

March 6, 2013

Beachwood Municipal Complex
1600 Pinewald Rd.

7:00 PM

Call to Order

Flag Salute

While we pray for the safe return of our serving men and women, we must remember that servicemen and women from New Jersey have been killed in service to our country in Iraq and Afghanistan and around the world .

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 veterans, those missing in action and a call for the swift return of all our serving men and women.

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 meeting of Mayor and Council of the Borough of Beachwood is listed in the notice of meetings posted on the Bulletin Board, located in the Municipal Complex and delivered to the Asbury Park Press and Municipal Web Site on January 4, 2013

ROLL CALL MEMBERS PRESENT:

COUNCILMEMBERS:

Gregory Feeney
Steven Komsa

Gerald LaCrosse
Thomas Miserendino
Edward Zakar

Absent: Mayor Roma – Councilmember Clayton

#2013-104 EMERGENCY TEMPORARY RESOLUTION

WHEREAS, an emergent condition has arisen with respect to the ability of the Borough of Beachwood to continue paying its employees and vendors; and

WHEREAS, the Borough Council has not yet adopted the 2013 budget; and

WHEREAS, no adequate provision has been made in the 2013 temporary budget for the aforesaid purpose, and N.J.S. 40A:4-20 provides for the creation of an emergency temporary appropriation for the purpose above mentioned; and

WHEREAS, the total emergency temporary resolutions adopted in the year 2013 pursuant to the provisions of Chapter 96,P.L.1951 (N.J. S. 40A:4-20) including this resolution total \$ 5,320,250.17

NOW, THEREFORE, BE IT RESOLVED (not less than two-thirds of all members thereof affirmatively concurring) that in accordance with N.J.S. 40A:4-20:

1. An emergency temporary appropriation be and the same is hereby made for:

SALARY OTHER

& WAGES EXPENSES TOTAL

| 1 | MUNICIPAL CLERK | 10,000.00 | | 10,000.00 |
|----|--------------------------------|------------|------------|------------|
| 2 | MAYOR & COUNCIL | 10,000.00 | 500.00 | 10,500.00 |
| 3 | REVENUE ADMIN.(TAX COLLECTION) | 10,000.00 | | 10,000.00 |
| 4 | TAX ASSESSMENT | 5,000.00 | | 5,000.00 |
| 5 | FINANCIAL ADMINISTRATION | 10,000.00 | 5,000.00 | 15,000.00 |
| 6 | ENGINEERING | | 10,000.00 | 10,000.00 |
| 7 | PLANNING BOARD | 2,000.00 | | 2,000.00 |
| 8 | UNIFORM CONSTRUCTION CODE | 20,000.00 | 200.00 | 20,200.00 |
| 9 | CODE ENFORCEMENT | 3,000.00 | | 3,000.00 |
| 10 | EMPLOYEES GROUP INSURANCE | | 200,000.00 | 200,000.00 |
| 11 | POLICE | 200,000.00 | | 200,000.00 |
| 12 | EMERGENCY MANAGEMENT | 1,000.00 | 300.00 | 1,300.00 |
| 13 | FIRE PREVENTION | 3,000.00 | 500.00 | 3,500.00 |
| 14 | SNOW REMOVAL | | 2,000.00 | 2,000.00 |
| 15 | MUNICIPAL PROSECUTOR | | 3,000.00 | 3,000.00 |
| 16 | STREETS AND ROADS | 5,000.00 | 1,000.00 | 6,000.00 |
| 17 | PUBLIC WORKS | | 2,000.00 | 2,000.00 |
| 18 | SOLID WASTE | 25,000.00 | | 25,000.00 |
| 19 | RECYCLING | 20,000.00 | | 20,000.00 |
| 20 | BUILDINGS AND GROUNDS | 20,000.00 | | 20,000.00 |
| 21 | CROSSING GUARDS | 3,000.00 | | 3,000.00 |
| 22 | VEHICLE MAINTENANCE | 15,000.00 | | 15,000.00 |
| 23 | ANIMAL CONTROL | | 2,000.00 | 2,000.00 |
| 24 | RECREATION | 150.00 | 250.00 | 400.00 |

#2013-110 WHEREAS, Block 3.30 Lot 04, account #1359-0, owned by Jeannie Armangeon, was manually read for the 4th quarter of 2012;and

WHEREAS, it was read and posted incorrectly as 1028 and not 976.

NOW, THEREFORE, BE IT RESOLVED by Mayor and Council to credit the account In the amount of \$288.60

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| Motion: | Miserendino | Second: | Feeney |
| Approved: | Feeney-Komsa-LaCrosse-Miserendino-Zakar | Opposed: | None |
| Absent: | Clayton | Abstained: | |

#2013-111 WHEREAS, the Borough of Beachwood wishes to apply for funding for a project under the Safe and Secure Communities Program; and

WHEREAS, the Borough of Beachwood has reviewed the accompanying application and has approved said request; and

WHEREAS, the project is a joint effort between the Department of Law and Public Safety and the Borough of Beachwood for the purposes described in the application;

THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Beachwood, County of Ocean, State of New Jersey that;

1. As a matter of public policy the Borough of Beachwood wishes to participate to the fullest extent possible with the Department of Law and Public Safety.
2. The Attorney General will receive funds on behalf of the applicant.
3. The Division of Criminal Justice shall be responsible for the receipt and review of the applications for said funds.
4. The Division of Criminal Justice shall initiate allocations to each applicant as authorized.

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| Motion: | Miserendino | Second: | Feeney |
| Approved: | Feeney-Komsa-LaCrosse-Miserendino-Zakar | Opposed: | None |
| Absent: | Clayton | Abstained: | |

CORRESPONDENCE

William J. Cairns
Chief of Police



Beachwood Police Department
1600 Pinewald Road
Beachwood, New Jersey 08722

Phone: (732) 286-6000
Fax: (732) 341-1244

TO: Mayor and Council
FROM: William J. Cairns, Chief of Police
DATE: March 1, 2013

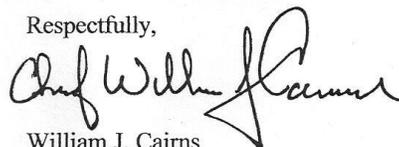
Mayor and Council:

I am writing this letter to officially advise Mayor and Council of my intention to retire on April 1, 2013. I would like to thank the Mayor and Council for affording me the opportunity to serve the people of our great community in the capacity of Chief of Police. It has been an honor and a privilege that I will cherish forever.

During my tenure with the cooperation of the Council, we were able to increase our department's manpower by one officer and replaced every officer that has retired. We made the necessary promotions during a very bad economic time. This could not have been accomplished without your cooperation and for that I thank you. I leave the department in good hands and with your continued cooperation, it will continue to be one of the best departments in the county. Not only can it be depended upon, but is respected.

I thank all of my men and women, both past and present, for their support; not only as Chief, but throughout my career. They are the best. Once again, I thank you.

Respectfully,



William J. Cairns
Chief of Police

WJC/dt

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| Reports | |
| Council President Zakar | Get well wishes to Mayor Roma and Councilwoman Clayton. No accidents... another month. Reminder of Daylight savings time. |
| Councilwoman Clayton | Absent |
| Councilman Komsa | Snowman contest ends awards next meeting 3/24 1:00 Egg Hunt |
| Councilman Feeney | Engineer resolutions |
| Councilman LaCrosse | Thanked all for attending. Hopes that officers out tonight will keep eye on waterfront area for flooding possibilities. Commented on retirement of Chief Cairns |
| Lt. Tapp | Staff has been made aware |
| Councilman Miserendino | Code Enforcement report. |
| Engineer Oris | Award Filters 1/2. Update on recent awards. Should complete water main 5-8 weeks. Resurfacing to follow (Barnegat Brigantine) Reconstruction of waterfront/community center. Spoke with FEMA this date. Borough moving forward - plans n specs for all projects Advertised. Looks like most will be ready by Memorial Day majority to be completed June. Community Center ... should be ready for end May or early June. Work needs to be coordinated with FEMA. Much of costs will be reimbursed by FEMA. Also submitting for Mitigation projects ... |
| Attorney Gannon | Review bids for award of Filters 1-2, all in compliance. Congrats to Chief Cairns on retirement |
| CMFO Mauder | Budget Workshop 3/18 |
| Lt. Tapp | Monitoring Storm |
| Fire Chief | No report |
| Municipal Clerk | Presented the following resolutions. |

**RESOLUTION
#2013-112**

Mr. LaCrosse provided an explanation noting that no Tax Dollars are used to provide program.

RESOLUTION OF THE BOROUGH OF BEACHWOOD, OCEAN COUNTY, NEW JERSEY AWARDING A CONTRACT TO SERPICO PYROTECHNICS, LLC FOR JULY 4, 2013, JULY 4, 2014 AND JULY 4, 2015 IN THE AMOUNT OF \$20,000.00 FOR EACH YEAR IN ACCORDANCE WITH THE BOROUGH SPECIFICATIONS AND BASED UPON COMPETITIVE CONTRACTING REQUIREMENTS

WHEREAS, the Borough of Beachwood previously advertised for the receipt of proposals pursuant to Competitive Contracting requirements for the 2013, 2014 and 2015 fireworks displays; and

WHEREAS, at the time and place of the receipt of proposals one (1) was received; and

WHEREAS, the bidder, Serpico Pyrotechnics, LLC, provided for the electrically fired display for the sum of \$20,000.00 for 2013, 2014, and 2015; and

WHEREAS, Serpico Pyrotechnics, LLC supplied a "custom designed display" reflecting the specific shell counts; and

WHEREAS, said proposal also provided the names of the lead pyrotechnic and assistants and supplied the name of two (2) Towns and a County located in New Jersey as references; and

WHEREAS, said proposals were submitted to the Beachwood Fireworks Committee; and

WHEREAS, said Committee has submitted a report and recommendation as attached hereto and made a part hereof as Schedule "A"; and

WHEREAS, said recommendation is for the award to Serpico Pyrotechnics, LLC in accordance with their bid submission; and

WHEREAS, it is now the desire of this Governing Body to act upon the recommendation of the Fireworks Committee.

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 of the Borough of Beachwood hereby awards a Contract to Serpico Pyrotechnics, LLC for the 2013, 2014, and 2015 4th of July fireworks for the sum of \$20,000.00 per year.
2. That upon adoption of the within Resolution the Clerk is authorized and directed to forward a certified copy of it to the Borough Treasurer, the Fireworks Committee and Serpico Pyrotechnics, LLC.
3. That upon the adoption of the within Resolution the Borough shall advertise a Notice of Contract Award in an official newspaper of the Borough of Beachwood.

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| Motion: | LaCrosse | Second: | Miserendino |
| Approved: | Feeney-Komsa-LaCrosse-Miserendino-Zakar | Opposed: | None |
| Absent: | Clayton | Abstained: | |

#2013-114

RESOLUTION OF THE BOROUGH OF BEACHWOOD, OCEAN COUNTY, NEW JERSEY AWARDING A CONTRACT FOR THE REHABILITATION OF WATER FILTER NO. 1 AND NO. 2 TO MUNICIPAL MAINTENANCE COMPANY IN THE BID AMOUNT OF \$69,850.00

WHEREAS, the Borough of Beachwood previously advertised for the receipt of bids on February 26, 2013 for the rehabilitation of Water Filter No. 1 and No. 2 ; and

WHEREAS, at the time and place for the receipt of bids four (4) bids were received ranging from a low base bid amount of \$69,850.00, to a high bid amount of \$104,000.00 ; and

WHEREAS, the Borough Engineers have reviewed said bid submission and recommended the award to the low bidder, **Municipal Maintenance Company**; and

WHEREAS, the Borough's Attorney has reviewed the lowest bid and found same to be in proper form and order; and

WHEREAS, the Borough's Chief Financial Officer has certified that funds are available to award said contract; 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 Municipal Maintenance Company for rehabilitation of Water Filter No. 1 & No. 2 for the bid amount of \$69,850.00, in accordance with the Borough's bid specifications.

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 Municipal Maintenance Company

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

**RESOLUTION
#2013-113**

RESOLUTION OF THE BOROUGH OF BEACHWOOD, OCEAN COUNTY, NEW JERSEY AWARDING A CONTRACT TO AUTOMATED BUILDING CONTROLS FOR HVAC CONTROL SYSTEM REPLACEMENT AT BEACHWOOD MUNICIPAL BUILDING IN THE BASE BID AMOUNT OF \$62,950.00 AND ALTERNATE BID #1 BID OF \$975.00, (ALTERNATE 2-3 INCLUDED IN BASE), ALTERNATE #4 AMOUNT OF \$3,600.00, ALTERNATE #5 AMOUNT OF \$4,305.00 FOR A TOTAL BID AMOUNT OF \$71,830.00

WHEREAS, the Borough of Beachwood previously advertised for the receipt of bids on February 14, 2013 at 2:00 p..m. and

WHEREAS, at the time of place for the receipt of bids four (4) bids were received ranging from a low base bid of \$62,950.00 to the high of \$198,600.00; and

WHEREAS, the Borough's Engineer, Remington & Vernick, has reviewed said low bid of Automated Building Controls in the base bid amount of \$62,950.00 with an alternate #1 bid of \$975.00, (alternate 2-3 included in base), alternate #4 amount of \$3,600.00, alternate #5 amount of \$4,305.00 for a total bid amount of \$71,830.00 and has recommended the same for award; and

WHEREAS, the Borough's Attorney has reviewed the three (3) lowest bids and found all to be in proper form and order; and

WHEREAS, the Borough's Chief Financial Officer has certified that funds are available to award said contract; and

WHEREAS, it is the desire of this Governing Body to award a Contract for HVAC control system replacement at the Beachwood Municipal Building.

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 award a Contract to Automated Building Controls for HVAC control system replacement at the Beachwood Municipal Building in the total bid amount of \$71,830.00 in accordance with the Borough's bid specifications.

2. That upon the adoption of the within resolution, the Borough Clerk is authorized to forward a certified copy of it to the Borough Engineer, the Borough Treasurer and Automated Building Controls.

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

PUBLIC DISCUSSION- TO OPEN

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| Motion: | Komsa | Second: | Feeney |
| Approved: | Feeney-Komsa-LaCrosse-Miserendino-Zakar | Opposed: | None |
| Absent: | Clayton | Abstained: | |

ACTION TAKEN FROM EXECUTIVE SESSION

#2013- 115

RESOLVED to name Michael Elward of the firm of Montenegro, Thomason, Montenegro & Genz as conflict public defender. There were no 2013 RFP's for received for this service with exception of the annually designated individual. The court referred to the 2012 RFP's for this selection.

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| Motion: | Feeney | Second: | Komsa |
| Approved: | Feeney-Komsa-LaCrosse-Miserendino-Zakar | Opposed: | None |
| Absent: | Clayton | Abstained: | |

ADJOURN

| | | | |
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| Motion: | Miserendino | Second: | Feeney |
| Approved: | Feeney-Komsa-LaCrosse-Miserendino-Zakar | Opposed: | None |
| Absent: | Clayton | Abstained: | |

Prepared by: E.A. Mastropasqua

Ronald F. Roma
Mayor

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