

March 20, 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:

Mayor Roma

COUNCILMEMBERS:

Beverly Clayton
Gregory Feeney
Steven Komsa

Gerald LaCrosse
Thomas Miserendino
Edward Zakar

Absent: None

SPECIAL PRESENTATION – PFC Eric M. Trust – Certificate of Appreciation for Service and Best Wishes upon is deployment to Afghanistan.



SPECIAL PRESENTATION – SNOWMAN CONTEST AWARDS

**1st place
Nana And PopPop Marshall**

**2nd place
Trevor and Mikey Ulrich and Colin Lloyd**

**3rd place
Briana LeMore**

**Honorable Mention
Zakar & Ely Family's
Madison & Andrew Komsa
Matthew & Michelle Conover
Melina Sobieski
Sandy & Nicole
Michaela Ridge
Brenda & Devina Wilson
Doreen Harnage**

RECESS

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

10 Minutes

RE-OPEN

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

Beachwood Resident Doreen Kreutz presented a Birthday Card to the Borough of Beachwood on the celebration of our 96th year.

#2013-116 RESOLVED by Mayor and Council to approve the 2013 Certified Bills List in the amount of **A:\$ 1,496,995.53**

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

#2013-117 RESOLVED by Mayor and Council to approve the minutes of the March 6, 2013 meeting of Mayor and Council

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

#2013-118 RESOLVED to approve the following requests for Conference – Training – Seminar

Date:	March 06-07-13-14-20-21	Fire Dept. Roger Hull
Location:	Toms River Fire Academy	
Subject:	EMT – Core Refresher Course	
Cost:	\$0	
Vehicle:	No	

Date:	March 08	Fire Dept. Roger Hull
Location:	Atlantic City	
Subject:	Arson Investigator Training Seminar	
Cost:	\$0	
Vehicle:	No	

Date:	April 02 & 05	Construction Wayne Gibson
Location:	Cape May Fire Academy	
Subject:	4/2 "Back Flow Protection/ Energy Code 4/5 "Mold"	
Cost:	\$ 0	
Vehicle:	No	

Date:	April 11	Construction – Karen Kuzminski
Location:	Egg Harbor	
Subject:	Blue Print Reading for Tech Assist (CEU's)	
Cost:	\$0	
Vehicle:	No	

Date:	April 21	Fire Company William Hopson
Location:	Indianapolis Indiana	
Subject:	Fire Dept. Instructors Conference	
Cost:	\$0	
Vehicle:	No	

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

#2013-119 RESOLVED BY MAYOR AND COUNCIL TO AUTHORIZE A REFUND OF REDEMPTION MONIES FROM LIEN #11-00071 TO LIEN HOLDER, VASEL OR MARIA KAVATSIUK, IN THE AMOUNT OF \$2,245.84 WITH A PREMIUM OF \$100.00.

WHEREAS, at the Municipal Tax Sale held on November 18, 2011, a lien was sold on Block 3.32 Lot 6 also known as 917 Seaman Ave. for 2010 delinquent municipal charges; and,

WHEREAS, this lien, known as Tax Sale Certificate #11-00071 as sold to Vasel or Maria Kavatsiuk with a 0% interest rate; and a premium of \$100.00;

WHEREAS, Laura & Antonio Miranda; owners, effected redemption, for certificate #11-00071 in the amount of \$2,245.84.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of Beachwood, in the County of Ocean, State of New Jersey to refund lien holder, Vasel or Maria Kavatsiuk, for the redemption of certificate #11-00071 in the amount of \$2,345.84.

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

#2013-124

Approval – Credit Account: **46 BOWLINE. AND AFTER CALCULATING THE USAGE AND EXCESS FOR THE 1ST QUARTER OF 2013 DETERMINED THAT THE ACCOUNT SHOULD BE CREDITED \$174.63.**

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

CORRESPONDENCE

3/4/13

Dear Mayor and Council,

As per telephone conversation with Donna in Water Dept. on 3/4/13, I am writing this letter to request a credit on my acct. # 3726-0, Block 9.35, Lot 8 for \$25.00 which was on my March water Bill.

I called and spoke with Catherine and was told by her that this service to have my water turned off and then back on after my washing machine was installed was completely free. When I asked again, she assured me that I would not be charged for this service.

I have been a resident of Beachwood for over 25 years, and I do not feel I should pay \$25.00 for this service because I was misinformed by an employee from the township.

Marianne Faranda
29 Walnut St.
Beachwood, NJ 08722
732-341-1351

#2013-125 REFUND \$25 Turn On Fee Account # 3726-0 29 Walnut St.
Motion: Clayton Second: LaCrosse
Approved: Clayton – Feeney – Komsa – LaCrosse – Miserendino - Zakar
Absent: Abstained:

Mayor Roma	Explained absence last meeting and thanks for cards and letters. No other report. Happy Spring
Council President Zakar	County web site for access to daily updates on the waterways in Barnegat Bay Dr. Suess readings done at Beachwood Elementary Schoo. Congrats Snowman winners Happy Spring, Easter and Passover
Councilwoman Clayton	Repairs - rebid on Marina April 2 - Community Center April 12. Lawn Maintenance to be discussed. 2 Items Executive Session – Terms and Condition.
Councilman Komsa	Thanked all participants Snowman Contest. Thanked Mr. Zakar for annual donation from Great Adventure. Easter Egg Hunt Sunday 3/27. Happy Holidays
Councilman Feeney	Will have Resolution from Engineer - Some matters Executive Session (Contractual and Terms and Condition)
Councilman LaCrosse	Concern about Beach Opening - Use of Community Center. We did sustain damage though many others hit worse. Access to vendors difficult. Spoke with County Health on drainage issues at Beach area as they relate to Beach closings. Will be resuming Camera work in storm drains to determine if any cross contamination issues. Will take time. Happy Holidays. Best to Eric Trust.
Councilwoman Clayton	Ocean Signal now out and available.
Council President Zakar	Laid out very well.... good publication.
Councilwoman Clayton	Thanked Jim Oris for working so hard on waterfront. Dan Sernotti (Yezzi firm)
Councilman Miserendino	Happy Holidays.
Engineer J. Oris	Spoke with Mr. Feeney on Water Treatment Plant repairs ...should start next few weeks..Should be completed by end of week. Lime pump issue addressed. Putting 5 yr. capital program in place. Re: rebuilding of waterfront facilities. Part of delay moving forward is due to having to meet with FEMA on what they would pay for and possible mitigation projects. Hope we will be able to move on those projects. Hopeful of being ready for July 4th weekend.
Mayor	Commented on repairs at Marina.
Engineer J. Oris	Governors action plan re: funds through Community Block Grant program. Will put link on our web site. \$600 mil avail for residents ..State run.

RESOLUTION
#2013-121

RESOLUTION OF THE BOROUGH OF BEACHWOOD, OCEAN COUNTY, NEW JERSEY AUTHORIZING THE CLOSEOUT AND RELEASE OF PERFORMANCE BOND FOR FORTE BUILDERS, L.L.C. IN CONNECTION WITH THE RAILROAD AVENUE DRAINAGE PHASE 5 PROJECT

WHEREAS, the Borough of Beachwood previously awarded a contract to Forte Builders, L.L.C. in the amount of \$276,299.00 for the Borough's Railroad Avenue Drainage Phase 5 project; and

WHEREAS, said contractor has completed the project, has submitted all closeout documentation and has supplied a Maintenance Bond issued by Aegis Security Insurance Company in the amount of \$27,341.77 in accordance with the contract requirements; and

WHEREAS, it is now the desire of this Governing Body to act upon the Engineer's recommendation to approve and closeout said project in accordance with the Borough's contract specifications.

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 formally
2. The Borough Council further authorizes the acceptance of the Maintenance Guaranty described in the preamble hereof and the release of Performance Guaranty posted by Forte Builders, L.L.C. in the amount of \$27,341.77.
3. That upon adoption of the within Resolution the Clerk is authorized and directed to forward a certified copy of it to the Borough CFO, the Borough Engineer, the Borough Treasurer and Forte Builders, L.L.C.

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

Attorney W.T. Hiering	Commented on Re-bid and recommended Council to authorize. Council unanimously agreed
CMFO Mauder	No report
Fire Chief Allen	Breakfast with Bunny March 24th

CLICK IT OR TICKET

Whereas, there were 591 motor vehicle fatalities in New Jersey in 2012; and

Whereas, a large percentage of the motor vehicle occupants killed in traffic crashes were not wearing a seat belt; and

Whereas, use of a seat belt remains the most effective way to avoid death or serious injury in a motor vehicle crash; and

Whereas, the National Highway Traffic Safety Administration estimates that 135,000 lives were saved by safety belt usage nationally between 1975-2000; and

Whereas, the State of New Jersey will participate in the nationwide *Click It or Ticket* seat belt mobilization from May 20 - June 2, 2013 in an effort to raise awareness and increase seat belt usage through a combination of enforcement and education; and

Whereas, the Division of Highway Traffic Safety has set a goal of increasing the seat belt usage rate in the state from the current level of 88.29 to 90; and

Whereas, a further increase in seat belt usage in New Jersey will save lives on our roadways;

Therefore, be is resolved that the Mayor and Council of the Borough of Beachwood hereby declares it's support for the *Click It or Ticket* seat belt mobilization both locally and nationally from May 20 - June 2, 2013 and pledges to increase awareness of the mobilization and the benefits of seat belt use.

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

**RESOLUTION
#2013-123**

RESOLVED By Mayor and Council to appoint Lt. Robert Tapp as Acting Chief of Police, effective April 1, 2013, and pending Civil Service Procedures.

Unanimously Motioned – Seconded and Approved.

PUBLIC DISCUSSION- TO OPEN

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

None

PUBLIC DISCUSSION- TO CLOSE

Motion: Komsa Second: Zakar
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 – PBA Negotiations
Terms & Condition - DPW

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

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

RE-OPEN

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

NO ACTION TAKEN FROM EXECUTIVE SESSION

ADJOURN

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

Prepared by: E.A. Mastropasqua

Ronald F. Roma Jr.
Mayor

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