



**#2013-89**

**RESOLVED BY MAYOR AND COUNCIL TO AUTHORIZE A REFUND OF REDEMPTION MONIES FROM LIEN #12-00031 TO LIEN HOLDER, FNA JERSEY BOI, LLC, IN THE AMOUNT OF \$637.61 WITH A PREMIUM OF \$600.00.**

**WHEREAS**, at the Municipal Tax Sale held on June 29, 2012, a lien was sold on Block 5.27 Lot 6 also known as 1023 Halliard Ave for 2011 delinquent municipal charges; and,

**WHEREAS**, this lien, known as Tax Sale Certificate #12-00031 as sold to FNA JERSEY BOI, LLC with a 0% interest rate; and a premium of \$600.00;

**WHEREAS**, Michal Kubiak; owner, effected redemption, for certificate #12-00031 in the amount of \$637.61.

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of Beachwood, in the County of Ocean, State of New Jersey to refund lien holder, FNA JERSEY BOI, LLC for the redemption of certificate #12-00031 in the amount of \$1237.61.

**#2013-90**

**RESOLVED BY MAYOR AND COUNCIL TO AUTHORIZE A REFUND OF REDEMPTION MONIES FROM LIEN #12-00039 TO LIEN HOLDER, VIRGO MUNICIPAL FINANCE FUND LP IN THE AMOUNT OF \$2595.69 WITH A PREMIUM OF \$700.00.**

**WHEREAS**, at the Municipal Tax Sale held on June 29, 2012, a lien was sold on Block 9.20 Lot 10 also known as 1308 Mizzen Ave for 2011 delinquent municipal charges; and,

**WHEREAS**, this lien, known as Tax Sale Certificate #12-00039 as sold to Virgo Municipal Finance Fund LP with a 0% interest rate; and a premium of \$700.00;

**WHEREAS**, Thomas J & Christine A Rumper; owners, effected redemption, for certificate #12-00039 in the amount of \$2595.69.

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of Beachwood, in the County of Ocean, State of New Jersey to refund lien holder, Virgo Municipal Finance Fund LP for the redemption of certificate #12-00039 in the amount of \$3295.69.

**#2013-91**

**RESOLVED BY MAYOR AND COUNCIL TO AUTHORIZE A REFUND OF REDEMPTION MONIES FROM LIEN #12-00052 TO LIEN HOLDER, US BANK CUST FOR TLC 2012A LLC, IN THE AMOUNT OF \$290.79 WITH \$700.00 PREMIUM.**

**WHEREAS**, at the Municipal Tax Sale held on June 29, 2012, a lien was sold on Block 10.31 Lot 1 also known as 753 Neptune Ave. for 2011 delinquent municipal charges; and,

**WHEREAS**, this lien, known as Tax Sale Certificate #12-00052 as sold to US Bank CUST For TLC 2012A LLC, with a 0% interest rate; and \$700.00 premium;

**WHEREAS**, Karen LaNoce and ClaraDoti; owners, effected redemption, for certificate #12-00052 in the amount of \$290.79.

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of Beachwood, in the County of Ocean, State of New Jersey to refund lien holder, US Bank CUST For TLC 2012A LLC for the redemption of certificate #12-00052 in the amount of \$990.79

#2012-92

**RESOLVED BY MAYOR AND COUNCIL TO AUTHORIZE A REFUND OF REDEMPTION MONIES FROM LIEN #12-00058 TO LIEN HOLDER, VIRGO MUNICIPAL FINANCE FUND LP IN THE AMOUNT OF \$1150.11 WITH A PREMIUM OF \$1000.00.**

**WHEREAS**, at the Municipal Tax Sale held on June 29, 2012, a lien was sold on Block 11.07 Lot 11 also known as 528 Pacific Ave for 2011 delinquent municipal charges; and,

**WHEREAS**, this lien, known as Tax Sale Certificate #12-00058 as sold to Virgo Municipal Finance Fund LP with a 0% interest rate; and a premium of \$1000.00;

**WHEREAS**, E J Jelly & S Swearingen; owners, effected redemption, for certificate #12-00058 in the amount of \$1150.11.

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of Beachwood, in the County of Ocean, State of New Jersey to refund lien holder, Virgo Municipal Finance Fund LP for the redemption of certificate #12-00058 in the amount of \$2150.11.

#2013-93

**RESOLVED BY MAYOR AND COUNCIL TO AUTHORIZE A REFUND OF REDEMPTION MONIES FROM LIEN #12-00068 TO LIEN HOLDER, ANTHONY SILVA, IN THE AMOUNT OF \$1123.90 WITH A PREMIUM OF \$1300.00.**

**WHEREAS**, at the Municipal Tax Sale held on June 29, 2012, a lien was sold on Block 11.35 Lot 1 also known as 333 Longboat Ave for 2011 delinquent municipal charges; and,

**WHEREAS**, this lien, known as Tax Sale Certificate #12-00068 as sold to Anthony Silva with a 0% interest rate; and a premium of \$1300.00;

**WHEREAS**, William G. Simmons; owner, effected redemption, for certificate #12-00068 in the amount of \$1123.90.

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of Beachwood, in the County of Ocean, State of New Jersey to refund lien holder, Anthony Silva, for the redemption of certificate #12-00068 in the amount of \$2423.90.

#2013-94

**RESOLVED BY MAYOR AND COUNCIL TO AUTHORIZE A REFUND OF REDEMPTION MONIES FROM LIEN #10-00099 TO LIEN HOLDER, USBANKCUST-PRO CAPITAL I, LLC, IN THE AMOUNT OF \$995.83 WITH NO PREMIUM.**

**WHEREAS**, at the Municipal Tax Sale held on September 10, 2010, a lien was sold on Block 9.44 Lot 5 also known as 1121 Pacific Ave for 2009 delinquent municipal charges; and,

**WHEREAS**, this lien, known as Tax Sale Certificate #10-00099 as sold to USBANKCUST-PRO CAPITAL I, LLC, with a 0% interest rate; and no premium;

**WHEREAS**, Frank Jr & Donna Vargovic; owners, effected redemption, for certificate #10-00099 in the amount of \$995.83.

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of Beachwood, in the County of Ocean, State of New Jersey to refund lien holder, USBANKCUST-PRO CAPITAL I, LLC for the redemption of certificate #10-00099 in the amount of \$995.83.

**#2013-95 RESOLVED BY MAYOR AND COUNCIL TO AUTHORIZE A REFUND OF REDEMPTION MONIES FROM LIEN #09-00045 TO LIEN HOLDER, KKR HOLDINGS, LLC, IN THE AMOUNT OF \$851.11**

**WHEREAS**, at the Municipal Tax Sale held on December 11, 2009 a lien was sold on Block 11.21 Lot 9 also known as 508 Spray Ave for 2007 delinquent municipal charges; and,

**WHEREAS**, this lien, known as Tax Sale Certificate #09-00045 as sold to KKR Holdings, LLC with a 18% interest rate; and

**WHEREAS**, Robert & Sylvia Jones, owners, effected redemption, for certificate #09-00045 in the amount of \$851.11.

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of Beachwood, in the County of Ocean, State of New Jersey to refund lien holder, KKR Holdings, LLC, for the redemption of certificate #09-00045 in the amount of \$851.11.

**#2013-96 RESOLVED BY MAYOR AND COUNCIL TO AUTHORIZE A REFUND OF REDEMPTION MONIES FROM LIEN #07-00058 TO LIEN HOLDER, KKR HOLDINGS, LLC, IN THE AMOUNT OF \$17,642.36**

**WHEREAS**, at the Municipal Tax Sale held on October 3, 2008 a lien was sold on Block 11.21 Lot 9 also known as 508 Spray Ave for 2007 delinquent municipal charges; and,

**WHEREAS**, this lien, known as Tax Sale Certificate #07-00058 as sold to KKR Holdings, LLC with a 18% interest rate; and

**WHEREAS**, Robert & Sylvia Jones, owners, effected redemption, for certificate #07-00058 in the amount of \$17,642.36.

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of Beachwood, in the County of Ocean, State of New Jersey to refund lien holder, KKR Holdings, LLC, for the redemption of certificate #07-00058 in the amount of \$17,642.36.

**TO APPROVE RESOLUTIONS # 2013-89 to -#2013-96**

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

**#2013-97 RESOLVED by Mayor and Council to approve the Raffle License Application of Beachwood Soccer for May 18, 2013.**

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

**#2013-98 RESOLVED by Mayor and Council to approve the provisional promotion from Truck Driver to Equipment Operator of Cory Long, Eric Manna and Joseph Triolo pending Civil Service promotional procedures.**

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



public business among an effective majority of the members that occurred prior to a meeting become part of the minutes and renders the recordings a permanent municipal record, is unworkable and unmanageable as the technology does not always exist to make "hard copies" or digital copies of text messages and the records custodian does not always have access to them, and which is an unprecedented expansion of the meeting concept; and

WHEREAS, the new requirement that comprehensive minutes must include each member's stated reasons for their action or vote, the identity of each member of the public who spoke, and summary of what was said, be made available to the public as soon as possible but no later than 60 days after the meeting will not only be costly, but the historical value of minutes will be lost in order to meet an arbitrary deadline; and

WHEREAS, the new requirement that the public be allowed to speak for a minimum of three minutes at the start of the public meeting, without the ability of the public body to limit the length of the public comment could disrupt public meetings, lead to filibustering and prevent the governing body from conducting business; and

WHEREAS, the provisions of S-2511 place financial, time, manpower and other burdens on municipalities at a time when municipalities are forced to layoff municipal employees, impose furloughs and reduce departmental budgets so that municipalities can meet the strict CAP requirements with decreased revenues and increasing operating expense; and

WHEREAS, the totality of the new requirements of S-2511 will be a significant cost driver for local and State government with no known appropriation contemplated or any alternate means to offset these costs, such a reasonable increase in fees; and

WHEREAS, the provisions of S-2511 continue to exempt the legislature from the requirements placed on municipalities; and

WHEREAS, while we appreciate Senator Weinberg's efforts to address our concerns, we must continue to oppose the amendments to the Open Public Meetings Act as the changes proposed in S-2511 will not only be a cost driver for local and State government but make government less effective;

NOW, THEREFORE, BE IT RESOLVED BY THE Mayor and Council of the Borough of Beachwood , that for reasons state above} does hereby oppose 5-2511, as currently drafted, and strongly urges the State Senate and Assembly to oppose these bills; and

BE IT FURTHER RESOLVED that the Mayor and Council of the Borough of Beachwood does hereby strongly urge the legislature, in the interest of transparency and openness, to remove the various exceptions in the Open Public Meetings Law that apply to the legislature. The rules that the legislation makes applicable to other governmental bodies should apply equally to all governmental levels and officials; and

**BE IT FURTHER RESOLVED**, that a copy of this duly adopted resolution be forwarded to Senate President Stephen Sweeney, Senator Loretta Weinberg, Assembly Speaker Sheila Oliver, Assemblyman Gordon Johnson, the legislators of the Township of Woodbridge's State Legislative Districts, Governor Chris Christie, the New Jersey State League of Municipalities and the Municipal Clerk's Association of New Jersey.

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

CORRESPONDENCE

None

REPORTS

Mayor Roma	Commenting on small committee meetings concerning Community Center and Mayo Park and Conducting various interviews
Council President E. Zakar	No basic report. Have started interviewing for Deputy Clerk
Councilmember Feeney	No report –Exec matters only
Councilmember Komsa	Snowman contest ends 3/15. Easter Egg Hunt 3/24.
	Various small meetings on repairs to Community Center. Resident asked if Council would waive interest and turn off/shut off fees. Will be outstanding delinquency.
<b>Proposed Resolution #2013-101</b>	<b>Addressing water payment - Block 2.37 Lot 9 Requesting waiver of Shut Off – Turn on Fee (\$25.00) Waiver of Minimum Fee 2012 Period 4 \$39.75 2013 Period 1 \$39.75.</b>
	<b>Motion: Clayton Second: Komsa Approved: Clayton – Feeney – Komsa – LaCrosse – Miserendino - Zakar</b>
Mayor	Advised Mrs. Clayton to let resident know to contact cable - and other utilities to let them know about problem.
LaCrosse	No report
Miserendino	No report
Mauder	Looking 3/18 budget 4:00 p.m.. Budget workshop.
First Aid	Update on calls
Mayor	Thanked First Aid / Fire for allowing organizations use of their facility.

Attorney Hierarchy  
Proposed Resolution  
#2013-102

**RESOLUTION OF THE BOROUGH OF BEACHWOOD, OCEAN COUNTY, NEW JERSEY AWARDED A CONTRACT FOR THE BEACHWOOD WATER MAIN EXTENSION AT BARNEGAT BOULEVARD TO BRENNEN BROTHERS CONSTRUCTION, LLC IN THE BASE BID AMOUNT OF \$175,328.30 AND ALTERNATE NUMBER 1 AMOUNT OF \$28,678.22 IN ACCORDANCE WITH THE BOROUGH'S BID SPECIFICATIONS**

WHEREAS, the Borough of Beachwood previously advertised for the receipt of bids on February 20, 2013 for the Beachwood Water Main Extension at Barnegat Boulevard ; and

WHEREAS, at the time and place for the receipt of bids six (6) bids were received ranging from a low base bid amount of \$175,328.30, along with a bid for alternate number 1 in the amount of \$28,678.22 to a high base bid amount of \$272,513.13 with a bid for alternate number 1 in the amount of \$43,930.00; and

WHEREAS, the Borough Engineers have reviewed said bid submission and recommended the award to the low bidder, Brenner Brothers Construction, LLC; and

WHEREAS, the Borough Engineer has presented the issue of the low bidder's failure to respond to the Borough's clarification issued on February 19, 2013; and

WHEREAS, said clarification had no effect on the outcome of the bidding and, in fact, will lower the bid of Brennen Brothers Construction, LLC in accordance with the award amounts set forth herein; and

WHEREAS, said failure to respond is considered a waivable deviation since the failure to respond in no way effects the outcome of the bidding and provides no advantage to anyone submitting a bid; and

**WHEREAS**, the Borough's Attorney has reviewed said bid submission and determined that it should be awarded to the lowest bidder, Brennen Brothers Construction, LLC for both the base bid and alternate number 1 based upon the reasons hereinabove set forth; and

**WHEREAS**, it is the desire of this Governing Body to act upon the Engineers and Attorney's recommendation of award.

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

1. That the Borough Council hereby awards a Contract to Brennen Brothers Construction, LLC for the Beachwood Water Main Extension at Barnegat Boulevard for the base bid amount of \$175,328.30 plus the alternate number 1 amount of \$28,678.22 for a total bid award of \$204,006.52.
2. That upon the adoption of the within resolution, the Borough Clerk is authorized to forward a certified copy of it to the Borough CFO, the Borough Treasurer, the Borough Engineer and Brennen Brothers Construction, LLC.

Motion: Feeney

Second: Zakar

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

Oris	Met with O.C. Engineer on 2013 Road Projects. Due to Sandy - program tight. We will move ahead with our Schedule "C" plan and fund for it. If County gives OK great.
	Commented on concerns about County Road conditions. Will talk to County.
	Community Center - several project meetings to address scope of repairs. Putting together plans and specs.... hope to advertise next week. T-Docks/Marina plans and specs should go to press on Friday ..Water Main project Barnegat will be fast tracked.
Finance Officer Mauder	Commented on setting up budget workshop.
First Aid	No report
Municipal Clerk	No report

**PUBLIC DISCUSSION- TO OPEN**

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

**NO QUESTIONS**

**PUBLIC DISCUSSION- TO CLOSE**

**Motion:** Feeney **Second:** Komsa  
**Approved:** Clayton – Feeney – Komsa – LaCrosse – Miserendino - 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:  
Contractual – Engineer - Negotiations  
Terms & Condition - DPW
3. It is anticipated that the subject matter discussed may be made public in (90) days.

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

**RE-OPEN**

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

**ACTION TAKEN FROM EXECUTIVE SESSION**

#2013- 103 RESOLVED by Mayor and Council to approve the agreement between the Borough of Beachwood and T&M Associates for Scope and Budget for Water Main Replacement – Barnegat Blvd. not to exceed \$35,000.00

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

