

Re-Organizational

January 5, 2011

Beachwood Municipal Complex
1600 Pinewald Rd.

6:30 PM

Call to Order

Invocation: Deacon Guy Rasmussen; St. Barnabas R.C. Church

While we pray for the safe return of our serving men and women, we must remember that 108 servicemen and women from New Jersey have been killed in Iraq and Afghanistan

Our war dead must always be remembered. Their Heroism deserves its glory, so too does the bravery of each who entered the unknown of conflict and gave their lives to the cause of Freedom.

The greatest tribute we can give is remembering our Honored Dead. In their memory, a moment of silence and a prayer for all our disabled vets and those missing in action and the swift return of all our serving men and women.



ONE NATION UNDER GOD

It stands tall and free, fifty states united; A family of diverse people, rooted firmly throughout its expanse.
It survived internal bloody turmoil that would have divided; maturing from this scarring lesson, slowly growing into equality for all.

It keeps an open gate, allowing more to seek a new home; giving them the opportunity to strive for better and be free.

It remains vigilant and strong against all who dare to test its will, whether to defend or help another in distress.

It is beauty and splendor.... Splashed by the rolling waves of the Atlantic and Pacific, trimmed with beach sands, rocky cliffs, and glacier fjords, blanketed by fertile, productive green plains, adorned by majestic snow covered mountains, accented by lush forests, deep canyons, and stark deserts, quenched by bountiful rich lakes and flowing rivers, shared by a diverse animal life, including its bald eagle.

It is the symbol of freedom and strength, being able to vote and bear arms, guided by fairness and righteousness under the Constitution and Bill of Rights.

It is Old Glory waving under clear blue skies, the right hand over the heart or in salute, our great country, the United States of America,

“One Nation Under God!”

By: David Bancroft

Flag Salute:

Emerald Society Bag Pipers and Troop 114



National Anthem Medley - Courtney Zahn



SWEARING IN OF COUNCIL ELECT – Oath of Office issued by Surrogate Jeffrey W. Moran.

Gerald W. LaCrosse



Edward Zakar



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 Berkeley Times and Asbury Park Press on January 1, 2011.

ROLL CALL MEMBERS PRESENT:

Mayor Ronald Jones

COUNCILMEMBERS:

Beverly Clayton
Gregory Feeny
Steven Komsa

Gerald LaCrosse
Ronald Roma
Edward Zakar

Councilmembers LaCrosse and Zakar offered words of thanks to family, friends and those in attendance.

RECESS: 15 Minutes. Reception provided by Recreation Commission.

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

RE-OPEN

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

A total of 10 minutes has been allocated under Borough Code 2-6.9 for the public discussion by individuals. Citizens are welcome to address the Mayor and Council on any governmental item of concern to them, whether or not it is scheduled on the agenda. Citizens must give their name and address when recognized to speak. The public is advised that these meetings are recorded and are subject to the Open Public Records Act.

Also, please turn off or put all cell phones on vibrate.

Mayors' Appointment with Council approval

#2011- 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”

#2011-01A Municipal Attorney William T. Hierung – Firm of Hierung, Gannon & McKenna

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

#2011-01B Municipal Auditor William E. Antonides & Company

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

#2011-01C Municipal Engineer James Oris T & M Associates

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

#2011-01D COAH Attorney Jeanne Cipriani – Gilmore & Monahan

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

#2011-01E Municipal Prosecutor Citta, Holzapfel & Zabarsky et als
(Steven A. Zabarsky, Colleen Dolcy, Paul Granick, Christian E. Schlegel,
Scott Kineavy)

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

#2011-01F Labor Counsel Citta Holzapfel & Zabarsky et als.

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

#2011-01G Bond Counsel Gluck, Walrath

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

#2011-01H Public Defender Brian Rumpf

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

#2011-01I Municipal Planner _____

ACTION DIES – NO MOTION

Motion: Second:
Approved:

ACTION DIES – NO MOTION

#2011-01J COAH Planner _____

Motion: Second:
Approved:

NOT ADDRESSED

#2011-01K Conflict Prosecutor _____

Motion: Second:
Approved:

#2011-01L RESOLVED by the Governing Body of the Borough of Beachwood to utilize remaining RFP's submitted in October 2010 , as a source for Professional Services if a conflict should arise or for Special Projects.

Motion: Second:
Approved:

#2011-02 Appoint the Following: Treasurer: Elizabeth Sarantinoudis
Deputy Municipal Clerk Elizabeth Sarantinoudis
Deputy Treasurer: Elizabeth Mastropasqua
Deputy Tax Search Bonnie Boud
Deputy Assessment Search Bonnie Boud

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

FOLLOWING ARE MAYORS' APPOINTMENT

#2011-03 RESOLVED to appoint -

Planning Board:	Thomas Prince	Class IV	Expires 12/31/2014
	Kenneth Mullarney	(Alt. #2	Expires 12/31/2012
	Wendy Higgins	Class IV Filling Vacancy	Expires 12/31/2012
	Bonnie Verga	Mayors' Alternate	Annual
	Brendan Gallagher	Class II	Annual

#2011-04 RESOLVED to appoint

Environmental Com:	Wendi Higgins		Three year Exp. Dec. 31, 2013
	_____	(E. Casertano)	Three year Exp. Dec. 31, 2013
	_____	Land Use Rep	Annual Appointment

#2011-05 RESOLVED to appoint

Recreation Commission:	Lance Starmer	Five Year Exp. 12/31/2015
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#2011-06 RESOLVED to appoint

Shade Tree Commission:	Phillip Napier	Five Year Exp. 12/31/2015
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COUNCIL APPOINTMENT:

#2011-07A RESOLVED by Governing Body to appoint:

Planning Board: Gerald W. LaCrosse Councilmember Class III Annual

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

#2011-07 B Recreation Commission Alternate #1 (Mary Liscombe) Term expires 12/31/2015

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

#2011-08 RESOLVED by Governing Body to appoint to

Sewerage Authority (Brian Turner) effective Feb. 1, 2010 (Exp. Jan. 31, 2015) 5 Year Appt.

Motion:	Roma	Second:	Komsa
Approved:	Feeney – Komsa – LaCrosse – Roma - Zakar		
Abstain:	Clayton		

APPROVAL RESOLUTIONS:

#2011-09 RESOLVED by Mayor and Council to appoint

Police Specials Class II GinaMaria Bruno - Dennis Allen

Police Special Class I Mary Cairns

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

#2011-10 RESOLVED by Mayor and Council to appoint

School Crossing Guards: Mary Ann Brown – Mary Cairns – Albert Delnero – Geraldine Delnero – Al Kessler – Alfie Sonnenfeld – Marino LaColandra - Terri Wagner (Substitute)

Motion: Roma Second: Zakar
Comment: Roma – Recent injury sustained by Mary Ann Brown – she is in our thoughts and prayers.
Approved: Clayton – Feeney – Komsa – LaCrosse – Roma - Zakar

#2011-11 RESOLVED by Mayor and Council to appoint

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

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

#2011-12 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
Dominick Roselli Captain
Jason Rosen 1st. Lieutenant

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

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
- Wells Fargo
- Yardville National Bank

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: Roma
Approved: Clayton – Feeney – Komsa – LaCrosse – Roma - Zakar

#2011-14 Having selected from amongst themselves –

RESOLVED to name Ronald Roma as Council President for the year 2011

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

#2011-15 Resolved that the following shall constitute Council assignments for the year 2011

COUNCIL ASSIGNMENTS

Administration: Chairman Roma – Councilmembers Clayton & Feeney

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

Public Safety: Chairwoman Clayton – Councilmembers Feeney & Roma

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

Public Works: Chairman Feeney – Councilmembers Clayton & Roma

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

Recreation: Chairman Komsa – Councilmembers LaCrosse & Zakar
Recreation Commission – Memorial Day Events – Board of Education – Library

Environmental: Chairman LaCrosse– Councilmembers Komsa & Zakar
Beach – Environmental – Shade Tree – Lifeguards

Court: Chairman Zakar – Councilmembers LaCrosse & Komsa
Code Enforcement – Building Construction – Zoning – COAH

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

#2011-16 RESOLVED by Mayor and Council that the Asbury Park Press be named as the official newspaper for the Borough of Beachwood in the year 2011 and the Borough posts on the Municipal Website.

Motion: Feeney Second: Komsa
Comment: LaCrosse - Concerned about the cost to advertise in Press and the possible solution to a state site.
Roma: Could Borough utilize the new paper circulating – Riverside Signal
Approved: Clayton – Feeney – Komsa – LaCrosse – Roma - Zakar

#2011-17 RESOLVED by Mayor and Council that the following shall be named as authorized signatures for all Borough checks.

Mayor Ronald W. Jones Jr.
Councilmembers: Clayton – Feeney – Komsa – LaCrosse - Roma – Zakar
Municipal Clerk: Elizabeth A. Mastropasqua
Municipal Treasurer: Elizabeth Sarantinoudis
Finance Officer : John Mauder CMFO

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

#2011-18 RESOLVED that the following shall constitute contractual holidays for the Borough of Beachwood in the year 2011 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 WOBBM – WJRZ and the Municipal Website located at www.beachwoodusa.com

January	03	New Years Day Holiday
January	17	Martin Luther King Day
February	11	Lincoln’s Birthday
February	21	Presidents Day
April	22	Good Friday
May	30	Memorial Day
July	04	Independence Day Observance
September	05	Labor Day
October	10	Columbus Day
November	08	Election Day
November	11	Veterans Day
November	24/25	Thanksgiving Holidays

December 23/26 Christmas Holidays
 December 30 12:00 New Years Eve

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

#2011-19 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 2011

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	05	6:30 Re-Organization	19
February	02		16
March	02		16
April	07	Thursday	20
May	04		18
June	01		15
July		Summer Schedule in effect	20
August		Summer Schedule in effect	17
September		Summer Schedule in effect	21
October	05		19
November	02	Re-schedule	14(Monday)
December	07		21

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

TABLED
 #2011-20

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 2011

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 \$ _____

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, 2011 to December 31, 2011.
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:
Approved:

Second:

#2011-21

RESOLUTION
TEMPORARY BUDGET

2011 -R

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 2011 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, 2011; and

WHEREAS, the total appropriations in the 2010 budget, exclusive of any appropriations made for interest and debt redemption charges, capital improvement fund and public assistance, is the sum of \$7,973,695.40; and

WHEREAS, 26.25% of the total appropriations in the 2010 budget, exclusive of any appropriations made for interest and debt redemption charges, capital improvement fund and public assistance in said 2010 budget is the sum of \$ 2,093,095.05.

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 - 2011

	S & W	O.E.	TOTAL
1 Administration and Executive	0.00	125.00	125.00
2 Mayor and Council	11,550.00	625.00	12,175.00
3 Clerk	13,250.00	7,000.00	20,250.00
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	14,950.00	9,126.32	24,076.32
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	85,329.72	85,329.72

20	Workers Compensation	0.00	122,101.18	122,101.18
21	Employee Group Insurance	0.00	265,830.83	265,830.83
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
39	Recycling Program	29,000.00	5,500.00	34,500.00
40	Building & Grounds	49,000.00	19,435.00	68,435.00
41	Equipment Maintenance	22,250.00	18,800.00	41,050.00
42	Animal Control	0.00	1,500.00	1,500.00
43	Board of Recreation Commissioners	230.00	750.00	980.00
44	Maintenance of Parks and Playgrounds	0.00	550.00	550.00
45	Lifeguards and Special Officers	3,400.00	125.00	3,525.00
46	Beach Maintenance	0.00	775.00	775.00
47	Participation in Free County Library	0.00	250.00	250.00
48	Celebration of Public Events	0.00	100.00	100.00
49	Disposal Costs	0.00	125,000.00	125,000.00
50	Code Enforcement and Zoning Officer	5,775.00	665.00	6,440.00
51	Construction Official	22,312.00	250.00	22,562.00
52	Utilities - Electric	0.00	30,000.00	30,000.00
53	Utilities - Street Lighting	0.00	22,000.00	22,000.00
54	Utilities - Telephone and Telegraph	0.00	10,000.00	10,000.00
55	Natural Gas	0.00	8,000.00	8,000.00
56	Gasoline, Diesel Fuel and Oil	0.00	35,000.00	35,000.00
57	Cell Telephones	0.00	2,500.00	2,500.00
58	Social Security System	0.00	60,000.00	60,000.00
59	Defined Contribution Retirement Program	0.00	315.00	315.00
60	Public Employees Retirement System	0.00	117,180.00	117,180.00
61	Police & Firemen's Retirement System	0.00	252,093.00	252,093.00
62	Boro of Island Heights/Sub-Code Official	2,100.00	0.00	2,100.00
63	Boro of South Toms River/Sub-Code Official	3,937.00	0.00	3,937.00
	Subtotal @ 26.25% of			
	2010 Appropriations	776,754.00	1,316,341.05	2,093,095.05
64	Payment of Bond Principal		580,000.00	580,000.00
65	Interest on Bonds		168,094.38	168,094.38
66	NJEDA - Municipal Infrastructure Loan-Principle		33,750.00	33,750.00
67	NJEDA - Municipal Infrastructure Loan-Interest		2,100.00	2,100.00
68	Green Trust Loan Program	0.00	9,327.48	9,327.48
	Total Temporary Operating Budget	776,754.00	2,109,612.91	2,886,366.91

WATER UTILITY FUND - TEMPORARY APPROPRIATIONS - 2011

1	Salary and Wages	157,500.00		157,500.00
2	Other Expenses		201,000.00	201,000.00
3	Statutory Expenses - Social Security		10,500.00	10,500.00
4	Public Employees Retirement System		78,120.00	78,120.00
		<hr/>		
		157,500.00	289,620.00	447,120.00
5	Payment of Bond Principal		100,000.00	100,000.00
6	Interest on Bonds		46,299.38	46,299.38
	Water Utility Infrastructure Loan			
7	Principal		24,000.00	24,000.00
8	Interest		11,800.00	11,800.00
		<hr/>		
	Total Temporary Water Utility Budget	157,500.00	471,719.38	629,219.38

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

#2011-22 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 2010 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 2011; and

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

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

#2011-23 RESOLVED by Mayor and Council that the interest for the year 2011 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 2011 on delinquent water bills shall be 18% after ten (10) days from due Date.

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

#2011-24 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: Roma Second: Feeney
Approved: Clayton – Feeney – Komsa – LaCrosse – Roma - Zakar

#2011-25 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: Roma
Approved: Clayton – Feeney – Komsa – LaCrosse – Roma - Zakar

#2011-26

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: Feeney Second: Roma
 Approved: Clayton – Feeney – Komsa – LaCrosse – Roma - Zakar

#2011-27 RESOLVED by Mayor and Council to approve the 2011 Certified Bills List in the amount of **\$381,682.38**

Motion: Clayton Second: LaCrosse
 Question: LaCrosse – Re: Voucher for Conflict Judge had some questions, but will defer at this time.
 Approved: Clayton – Feeney – Komsa – LaCrosse – Roma - Zakar

#2011-28 **RESOLUTION TO Authorize cancellation of minimum balances and overpayments by Tax Collector for CY 2011**

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: Roma Second: Feeney
 Approved: Clayton – Feeney – Komsa – LaCrosse – Roma - Zakar

CORRESPONDENCE

None

Reports	
Councilwoman Clayton	Congrats to Councilman .Roma being named as Council President. Outstanding job. Thanks to Scouts - Pipers - Courtney Zahn. Thanks to DPW for great job in Holiday Snow Storm. Beachwood was best plowed town. Congratulations to Councilmen LaCrosse and Zakar. Looking forward to working with you. Calendar out . Thanks to all involved. Storm last March - we submitted for coverage under FEMA - \$4,773.75 received. Thank You Lt. Tapp.
Councilman Feeney	Welcome to Councilmen LaCrosse and Zakar. Thanked Clerk for Re-org. Thanked all volunteers and our employees for their hard work. Our team took care of the roads. Asbury Park Press acknowledged that our guys got it right. They worked hard. Thanked all for their hard work.
Councilman Komsa	Happy Healthy New Year. Congratulations Councilmen LaCrosse and Zakar. Look forward to working with all. Thanks to DPW great job during snow storm. Snowman contest (Recreation) deadline March 9. Congratulations to Mr. Roma - Council President. Thanked all volunteers, the back bone of the community.
Councilman LaCrosse	Re-organization events – great job. Thanked Courtney. Happy to serve the Borough residents. Volunteers - thank you. Fire - First Aid - Recreation - Land Use - Environmental - Shade Tree. Will work to make things even better. Thank you.
Council President Roma	Thanked all council members for allowing him another opportunity to serve as Council President. It's humbling to be trusted with this position. Congratulations to Councilmen LaCrosse and Zakar, pleasure to serve with you. Looking forward to working with you on Council. Thanks to Deacon Guy Rasmussen for coming out tonight. Thanks to Surrogate Moran for coming out for us. Scouts - Pipers - Fire - First Aid. Sal Murante, retired from First Aid after 24 yrs. Thank you and Mrs. Murante for service and dedication. Thanks to Tom Miserendino - former council , volunteer 37 years. Served as School Bd rep - Thoughts and prayers to Maryann Brown - Crossing Guard struck by vehicle today. Snow removal, great job done. Remind Alliance dance 1/14. Winter Volleyball starts 1/13.
Councilman Zakar	Happy New Year. Congrats Roma as Council President. Thanks to all for accepting us with open arms. Will have a full report next meeting. Thanked all volunteers. Hold a special part of his heart. Police top notch super job. DPW great job in snow. Thank You.
Mayor Jones	Congratulation s to both Mr. Zakar and Mr. LaCrosse. DPW fantastic job plowing. Volunteers - the best. We appreciate your dedication to the community. Was invited by Gov. to witness signing of fertilizer bill. Spoke with commissioner re: Beachwood beach. Storm drain study. Locker Street water lines in. Citizen quite happy. Schedule "C" looking forward to more being done. Thanked Clerk
Municipal Attorney Hiering	Thanked Governing Body for appointment. Happy Healthy New Year
Oris	Thanked Governing Body for appointment. Happy Healthy New Year
Clerk	Comments on storm.
LaCrosse	29 hours straight.

Municipal Clerk

RESOLUTION:

#2011-31 RESOLVED by Mayor and Council to approve the minutes of the December 15th, 2011 meeting of Mayor and Council

Motion: Roma Second: Komsa
Approved: Clayton – Feeney – Komsa – Roma Abstain: LaCrosse - Zakar

#2011-32 RESOLVED to approve the 2011 Municipal Alliance Agreement (\$15,000) and to authorize the Mayor and Clerk to execute on behalf of the Borough.

Motion: Feeney Second: Komsa
Approved: Clayton – Feeney – Komsa – LaCrosse - Zakar Abstain: Roma

This item was tabled and discussed in Executive Session and acted upon when Council re-convened.

#2011-33 RESOLVED to appoint Jeanette Larrison as Tax Collector (P/T) for the Borough of Beachwood. This appointment will affix tenure to the position.

OPEN TO PUBLIC DISCUSSION

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

Miserendino - Seaman Ave	Congratulations Councilmen LaCrosse/Zakar. Congratulations Councilman Roma - Council President. Ordinances on cars on roads during snow.... one thing is dangerous though, basketball hoops, need to be addressed.
Maxwell; J. Beach Ave	Congratulations to Mr. LaCrosse/Mr. Zakar. Situation - Post Office parking in area of no parking and fire hydrant. Getting worse all the time. Keeps a list of violators. Use her driveway to turn around. Have to do something about the situation. Thanks to DPW for great job.
Wayne DeAsio –	Streets on other side of 9 not done good. First pass narrow and they didn't get back for a couple of days.
Chief Cairns	After roads were made accessible, (found few hydrants snowed in - DPW was advised as was Fire Company - and they addressed) Reimbursement last snow storm and hurricane we received excess of \$40,000. Submitted for recent storm.
CMFO	Account set up to address snow emergency - had sufficient funds to handle the recent problem.
Resident Tiller Ave	Birch/Surf Park - Canadian Geese - Park falling apart. Not maintained. Concrete under slide. Missing safety covering. Merry Go Round broken.
Mayor	Installed LCD lights at Beach, which were effective. Council could look purchasing more lights. Perhaps Councilman Feeney could contact DPW re: playground issues.
DiBella -R. Halliard Ave	Congratulations to Mr.LaCrosse and Mr. Zakar. Dedication displayed over long period of time. Wish you well.
R. Griffith - Anchor Ave.	Snow storm work - can we recover any money - (answered) Comments on Asbury Park Press by Mr. LaCrosse - elderly rely on APP. Beachwood not putting things in the press would not be a smart move. It's like a bible to the elderly.
LaCrosse	Would think we could put money to better use if we could eliminate the Press.
Mayor	Re: Snow removal and costs involved. Div. Local Gov Services after approve budget by DCA... we were authorized for self -approval because of good business practices.

CLOSE TO PUBLIC DISCUSSION

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

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:

Terms & Condition of Employment - DPW – Tax Collector
Contractual - DPW

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

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

Re-Open

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

ACTION TAKEN AS A RESULT OF EXECUTIVE SESSION

#2011- 33 RESOLVED to appoint Jeanette Larrison as Tax Collector (P/T) for the Borough of Beachwood. This appointment will affix tenure to the position.

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

ADJOURN

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

Prepared by: E.A. Mastropasqua

Ronald W. Jones, Jr.
Mayor

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