the future with green community initiatives which are easy to replicate and affordable to implement; and

WHEREAS, in an attempt to focus attention on “Green” issues, Belmar Mayor and Council wish to establish a Green Team Advisory Committee (GTA); and

WHEREAS, The Borough of Belmar wants to begin the process of focusing on “Green” issues by starting with audits of municipality facilities and operations first.

WHEREAS, solar power, changes to fleet purchasing and maintenance, water quality improvements, and operational changes will all be considered as the borough moves to do their share to lessen the environmental impact of its operations.

NOW THEREFORE BE IT RESOLVED, by Belmar Mayor and Council that we do hereby establish a Green Team Advisory Committee consisting of seven members who shall be residents or employees of Belmar, appointed annually, but whose initial term of appointment shall be through December 31, 2018.

NOW THEREFORE BE IT FURTHER RESOLVED, by Belmar Mayor and Council that the Mission, Goals and Objectives for the GTA through December 31, 2018 are established as follows:

Mission

The Belmar Green Team Advisory Committee will advise the Belmar Mayor and Council on ways to improve municipal operations with “Green” initiatives which are economically and environmentally sound through research and evaluation.

Goals

Submit a report and recommendations to the Mayor and Council by December 31, 2017 to include:

1. An audit of municipal facilities
2. An evaluation of municipal fleet vehicles
3. A report of suggested best practices for “greener” municipal operations

Objectives

1. Collaborate with borough employees, service providers and other governmental agencies to share resource information and ideas consistent with the Mission of the GTA.
2. Encourage participation of all employees to solicit ideas on green initiatives.
3. Research and analyze green initiatives which make practical environmental and financial sense.
4. Develop strategies for sustainable green initiatives in municipal operations.

NOW THEREFORE BE IT FINALLY RESOLVED, by Belmar Mayor and Council that the following persons are hereby appointed to the GTA through December 31, 2017 and are eligible to serve until replaced though an updated resolution or ordinance:

FIRST NAME LAST NAME POSITION REPRESENTATIVE

Tom Brennan	Councilmember
Janis Keown Blackburn	Belmar Environmental Commission
Colleen Connolly	Belmar Business Administrator
Michael Campbell	Belmar Superintendent of Public Works
Francis Hines	Belmar First Aid/CERT
Brian Katz	Belmar Business Owner
Rebecca Szabo	Belmar Arts 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. Walsifer				
Mr. Magovern				
Mr. Brennan				
Mrs. Nicolay				
Mayor Doherty				

Adopted:

RESOLUTION 2017-

RESOLUTION AUTHORIZING DISPOSAL OF SURPLUS PROPERTY VIA AN ONLINE AUCTION

WHEREAS, the Borough of Belmar is the owner of certain surplus property which is no longer needed for public use; and

WHEREAS, the Mayor and Council are desirous of selling said surplus property in an “as is” condition without express or implied warranties.

NOW THEREFORE, be it RESOLVED by the Mayor and Council of the Borough of Belmar, County of Monmouth, as follows:

- (1) The sale of the surplus property shall be conducted through one of the following auction sites:
 - a. GovDeals pursuant to State Contract A-70967/T2581 in accordance with the terms and conditions of the State Contract. The terms and conditions of the agreement entered into with GovDeals is available online at www.govdeals.com,
 - b. Or through US GovBid pursuant to Local Unit Technology Pilot Program and Study Act (P.L 2001, c.30). The terms and conditions of the agreement entered into with US GovBid is available online at www.usgovbid.com and also available from the Borough Clerk.
- (2) The sale will be conducted online at one of the approved auction sites. The addresses of each auction site are www.govdeals.com and www.usgovbid.com
- (3) The sale is being conducted pursuant to Local Finance Notice 2008-9.
- (4) A list of the surplus property to be sold is as follows:
 1. Military Trailer with two 5/c Generators
 2. 2003 Military Light Tower
 3. 1991 Palm Industries long reach forklift
 4. Military Humvee Enclosure
 5. Two Tan Military Trucks, M925A2
 6. Green Military Truck enclosed, M934
 7. Two Military Trucks, M923A
 8. Two 1992 4” Wheel Mounted Pumps
 9. 1985 Case MW24C
 10. Military Tractor M931A2
 11. Military Dump Truck M929A2
 12. 1987 Unimog
 13. 2009 Military Trailer
 14. 2010 Military Trailer

- (5) The surplus property as identified shall be sold in an “as-is” condition without express or implied warranties with the successful bidder required to execute a Hold Harmless and Indemnification Agreement concerning use of said surplus property.
- (6) The Mayor and Council reserves the right to accept or reject any bid submitted.

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 2017-

**A RESOLUTION DESIGNATING ROCKPORT, TEXAS AS A SISTER CITY TO
THE BOROUGH OF BELMAR**

WHEREAS, it is the desire of the Borough of Belmar to aid in relief efforts for victims of Hurricane Harvey; and

WHEREAS, the Borough of Belmar, having experienced Hurricane Sandy, is aware and understands the impact of a hurricane on a municipality; and

WHEREAS, the Borough of Belmar was grateful enough to receive many donations from neighboring communities and states during Hurricane Sandy and would now like to offer support to another town in need; and

WHEREAS, the Sister City Program is committed to the goal of enhancing understanding and encouraging relationships between communities in the United States and communities in other countries; and

WHEREAS, the Borough of Belmar has formally stated its support of the Sister City Program and its goals and the Borough’s intent to proceed in establishing a sister city affiliation.

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Belmar hereby officially acknowledges its affiliation with Rockport, Texas as a sister city joining together to enhance mutual understanding and to aid in relief efforts for victims of Hurricane Harvey.

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

Adopted:

RESOLUTION NO 2017-

**RESOLUTION APPOINTING MEMBERS TO THE BELMAR SHADE
TREE COMMISSION**

BE IT RESOLVED, by the Mayor and Council that pursuant to N.J.S.A. 40:64-1 and Borough Ordinance No. 1991-19 which established a Shade Tree Commission of the Borough of Belmar, that the following persons are hereby appointed members of the Shade Tree Commission with advice and consent of the Borough Council.

<u>Members</u>	<u>Term Expiring</u>
Eileen Giordano	December 31, 2017

*To fill unexpired term of Dorsey Latza

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. 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:

The Friendly Sons of the Shillelagh Belmar 5K, Saturday, October 7th 2017, beginning at 9:00am and ending by 11:00am. Event will begin and end at Bar Anticipation in Lake Como. No Additional Borough resources are required.

2017 Belmar Invitational, beginning Wednesday, September 6th and ending Sunday, September 10th 2017. Event begins at 9:00am and ends by 5:00pm daily. Event organizers will pay \$1250.00 to the Borough of Belmar and the beach will be left in the same condition in which it was found.

Solutions Health & Pregnancy Center 2 Mile Walk, Sunday, October 29th 2017. Event begins at 11:00am and ends by 3:00pm. Event Organizers will pay \$250.00 to the Borough of Belmar by September 20th 2017.

The Arthritis Foundation 5K, Saturday, December 2nd 2017. Event will begin at 9:00am and end by Noon. Event will begin and end at Bar Anticipation in Lake Como. Event organizers will pay \$2500.00 to the Borough of Belmar no later than September 30th 2017.

Alzheimer’s Association Walk, Saturday, October 14th 2017, beginning 8:30am and ending by 1:00pm. Event organizers will pay \$500.00 to the Borough of Belmar no later than September 15th 2017.

St. Rose High School Walk-a-thon, Wednesday, October 4th 2017, beginning at 8:00am and ending by 1:00pm. Event will begin and end at St. Rose HS on 7th Avenue. No additional Borough resources are required.

St. Rose Parish Outdoor Mass, Sunday, August 19th 2018. Event will take place at Silver Lake Park. Event set-up will begin at 6:00am and event will end by Noon. 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	ABSENT	ABSTAIN
Mr. Walsifer				
Mr. Magovern				
Mr. Brennan				
Mrs. Nicolay				
Mayor Doherty				

Adopted:

RESOLUTION NO 2017-

**RESOLUTION SUPPORTING PARTICIPATION IN THE SUSTAINABLE
JERSEY MUNICIPAL CERTIFICATION PROGRAM**

WHEREAS, a sustainable community seeks to optimize quality of life for its residents by ensuring that its environmental, economic and social objectives are balanced and mutually supportive; and

WHEREAS, The Borough of Belmar strives to save tax dollars, assure clean land, air and water, improve working and living environments as steps to building a sustainable community that will thrive well into the new century; and

WHEREAS, The Borough of Belmar hereby acknowledges that the residents of the Borough of Belmar desire a stable, sustainable future for themselves and future generations; and

WHEREAS, The Borough of Belmar wishes to support a model of government which benefits our residents now and far into the future by exploring and adopting sustainable, economically sound, local government practices; and

WHEREAS, by endorsing a sustainable path the Borough of Belmar is pledging to educate itself and community members further about sustainable activities and to develop initiatives supporting sustainable local government practices; and

WHEREAS, as elected representatives of the Borough of Belmar, we have a significant responsibility to provide leadership which will seek community-based sustainable solutions to strengthen our community:

NOW THEREFORE BE IT RESOLVED, that to focus attention and effort within The Borough of Belmar on matters of sustainability, the Belmar Mayor and Council wish to pursue local initiatives and actions that will lead to Sustainable Jersey Municipal Certification.

BE IT FURTHER RESOLVED, by the Belmar Mayor and Council of The Borough of Belmar that we do hereby authorize Colleen Connolly, Business Administrator to serve as Belmar's agent for the Sustainable Jersey Municipal Certification process and authorize the her to complete the Municipal Registration on behalf Belmar.

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

Adopted: