

Re-Organizational Meeting
January 7, 2009

Beachwood Municipal Complex
1600 Pinewald Rd.

6:30 PM

Call to Order

Invocation: Father Kevin Kielan; St. Barnabas R.C. Church

While we pray for the safe return of our serving men and women, we must remember that 103 servicemen from New Jersey have been killed in Iraq and Afghanistan, most recently December 25, 2008, Major John P. Pryor, Moorestown New Jersey (42) with the Forward Surgical Team – Medical detachment serving in Iraq.



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 –



SWEARING IN OF COUNCIL ELECT – Gregory Feeney and Steven Komsa. Oath of Office will be given by Ocean County Surrogate Jeffrey W. Moran



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 2, 2009.

ROLL CALL MEMBERS PRESENT:

Mayor Ronald Jones

COUNCILMEMBERS:	Katina L. Clark	Steven Komsa
	Beverly Clayton	Ronald Roma
	Gregory Feeney	Bonnie Verga

Words from Council Elect Komsa and Feeney

Presentation to Emily Golubowski – designer of 2009 Calendar.

RECESS:

Motion: Komsa

Second: Roma

Approved: Clark – Clayton – Feeney – Komsa – Roma - Verga

RE-OPEN

Motion: Feeney Second: Roma

Approved: Clark – Clayton – Feeney – Komsa – Roma - Verga

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

#2009- 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”

#2009-01A Municipal Attorney William T. Hiering – Firm of Hiering, Gannon & McKenna

Motion: Feeney Second: Roma

Approved: Clark – Clayton – Feeney – Komsa – Roma – Verga

#2009-01B Municipal Auditor William E. Antonides & Company

Motion: Komsa Second: Feeney

Approved: Clark – Clayton – Feeney – Komsa – Roma – Verga

#2009-01C Municipal Engineer CMX Engineering

Motion: Roma Second: Clayton

Approved: Clark – Clayton – Feeney – Komsa – Roma – Verga

#2009-01D COAH Attorney Jeanne Cipriani – Gilmore & Monahan

Motion: Roma Second: Komsa

Approved: Clark – Clayton – Feeney – Komsa – Roma – Verga

#2009-01E Municipal Prosecutor Citta, Holzapfel & Zabarsky et als

Motion: Feeney Second: Clayton
Approved: Clark – Clayton – Feeney – Komsa – Roma – Verga

#2009-01F Labor Counsel Citta Holzapfel & Zabarsky et als.

Motion: Feeney Second: Clayton
Approved: Clark – Clayton – Feeney – Komsa – Roma – Verga
Abstain: Absent:

#2009-01G Bond Counsel Gluck, Walrath

Motion: Roma Second: Komsa
Approved: Clark – Clayton – Feeney – Komsa – Roma – Verga

#2009-01H Public Defender Brian Rumpf

Motion: Roma Second: Komsa
Approved: Clark – Clayton – Feeney – Komsa – Roma – Verga

#2009-01I Municipal Planner Remington Vernick & Vena

Motion: Clayton Second: Feeney
Approved: Clark – Clayton – Feeney – Komsa – Roma – Verga

#2009-01J COAH Planner Peter Vanden Kooy – Birdsall Engineering

Motion: Komsa Second: Feeney
Approved: Clark – Clayton – Feeney – Komsa – Roma – Verga

#2009-01K RESOLVED by the Governing Body of the Borough of Beachwood to utilize remaining RFP's submitted in October 2008 as a source for Professional Services if a conflict should arise or for Special Projects.

Motion: Feeney Second: Roma
Approved: Clark – Clayton – Feeney – Komsa – Roma – Verga

#2009-02 Appoint the Following: Treasurer: Elizabeth Sarantinoudis
Deputy Treasurer: Elizabeth Mastropasqua
Deputy Clerk: Jeanette Larrison
Deputy Tax Search Bonnie Boud
Deputy Assessment Search Bonnie Boud

Motion: Clayton Second: Verga
Approved: Clark – Clayton – Feeney – Komsa – Roma – Verga

MAYORS' APPOINTMENT:

#2009-03 RESOLVED to appoint

Planning Board: Michael Ely Expires 12/31/2012
Stephen Jansen Expires 12/31/2012
Christopher W. Marx Alternate 1 Year
Lisa Gugger (Mayors' Alternate)
Robert Clark Class II

#2009-04 RESOLVED to appoint

Environmental Com: Robert Harrigan Five year Exp. Dec. 31, 2013
Michelle Dillon Five year Exp. Dec. 31, 2013
Stephen Jansen Planning Board Representative

#2009-05 RESOLVED to appoint

Recreation Commission: Ellen Casertano Five Year Exp. 12/31/2013

#2009-06 RESOLVED to appoint

Shade Tree Commission: Judy DeSalvatore Unexpired term 12/31/09
Curt Brower Unexpired term 12/31/10
Robert Gugger Term ending 2013

COUNCIL APPOINTMENT:

#2009-07 RESOLVED by Mayor and Council to appoint

Planning Board: Ronald Roma - Councilmember Class III Annual

Motion: Clayton Second: Komsa
Approved: Clark – Clayton – Feeney – Komsa – Roma – Verga

#2009-08 RESOLVED by Mayor and Council to appoint

Sewerage Authority Matthew Brown effective Feb. 1, 2009 (Exp. Jan. 31, 2014) 5 Year Appt.

Motion: Roma Second: Feeney
Approved: Clark – Feeney – Komsa – Roma – Verga
Abstain: Clayton

APPROVAL RESOLUTIONS:

#2009-09 RESOLVED by Mayor and Council to appoint

Police Specials Class II William Zycowski – Phil Schena – GinaMaria Bruno – Susannah Kump

Police Special Class I Mary Cairns

Motion: Roma Second: Clayton
Approved: Clark – Clayton – Feeney – Komsa – Roma – Verga

#2009-10 RESOLVED by Mayor and Council to appoint

School Crossing Guards: Mary Ann Brown – Mary Cairns – Albert Delnero – Geraldine Delnero – Al Kessler – Alfie Sonnenfeld – Terri Wagner

Motion: Roma Second: Clayton
Approved: Clark – Clayton – Feeney – Komsa – Roma – Verga

#2009-11 RESOLVED by Mayor and Council to appoint

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

Motion: Roma Second: Verga
Approved: Clark – Clayton – Feeney – Komsa – Roma – Verga

#2009-12 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: Roger Hull Chief
David Petracca Assistant Chief
Dennis Allen Captain
Robert Risk 1st. Lieutenant
Dominick Roselli 2nd. Lieutenant

Motion: Roma Second: Clayton
Approved: Clark – Clayton – Feeney – Komsa – Roma – Verga

#2009-13 Having selected from amongst themselves –
RESOLVED to name Ronald Roma as Council President for the year 2009.

Motion: Clayton Second: Feeney
Approved: Clark – Clayton – Feeney – Komsa – Roma – Verga

#2009-14 Resolved that the following shall constitute Council assignments for the year 2009

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 Clark & Verga

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

Environmental: Chairwoman Clark – Councilmembers Komsa & Verga

Beach – Environmental – Shade Tree – Lifeguards

Court: Chairwoman Verga – Councilmembers Clark & Komsa

Code Enforcement – Building Construction – Zoning – COAH

Motion: Roma Second: Clayton
Approved: Clark – Clayton – Feeney – Komsa – Roma – Verga

#2009-15 WHEREAS, the Ocean County Department of Economic Development has requested pursuant to the Cooperative Agreement between the County of Ocean and the Borough of Beachwood that a representative and or alternate be appointed to serve on the Community Development Committee

NOW, THEREFORE, BE IT RESOLVED, that the following be appointed for 2009

Representative: Patricia A. Moran

First Block Grant Hearing - January 21st
Second Block Grant Hearing - February 4th

Motion: Clayton Second: Roma
Approved: Clark – Clayton – Feeney – Komsa – Roma – Verga

#2009-16 RESOLVED by Mayor and Council that the Asbury Park Press be named as the official newspaper for the Borough of Beachwood in the year 2009.

Motion: Feeney Second: Komsa
Approved: Clark – Clayton – Feeney – Komsa – Roma – Verga

#2009-17 RESOLVED by Mayor and Council that the following shall be named as authorized signatures for all Borough checks.

Mayor Ronald W. Jones Jr.

Councilmembers: Clark – Clayton – Feeney – Komsa - Roma – Verga

Municipal Clerk: Elizabeth A. Mastropasqua

Municipal Treasurer: Elizabeth Sarantinoudis

Motion: Roma Second: Feeney
Approved: Clark – Clayton – Feeney – Komsa – Roma – Verga

#2009-18

RESOLVED that the following shall constitute contractual holidays for the Borough of Beachwood in the year 2009. 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	1	New Years Day
January	19	Martin Luther King Day
February	12	Lincoln’s Birthday
February	16	Presidents Day
April	10	Good Friday
May	25	Memorial Day
July	03	Independence Day Observance
September	07	Labor Day
October	12	Columbus Day
November	03	Election Day
November	11	Veterans Day
November	26/27	Thanksgiving Holidays
December	24/25	Christmas Holidays
December	31	12:00 New Years Eve

Motion: Clayton Second: Clark
 Approved: Clark – Clayton – Feeney – Komsa – Roma – Verga

#2009-19

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 2009

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	07	6:30 Re-Organization	21
February	04		18
March	04		18
April	01		15
May	06		20
June	03		17
July		Summer Schedule in effect	15
August		Summer Schedule in effect	19
September		Summer Schedule in effect	16
October	07		21
November	04	Re-schedule	16 (Monday)
December	02		16

Motion: Clayton Second: Roma
 Approved: Clark – Clayton – Feeney – Komsa – Roma – Verga

#2009-20 RESOLVED by Mayor and Council to approve the 2009 Schedule "C" agreement be The Borough of Beachwood and the County of Ocean in the amount of \$250,000.00

Motion: Feeney Second: Clark
 Approved: Clark – Clayton – Feeney – Komsa – Roma – Verga

#2009-21 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 2009 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, 2009; and

WHEREAS, the total appropriations in the 2008 budget, exclusive of any appropriations made for interest and debt redemption charges, capital improvement fund and public assistance, is the sum of \$7,590,478.56 ; and

WHEREAS, 26.25% of the total appropriations in the 2008 budget, exclusive of any appropriations made for interest and debt redemption charges, capital improvement fund and public assistance in said 2008 budget is the sum of \$ 1,992,500.62.

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 - 2009

	Salaries & Wages	Other Expenses	TOTAL
1 Administration and Executive	5,000.00	125.00	5,125.00
2 Mayor and Council	11,550.00	625.00	12,175.00
3 Clerk	15,750.00	8,331.25	24,081.25
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	17,000.00	10,875.00	27,875.00
8 Audit Services	0.00	8,250.00	8,250.00
9 Administration Collection of Taxes (Revenue)	20,500.00	1,500.00	22,000.00
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	543.75	7,053.75
15 Legal Services & Costs	0.00	24,000.00	24,000.00
16 Engineering Services and Costs	0.00	11,250.00	11,250.00
17 Planning Board	4,125.00	2,555.50	6,680.50
18 Environmental Commission	0.00	250.00	250.00
19 General Liability Insurance	0.00	57,000.00	57,000.00
20 Workers Compensation	0.00	77,000.00	77,000.00
21 Employee Group Insurance	0.00	228,212.12	228,212.12
22 Police	393,750.00	21,395.00	415,145.00
23 Police Crossing Guards	8,750.00	0.00	8,750.00
24 Office of Emergency Management	1,562.50	337.50	1,900.00

25	Aid to Volunteer Fire Companies	0.00	11,542.50	11,542.50
29	Aid to Volunteer Ambulance Companies	0.00	4,750.00	4,750.00
30	Municipal Court	27,250.00	1,750.00	29,000.00
33	Uniform Fire Safety Act Fire Official	3,250.00	912.75	4,162.75
34	Municipal Prosecutor	0.00	4,487.50	4,487.50
35	Streets and Roads	8,250.00	6,487.50	14,737.50
36	Snow Removal	0.00	2,500.00	2,500.00
37	Other Public Works Functions	41,250.00	2,500.00	43,750.00
38	Soils Waste Collection	92,500.00	6,012.50	98,512.50
40	Recycling Program	29,000.00	6,500.00	35,500.00
41	Building & Grounds	50,500.00	19,435.00	69,935.00
42	Equipment Maintenance	22,250.00	18,800.00	41,050.00
43	Board of Health	181.75	71.25	253.00
44	Animal Control	0.00	1,500.00	1,500.00
46	Board of Recreation Commissioners	195.00	750.00	945.00
47	Maintenance of Parks and Playgrounds	0.00	543.75	543.75
48	Lifeguards and Special Officers	3,500.00	125.00	3,625.00
50	Beach Maintenance	0.00	775.00	775.00
51	Participation in Free County Library	0.00	1,250.00	1,250.00
52	Celebration of Public Events	0.00	118.75	118.75
52	Disposal Costs	0.00	150,000.00	150,000.00
53	Code Enforcement and Zoning Officer	7,750.00	662.50	8,412.50
54	Construction Official	12,500.00	250.00	12,750.00
55	Utilities - Electric	0.00	32,500.00	32,500.00
56	Utilities - Street Lighting	0.00	24,000.00	24,000.00
56	Utilities - Telephone and Telegraph	0.00	10,250.00	10,250.00
56	Natural Gas	0.00	8,250.00	8,250.00
56	Gasoline, Diesel Fuel and Oil	0.00	37,500.00	37,500.00
56	Cell Telephones	0.00	2,500.00	2,500.00
57	Sick Leave Trust	0.00	5,000.00	5,000.00
58	Salary and Wage Adjustment	0.00	2,500.00	2,500.00
60	Social Security System	0.00	61,250.00	61,250.00
61	Defined Contribution Retirement Program	0.00	312.50	312.50
62	Public Employees Retirement System	0.00	101,607.75	101,607.75
63	Police & Firemen's Retirement System	0.00	221,607.00	221,607.00
	Subtotal @ 26.25% of 2009 Appropriations	782,874.25	1,209,626.37	1,992,500.62 0.00
	Capital Improvement Fund:			
64	Payment of Bond Principal	0.00	197,000.00	197,000.00
65	Interest on Bonds	0.00	10,950.00	10,950.00
66	NJEDA - Municipal Infrastructure Loan- Principle		33,750.00	33,750.00
67	NJEDA - Municipal Infrastructure Loan- Interest		2,600.00	2,600.00
68	Green Trust Loan Program	0.00	9,327.48	9,327.48
	Total Temporary Operating Budget	782,874.25	1,463,253.85	2,246,128.10
	WATER UTILITY FUND - TEMPORARY APPROPRIATIONS - 2009			
80	Salary and Wages	123,750.00		123,750.00

81	Other Expenses		158,500.00	158,500.00
82	Statutory Expenses - Social Security		10,000.00	10,000.00
83	Public Employees Retirement System		33,869.25	33,869.25
		123,750.00	202,369.25	326,119.25
84	Payment of Bond Principal		90,000.00	90,000.00
85	Interest on Bonds		51,830.00	51,830.00
	Water Utility Infrastructure Loan			
86	Principal		24,300.00	24,300.00
87	Interest		12,300.00	12,300.00
	Total Temporary Water Utility Budget	123,750.00	380,799.25	504,549.25

Motion: Verga Second: Feeney
Approved: Clark – Clayton – Feeney – Komsa – Roma – Verga

#2009-22 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 2009 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 2009; 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: Verga
Approved: Clark – Clayton – Feeney – Komsa – Roma – Verga

#2009-23 RESOLVED by Mayor and Council that the interest for the year 2009 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 2008on delinquent water bills shall be 18% after ten (10) days from due Date.

Motion: Clayton Second: Verga
Approved: Clark – Clayton – Feeney – Komsa – Roma – Verga

#2009-24 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: Feeney Second: Verga
Approved: Clark – Clayton – Feeney – Komsa – Roma – Verga

#2009-25 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
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: Roma Second: Verga
Approved: Clark – Clayton – Feeney – Komsa – Roma – Verga

#2009-26 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: Clark – Clayton – Feeney – Komsa – Roma – Verga

#2009-27 RESOLVED by Mayor and Council to approve the 2009 Certified Bills List in the amount of

Motion: Second:
Approved: Opposed:
Abstain: Absent:

#2009-28 **RESOLUTION TO Authorize cancellation of minimum balances and overpayments by Tax Collector for CY 2009**

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: Verga
Approved: Clark – Clayton – Feeney – Komsa – Roma - Verga

CORRESPONDENCE

Joseph Vallo (Troop 70 – Beachwood / Pine Beach / Bayville) See attached letter
Re: Use of Community Center January 25, 2009 for Eagle Scout Court of Honor

#2009-29 RESOLVED by Mayor and Council to approve the request for use of the Community Center on January 25, 2009 for Eagle Scout Court of Honor (Waive Fees)

Motion: Roma Second: Clayton
Approved: Clark – Clayton – Feeney – Komsa – Roma - Verga

REPORTS

Mayor Jones Congratulated Mr. Feeney and Mr. Komsa on election to council again. Sure they will do a fine job. Thanked all volunteers for being there on moment's notice. Congratulated Mr. Roma . While attending event in Washington D.C. had opportunity to speak with legislators on President elect Obama's proposal on stimulus package. Will be working with council to develop list of issues we can submit for consideration. Hope we can work together to identify needs and pass along to Government for consideration in this stimulus package. Also will be drafting letter to President for his consideration in bringing back the CETA program. Hoping to get people from Beachwood working. Again been a memorable year. Looking forward to working with council.

Councilmembers:

Katina L. Clark Congratulated Mr. Feeney and Mr. Komsa. Congratulated all volunteers. Shade Tree and Environmental will be having their meetings this month. Happy New Year to all. 2008 very interesting. Looking forward to 2009. Putting my 100% in like last year. Looking forward to working with everyone.

Beverly Clayton Happy New Year to all. Congratulations to Mr. Feeney and Mr. Komsa as well as Mr. Roma. Over New Years visited Barnegat Light House. Happy to have this type of shore history come to light. Mr. Oris will update on First Aid.

RESOLUTION

#2009-35 To Amend resolution #2008-245B "RESOLVED to authorize soliciting architect for Community Center decking not to exceed \$5,000" to reflect Architect "YeZZi Assoc" (\$1,265.00).

Motion: Clayton Second: Roma
Approved: Clark – Clayton – Feeney – Komsa – Roma – Verga

Congratulations to our Scouts achieving Eagle Rank. Takes a lot of hard work to get there and the help of many people.

Gregory Feeney Thanked all for putting their trust in he and Mr. Komsa. A lot was accomplished in 2008 (Water Tower – Roads Drainage – Water Improvements) looking at Wind power. Several ready projects offered to Mayor for consideration in the submittal for the stimulus package. Thanked volunteers and employees for their hard work.

Steven Komsa Thanked all for their vote of confidence. Thanked Father Kevin and Pipers. Thanked all volunteers, they make this a great community. Congratulated Mr. Feeney and Mr. Roma. Recreation re-organization tomorrow.

Ronald Roma Congratulations to Mr. Feeney and Mr. Komsa. Looking forward to continuing on projects with Council. Alliance Volleyball starts tomorrow. Looking for volunteers for Volleyball. Friday is Alliance dance at Community Center. Hope to hear shortly on ski trip grant.

Bonnie Verga No report. Congratulated Mr. Feeney and Mr. Komsa. Looking forward to working with council in 2009. Received report on construction and will review for presentation at next meeting.

Municipal Attorney Happy New Year.

Municipal Engineer Oris: Happy New Year. Thank you for re-appointment. First Aid project progressing slowly. Contractor taking cold weather precautions re: concrete. Working closely with all to move it along as quickly as possible. Addressing concerns of Mizzen Avenue project. Water Tower project now under way. R.R. Drainage Phase IV at punch list stage. Has additional information re; stimulus project.

Chief Cairns: Anticipating Academy graduation Jan. 27th, 2009.

Municipal Clerk

RESOLUTION:

#2009-30 RESOLVED by Mayor and Council to approve the minutes of the December 17th, 2008 meeting of Mayor and Council

Motion: Feeney Second: Roma
Approved: Clayton – Feeney – Komsa – Roma - Verga
Abstain: Clark

#2009-31 RESOLVED by Mayor and Council to approve the Executive Session minutes from October 1, 2008 to December 17, 2008.

Motion: Clayton Second: Roma
Approved: Clark – Clayton – Feeney – Komsa – Roma - Verga

#2009-32 RESOLVED by Mayor and Council to approve the following requests for Conference Training or Seminar

Date:	January 16 - Elizabeth A. Mastropasqua
Subject:	O.C. Jif – Executive Safety Committee -
Location:	Lacey Municipal Building
Cost:	\$0
Vehicle:	No

Date:	January 14 - Ronald W. Jones Jr.
Subject:	Mayors’ Legislative Day –
Location:	State House – Trenton
Cost:	\$25
Vehicle:	No

Date:	January 23 - Elizabeth A. Mastropasqua
Subject:	MCANJ – Quarterly Meeting
Location:	Jamesburg
Cost:	\$0

Vehicle: No

Motion: Roma Second: Komsa
Approved: Clark – Clayton – Feeney – Komsa – Roma - Verga

ORDINANCE FIRST READING TITLE ONLY
#2009-01 **ORDINANCE OF THE BOROUGH OF BEACHWOOD, OCEAN COUNTY, NEW JERSEY AUTHORIZING THE CONVEYANCE OF REAL PROPERTY KNOWN AS BLOCK 5.51, LOT 4, BLOCK 6.32, LOTS 1, 6, 14, 2, 9, 3, BLOCK 6.33, LOTS 4, 17, 15, 3, BLOCK 6.34, LOTS 8, 10, 7, 2, 11, BLOCK 6.35, LOTS 13, 2, 14, 3, 4, BLOCK 6.37, LOTS 5, 4, BLOCK 6.38, LOTS 14, 2, 15, 16, 5, BLOCK 6.39, LOT 5, BLOCK 6.44, LOT 1 and BLOCK 6.52, LOT 1 TO THE COUNTY OF OCEAN NATURAL LANDS TRUST FOR NOMINAL CONSIDERATION**

RESOLUTION
#2009-33 RESOLVED by Mayor and Council to approve Ordinance #2009-01 as presented on First Reading by Title Only.

Motion: Roma Second: Feeney
Comment: **Roma:** O.C. presented Borough with proposal received from resident addressing Natural Trust. Part of the package had “stipulation” of Borough providing some properties in the designated area. What this means for us, is that this land will be preserved forever as “natural land trust” and never built upon. Good thing for Beachwood. Thanked Governing Body for agreeing.
Feeney: Long time coming. Thanked Mr. Roma and Mrs. Clayton for hard work on this. This will also impact our need to address COAH requirements. No infrastructure. No stress on DPW – Police or Schools. Twenty two acres will be preserved. Cudos to all involved.
Approved: Clark – Clayton – Feeney – Komsa – Roma - Verga

ORDINANCE FIRST READING TITLE ONLY
#2009-02 AN ORDINANCE OF THE BOROUGH OF BEACHWOOD, OCEAN COUNTY, NEW JERSEY AMENDING CHAPTER II ENTITLED, "ADMINISTRATION", AS IT APPLIES TO FEES FOR COPIES OF CERTAIN MUNICIPAL RECORDS

RESOLUTION
#2009-34 RESOLVED by Mayor and Council to approve Ordinance #2009-02 as presented on First Reading by Title Only.

Motion: Roma Second: Clark
Approved: Clark – Clayton – Feeney – Komsa – Roma - Verga

Mrs. Clayton and Mr. Feeney extended thanks to Clerk and Recreation for activities and food this evening.

OPEN TO PUBLIC DISCUSSION

Motion: Roma Second: Verga
Approved: Clark – Clayton – Feeney – Komsa – Roma - Verga

LaCrosse
Forecastle Ave: Congratulated Feeney and Komsa. Will be great for Borough. Great selection of Roma as Council President. To Mayor on his appointments – only three sworn in out of ten. What happened.?

Happy to see Mayor on first name basis with politicians in Washington. Addressed a “report card” he prepared for the Mayor .

DiBella

Halliard Ave: Asked for definition of Class II appointment from Mayor. Asked Mr. Hiering for some clarification on qualifications of appointment. If council is reducing the meetings to eliminate the Workshop – will council consider expanding 10 minute speaking rule to give residents opportunity to speak. In October put in request for audio recordings what is status.

Mrs. Clark advised that she responded to the Clerk. Clerk did not recall response but will research.

Re: Administrator vacancy – would you ever hire anyone to be Administrator who was unable to mentally process and had impaired judgment. ?

Mr. Roma: Imagine that we would not hire someone who was not fit for the position.

Mr. DiBella: Proceeded to ask if members of Council and Mayor were mentally processing this evening.

To Mrs. Clark about clarification of statements December meeting.

Mrs. Clark: Due to legal matters cannot respond to Mr. DiBella.

Congratulated Council – as a whole have done a good job. Thanked all for dedication to the community and doing what is right for the town.

CLOSE TO PUBLIC DISCUSSION

Motion: Komsa Second: Verga
Approved: Clark – Clayton – Feeney – Komsa – Roma - Verga

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 - Building Dept. – Public Works
Contractual - Teamsters Local 469 – Ocean County Joint Insurance

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

Motion: Komsa Second: Verga
Approved: Clark – Clayton – Feeney – Komsa – Roma - Verga

Re-Open

Motion: Roma Second: Verga
Approved: Clark – Clayton – Feeney – Komsa – Roma - Verga

ACTION TAKEN

#2009-35 RESOLVED by Mayor and Council to name Councilman Gregory Feeney as the JIF Fund Commissioner for the Borough of Beachwood.

Motion: Roma Second: Clayton
Approved: Clark – Clayton –Komsa – Roma - Verga
Abstain: Feeney

#2009-36 RESOLVED by Mayor and Council to move seasonal employee Cory Long to permanent employee to fill the vacancy of John Russell. Effective January 1, 2009 annual salary \$25,411.00

Motion: Clayton Second: Verga
Approved: Clark –Feeney - Clayton –Komsa – Roma - Verga

#2009-37 RESOLVED by Mayor and Council to hire Anthony Avello 213 Springfield Rd. Pine Beach, as backup Construction Official, Building Sub Code Official, Plumbing Sub Code Official and Fire Sub Code Official as needed. Salary \$35.00 per hour.

Motion: Clayton Second: Verga
Approved: Clark –Feeney - Clayton –Komsa – Roma - Verga

ADJOURN

Motion: Roma Second: Feeney
Approved: Clark –Feeney - Clayton –Komsa – Roma - Verga

Prepared by: E.A. Mastropasqua

Ronald W. Jones; Jr.
Mayor

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