

RESOLUTION NO. 2022-170

RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF BELMAR, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, ACCEPTING AND AUTHORIZING EXECUTION OF THE THIRD AMENDMENT TO THE LEASE AGREEMENT WITH NEW YORK SMSA LIMITED PARTNERSHIP D/B/A VERIZON WIRELESS

WHEREAS, the Mayor and Borough Council of the Borough of Belmar, County of Monmouth, State of New Jersey (hereinafter referred to as the “Borough”) has previously entered into a Lease Agreement with New York SMSA Limited Partnership d/b/a Verizon Wireless (hereinafter referred to as “Verizon”); and

WHEREAS, the Lease affects the property known as designated as 601 Main Street, Belmar, New Jersey; and

WHEREAS, the Borough has been contacted by representatives of Verizon seeking to modify its wireless communication facilities in accordance with Exhibit A-1; and

WHEREAS, the Borough finds that the Amendment to the Lease Agreement, a true copy which is on file at the office of the Borough Clerk and can be reviewed during normal business hours, is appropriate and does not adversely impact upon the Borough, the surrounding property owners or its citizens; and

WHEREAS, acceptance and execution of the Third Amendment to the Lease Agreement has been recommended by the Borough attorney; and

NOW, THEREFORE, BE IT RESOLVED this 18th day of October 2022, by the Mayor and Council of the Borough of Belmar, County of Monmouth, State of New Jersey, as follows:

1. The Borough accepts the recommendations of its Borough Attorney and authorizes acceptance and execution of the Third Amendment to the Lease Agreement, a true copy of which is filed at the office of the Borough Clerk and can be reviewed during normal business hours.
2. The Borough authorizes and directs the Mayor, Borough Clerk and Borough Administrator 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				
Ms. Kinney				
Mr. McCracken				
Mr. Carvelli				

Adopted:

RESOLUTION NO. 2022-171

**RESOLUTION AUTHORIZING MAYOR AND COUNCIL TO
DECLARE HALLOWEEN CURFEW**

BE IT RESOLVED by the Mayor and Council that the Mayor be and is hereby authorized to declare a curfew on the use of streets and highways in all of the Borough of Belmar, between the hours of 8 o'clock in the evening prevailing time and 6 o'clock in the morning prevailing time, beginning at 8 p.m. on October 29, 2022 and ending at 6 a.m. on November 1, 2022. During such hours, no person under the age of 18 shall remain in or upon any public street, highway or place except those accompanied by a parent or guardian and except those who are going directly between their home and place of work or school; and

BE IT FURTHER RESOLVED that no Trick-or-Treater, masked or unmasked, in or out of costume be permitted on private property after 8 p.m. on October 31, 2022.

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				
Ms. Kinney				
Mr. McCracken				
Mr. Carvelli				

Adopted:

BOROUGH OF BELMAR

RESOLUTION NO. 2022-172

**RESOLUTION AWARDING CONTRACT FOR IMPROVEMENTS TO
J, K, AND L DOCKS**

WHEREAS, on September 1, 2022 the Borough of Belmar received bids for improvements to J, K and L Docks; and

WHEREAS, “Certification As To Availability Of Funds” is annexed hereto.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council on this 18th day of October 2022 that:

1. Contract is awarded to: Pat Maggio & Son Electric Inc., 3520 Highway 33 Suite G, Neptune, NJ 07753
2. Contract amount is \$610,000.00

CERTIFICATION AS TO AVAILABILITY OF FUNDS

I herewith certify that, as of, there are adequate, unencumbered funds available in the General Capital account number, C-05- -164-219 entitled “I/A #2022-19 MARINA IMPROVEMENTS” to fund said contract award.

Lorraine P. Carafa
Chief Financial Officer

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				
Ms. Kinney				
Mr. Carvelli				

Adopted:

I, APRIL CLAUDIO, CLERK OF THE BOROUGH OF BELMAR, Monmouth County, and the State of New Jersey do hereby Certify that the foregoing Resolution is a true copy of the Original Resolution duly passed and adopted by a majority of the full membership of the Governing Body at its meeting of

APRIL CLAUDIO, RMC
MUNICIPAL CLERK

RESOLUTION NO 2022-173

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:

David Beck, 1409 Ocean Avenue, Summer Rental License - \$590

Permit Services LLC, 1525 Old Louisquisset Pike, Suite B101, Lincoln, RI 02865, Permit #22-0287 - \$52

Neil Gargiulo, 1812 B Street, Sidewalk Assessment - \$33.40

Alex Shevchenko, 3 Orchard Drive, Old Bridge, NJ 08857, Gazebo Rental - \$200

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. 2022-174

**RESOLUTION AUTHORIZING PLACE-TO-PLACE TRANSFER OF SEASONAL
RETAIL CONSUMPTION LICENSE NO. 1306-34-011-012 1000 MAIN LIQUOR
LICENSE LLC D/B/A JACKS BY THE TRACKS**

WHEREAS, application has been made for a place-to-place transfer of 1000 Main Liquor License LLC for Seasonal Retail Consumption License No. 1306-34-011-012; and

WHEREAS, this transfer is based upon the following:

1. The application form received August 30, 2022 is complete.
2. The applicant is qualified to be licensed according to all standards established by statute, rules and regulations.
3. The Police Department has completed their investigation.
4. The license is to be transferred from 701-703 10th Avenue to 1000 Main Street.
5. The license will be used under the trade name Flames Brazilian Restaurant at said premise.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council that the place-to-place transfer 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
Mayor Walsifer				
Mr. Brennan				
Mr. McCracken				
Mr. Carvelli				
Ms. Kinney				

Adopted:

RESOLUTION NO. 2022-175

RESOLUTION AUTHORIZING PLACE-TO-PLACE TRANSFER OF RETAIL CONSUMPTION WITH BROAD PACKAGE PRIVILEGE LICENSE NO. 1306-32-006-014 1000 MAIN LIQUOR LICENSE LLC D/B/A FLAMES BRAZILIAN RESTAURANT

WHEREAS, application has been made for a place-to-place transfer of 1000 Main Liquor License LLC for Seasonal Retail Consumption License No. 1306-34-011-012; and

WHEREAS, this transfer is based upon the following:

1. The application form received August 30, 2022 is complete.
2. The applicant is qualified to be licensed according to all standards established by statute, rules and regulations.
3. The Police Department has completed their investigation.
4. The license is to be transferred from 1000 Main Street to 701-703 10th Avenue.
5. The license will be used under the trade name Jacks by the Tracks at said premise.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council that the place-to-place transfer 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
Mayor Walsifer				
Mr. Brennan				
Mr. McCracken				
Mr. Carvelli				
Ms. Kinney				

Adopted: