

RESOLUTION NO 2022-94

RESOLUTION AUTHORIZING REFUNDS

BE IT RESOLVED, by the Mayor and Borough Council that the following refunds are hereby authorized upon certification by the Chief Financial Officer to the following:

- Scott Colarusso
900 13th Avenue LLC
900 13th Avenue
Belmar, NJ 07719
Zoning Board Escrow balance \$162
- Corin & Dawn Miller
1701 Surf Avenue
Zoning Board Escrow balance \$193.50
- Erica Santiago
192 Asbury Avenue
Farmingdale, NJ 07727
Summer Camp Registration \$2000

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. Kinney				
Mr. Brennan				

Adopted:

RESOLUTION NO. 2022-95

RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF BELMAR, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, APPOINTING DOCTOR MATTHEW LETIZIA, M.D. AS DIRECTOR FOR THE BELMAR EMS

WHEREAS, the Mayor and Council of the Borough of Belmar, County of Monmouth, State of New Jersey (hereinafter referred to as “Belmar”) has overtaken full responsibilities for Emergency Services to be provided to residents and travelers to Belmar; and

WHEREAS, in conjunction with the establishment of the First Aid Squad (Belmar EMS), Belmar is in need of appointing a Medical Director; and

WHEREAS, the appointment of a Medical Director is a professional service and therefore exempt from the formal bidding requirements set forth in N.J.S.A. 40A:11-1 et seq; and

WHEREAS, Belmar has interviewed Doctor Matthew Letizia, M.D. and found Doctor Letizia to be eminently qualified; and

WHEREAS, this appointment as provided is a non-fair and open appointment.

NOW THEREFORE, BE IT RESOLVED, on this 8th day of June 2022, by the Mayor and Council of the Borough of Belmar, County of Monmouth, State of New Jersey as follows:

1. Doctor Matthew Letizia, MD is hereby appointed as Medical Director for the Belmar EMS effective immediately.
2. This appointment shall go through May 31, 2023. Unless terminated this appointment shall automatically renew annually.
3. The fee to be paid to the medical provider shall not exceed \$3,500.00 per year.
4. The Mayor, Borough Administrator and Borough Clerk are authorized and directed to execute any and all necessary documents in order to implement the intent of this

Resolution.

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. Kinney				

Adopted:

RESOLUTION NO. 2022-96

RESOLUTION AMENDING PAID PARKING AREAS

WHEREAS, Section 19-40.1 of the Revised General Ordinances of the Borough of Belmar provides that the Borough Council shall designate by resolution, the areas designated for paid parking, the fee, and hours of operation.

WHEREAS, paid parking areas were established in 2020, 2021 and 2022; and

WHEREAS, the Mayor and Council wishes to amend the previously adopted paid parking areas.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Belmar hereby amends the paid parking area for the east side of Ocean Avenue to be as follows:

Ocean Avenue (East Side)	Ocean Avenue Bridge to North Blvd.	\$2 per an hour	7:00 am to 1:00 am	May 1 st to October 1 st
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BE IT FURTHER RESOLVED, that this resolution shall take effect June 15, 2022 and remain in effect until superseded by a new resolution.

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. Kinney				
Mr. Brennan				

Adopted:

RESOLUTION NO. 2022-97

RESOLUTION AUTHORIZING AMENDMENT TO THE 2022
TEMPORARY BUDGET

WHEREAS, N.J.S.A. 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 2022;

NOW, THEREFORE, BE IT 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, 2022 and the adoption of the Local Budget for the Borough of Belmar, County of Monmouth and State of New Jersey for the Fiscal Year 2022:

CURRENT FUND

ACCOUNT NUMBER	ACCOUNT TITLE	AMOUNT
2-01- -001-299	Clerk, Supplies	\$ 6,000.00
2-01- -007-212	Finance, Payroll Contractual	5,000.00
2-01- -011-121	Collector, S/W	17,141.00
2-01- -037-235	Police Comm, Radio Maintenance	5,000.00
2-01- -073-295	Parks/Playgrounds, Flowers/Shrubs	1,081.25
2-01- -103-212	Court, Acting Magistrate	1,000.00
2-01- -103-265	Court, FICA	7,500.00
2-01- -103-291	Court, Supplies	1,500.00
2-01- -163-282	Interest on Bonds	9,900.00
	TOTAL	\$54,122.25

_____ 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. Kinney				

Adopted:

RESOLUTION 2022-98

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, 2023

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, Jodi Kinney, James McCracken and Mayor Mark Walsifer are members of the Belmar Fishing Club; and

WHEREAS, since Council members Tom Carvelli, Jodi Kinney, 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				
Mr. Carvelli				
Mr. McCracken				
Ms. Kinney				
Mayor Walsifer			X	

Adopted:

RESOLUTION NO. 2022-99

RESOLUTION AUTHORIZING ISSUANCE OF PLENARY RETAIL
DISTRIBUTION LICENSE FOR DAI SENG CORP. T/A LITTLE RED BARN FOR THE
PERIOD ENDING JUNE 30, 2023

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, 2022 to June 30, 2023 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. Brennan				
Mr. Carvelli			X	
Mr. McCracken				
Ms. Kinney				
Mayor Walsifer				

Adopted:

RESOLUTION NO. 2022-100

RESOLUTION AUTHORIZING ISSUANCE OF A RETAIL CONSUMPTION
LICENSE TO THE IRISH CURSE, LLC DBA 10TH AVENUE BURRITO
LICENSE NO. 1306-33-007-005, FOR THE PERIOD ENDING
JUNE 30, 2023

WHEREAS, an application was made by the Irish Curse LLC, DBA 10th Avenue Burrito, 801 Belmar Plaza, for renewal of their Retail Consumption License No. 1306-33-007-005; 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 801 Belmar Plaza is licensed.

WHEREAS, said licensing renewal term is July 1, 2022 to June 30, 2023.

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

1. The occupancy limit for the licensed establishment shall be as follows: Outside Enclosed Bar/Dining area- 120, Inside Dining Area-78, and Inside Bar 49.
2. 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.
3. Live Music in the outdoor enclosed 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 by no later than 10:00 pm.
4. The outdoor dining area, including bar shall be enclosed at all times with controlled access points through the restaurant or on Belmar Plaza only. The licensee will have posted a minimum of one (1) security personnel outside the entrances on Belmar Plaza on Friday and Saturday from 6pm to closing as well as on high volume Holidays/Sundays as needed in coordination with the Belmar Police Department.
5. Licensee will designate a clean-up crew for area of Belmar Plaza adjacent to the licensed premise. This clean-up crew shall wear 10th Avenue Burrito shirts and the hours of operation shall be at closing.
6. 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. Brennan				
Mr. Carvelli				X
Mr. McCracken				
Ms. Kinney				
Mayor Walsifer				

Adopted:

RESOLUTION NO. 2022-101

RESOLUTION AUTHORIZING ISSUANCE OF A PLENARY RETAIL
CONSUMPTION LICENSE NO. 1306-33-001-013 FOR CHEFS INTERNATIONAL INC.
FOR THE PERIOD ENDING JUNE 30, 2023

WHEREAS, application has been made for Plenary Retail Consumption License No. 1306-33-001-013 by Chefs International Inc. for the premises at 713-715 Main Street, 700 Eighth Ave. and 709-711 Main Street DBA Anchor Tavern; 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 a Plenary Retail Consumption License for the period from to July 1, 2022 to June 30, 2023 both dates inclusive, be issued to Chefs International Inc. subject to the Special Condition 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 time as the number of persons listed after the names of the respective following license:

1306-33-001-013- The premises at 713-715 Main St. and 700 Eighth Ave. and for storage in the basement of 700 Eighth Ave. Occupancy limited to Two Hundred and Fifty Five (255) persons inside and outside dining area is limited to One Hundred and forty two (142) persons.

WHEREAS, the following conditions are placed on this license:

1. Counting of all those people entering and leaving shall be conducted on Friday, Saturday, or any special promotional night. One mechanical counter will be used for those entering the premises and a separate one will be used for those exiting.
2. 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.
3. It is a requirement that the appropriate software updates are provided for the scan system.
4. No person shall be allowed to sit, stand or dance on top of the bar.
5. The continued use of Shush Patrols by the licensee from Memorial Day to Labor Day shall be continued and coordinated with the Police Dept.
6. The licensee shall maintain a no entry list, which is a list of persons who the licensee does not permit in the establishment.
7. Live Music in the outdoor enclosed 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 by no later than 10:00 pm.
8. The outdoor dining area, including bar shall be enclosed at all times with controlled access points through the restaurant or on 8th Avenue only. The licensee will have posted a minimum of one (1) security personnel outside the entrance on 8th Avenue on Friday and Saturday from 6pm to closing as well as on high volume Holidays/Sundays as needed in coordination with the Belmar Police Department.
9. Unruly Patrons: All personnel responsible for the distribution of alcohol and providing security will be trained in the 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's 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 Borough Belmar's 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 their identification in order to verify the information. If the employee checking an ID has a strong 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 30 years of age or younger, 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 is about to be committed and/or whenever a threat of or act of violence occurs in the premises or off 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 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				
Mr. Carvelli				
Mr. McCracken				
Ms. Kinney				
Mayor Walsifer			X	

Adopted:

RESOLUTION 2022-102

RESOLUTION TO ALLOW STATE OF NEW JERSEY DIVISION OF A.B.C TO RENEW CLUB LICENSE TO THE ORDER OF THE FRIENDLY SONS OF THE SHILLELAGH FOR THE TERM JULY 1, 2022 TO JUNE 30, 2023

WHEREAS, the Order of Friendly Sons of Shillelagh, Inc., Jersey Shore Chapter for the premises at 815-817 Sixteenth Avenue for a Club License No. 1306-31-020-001 has applied for a renewal of their license; and

WHEREAS, Mayor Mark Walsifer, Council members James McCracken and Thomas Brennan, Thomas Carvelli are members of the Order of the Friendly Sons of the Shillelagh.

WHEREAS, since Mayor Walsifer, Council members McCracken, Carvelli and Brennan are members of the governing body of the Borough of Belmar, which also acts as the ABC issuing authority, the subject license is a "conflict" license. Accordingly 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. 1306-31-020-001 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.

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			X	
Mr. McCracken				
Ms. Kinney				
Mayor Walsifer				

Adopted:

RESOLUTION NO. 2022-103

RESOLUTION AUTHORIZING ISSUANCE OF PLENARY RETAIL
CONSUMPTION LICENSE TO KLEIN'S FISH MARKET, INC. FOR THE PERIOD
ENDING JUNE 30, 2023

WHEREAS, application has been made for a Plenary Retail Consumption License No. 1306-33-008-011 by Klein's Fish Market, Inc. for the premises at 702,704 and 708 River Road, Belmar, N.J.; 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, the use of this license is to provide alcoholic beverages to dining room customers. A live music area is limited to two or three musicians from 6PM-10PM; that the entertainment be for seated customers only, with no standing audience; and that there be no music allowed after 10PM. Must comply with floor plan approved by Mayor & Council.

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.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council that a Plenary Retail Consumption License for the period from July 1, 2022 to June 30, 2023 both dates inclusive, be issued to Klein's Fish Market, Inc. subject to the Special Condition that 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 licenses premises exceeds the occupancy limit established by the Fire Official.

Occupancy: The premises at 702,704 and 708 River Road Occupancy is limited to 223 persons inside dining, outside dining area 440 persons.

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. Brennan				
Mr. Carvelli				
Mr. McCracken				
Ms. Kinney				
Mayor Walsifer			X	

Adopted:

RESOLUTION NO. 2022-104

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, 2023

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, 2022 to June 30, 2023.

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. Brennan				
Mr. Carvelli				
Mr. McCracken				
Ms. Kinney				
Mayor Walsifer			X	

Adopted:

RESOLUTION NO. 2022-105

RESOLUTION AUTHORIZING ISSUANCE OF PLENARY RETAIL
CONSUMPTION LICENSE NO. 1306-33-010-008 TO WATERVIEW PAVILION, INC. T/A
RIVERVIEW PAVILION, WATERVIEW PAVILION FOR PERIOD ENDING
JUNE 30, 2023

WHEREAS, application has been made to the Borough Council for Plenary Retail Consumption License No. 1306-33-010-008 by Waterview Pavilion Inc. T/A Riverview Pavilion and the Waterview Pavilion; and

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

NOW, THEREFORE, BE IT RESOLVED by the Borough Council that a Plenary Retail Consumption License for the period from July 1, 2022 to June 30, 2023, 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 time as the number of persons, exclusive of employees, occupying the licensed premises exceeds the number of persons listed after the names of the respective following license:

1306-33-010-008, Waterview Pavilion Inc. is for strictly a catering business. Occupancy limited to Two Hundred Forty (240) people for the first floor, One Hundred Forty-One (141) people on the second floor and Seventeen (17) people on the deck. Waterview Pavilion is limited to Two Thousand (2,000) persons.

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 authorized to sign and deliver license certificate to said applicant after making notation of any Special Conditions upon the face of said license.

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. Kinney				
Mayor Walsifer			X	

Adopted:

RESOLUTION NO. 2022-106

**RESOLUTION AUTHORIZING ISSUANCE OF PLENARY RETAIL CONSUMPTION
LICENSE FOR EAST COAST BREWING CO. LLC FOR PERIOD ENDING JUNE 30,
2023**

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, 2022 to June 30, 2023 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 be 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 in full compliance with Belmar's noise and any New Jersey noise restrictions that are applicable and shall conclude no later than 1:30am. Live music in the outdoor dining/seating areas shall conclude no later than 10:00pm.

7. All sales of alcoholic beverages in the restaurant and at the bar shall cease pursuant to their hours of operation.

8. 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.

9. 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.

10. 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.

11. 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.

12. 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.

13. 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.

14. 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.

15. 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.
16. Theme nights or any other special event function must be submitted in writing and approved by Mayor and Council.
17. 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.
18. 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.
19. 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, 2022 to June 30, 2023 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
Mr. Brennan				
Mr. Carvelli			X	
Mr. McCracken				
Ms. Kinney				
Mayor Walsifer				

Adopted:

ORDINANCE NO. 2022-10

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER XIX
(TRAFFIC) OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF
BELMAR, SECTION 19-46 HANDICAPPED PARKING SPACES**

THEREFORE, BE IT ORDAINED by the Borough of Belmar, County of Monmouth, New Jersey, that Chapter XIX Traffic, Section 19-46.2 Handicapped Parking Limited to Specific Persons in Front of Certain Residences of the Borough of Belmar Revised General Ordinances is hereby amended and supplemented as follows:

SECTION I. 19-46.2 Handicapped Parking Limited to Specific Persons in Front of Certain Residences.

The following shall be removed:

1704 B Street	East	Beginning at the southern corner of 17 th Avenue along the easterly curbline, 117 feet south on B Street to the front of the space.
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The following shall be added:

517 13 th Avenue	South	Beginning 50 feet east of the stop sign at the intersection of 13 th Avenue and E Street, on the south side of 13 th Avenue.
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SECTION III. If any section, paragraph, subdivision, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of the Ordinance shall be deemed valid and effective.

SECTION IV. All Ordinances or parts of ordinances inconsistent with or in conflict with the ordinance are hereby repealed to the extent of such inconsistency.

SECTION V. This Ordinance shall take effect 20 days after final passage, adoption and publication according to law.