

RESOLUTION NO. 2020-169

**RESOLUTION PURSUANT TO N.J.A.C. 5:30-14.4 ET SEQ. CHANGE ORDER
NUMBER ONE FOR THE IMPROVEMENTS TO TWELFTH AVENUE PHASE II**

WHEREAS, the Borough Administrator has certified Change Order Number One to amend project costs by agreement with the contractor, Fiore Paving Co. for the 12th Avenue Improvements project phase II; and

WHEREAS, the Council of the Borough of Belmar has also received from the Mayor a request for this Change Order to amend the cost of the project as shown by the documentation attached to said request and having investigated the same and being assured that the change is necessary and that it will actually be carried out and the total net change for Change Order Number One is a decrease of \$16,448.46.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Borough Clerk be and are hereby authorized to enter into written amendatory contract covering the change requested in the aforesaid project.

REQUEST PURSUANT TO 5:30-14.4 ET SEQ.

I am the Mayor of the Borough of Belmar and the changes are required to amend the bid specifications for the project as listed. No changes were authorized by me or the Council prior to this resolution for noted items and the change order requested by the Contractor and the Administrator is necessitated for the reasons given by them in the annexed documents and are permissible under Regulations of the Local Finance Board.

Mark Walsifer
Mayor

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
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Mayor Walsifer

Mr. Carvelli

Mr. McCracken

Ms. Wann

Mr. Brennan

Adopted:

RESOLUTION NO 2020-170

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:

Rob Birnbaum
2900 N. Course Drive Apt. 1003
Pompano Beach, FL 33069
Dumpster/Pod Permit \$50 – 5 Ocean Avenue Unit 9B

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. 2020-171

**RESOLUTION AUTHORIZING ISSUANCE OF PLENARY RETAIL CONSUMPTION
LICENSE NO. 1306-32-015-009 TO FUSAL, LLC T/A LA DOLCE VITA FOR THE
PERIOD ENDING JUNE 30, 2021**

WHEREAS, an application was made by Fusal LLC T/A La Dolce Vita for a Plenary Retail Consumption License No. 1306-32-015-009; 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

WHEREAS, said licensed premises at 400 Ocean Avenue is licensed including the front outside dining area facing Ocean Avenue.

WHEREAS, said licensing renewal term is July 1, 2020 to June 30, 2021.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council that a Plenary Retail Consumption License be and is granted subject to the following special conditions as agreed upon by the Licensee:

1. Service and sale of alcoholic beverages is to be permitted only in the licensed areas as described above.
2. No alcoholic beverages shall be sold, served, delivered to, or consumed in the license premises during such time as the number of persons, exclusive of employees, occupying the licensed premise exceeds the occupancy limits established herein.
3. That the Licensee shall provide the Chief of the Belmar Police Department, in writing, with the names and addresses of all employees.
4. The Licensee will operate the premises as a restaurant, with the inside bar to be used essentially as a service bar. No person may be served at the bar unless they are waiting to be seated at a table. The Licensee shall maintain a waiting list to ensure this condition is met.
5. Occupancy of the licensed areas as described above is limited as follows: La Dolce Vita: Interior is 137 occupants and exterior patio is 60 occupants and La Terrazza: La Terrazza interior is 137 and exterior is 96.
6. said occupancies are subject to compliance to applicable ordinances and laws relating to building, zoning, and liquor licenses within the Borough of Belmar.
7. The outdoor dining area shall be closed by 10:00 p.m. on weeknights, being Sunday through Thursday; and, by 11:00 p.m. on weekends, being Friday and Saturday, and on Sunday night if Monday is a holiday, such as Memorial Day weekend and Labor Day weekend. Any patron served alcohol in the outdoor dining area must be seated and dining. No bar of any type is permitted in the outdoor dining area. The outdoor dining area may not be used as a smoking area at anytime.
8. All sales of alcoholic beverages in the restaurant and at the service bar shall cease at 11:00 p.m. on weeknights, being Sunday through Thursday; and, by Midnight on weekends, being Friday and Saturday, and on Sunday night if Monday is a holiday, such as Memorial Day weekend and Labor Day weekend; and, no announcement shall be made that it is last call or using words to that effect.
9. It is a requirement that all wait staff, bartenders and personnel involved with the

sale or service of alcohol undergo TAMS training within 30 days of being hired; records of this requirement are to be maintained by the licensee.

- 10. The licensee shall ensure that all employees who are involved with the sale and/or service of alcohol or who are involved with checking identification and/or handling of intoxicated and/or unruly patrons or who are involved in security; i.e. floor men, waitresses and bartenders have undergone Techniques in Alcohol Management (TAM) provided through the NJ Beverage Licenses Association. Certification of the employee’s attendance will be provided to the Belmar Police Department. This training is to be completed within 30 days of the date of employment at the establishment.
- 11. The licensed premise must comply with all State, County, and Local guidelines as it pertains to health department regulations.

BE IT FURTHER RESOLVED that the Borough Clerk be and is authorized to sign and deliver 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				

Adopted:

RESOLUTION NO. 2020-172

**RESOLUTION AUTHORIZING ISSUANCE OF PLENARY RETAIL
DISTRIBUTION LICENSE FOR DAI SENG CORP. T/A LITTLE RED BARN FOR THE
PERIOD ENDING JUNE 30, 2021**

WHEREAS, application has been made for Plenary Retail Distribution License by Dai Seng Corp., T/A The Little Red Barn; 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 Distribution License for the period from July 1, 2020 to June 30, 2021 both dates inclusive be issued to: 1306-44-012-003-Dai Sing Corp., t/a The Little Red Barn for the premises at 1506 Main St.

It is a requirement that all employees licensed to handle alcoholic beverages undergo TAMS training within 30 days of being hired; records of this requirement are to be maintained by the licensee.

The licensed premise must comply with all State, County, and Local guidelines as it pertains to health department regulations.

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

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. 2020-173

**RESOLUTION AUTHORIZING ISSUANCE OF SEASONAL RETAIL CONSUMPTION
LICENSE NO. 1306-34-011-010 TO 1000 MAIN LIQUOR LICENSE LLC FOR THE
PERIOD ENDING JUNE 30, 2021 TO BE HELD IN POCKET (INACTIVE)**

WHEREAS, an application was made by 1000 Main Liquor License LLC for a Seasonal Retail Consumption License No. 1306-34-011-011; and

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

WHEREAS, said the licensing renewal term is July 1, 2020 to June 30, 2021, however said license is only permitted to be operational from July 1, 2020 to November 14, 2020 and May 1, 2021 to June 30, 2021.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council that a Seasonal Retail Consumption License be and is granted and shall be held in pocket as an inactive license.

BE IT FURTHER RESOLVED that the Borough Clerk be and is authorized to sign and deliver 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				

Adopted: