

Re-Organization 2013
January 02, 2012

Beachwood Municipal Complex
1600 Pinewald Rd.

6:30 PM

Call to Order

Invocation: Rev. Stanley P. Lukaszewski, St. Barnabas R.C. Church

ONE NATION UNDER GOD

At our Re-organization meeting, I have made it a practice of paying tribute to our American Flag , that stands tall and free, and unites a family of diverse people. How it helped to keep us strong during hard days as our nation and state grew. It is the symbol of freedom and strength, our Old Glory, waving under clear blue skies. It represented Honor, Pride, and Leadership...

2012 went out with a huge bang that buckled us slightly and had us thinking standing tall again was going to be somewhat difficult.

During the events of October 29, 2012 and the days that followed, we saw great leaders taking us by the hand and leading us out of the destruction so we could stand tall again, Governor Christie and our Lt. Governor Guadagno were there to show our residents across New Jersey that we were not alone. Our own Mayor Roma, showed us daily and even hourly, that Beachwood residents were in good hands.

These events reminded me of an old tune from the 1945 Rogers and Hammerstein Broadway musical Carousel, that my grammar school PS #23 Jersey City adopted in late 1951

When you walk through a storm, Hold your head up high, And don't be afraid of the dark.

At the end of the storm, Is the golden sky, And the sweet silver song of the lark.

Walk on through the wind, Walk on through the rain, Though your dreams be tossed and blown,

Walk on, walk on with hope in your heart, And you'll never walk alone, You'll never walk alone.

Our State under Governor Christie and our Borough of Beachwood had the Leadership we needed to get through the difficult days, and get us back to standing tall.

This meeting is dedicated to their Great Leadership and our Great Strength. Combined we are unbeatable.

Please join us in the Salute to our Flag

Flag Salute:

I call forward Courtney Zahn to sing our **National Anthem** –



Our Emerald Society Bagpipers in a Patriotic Tribute.

SWEARING IN



Mrs. Clayton was sworn in by O.C. Surrogate Jeffrey W. Moran



Mr. Miserendino was sworn in by our Lt. Governor Kim Guadagno



Lt. Governor Guadagno joined us in a "family" photo.

GREETINGS AND COMMENTS FROM DIGNITARIESLt. Governor Guadagno – Assemblyman Brian Rumpf – Assemblywoman Diane Gove – O.C. Surrogate Jeffrey W. Moran.

RECESS

Motion: Feeney Second: LaCrosse
Approved: Clayton – Feeney – Komsa – LaCrosse – Miserendino - LaCrosse Absent:

REOPEN

Motion: Zakar Second: Komsa
Approved: Clayton – Feeney – Komsa – LaCrosse – Miserendino - LaCrosse Absent:

OPENING STATEMENT: Ladies and Gentlemen, pursuant to the applicable portions of the New Jersey Open Public Meetings Act, adequate notice of this meeting has been given. The schedule for this Re-organization meeting of Mayor and Council of the Borough of Beachwood is listed in the notice of meetings posted on the Bulletin Board, located in the Municipal Complex and delivered to the Asbury Park Press and Municipal Web Site on December 28, 2012.

ROLL CALL MEMBERS PRESENT:

Mayor Ronald R. Roma, Jr.

COUNCILMEMBERS:	Beverly Clayton	Gerald LaCrosse
	Gregory Feeney	Tom Miserendino
	Steven Komsa	Edward Zakar

#2013- 01 **LOCAL PUBLIC CONTRACTS RESOLUTION**

WHEREAS, the Local Public Contracts Law N.J.S.A. 40A:11-1 et seq. requires that notice with respect to contracts for professional services awarded without competitive bids must be publicly advertised.

NOW, THEREFORE, BE IT RESOLVED by Mayor and Council of the Borough of Beachwood, County of Ocean, State of New Jersey as follows:

The awards stated in the within resolutions are awarded without competitive bidding as Professional Services in accordance with Local Public Contracts Law, N.J.S.A. 40A: 11-5(1)(a)

"because they are for services performed by persons authorized by law to practice a recognized profession."

The following are awarded in conformance with Ordinance #2005-26 Section 1 : “Fair and Open Process for Award of Professional Services Agreement, and pending contract review”

#2013-01A Municipal Attorney William T. Hierung – Firm of Hierung, Gannon & McKenna

#2013-01B Municipal Auditor William E. Antonides & Company

#2013-01C Municipal Engineer James Oris T & M Associates

#2013-01E **Municipal Prosecutor** Citta, Holzapfel & Zabarsky et als

#2013-01F Labor Counsel Citta Holzapfel & Zabarsky et als.

#2013-01G Bond Counsel Gluck, Walrath

#2013-01H Public Defender Brian Rumpf

#2013- 01 I Municipal Planner Remington Vernick & Vena

#2013-01 J COAH Planner Remington Vernick & Vena

#2013- 01 K	Conflict Prosecutor	<u>Will be from list of RFP’s Received</u>	
Motion:	Clayton		Second: Miserendino
Approved:	Clayton – Feeney – Komsa – LaCrosse – Miserendino - LaCrosse		Absent:

#2013-01 L RESOLVED by the Governing Body of the Borough of Beachwood to utilize remaining RFP’s submitted in October 2012 , as a source for Professional Services if a conflict should arise or for Special Projects in 2013.

Motion:	Clayton	Second:	Feeney
Approved:	Clayton – Feeney – Komsa – LaCrosse – Miserendino - LaCrosse	Absent:	

#2013-02	Appoint the Following:	Treasurer:	Elizabeth Sarantinoudis
		Deputy Municipal Clerk	Elizabeth Sarantinoudis (Signature Only)
		Deputy Treasurer:	Elizabeth Mastropasqua (Signature Only)
		Deputy Tax Search	Bonnie Boud
		Deputy Assessment Search	Bonnie Boud

Motion: LaCrosse Second: Feeney
Approved: Clayton – Feeney – Komsa – LaCrosse – Miserendino - LaCrosse Absent:

FOLLOWING ARE MAYORS' APPOINTMENT

#2013-03 Land Use Board:
William Oldham Class IV Expires 12/31/2016
Gary Morrison Class IV Expires 12/31/2016
Ron Ross Mayor's Alternate Annul
Clifford Schiel Class II Annual
Paul Swindell Alt. #2 Expires 12/31/2014
Dan Raimann Alt#1 (Morrison Vacancy)Expires 12/31/2013

#2013-04 Environmental SHADE TREE
Terry Neilson Expires 12/31/15
Gary Morrison (LUB) Expires 12/31/15

#2013-05 RECREATION COMMISSION
Jessica Silver 12/31/2012 Expires 12/31/17

FOLLOWING ARE COUNCIL APPOINTMENT:

#2013-06 **RESOLVED by Governing Body to appoint:**
Planning Board: Councilmember Class III Annual Gerald LaCrosse

Motion: Zakar Second: Miserendino
Approved: Clayton – Feeney – Komsa – LaCrosse – Miserendino - LaCrosse Absent:
Abstained:

APPROVAL RESOLUTIONS:

#2013-07 RESOLVED by Governing Body to appoint to Sewerage Authority
Robert Klump (Exp. Jan. 31, 2013) 5 Year Appt.

Motion: Feeney Second: Miserendino
Approved: Clayton – Feeney – Komsa – LaCrosse – Miserendino - LaCrosse Absent:

#2013-08 RESOLVED by Mayor and Council to appoint FOLLOWING Police Specials Class II
Thomas Prince - Chad Anthony

Motion: Zakar Second: LaCrosse
Approved: Feeney – Komsa – LaCrosse – Miserendino - LaCrosse Absent:
Abstained: Clayton

#2013-09 RESOLVED by Mayor and Council to appoint THE FOLLOWING AS School Crossing Guards:

Albert Delnero – Geraldine Delnero – Marino LaCalandra – Alfie Sonnenfield
Kara Dorso – Randolph Targos

Motion: Komsa Second: Miserendino
Approved: Clayton – Feeney – Komsa – LaCrosse – Miserendino - LaCrosse Absent:

#2013-10 RESOLVED by Mayor and Council to appoint

Office of Emergency Mgmt. William Cairns Coordinator
Robert Tapp Deputy Coordinator
Jeanne Kroutil Deputy Coordinator

Motion: Miserendino Second: Komsa
Approved: Clayton – Feeney – Komsa – LaCrosse – Miserendino - LaCrosse Absent:
Abstained:

#2013-11 RESOLVED by Mayor and Council to approve the following line officers of the Beachwood Volunteer Fire Company #1 Inc. as submitted

Line Officers Fire Company: Dennis Allen Department Chief
Robert Risk Assistant Chief
William Hopson Captain
Roger Hull 1st. Lieutenant
Jim Smith 2nd Lieutenant

Motion: Clayton Second: Zakar
Approved: Clayton – Feeney – Komsa – LaCrosse – LaCrosse Absent:
Abstained: Miserendino

#2013 -12 RESOLVED by Mayor and Council to name **Ron Ross** as Municipal Alliance Chairperson

Motion: Clayton Second: Miserendino
Approved: Clayton – Feeney – Komsa – LaCrosse – Miserendino - LaCrosse Absent:
Abstained:

#2013-13 Having selected from amongst themselves – to name **Councilmember Edward Zakar as Council President** for the year 2013

Motion: LaCrosse Second: Clayton
Approved: Clayton – Feeney – Komsa – LaCrosse – Miserendino - LaCrosse Absent:
Abstained:

#2013-14 Resolved that the following shall constitute Council assignments for the year 2013

COUNCIL ASSIGNMENTS

Councilmembers Clayton & Feeney

Administration:

Policy – Contracts – Finance – Professional Review – Insurance – General Government - Ordinance – B2 – July 4th Events

Public Safety:

Police – Fire – First Aid – Emergency Management – LOSAP – Street Lighting

Public Works:

Public Works – Recycling – Sanitation – Buildings n Grounds – Parks n Playgrounds – Water - Roads & Drainage

Councilmembers Komsa – LaCrosse

Recreation:

Recreation Commission – Memorial Day Events – Board of Education – Library

Environmental:

Beach – Environmental – Shade Tree – Lifeguards

Court:

Code Enforcement – Building Construction – Zoning – COAH

Councilmember Miserendino

Code Enforcement – Environmental/Shade Tree – Buildings & Grounds

Councilmember Zakar

Public Safety – Building/ Zoning / Code Enforcement – Municipal Court

Motion: Feeney Second: Clayton
Approved: Clayton – Feeney – Komsa – LaCrosse – Miserendino - LaCrosse Absent:
Abstained:

#2013-15 RESOLVED by Mayor and Council that the Asbury Park Press and the Beachwood Municipal Website be named as the official sites for publication for the Year 2013.

Motion: Feeney Second: Miserendino
Approved: Clayton – Feeney – Komsa Miserendino - LaCrosse Opposed: LaCrosse
Abstained:

#2013-16 RESOLVED by Mayor and Council that the following shall be named as authorized signatures for all Borough checks.

Mayor Ronald Roma
Councilmembers: Clayton – Feeney – Komsa –LaCrosse - Zakar - Miserendino
Municipal Clerk: Elizabeth A. Mastropasqua
Municipal Treasurer: Elizabeth Sarantinoudis

Finance Officer : John Mauder CMFO

Motion: Miserendino Second: Zakar
Approved: Clayton – Feeney – Komsa – LaCrosse – Miserendino - LaCrosse Absent:

#2013-17 RESOLVED that the **following shall constitute contractual holidays** for the Borough of Beachwood in the year 2013 Offices will be closed. Holiday pickup schedules can be obtained by calling 732-286-6010, or by checking the Municipal Calendar provided to all residences. Emergency information is provided via WOBN – WJRZ and the Municipal Website located at www.beachwoodusa.com

January	01	New Years Day Holiday
January	21	Martin Luther King Day
February	11	Lincoln’s Birthday
February	18	Presidents Day
March	29	Good Friday
May	27	Memorial Day
July	04	Independence Day Observance
September	02	Labor Day
October	14	Columbus Day
November	05	Election Day
November	11	Veterans Day
November	28/29	Thanksgiving Holidays
December	24/25	Christmas Holidays
December	31	12:00 New Years Eve

Motion: Feeney Second: Komsa
Approved: Clayton – Feeney – Komsa – LaCrosse – Miserendino - LaCrosse Absent:
Abstained:

#2013-18 The FOLLOWING SHALL CONSTITUTE THE TIME – PLACE AND LOCATION OF THE **ANNUAL MEETING DATES FOR THE GOVERNING BODY** OF THE BOROUGH OF BEACHWOOD FOR THE YEAR 2013

ALL MEETINGS WITH THE EXCEPTION OF THE RE-ORGANIZATION MEETING WILL TAKE PLACE AT 7:00 P.M. IN THE WILLIAM T. HORNIDGE MUNICIPAL COMPLEX LOCATED AT 1600 PINEWALD ROAD, BEACHWOOD N.J. FORMAL ACTION WILL RESULT AT ANY AND ALL MEETINGS.

January	02	6:30 Re-Organization	16
February	06		20
March	06		20
April	03		17
May	01		15
June	05		19
July		Summer Schedule in effect	17
August		Summer Schedule in effect	21
September		Summer Schedule in effect	18
October	02		16
November	06		18
December	04		18

Re-scheduled (Monday) League Conference

Motion: Komsa Second: Feeney
Approved: Clayton – Feeney – Komsa – LaCrosse – Miserendino - LaCrosse Absent:
Abstained:

#2013-19 RESOLUTION OF THE BOROUGH OF BEACHWOOD, COUNTY OF OCEAN, STATE OF NEW JERSEY, authorizing the execution of a Schedule “C” agreement with the County of Ocean for 2012

WHEREAS, the Interlocal Services Act, N.J.S.A. 40:8a-1 e seq., authorized the Borough of Beachwood to enter into a contract for the provision of certain governmental services with the County of Ocean; and

WHEREAS, N.J.S.A. 40:8 requires such a contact to be authorized by resolution or ordinance; and

WHEREAS, it is the desire of the governing body to authorize the execution of a contract with the County of Ocean for the provision of services, materials and equipment as set forth in Schedule "C" attached hereto. In the amount of \$250,000.00

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Borough of Beachwood, County of Ocean , State of New Jersey as follows:

1. That John Behrens, Supervisor of Public Works is hereby authorized to execute a Schedule "C" agreement with the County of Ocean in accordance with the provisions of the law to include \$1,000.00 for the Road Department , \$1,000.00 for Engineering Department and \$1,000.00 for Vehicle Services, for a total sum and not to exceed \$3,000.00. A copy of the said agreement is attached hereto and made part hereof as Schedule "C".
2. This agreement is for the period January 1, 2013 to December 31, 2013.
3. That a copy of this agreement referenced herein shall be kept on file and made available for public inspection in the Municipal Clerk's office during normal hours.

Motion: Feeney Second: Miserendino
 Approved: Clayton – Feeney – Komsa – LaCrosse – Miserendino - LaCrosse Absent:
 Abstained:

#2013-20

		RESOLUTION		2013 -R	
		TEMPORARY BUDGET			
WHEREAS, N.J.S. 40A:4-19 provides that where any contract, commitment or payments are to be made prior to the final adoption of the 2013 budget, temporary appropriations should be made for the purpose and amounts required in the manner and time therein provided; and					
WHEREAS, the date of this resolution is within the first thirty days of January, 2013; and					
WHEREAS, the total appropriations in the 2012 budget, exclusive of any appropriations made for interest and debt redemption charges, capital improvement fund and public assistance, is the sum of \$8,613,115 ; and					
WHEREAS, 26.25% of the total appropriations in the 2012 budget, exclusive of any appropriations made for interest and debt redemption charges, capital improvement fund and public assistance in said 2012 budget is the sum of \$ 2,260,942.69.					
NOW, THEREFORE, BE IT RESOLVED that the following appropriations be made and that a certified copy of this resolution be transmitted to the Chief Financial Officer for his records:					
CURRENT FUND TEMPORARY APPROPRIATIONS - 2013					
		S & W		O.E.	TOTAL
1	Administration and Executive			125.00	125.00
2	Mayor and Council		11,550.00	625.00	12,175.00
3	Clerk		15,750.00	7,000.00	22,750.00
4	Advertising and Public Relations		0.00	2,125.00	2,125.00

5	Postage		0.00	3,250.00	3,250.00
6	Elections		0.00	875.00	875.00
7	Financial Administration		15,000.00	9,200.00	24,200.00
8	Audit Services		0.00	8,250.00	8,250.00
9	Collection of Taxes (Revenue Administration)		16,000.00	1,500.00	17,500.00
10	Tax Sale Costs		0.00	375.00	375.00
13	Liquidation of TTL & Foreclosed Property		0.00	1,750.00	1,750.00
14	Assessment of Taxes		6,510.00	550.00	7,060.00
15	Legal Services & Costs		0.00	22,000.00	22,000.00
16	Engineering Services and Costs		0.00	11,250.00	11,250.00
17	Planning Board		3,600.00	2,600.00	6,200.00
18	Environmental Commission		0.00	250.00	250.00
19	General Liability Insurance		0.00	98,231.00	98,231.00
20	Workers Compensation		0.00	122,651.00	122,651.00
21	Employee Group Insurance		0.00	366,582.69	366,582.69
22	Police		395,000.00	20,000.00	415,000.00
23	Police Crossing Guards		8,750.00	0.00	8,750.00
24	Office of Emergency Management		1,300.00	350.00	1,650.00
25	Aid to Volunteer Fire Companies		0.00	11,550.00	11,550.00
29	Aid to Volunteer Ambulance Companies		0.00	4,750.00	4,750.00
30	Municipal Court		28,350.00	1,750.00	30,100.00
33	Uniform Fire Safety Act Fire Official		3,250.00	950.00	4,200.00
34	Municipal Prosecutor		0.00	4,700.00	4,700.00
35	Streets and Roads		8,250.00	5,490.00	13,740.00
36	Snow Removal		0.00	2,500.00	2,500.00
37	Other Public Works Functions		35,490.00	2,500.00	37,990.00
38	Soils Waste Collection		92,500.00	6,100.00	98,600.00
40	Recycling Program		29,000.00	5,500.00	34,500.00
		S & W		O.E.	TOTAL
41	Building & Grounds		49,000.00	19,435.00	68,435.00
42	Equipment Maintenance		22,250.00	18,800.00	41,050.00
44	Animal Control		0.00	1,500.00	1,500.00
46	Board of Recreation Commissioners		230.00	750.00	980.00
47	Maintenance of Parks and Playgrounds		0.00	550.00	550.00
48	Lifeguards and Special Officers		3,400.00	125.00	3,525.00
50	Beach Maintenance		0.00	775.00	775.00
51	Participation in Free County Library		0.00	250.00	250.00
52	Celebration of Public Events		0.00	100.00	100.00
52	Disposal Costs		0.00	125,000.00	125,000.00
53	Code Enforcement and Zoning Officer		5,775.00	665.00	6,440.00
54	Construction Official		22,312.00	250.00	22,562.00
55	Utilities - Electric		0.00	30,000.00	30,000.00
56	Utilities - Street Lighting		0.00	22,000.00	22,000.00
56	Utilities - Telephone and Telegraph		0.00	10,000.00	10,000.00
56	Natural Gas		0.00	8,000.00	8,000.00
56	Gasoline, Diesel Fuel and Oil		0.00	35,000.00	35,000.00
56	Cell Telephones		0.00	2,500.00	2,500.00
60	Social Security System		0.00	60,000.00	60,000.00

61	Defined Contribution Retirement Program	0.00	315.00	315.00
62	Public Employees Retirement System	0.00	127,659.00	127,659.00
63	Police & Firemen's Retirement System	0.00	298,672.00	298,672.00
64	Borough of Island Heights/Sub-Code	2,100.00		2,100.00
65	Borough of South Toms River/Sub-Code	4,000.00		4,000.00
	Subtotal @ 26.25% of			
	2012 Appropriations	779,367.00	1,487,675.69	2,260,942.69
	Capital Improvement Fund:			
66	Payment of Bond Principal		605,000.00	605,000.00
67	Interest on Bonds		291,864.00	291,864.00
68	Interest on Notes		5,400.00	5,400.00
69	NJEDA - Municipal Infrastructure Loan-Principle		33,750.00	33,750.00
70	NJEDA - Municipal Infrastructure Loan-Interest		510.00	510.00
71	Green Trust Loan Program	0.00	9,327.48	9,327.48
	Total Temporary Operating Budget	779,367.00	2,433,527.17	3,206,794.17
	WATER UTILITY FUND - TEMPORARY APPROPRIATIONS - 2013			
80	Salary and Wages	157,500.00		157,500.00
81	Other Expenses		201,000.00	201,000.00
82	Statutory Expenses - Social Security		10,500.00	10,500.00
83	Public Employees Retirement System		85,106.00	85,106.00
		157,500.00	296,606.00	454,106.00
84	Payment of Bond Principal		230,000.00	230,000.00
85	Interest on Bonds		105,830.00	105,830.00
86	Interest on Notes		17,900.00	17,900.00
	Water Utility Infrastructure Loan			
87	Principal		180,400.00	180,400.00
88	Interest		91,020.00	91,020.00
	Total Temporary Water Utility Budget	157,500.00	921,756.00	1,079,256.00

Motion: Clayton
Approved: Clayton – Feeney – Komsa – LaCrosse – Miserendino - LaCrosse
Abstained:
Second: Komsa
Absent:

#2013-21 WHEREAS, from time to time the Tax Assessor discovers an error in calculation, transposing, measurement, or typographical errors, in the tax assessments on the tax list after the time the County Board of Taxation has certified the tax rates for the tax year; and

WHEREAS, the governing body of the Taxing District of the Borough of Beachwood is desirous that every taxpayer pays his/her fair share of taxes; and

WHERE AS, if the above discovered errors are not corrected, or a rollback assessment not applied, the taxpayers affected would not be paying their fair share of taxes; and

WHEREAS, the method for correcting such errors is to file a Petition of Appeal for the current Tax year with the Ocean County Board of Taxation.

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Taxing District of the Borough of Beachwood that the Tax Assessor or Municipal Attorney is hereby authorized to act as the agent for the Taxing District and file a Petition of Appeal or Appeals for the tax year of 2013 with the Ocean County Board of taxation to correct such assessments to the proper value and that a copy of any Petition of Appeal filed with the Ocean County Board of Taxation under this Resolution be filed with the Municipal Clerk .

BE IT FURTHER RESOLVED, that the Tax Assessor or Municipal Attorney is hereby authorized to execute stipulations of settlement on any tax appeal filed by the taxing district or by a taxpayer for the tax year 2013; and

THAT a Certified Copy of this Resolution be forwarded to the Ocean County Board of Taxation with any such Petition of Appeal.

Motion: Feeney Second: Clayton
Approved: Clayton – Feeney – Komsa – LaCrosse – Miserendino - LaCrosse Absent:
Abstained:

#2013-22 RESOLVED by Mayor and Council that the interest for the year 2013 on taxes shall be on the total sum of the delinquent tax at a rate of 8% up to \$1,500.00 and at a rate of 18% over \$1,500.00 after 10 days from due date; and

FURTHER RESOLVED that the interest for the year 2013 on delinquent water bills shall be 18% after ten (10) days from due Date.

Motion: Clayton Second: Zakar
Approved: Clayton – Feeney – Komsa – LaCrosse – Miserendino - LaCrosse Absent:
Abstained:

#2013-23 WHEREAS, N.J.S.A. 54:4-67 permits the governing body to fix a penalty to be charged to a taxpayer with a delinquency in excess of \$10,000.00 who fails to pay the delinquency prior to the end of the calendar year; and

WHEREAS, N.J.S.A. 54:4-67 has defined delinquency to mean the sum of all taxes and municipal charges due on a given parcel of property covering any number of quarters or years; and

WHEREAS, the penalty so fixed shall not exceed 6% of the amount of the delinquency;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Beachwood, County of Ocean, State of New Jersey, that the Tax Collector is hereby authorized to charge a 6% penalty for a delinquency over \$10,000.00 if not paid prior to the end of the calendar year.

Motion: Clayton Second: Zakar
Approved: Clayton – Feeney – Komsa – LaCrosse – Miserendino - LaCrosse Absent:
Abstained:

#2013-24 RESOLUTION OF THE BOROUGH OF BEACHWOOD, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING INVESTMENT OF IDLE FUNDS AND FUND TRANSFERS, PURSUANT TO N.J.S.A. 40A:15.1-15.2

WHEREAS, it is desirable that idle funds of the Borough of Beachwood be invested in legal investment vehicles at all times; and

WHEREAS, it is occasionally necessary to transfer funds for the purpose of meeting current Borough expenses or for the purpose of effecting investments.

NOW, THEREFORE, BE IT RESOLVED by Mayor and Council of the Borough of Beachwood, County of Ocean, State of New Jersey, that it does hereby authorize the Treasurer to request bids and to place orders for the investment of idle funds solely in legally authorized investment vehicles, such investments to the investing institution; and

BE IT FURTHER RESOLVED, that the Treasurer of the Borough of Beachwood is hereby authorized to transfer funds by wire solely for the following purposes and subject to all pertinent regulations:

1.To or from Borough Checking or savings accounts to other Borough Accounts.

2.To or from Borough Checking or savings accounts to or from accounts specified by banks or the State of New Jersey Cash Management Funds solely for the purpose of investing for the account of the Borough of Beachwood.

Motion: Feeney Second: Miserendino
Approved: Clayton – Feeney – Komsa – LaCrosse – Miserendino - LaCrosse Absent
Abstained:

#2013-25 WHEREAS, there exists a need for specialized financial advisory services in connection with the issuance of bonds or notes of the Borough of Beachwood (the “Borough”) in the County of Ocean, State of New Jersey, including the planning and development of a financing strategy and structure, coordinating the financing process, providing consulting services through the actual execution of the financing and provide follow-up reporting and analyses after the transaction is complete, and

WHEREAS, such specialized financial advisory services can be provided by Phoenix Advisors, LLC, a financial advisory group of Bordentown, New Jersey, so recognized by the financial community; and

WHEREAS, the Local Public contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that notice with respect to contracts for Professional Services awarded without competitive bids must be publicly advertised;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Beachwood as follows:

- (1) The financial advisory group of Phoenix Advisors, LLC of Bordentown, New Jersey, is hereby retained for 2011 to provide the specialized financial advisory services necessary in connection with the issuance of bonds or notes by the Borough not to exceed \$15,000.
- (2) The Contract is awarded without competitive bidding as a “Professional Service” in accordance with the Local Public Contracts Law; N.J.S.A. 40A:11-5(1) (a), because it is for services performed by persons authorized by law to practice a recognized profession.
- (3) The Mayor and Clerk are hereby authorized and directed to execute an Agreement with Phoenix Advisors, LLC.
- (4) A notice of this action shall be printed once in a Borough legal newspaper.

Motion: Clayton Second: Feeney
Approved: Clayton – Feeney – Komsa – LaCrosse – Miserendino - LaCrosse Absent
Abstained:

#2013-26 **RESOLUTION TO Authorize cancellation of minimum balances and overpayments by Tax Collector for CY 2012**

WHEREAS, New Jersey Statute 40A:5-17.1 subsection b, permits the governing body of municipality to adopt a resolution authorizing a municipal employee process without further action on the part of the governing body, the cancellation of any property tax delinquency or refund of less than \$10.00; and

WHEREAS, The Tax Collector currently has minimal amounts affecting prior years and will have minimal amounts affecting current and future years and is desirous of cancelling these amounts expeditiously;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Beachwood, County of Ocean and State of New Jersey as follows:

1. The Mayor and Council hereby authorizes the Tax Collector to process, without further action on the part of the governing body, the cancellation of any property tax delinquency or refund of less than \$10.00

Motion: Feeney Second: LaCrosse
Approved: Clayton – Feeney – Komsa – LaCrosse – Miserendino - LaCrosse Absent
Abstained:

#2013-27 RESOLVED by Mayor and Council to approve the minutes of the December 19th 2012 meeting of Mayor and Council

Motion: Miserendino Second: Komsa
Approved: Clayton – Feeney – Komsa – Miserendino - LaCrosse Absent
Abstained: LaCrosse –

#2013-28 RESOLVED to approve the 2012 Municipal Alliance Agreement \$15k000.00 and to authorize the Mayor and Clerk to execute on behalf of the Borough.

Motion: Feeney Second: LaCrosse
Approved: Clayton – Feeney – Komsa – LaCrosse – Miserendino - LaCrosse Absent
Abstained:

#2013 – 29 BOROUGH OF BEACHWOOD OCEAN COUNTY, NEW JERSEY CASH MANAGEMENT PLAN
BOROUGH OF BEACHWOOD OCEAN COUNTY, NEW JERSEY CASH MANAGEMENT PLAN

WHEREAS, P.L. 1983, Chapter 8, Local Fiscal Affairs Law; N.J.S. 40A: 5-2, has been amended to require that each municipality designate a Cash Management Plan for the deposit of each local unit's monies;

NOW, THEREFORE, BE IT RESOLVED, that the following Cash Management Plan of the Borough of Beachwood be and hereby is adopted:

A: DESIGNATION OF OFFICIAL DEPOSITORIES:

The following financial institutions are designated official depositories:

1st Constitution Bank
Bank of America
Bank of New York NJ
Bergen Commercial Bank
TD Bank, National Association
Fidelity Investments Institutional Services Co., Inc.
First Choice Bank
Grand Bank
Hudson City Savings Bank
JP Morgan Chase Bank
Kearney Savings Bank
Merrill Lynch Bank & Trust Company
MBIA Municipal Investors Service Corporation
Morgan Stanley Dean Witter Trust FSB
NJ/ARM New Jersey Asset & Rebate Management
North Fork Bank
Ocean First Bank
PNC Bank
Sovereign Bank
State of New Jersey Cash Management Account
Sun National Bank
The Bank
Valley National Bank
Wachovia

Designated official depositories are required to submit to the Chief Financial Officer of the Borough of Beachwood a copy of the State of New Jersey, Department of Banking, Government Unit Deposit Protection Act Notification of eligibility, which must be filed semiannually in the Department of Banking as of June 30th and December 31st of each year. Said Notices must be available for annual audit.

Designated official depositories are required to submit to the Chief Financial Officer a copy of institution's "Annual Report" on an annual basis.

B. DEPOSIT OF FUNDS:

All funds shall be deposited within Forty-eight (48) hours of receipt in accordance to maximize interest earnings.

Operating funds shall be deposited into interest bearing accounts to maximize interest earnings.

Capital and Debt service funds shall be deposited into interest bearing accounts.

Trust funds shall be deposited into interest bearing accounts in accordance with the State statutes regulating the deposit of developer's escrow deposits.

C. DESIGNATION OF ALLOWABLE INVESTMENT INSTRUMENTS:

The Borough may permit deposits and investments in such depositories as permitted in Section 4 of P.L. 1970, chapter 236 (C.17:19-44) and other instruments specified below:

United States Treasury Bills (T-Bills)
Borough of Beachwood or Other Municipal Bonds or Notes
Commercial Bank Deposit and Certificates of Deposit (CD's)
Repurchase Agreements
Investments in Savings and Loan Association
United States Government Agency and Instrumentality
Obligations
MBIA – Class Fund
State of New Jersey Cash Management Fund
School District Obligations

D. DEFINITION OF ACCEPTABLE COLLATERAL AND PROTECTION OF BOROUGH ASSETS:

All designated depositories must conform to all applicable State statutes concerning depositories of Public Funds.

All depositories shall obtain the highest amount possible F.D.I.C. and/or F.S.L.I.C. coverage of all Borough assets (Demand and Certificate of Deposit).

Collateral will be required for all deposits and investments of the Borough, except for those in the State Cash Management Fund, collateral must have a market value of not less than 100 percent of all deposits and investments.

For pledges by depositories on Borough Funds, the following securities will be considered acceptable for pledges:

- a. Any security backed by the U.S. Government
- b. Any direct obligation of any taxing authority within the Borough of Beachwood
- c. Real Estate Mortgage Loans for Real Estate property located within the Borough of Beachwood market area. Pledges of Real Estate Mortgage Loans shall be maintained at a market value of 115 percent of deposits.
- d. All pledges of Collateral must be indicated on an advice copy of the investment instrument which shall be forwarded to the Chief Financial Officer/Treasurer.

E. COMPENSATING BALANCE AGREEMENTS:

Where compensating balances are used to offset bank expenses, an agreement between the bank and the Borough shall be executed, specifying the charge for each service.

F. REPORTING PROCEDURES:

The Chief Financial Officer shall prepare for the Business Administrator of the Borough of Beachwood the following investment reports:

MONTHLY REPORTING: A detailed listing of all investments purchased in the prior month, specifying the amount, interest percent per annum, number of days, period of investment and maturity date, interest amount at maturity and financial institutions with which investment is placed. This report shall be broken down by fund.

The Treasurer shall prepare a schedule of outstanding investments for the independent auditors as of December 31st of each year and at other such times as required by the auditors.

The Chief Financial Officer/Treasurer shall also periodically provide analysis of average daily balances in interest bearing checking account vs. other investment vehicle potential.

All such reports may include a comparison of current investment income vs. forecast, prior year or market conditions.

G. DIVERSIFICATION REQUIREMENTS:

The Chief Financial Officer/Treasurer shall closely examine investments to guard against the effects of a financial institution going into default. This may be accomplished through the practice of spreading the investments around in various designated official depositories.

H. MAXIMUM MATURITY POLICY:

Investments shall be limited to a maturity not to exceed one year on all operating funds unless a longer maturity is permitted within the provision of regulation promulgated by either the Federal or State Governments.

I. INVESTMENT PROCEDURES:

Bids for Certificates of Deposit will be solicited from at least three (3) designated depositories only if the amount is \$100,000 or greater.

Telephone bids will be solicited from designated depositories by the Chief Financial Officer/Treasurer or designated staff member.

The depository shall specify the principal amount of investment bid on, interest rate and number of days used to calculate the interest to be paid upon maturity.

Interest paid shall be from the date the bid was awarded to the day of maturity.

All bidders may request the results of the bid after the bid is formally awarded.

A check or wire transfer of funds will be made available to the winning bidder on the same business day the bid is awarded.

Each quotation shall be documented to record the date and time of quote, the parties in the discussion, the instrument(s), maturities and rates. A bid form of the Township may be used.

J. RETURN ON INVESTMENT:

Where the return on a proposed investment does not exceed the cost of making said investment by a minimum amount the Chief Financial Officer/Treasurer will not make the investment. The Chief Financial Officer/Treasurer shall have the discretion to award an investment to the bank wherein the funds reside, should that bank's quoted rate be less than other quoted rates received in the

event that the differential in interest rates is less than 25 basis points, and providing that the term of the investment is less than fifteen (15) days.

K. CONTROLS:

When possible, the internal controls should provide for a separation of the investment placement functions and the accounting activity. Controls must be designated for telephone orders, wire transfers and securities safekeeping. Only specifically designated personnel shall be allowed to conduct this part of the transactions, and all activity should be subject to immediate written confirmation by the designated depository. The Chief Financial Officer/Treasurer shall review each day's activity.

L. BONDING:

Staff members of the Borough of Beachwood shall be covered by a Public Employee's Faithful Performance Bond with the Municipal Joint Insurance Fund.

M. COMPLIANCE:

The Cash Management Plan of the Borough of Beachwood shall be subject to the annual audit conducted pursuant to N.J.S. 40A:5-4.

N. The Official charged with the custody of the monies of the Borough of Beachwood shall deposit them as designated by the Cash Management Plan and shall thereafter be relieved of any liability or loss of such monies due to the insolvency or closing of any depository designated in the Cash Management Plan pursuant to N.J.S. 40A:5-2.

O. Where a conflict exists between this Cash Management Plan and State statute, the applicable State statute shall apply.

AFFORDABLE HOUSING DEVELOPMENT FEES

All development fees collected pursuant to the Borough of Beachwood Affordable Housing Development Fee Ordinance will be placed in an account established pursuant to the Cash Management Plan and known as the Affordable Housing Trust Fund. No money shall be expended from the account unless the expenditure conforms to the Development Fee Ordinance, a Spending Plan approved by the Council on Affordable Housing, and the conditions set forth in N.J.A.C. 5:94-6.16(a). The depository holding the Affordable Housing Trust Fund will sign a statement so as to recognize the necessity of compliance with the conditions placed upon the Borough's Chief Financial Officer by this paragraph.

If and when COAH deems it necessary to access the account or freeze expenditures from said account, the depository by signing this agreement agrees to comply with such instructions from COAH upon receiving official notice from its Executive Director.

Motion: Clayton Second: Feeney
 Approved: Clayton – Feeney – Komsa – LaCrosse – Miserendino - LaCrosse Absent
 Abstained:

Reports	
Mayor Roma	Many improvements were seen in 2012. In addition to these improvements a new service was provided one that I believe will be a most valuable service . That is our Emergency Notification System (Reverse 911) it was put into place in early 2012 to assist those responsible for our safety it to reach out to our residents in times of emergency, and what an emergency we had. I would like to take this opportunity to urge those who have not done so yet to please sign up for the service. I want to thank the council for allowing us to bring the service. Looking forward to continue working on behalf of our residents. Commented on experience by residents and council with power outage as much as 11-12 days. Along with outage – we lost cable ... without any credit for outage. Reminded residents to reach out to Cable and request a credit, because they will not do it without a request from the user.
.	Requested Council to approve sending a letter to our Legislative District to look into legislation requiring cable to monitor power outages and automatically credit the user.
Mrs. Clayton	Asked about JCPL outages.
Mayor Roma	Looked at JCPL bill and it appears as though first bill was estimated and second bill was meter read

	<p>bill. Cable company did not credit users. <i>Mr. LaCrosse – did call cable and got a one time credit and a \$5 reduction for the next 12 months.</i> Commented on damages at Community Center affected Alliance Dances and Fire Company graciously agreed to host dances.</p> <p>My honor and privilege to serve the people. Thank you all for coming out this evening. Thanked Lt. Gov Guadagno – Surrogate Moran and congratulated Council Clayton and Council Miserendino.</p>
Councilmember Clayton	Thanks - to everyone for re-election. Loves this community and will always work hard for it. Feels like running in slow motion on repairs ..
Mr. Oris	Have met with Insurance - waiting for determinations on inspections.
Clayton	Hope everyone had a Happy Christmas and wishes for happy healthy safe new year
Councilman Miserendino	Thanked all for putting trust in him. No report but happy holidays happy new year.
Councilman LaCrosse	What we saw tonight was a great thing - Lt. Governor Guadagno's appearance . 2012 was an interesting year there was much going on. Appreciates Mayors leadership and our governing body's leadership. Hope we get a lot done. Wished everyone safe and prosperous new year.
Council President Zakar	Thanked Council for naming him as Council President. Thanked Lt Gov - OC Surrogate - our elected Assembly officials, and all of our volunteers. Insurance no claims in December. 27% decrease 2012. At next meeting will update report. Loss time cases "0". Happy New Year - safe and prosperous.
Councilman Feeney	Nice to see all at re-org. Thanked all our volunteers - our employees
Councilman Komsa	Thanks to all present. Thanked Recreation for their assistance.
Chief Cairns	Happy Holidays
Engineer Jim Oris	Happy New Year. Congratulated Clayton and Miserendino. Thanked Council for appointment. Formal Beach Shore Protection substantially complete. Cable Avenue some items to address. Barnegat Brigantine on hold weather.
Attorney William Hiering	Happy New Year Thanked Council for re-appt. Best to all in the New Year
First Aid	1439 calls 2012 turnover 22
R. Klump (Sewer Auth)	Happy New Year may all your troubles be flushed away.
Ron Ross (Alliance)	Happy New Year to all. Thanked Fire Company for hosting Alliance.
Tom Prince LUB	Smooth year 2012. Thanked all for their support. Welcomed new members .
Municipal Clerk	I would like to extend my sincere appreciation to Lt. Governor Guadagno for adding us to her itinerary and issuing the oath of office to our elected officials. We promised her a 15/20 minute time frame and we delivered. To Recreation for our refreshments, which they are always so generous to provide. To my Emerald Pipers for a great 2013 kick off. To Father Stash for joining us at the last minute To all our friends and family for joining us and a special thank you to our own Courtney Zahn, whom we have had the pleasure of joining us for Memorial Day or Re-organization Day since the age of 5. She's grown into a talented, beautiful young lady. We wish her the best in her upcoming events.
PUBLIC DISCUSSION	<p>TO OPEN</p> <p>Motion: Zakar Second: Komsa</p> <p>Approved: Clayton – Feeney – Komsa – LaCrosse – Miserendino - Zakar</p>
Robyn Griffith - Anchor Ave	Congrats - BC/TM Honor to have served as a volunteer on Shade Tree as well as the new Environmental/Shade Tree Committee. Wish new members success.
PUBLIC DISCUSSION	<p>TO CLOSE</p> <p>Motion: Feeney Second: Komsa</p> <p>Approved: Clayton – Feeney – Komsa – LaCrosse – Miserendino - Zakar</p>

EXECUTIVE SESSION

WHEREAS, SECTION 8 of the Open Public Meetings Act, N.J.S.A. 10:4-12 permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist.

NOW, THEREFORE, BE IT RESOLVED, by Mayor and Council of the Borough of Beachwood, County of Ocean, State of New Jersey as follows:

1. The public shall be excluded from discussion of and action upon the hereinafter-specified subject matter.
2. The general nature of the subject matter to be discussed is as follows:

Contractual – PBA - Engineer

3. It is anticipated that the subject matter discussed may be made public in (90) days.

Motion: Feeney Second: LaCrosse
 Approved: Clayton – Feeney – Komsa – LaCrosse – Miserendino - Zakar

ACTION TAKEN FROM EXECUTIVE SESSION

#2013-40 RESOLVED to authorize the Clerk to advertise for Laborer Positions in Public Works.

Motion: Clayton Second: Miserendino
 Approved: Clayton – Feeney – Komsa – LaCrosse – Miserendino - Zakar

ADJOURN

Motion: Miserendino Second: LaCrosse
 Approved: Clayton – Feeney – Komsa – LaCrosse – Miserendino - Zakar

Prepared by: E.A. Mastropasqua

 Ronald F. Roma Jr.
 Mayor

Attested to by: _____
 Elizabeth A. Mastropasqua RMC
 Municipal Clerk