

**RECOGNIZING ANTHONY “TONY” TREBINO FOR 50 YEARS OF
DEDICATED SERVICE TO THE BELMAR POLICE DEPARTMENT**

WHEREAS, Anthony “Tony” Trebino was admitted to the Belmar Police Department in 1971; and

WHEREAS, Tony has held the position of Class I Police Officer and during his tenure as a Class I Police Officer has demonstrated a high degree of leadership skills and community spirit; and

WHEREAS, as a Special Police Officer he has been actively involved with policing the community in the summer months and as a Crossing Guard during the school year; and

WHEREAS, Tony has walked millions of miles on the sandy beaches of Belmar, instructing, mentoring, and training many officers who had gone on to be police officers across the United States: and

WHEREAS, The Mayor and Council wish to officially recognize and congratulate Tony; and

BE IT FURTHER RESOLVED, by the Mayor and Council of the Borough of Belmar that we wish to thank and commend Tony Trebino for 50 years of dedicated service to the Borough of Belmar and its residents.

RESOLUTION NO. 2021-144

**RESOLUTION APPOINTING PATROLMAN OF THE BELMAR POLICE
DEPARTMENT WITH ADVICE AND CONSENT OF THE BOROUGH
COUNCIL**

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Belmar, County of Monmouth, State of New Jersey, that effective, June 15, 2021 the following persons shall be designated as a Patrolman of the Belmar Police Department:

KEVIN J. POPPERT

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
Mayor Walsifer				
Mr. Brennan				
Mr. McCracken				
Mr. Carvelli				
Ms. Wann				

Adopted:

RESOLUTION NO. 2021-146

RESOLUTION AUTHORIZING THE BOROUGH OF BELMAR TAX COLLECTOR TO PREPARE AND MAIL ESTIMATED TAX BILLS IN ACCORDANCE WITH P.L. 1994, c.72

WHEREAS, due to the late certification of rates from the State of New Jersey, the Monmouth County Board of Taxation is unable to certify tax rates for the Borough of Belmar and the Tax Collector will be unable to mail the Borough's 2021/2022 tax bills on a timely basis; and

WHEREAS, the Borough of Belmar Chief Financial Officer has computed an estimated tax levy in accordance with NJSA 54:4-66.3 and has signed a certification showing the tax levies for the prior year, the tax rates and the range of permitted estimated tax levies:

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and the Council of the Borough of Belmar, in the County of Monmouth and the State of New Jersey on this day of 15th day of June, 2021, as follows:

1. The Belmar Tax Collector is hereby authorized and directed to prepare and issue estimated tax bills for the Borough of Belmar for the third installment of the 2021 taxes. The Tax Collector shall proceed and take such actions as are permitted and required by P.L. 1994, c.72(NJSA 54:4-66.2 and 54:4-66.3)
2. The entire estimated levy for 2021 is hereby set at \$ 23,445,380.06.
3. In accordance with the law the third installment of 2021 taxes shall not be subject to interest until the later of August 10th or the twenty-fifth calendar day after the date the estimated bill are mailed. The estimated tax bills shall contain a notice specifying the date on which interest may begin to accrue.

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
Mayor Walsifer				
Mr. Brennan				
Mr. McCracken				
Mr. Carvelli				
Ms. Wann				

Adopted:

Proposed Calculation of 2021 Estimated Tax Rate
Proposed 101.28%

Preliminary Borough Budget
 Actual 2021 Local School Budget
 Actual 2021 Library Budget
 Preliminary County Levy

2020 TAX LEVY & TAX RATE **2021 ESTIMATED RANGE FOR TAX LEVY**

<u>Levy</u>		<u>Rate</u>	<u>(Percentage of 2020 Levy)</u>	
			<u>95%</u>	<u>105%</u>
Local	\$ 8,234,984.36	.480	Local	\$ 7,823,235.14 \$ 8,646,733.58
Local School	9,259,422.00	.540	School	8,796,450.90 9,722,393.10
Library	605,705.00	.036	Library	575,419.75 635,990.25
County	<u>4,958,582.84</u>	<u>.289</u>	County	<u>4,710,653.70</u> <u>5,206,511.98</u>
Totals	\$23,058,694.20	1.345		\$ 21,905,759.40 \$ 24,211,961.05

2021 Estimated Tax Rate

2021 Ratable Total: \$ 1,736,241,100

<u>Amount to be Raised by Taxation:</u>		<u>Tax Rate:</u>	
Local	\$ 8,340,360.72	.480	(Preliminary- within range) 101.28%
Local School	9,494,878.00	.547	(Actual- within range) 100.00%
Library	636,141.34	.037	(Actual-within range) 100.00%
County	<u>4,974,000.00</u>	<u>.286</u>	(Estimated -within range) 100.31%
Totals	\$ 23,445,380.06	\$1.350	(Estimated-within range) 101.68%

Prepared and Certified by:

 Ricardo D. Llanos, CFO

RESOLUTION NO. 2021-147

**AUTHORIZING AMENDMENT TO THE 2021
TEMPORARY BUDGET**

WHEREAS, The Revised Statutes of New Jersey 40A:4-20 provides for the adoption of emergency temporary appropriations in addition to temporary appropriations necessary for the period between the beginning of the current fiscal year and the date of the adoption of the Local Budget for the Year 2021;

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Mayor and Council of the Borough of Belmar, that the following amendments to the temporary appropriations be made in the amounts and for the purposes herein set forth for the period between January 1st, 2021 and the adoption of the Local Budget for the Borough of Belmar, County of Monmouth and State of New Jersey for the fiscal Year 2021:

<u>A/C #</u>	<u>CURRENT FUND</u>	<u>Salaries & Wages</u>	<u>Other Expenses</u>
001	Municipal Clerk	\$	\$ 8,000.00
002	Mayor and Council		
003	Personnel Office		
005	Administration		6,000.00
007	Financial Administration	8,000.00	20,000.00
008	Audit Services		24,000.00
009	Assessment of Taxes	2,000.00	2,550.00
011	Collection of Taxes	5,000.00	3,370.00
013	Liquidation of TTL		300.00
015	Legal		30,000.00
017	Engineering		20,000.00
019	Bldgs & Gnds	19,000.00	25,000.00
021	MLUL		12,000.00
021	Planning Board		15,500.00
023	Environmental Commission		600.00
024	Historical Commission		600.00
025	Shade Tree Committee		1,800.00
029	Workers Comp.		
031	Other Insurance		20,000.00
032	Accumulated Absences		18,000.00
033	Fire		18,050.00
035	Police	209,000.00	48,000.00
036	Purchase of Police Vehicles		7,200.00
037	Police Radio Communications	14,000.00	19,600.00
038	First Aid		
042	Municipal Prosecutor	10,000.00	
043	Construction Official	23,047.50	2,500.00
047	Road Repairs and Maintenance		9,000.00
049	Snow Removal		
051	Equipment Repairs	13,170.00	25,000.00
053	Garbage and Trash	2,000.00	109,156.20
054	Sanitary Landfill		80,000.00
055	Recycling	20,000.00	5,000.00
056	Recycling- Tipping Fees		20,000.00
059	Uniform Fire Safety	18,000.00	2,500.00
061	Housing Inspection	21,500.00	
063	Dog Regulations		3,500.00
071	Senior Citizen's Program		
072	Gasoline and Diesel Fuel for Resale		367,040.00
073	Parks and Playgnds	19,500.00	14,600.00
075	Recreation	82,020.00	14,600.00

077	Harbor Commission	206,920.00	45,500.00
078	Celebration of Public Events		
079	Electricity		
080	Street Lighting		
081	Telephone		12,000.00
082	Gas		15,000.00
084	Contingent		600.00
085	Social Security		
089	DCRP		
101	Library		3,150.00
103	Municipal Court	12,000.00	4,000.00
104	Public Defender	2,000.00	
110	S/Svcs (LC Court)	10,000.00	
110	S/Svcs (LC Code Enforcement)		
110	S/Svcs (LC Fire Official)	2,500.00	
111	S/Svcs (SL Court)	10,000.00	
111	S/Svcs (SL Fire Official)	5,000.00	
112	S/Svcs (SLH Fire Official)	2,500.00	
112	S/Svcs (SLH Police Dispatch)	25,000.00	
154	S/Svcs (LC FD- Capital Outlay)		
	TOTALS	\$ 742,901.40	\$ 1,033,716.20

<u>A/C #</u>	<u>WATER/SEWER UTILITY</u>	<u>Salaries & Wages</u>	<u>Other Expenses</u>
11-001	Administration	\$	\$ 109,143.40
11-003	SMRSA		
11-005	Purchase of Water- NJ Water Supply Co.		
11-007	Purchase of Water- NJ American Co		
11-053	Capital Outlay		
11-083	Social Security		
	TOTALS	\$ _____	\$ 109,143.40

<u>A/C #</u>	<u>BEACH UTILITY</u>	<u>Salaries & Wages</u>	<u>Other Expenses</u>
21-001	Administrative and Executive	\$ 48,000.00	\$
21-007	Financial Administration	63,000.00	20,400.00
21-015	Legal		24,000.00
21-017	Engineering		24,000.00
21-019	Public Bldgns and Gnds		5,000.00
21-027	Group Insurance		43,200.00
21-029	Workmans Comp		60,000.00
21-031	Other Insurance		65,000.00
21-035	Police		40,000.00
21-037	Police Communications		
21-039	Parking Meter Maintenance		
21-047	Rd Repairs and Maintenance		
21-051	Equipment Repairs		
21-053	Garbage and Trash		
21-054	Sanitary Landfill		
21-055	Recycling		
21-075	Recreation		1,250.00
21-076	Bathing Beach		35,000.00
21-077	Beachfront Maintenance	2,500.00	11,000.00
21-078	Celebration of Public Events		
21-079	Payment to Water-Sewer Utility		
21-080	Unemployment Compensation Insurance		
21-081	Telephone		

21-085	Social Security	
21-093	Capital Outlay	105,000.00

TOTALS		\$ <u>113,500.00</u>	\$ <u>433,850.00</u>
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<u>A/C #</u>	<u>PARKING UTILITY</u>	<u>Salaries & Wages</u>	<u>Other Expenses</u>
23-039	Salaries & Wages	\$	
23-039	Other Expenses		\$
23-083	Unemployment Compensation Ins.		
23-085	Social Security		
23-093	Capital Outlay		
	TOTALS	\$ <u> </u>	\$ <u> </u>

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
Mayor Walsifer				
Mr. Brennan				
Mr. McCracken				
Mr. Carvelli				
Ms. Wann				

Adopted:

RESOLUTION NO. 2021-148

RESOLUTION APPOINTING SPECIAL POLICE OFFICERS FOR 2021

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:

Class II Louis Spina

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:

RESOLUTION NO. 2021-149

**RESOLUTION PURSUANT TO N.J.A.C. 5:30-14.4 ET SEQ. CHANGE ORDER
NUMBER ONE FOR THE 15TH AVENUE WATER MAIN PROJECT**

WHEREAS, the Borough Administrator has certified Change Order Number One to amend project costs by agreement with the contractor, James R. Ientile, Inc. for the 15th Avenue water main improvements project; 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 net increase of \$62,000.

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 adopted by the following vote on roll call:

Council Members:	AYES	NAYS	ABSTAIN	ABSENT
Mr. Brennan				
Ms. Wann				
Mr. McCracken				
Mr. Carvelli				
Mayor Walsifer				

Adopted:

APRIL CLAUDIO
MUNICIPAL CLERK

RESOLUTION NO. 2021-150

**RESOLUTION OF THE BOROUGH OF BELMAR APPROVING A
FIREWORKS DISPLAY**

WHEREAS, The Borough of Belmar has made a request to have a fireworks display to be held at the Borough of Belmar Beach; and

WHEREAS, The Police Chief, Fire Administrator / Fire Marshal have reviewed all plans and has approved the plans, and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Belmar, in the County of Monmouth, State of New Jersey, that the following firework display is hereby approved:

Borough of Belmar Beach

Friday, July 2, 2021 – 9PM

Rain Date – Saturday, July 3, 2021

BE IT FURTHER RESOLVED the proper Borough officials are authorized to make the necessary arrangements and execute the necessary document to affect said approval.

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
Mayor Walsifer				
Mr. Brennan				
Mr. McCracken				
Mr. Carvelli				
Ms. Wann				

Adopted:

RESOLUTION NO. 2021-151

**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, 2022**

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, 2021 to June 30, 2022.

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. 2021-152

**RESOLUTION AUTHORIZING ISSUANCE OF SEASONAL RETAIL CONSUMPTION
LICENSE TO D'JAIS LLC, T/A D'JAIS FOR THE PERIOD ENDING
JUNE 30, 2022**

WHEREAS, an application was made by D'Jais, LLC, t/a D'Jais 1801-1803 Ocean Ave. for renewal of their Seasonal Retail Consumption License No. 1306-34-003-003; 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 1801 Ocean Ave. is licensed including the open porch between 1801 and 1803 Ocean Ave. The following areas are not part of the licensed premises, the existing snack bar or coffee shop, sitting rooms, lobby counters and outside counters.

WHEREAS, said the licensing renewal term is July 1, 2021 to June 30, 2022, however said license is only permitted to be operational from July 1, 2021 to November 14, 2021 and May 1, 2022 to June 30, 2022.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Belmar that a Seasonal Retail Consumption License be and is granted subject to the following special conditions:

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 limit established herein or by the Fire Official, whichever is less.
3. That the licensees provide the Chief of the Belmar Police Department, in writing, with the names and addresses of all employees.
4. That all floor men and security personnel of the licensee shall attend an in-service seminar concerning their duties and responsibilities. Said seminar shall be scheduled and conducted by the Belmar Police Department.
5. Licensee shall maintain counting system at each entrance to and exit from the licensed premises and at the entrance of each room within the premises to ensure compliance with occupancy limitations.
6. Occupancy is limited to six hundred and forty seven (647) seated inside with chairs/stools and tables, seven hundred and forty (740) standing room only inside, 78 on the patio and 174 in the backyard as set by the Borough of Belmar Fire Official and is subject to compliance to applicable ordinances and laws relating to zoning within the Borough of Belmar.
7. There will be no amplified music at anytime in the area outdoors.
8. When drug activity is observed by any of their employees they will notify the police. This includes any suspicious activity.
9. All lines at all times shall be maintained to ensure they do not interfere with sidewalks and the safe and efficient ingress and egress to the licensed establishment.
10. All sales of alcoholic beverages shall cease at 1:30 a.m. and no announcement shall be made that it is last call or using words to that effect.
11. The licensee shall maintain a no entry list, which is a list of persons who the

licensee does not permit in the establishment.

12. 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 TAMS training within 30 days of being hired; records of this requirement are to be maintained by the licensee.

13. Off-Duty Police Officer.

A. An off-duty Belmar Police Officer will be stationed in the vicinity of the D’Jais property, but no further than 100 feet from the property, on Friday, Saturday and Sunday evenings and on Holidays and on the night before Holidays (unless D’Jais is not open for business) from approximately 6:30 p.m. to 2:30 a.m. subject to adjustment as set forth herein. The Officer may call for on-duty back-up Officer(s) as may be required in the Officer’s judgment; however, D’Jais responsibility for the cost of the back-up Officer(s) is limited as further detailed herein. The cost of the Officer assigned to D’Jais shall be paid out of the escrow to be posted as further detailed herein. The reasonable cost of any back-up Officer(s) where the call involves a brawl or act of violence or any incident that would qualify as a Disorderly Conduct charge under NJSA 2C:33-2 or a Fighting and Disorderly Conduct charge under Belmar Borough Ordinance 16-15 on or about D’Jais property or otherwise attributable to D’Jais employees, whether or not such charge(s) is made, shall be paid out of the escrow to be posted as further detailed herein, provided, however that any time for the transportation of individuals to the Belmar Police Department lock-up shall not be charged to the escrow.

The exact times the off-duty Officer will be assigned to D’Jais on any specific night or whether an Officer will be posted on any particular night, shall be determined by the Chief of Police, or his designee (hereinafter “Chief”) in consultation with D’Jais. The Chief may adjust the times the Officer will be assigned or may determine that the Officer need not appear at all on a specific night, by taking into consideration such factors as the weather and the volume of business at D’Jais. The Chief shall make the final determination in regard to the assignment of the off-duty Officer.

B. The use of the “Shush” Patrols by the Licensee shall continue under the existing conditions and protocols. In addition, a representative of D’Jais shall meet with the Chief and create a schedule to set minimum and preferred staffing levels for Shush Patrols for weekends, Holidays and on the night before Holidays, covering at least Memorial Day Weekend through Labor Day Weekend subject to adjustment a set forth herein. The schedule shall be reduced to writing and a copy shall be provided to D’Jais, the Police Department, and the Mayor and Council.

The exact times and the number of Shush Patrol members to be deployed on any specific night shall be determined by the Chief in consultation with D’Jais. The Chief may adjust the times and the number of Shush Patrol members to be deployed on any specific night or may determine that no Shish Patrol may be required on a specific night, by taking into consideration such factors as the weather and the volume of business at D’Jais. The Chief shall make the final determination in this regard.

The Police Department shall employ written protocols, to be incorporated into the schedule described above, to ensure that the approved staffing levels of the Shush Patrol are maintained and D’Jais shall cooperate with the Police Department in this regard. Should the Chief determine that approved Shush Patrol staffing levels are not be maintained and in the Chief’s determination this amounts to a pattern of non-compliance, the

Chief shall send a written Notice to the Borough Council and D’Jais. Upon receiving such Notice the Borough Council shall schedule a hearing in this regard to determine what actions should be undertaken to correct the matter, including but not limited to the Borough drawing monies from the escrow to be posted as further detailed herein, to pay for private security or like business to staff the Shush Patrols.

14. The Licensee shall post an escrow with the Borough in the amount of \$25,000.00 upon renewal of license. After the initial \$25,000.00 deposit is made, should the escrow be depleted to an amount of \$15,000.00 or less the Licensee shall be required to replenish the escrow to \$10,000.00, or such lesser amount as may be determined by the Borough’s Chief Financial Officer, within ten (10) days of receiving notice to replenish the escrow. If the initial escrow is not posted or if the escrow is not replenished, the Licensee will not be permitted to serve alcoholic beverages until the full escrow is posted. These procedures and time frames for the posting of the escrow shall apply each year.

The use of the escrow shall be limited to the posting of an Officer and back-up Officers as set forth in Condition 13 A and the possible staffing of Shush Patrols or like remedial measures as set forth in Condition 13 B.

The Licensee shall be provided with reasonable documentation by the Borough, on a weekly basis, for all charges to the escrow. Should the Licensee object to any charges against the escrow the Licensee shall file a written objection to the charges with the Borough Administrator within ten (10) days of the receipt of the proposed charges.

15. 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 deliver the license certificate to the aforementioned 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. 2021-153

RESOLUTION AUTHORIZING ISSUANCE OF SEASONAL PLENARY RETAIL CONSUMPTION ALCOHOLIC BEVERAGE LICENSE FOR CSL BELMAR LLC FOR PERIOD ENDING JUNE 30, 2022 TO BE HELD IN POCKET

WHEREAS, application has been made for Plenary Retail Consumption License No. 1306-34-004-003 by CSL Belmar LLC; 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 Consumption License No. 1306-34-004-002 for the period from July 1, 2021 to June 30, 2022, dates inclusive, be renewed as an inactive license held in pocket.

BE IT FURTHER RESOLVED that the Borough Clerk be and is authorized to sign and deliver license certificate to the 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. 2021-154

**RESOLUTION AUTHORIZING ISSUANCE OF PLENARY RETAIL
DISTRIBUTION LICENSE FOR DAI SENG CORP. T/A LITTLE RED BARN FOR THE
PERIOD ENDING JUNE 30, 2022**

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, 2021 to June 30, 2022 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 2021-155

RESOLUTION TO ALLOW STATE OF NEW JERSEY DIVISION OF A.B.C TO RENEW CLUB LICENSE TO THE BELMAR FISHING CLUB FOR PERIOD ENDING JUNE 30, 2022

WHEREAS, the Belmar Fishing Club located at First & Ocean Avenues, Club License No. 1306-31-017-001 has applied for a renewal of their license; and

WHEREAS, Council members Tom Carvelli, Patricia Wann, James McCracken and Mayor Mark Walsifer are members of the Belmar Fishing Club; and

WHEREAS, since Council members Tom Carvelli, Patricia Wann, James McCracken and Mayor Mark Walsifer are members of the governing body of the Borough of Belmar, which also acts as the ABC issuing authority, which creates a lack of a quorum. Accordingly, the subject license is a “conflict” license and said renewal license application will be forwarded to the Director of the Division of Alcoholic Beverage Control for consideration pursuant to N.J.S.A. 33:1-20 and N.J.A.C. 13:2-4.1; and

WHEREAS, N.J.A. C. 13:2-4.6 requires the issuing authority to submit to the Director a certified resolution setting forth that the issuing authority has no objection to the renewal of the subject license and consents thereto, and furthermore, is not aware of any circumstances or provision of law or local ordinance which would prohibit the renewal of the subject license.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Belmar, County of Monmouth, State of New Jersey:

That the Mayor and Council has no objection to the renewal of Club License No. 1306-31-017-001 and consents thereto, and furthermore, is not aware of any circumstances or provisions of law or local ordinance which would prohibit the renewal of the subject license. The licensed premise must comply with all State, County, and Local guidelines as it pertains to health department regulations.

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				
Ms. Wann				
Mr. McCracken				
Mr. Carvelli				
Mayor Walsifer				

Adopted:

RESOLUTION NO. 2021-156

RESOLUTION AUTHORIZING ISSUANCE OF PLENARY RETAIL CONSUMPTION LICENSE FOR EAST COAST BREWING CO. LLC FOR PERIOD ENDING JUNE 30, 2022

WHEREAS, application has been made for Plenary Retail Consumption License No. 1306-33-014-008 by EAST COAST BREWING CO LLC; and

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

NOW, THEREFORE, BE IT RESOLVED by the Borough Council that a Plenary Retail Consumption License for the period from July 1, 2021 to June 30, 2022 both dates inclusive, be issued to the following, subject to the Special Conditions that no alcoholic beverages shall be sold, served, delivered to, or consumed in, or allowed to be sold, served, delivered to or consumed in the licensed premises during such times as the number of persons, exclusive of employees, occupying the licensed premises exceeds the number of persons as listed below:

1306-33-014-008, East Coast Brewing CO. LLC for the premises at 801 Main Street. Occupancy limited to: 437, per Belmar Construction Official and Fire Marshall. The breakdown is as follows: First Floor Bar Area, 97 persons, Second Floor Restaurant, 100 persons, Second Floor Brewery/ Tap Room, 240 persons.

BE IT FURTHER RESOLVED that the Borough Clerk be and is authorized to sign and deliver license certificate to said applicant after making notation of the aforementioned Special Conditions upon the face of said license.

1. The following conditions shall be placed on the license:
 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 limit established herein or by the Fire Official, whichever is less.
 3. It is the 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 maintained by the license and available upon request.
 4. 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, upon request. This training is to be completed within 30 days of the date of employment at the establishment.
 5. The following employees are required to obtain and maintain an Alcoholic Beverage Control Card, issued by the Belmar Police Department. Employees involved in the handling, sale and/or service of alcoholic beverages, shall include, but not limited to managers, and/or supervisors, servers, cashiers, bartenders, barbacks, bouncers, ad security guards. This identification card is required to be updated annually with the police department. Employees must register within 24

hours of new employment with the Belmar Police Department in order to start the process of obtaining an ABC card to work in the establishment.

6. Live music in the inside bar/dining area will be permitted provided that it shall be limited to 3 pieces (without heavy percussion) and DJ's (with amplification) and shall conclude no later than 1:30am.
7. The outdoor dining area shall be closed by 10:00pm on weeknights, being Monday through Thursday; and, by 11:00 p.m. on weekends, being Friday through Sunday. If Monday is the holiday, such as Memorial Day weekend or Labor Day weekend, the hours of operation will extend to 11:00pm. 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 any time.
8. All sales of alcoholic beverages in the restaurant and at the bar shall cease pursuant to their hours of operation.
9. Unruly Patrons: All personnel responsible for the distribution of alcohol and providing security will be trained in ServSafe program as well as have knowledge of the local ordinances. When a patron acts in a manner that is violent, abusive, indecent, profane, boisterous, or otherwise disorderly, they will be immediately asked to leave. If a patron refuses, management will notify the Borough of Belmar Police Department.
10. Intoxicated Patrons: All personnel may not sell, dispense, or give away alcohol to any person who is deemed intoxicated. When a customer has been "cut-off", the server will notify the other employees. Management will support the server's decision to terminate service to any customer. The customer will be asked to leave and management will secure a sober driver or provide a taxi service to take the patron home. If the customer refuses, management will notify the Belmar Police Department with a description of the person and the license plate number of the vehicle, if possible.
11. False IDs: All identification cards used to prove age must be valid (i.e., may not be expired), and must be government issued. If the identification card is expired or appears at all questionable to the employee, the employee shall request a second form of identification. The employee shall make sure that the individual purchasing the liquor resembles the identification card. All employees are encouraged to ask purchasers questions relating to identification in order to verify the information. If the employee checking an ID has a suspicion that an ID is false, altered, or belongs to someone other than the person presenting the ID, he/she shall confiscate the ID and turn it over to management, to be presented to the police.
12. Control/Supervision of Patron under 21 (restaurant applications) Licensee will request proof of age from any customer who appears to be under the legal age and will refuse service to any customer who cannot produce adequate ID.
13. Circumstances under which the Police will be called: The police will be called, in a timely manner, any time management or staff has information to believe a crime has been or about to be committed and/or whenever a threat of or act of violence occurs in the premises or off the premises in areas that would be considered in view or earshot of the establishment.
14. Handling of Physical Disturbances, including fights: Security or management will ask anyone who is fighting to leave. If necessary, security or management will call the local law enforcement agency for assistance. Licensee will permanently refuse admittance to any chronic problem customer.
15. 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, upon request. This training is to be completed within 30 days of the date of employment at the establishment.

16. CCTV cameras will be installed on the property, which will include both entrances/ exits, exterior dining area, administrative areas, bar areas, interior dining area, liquor storage area and points throughout the perimeter. An alarm activation system is necessary for all office, liquor storage areas, and refrigerated areas. Video must be maintained for 30 days and available upon request from the Belmar Police Department.
17. Theme nights or any other special event function must be submitted in writing and approved by Mayor and Council.
18. Private parties will adhere to the hours of operation of the restaurant. There will be no exception to the closing time for and private parties or special events.
19. The License shall reimburse the Borough of Belmar for the cost of additional police patrol hours in the affected areas that are made necessary because of the operation of the Licensee. The determination of need for extra police patrol hours shall be in the sole discretion of the Police Chief and the cost shall be based on the hourly rate of the cost of the patrol.
20. The licensed premise must comply with all State, County, and Local guidelines as it pertains to health department regulations.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council that the license be approved for the period of July 1, 2021 to June 30, 2022 both dates inclusive.

BE IT FURTHER RESOLVED that the Borough Clerk be and is authorized to deliver a copy of this resolution to the applicant and the Local Alcoholic Beverage Control Board.

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
Mayor Walsifer				
Mr. Carvelli				
Mr. McCracken				
Ms. Wann				
Mr. Brennan				

Adopted:

RESOLUTION NO. 2021-157

RESOLUTION AUTHORIZING ISSUANCE OF PLENARY RETAIL DISTRIBUTION LICENSE TO ARPADO, INC. T/A HANLEY'S LIQUORS FOR THE PERIOD ENDING JUNE 30, 2022

WHEREAS, application has been made for Plenary Retail Distribution License No. 1306-44-009-003 by ARPADO, Inc. t/a Hanley's Liquors; 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 that Plenary Retail Distribution License for the period from July 1, 2021 to June 30, 2022 both dates inclusive be issued to:

ARPADO, Inc. t/a Hanley's for the premises at 807 Main St. (Southeast store, rear southeast section of west store, 40 feet by 11 feet, portion of the storefront to the north, and the northeast section of north store Furnace Room).

1. 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.
2. 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 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. 2021-158

RESOLUTION AUTHORIZING THE ISSUANCE OF CLASS C LIQUOR TO TWO DAWGS, INC T/A THE BOATHOUSE BAR AND GRILL FOR PERIOD ENDING JUNE 30, 2022

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, 2021 to June 30, 2022.

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 Four Hundred Twenty 21 (421) 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.
16. The licensed premise must comply with all State, County, and Local guidelines as it pertains to health department regulations.

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
Mayor Walsifer				
Mr. Carvelli				
Mr. McCracken				
Ms. Wann				
Mr. Brennan				

Adopted:

RESOLUTION NO. 2021-159

**RESOLUTION AUTHORIZING ISSUANCE OF RETAIL CONSUMPTION LICENSE
NO. 1306-34-011-011 TO 1000 MAIN LIQUOR LICENSE LLC FOR THE PERIOD
ENDING JUNE 30, 2022 (INACTIVE – HELD IN POCKET)**

WHEREAS, an application was made by 1000 Main Liquor License LLC for a 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, 2021 to June 30, 2022.

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: