

April 03, 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	Gerald LaCrosse
	Gregory Feeney	Thomas Miserendino
	Steven Komsa	Edward Zakar

Mayor Roma welcomed all in attendance. Honoring the retirement of William Cairns Chief of Police 2007 to 2013. Well deserved retirement but sad to see him go. Proclamation from the Borough and Proclamation from County Freeholders.

Proclamation Honoring

William Cairns

On The Occasion of His Retirement

WHEREAS, William “Bill” Cairns, Chief of the Beachwood Police Department officially retired on April 1, 2013, after thirty (30) years of outstanding and meritorious service to the residents of the Borough of Beachwood; and

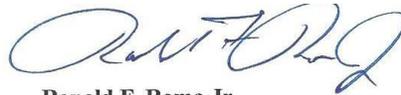
WHEREAS, Bill began his public safety career with the Borough in March of 1983 and as a result of diligent work and demonstrated ability, he advanced through the ranks to his final and most important positions of Beachwood’s “Chief of Police” in 2007, and the face of our Beachwood Police Department; and

WHEREAS, throughout his thirty years of service, Bill has also been an integral link to our Office of

Emergency Management, and has seen the Borough through several serious situations from the disastrous Forest Fire on June 03, 2002 to Hurricane Irene in 2011 and Super Storm Sandy October 29, 2012. As such "Bill" has served as an example to his peers, and the residents of this community and this State, both in his personal achievements and employment achievements, with fairness and dedication;

NOW, THEREFORE, BE IT RESOLVED, that we, the Members of the Governing Body of the Borough of Beachwood, take this opportunity to express our sincere and grateful appreciation ,and hereby extend to William "Bill" Cairns, our congratulations on his well-earned retirement, and our best wishes to him for continued success, happiness, and good health in the years to come.

*By order of Mayor and Council
April 3, 2013*



**Ronald F. Roma Jr.
Mayor**



Formal swearing in of Acting Police Chief Robert Tapp



RECESS

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

RE-OPEN

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

**RESOLUTION
#2013-123A**

RESOLUTION OF THE BOROUGH OF BEACHWOOD, OCEAN COUNTY, NEW JERSEY AUTHORIZING THE APPROVAL OF FINAL CHANGE ORDER #4 TO THE CONTRACT BETWEEN THE BOROUGH AND TKT CONSTRUCTION CO., INC. FOR WATER TREATMENT PLANT PIPING MODIFICATIONS DECREASING THE CONTRACT BY \$4,489.00 TO A FINAL ADJUSTED CONTRACT PRICE OF \$47,511.00

WHEREAS, the Borough of Beachwood previously awarded a contract to TKT Construction Co., Inc. for Water Treatment Plant Piping Modifications in the amount of \$52,000.00; and

WHEREAS, as a result of prior Change Orders 1 through 3 there was no modification of the contract price of \$52,000.00; and

WHEREAS, Final Change Order #4 reflects miscellaneous work allowances reducing the contract by \$4,489.00 to the final adjusted contract price of \$47,511.00; and

WHEREAS, said Change Orders also reflected the extension of the contract completion time due to plant control issues from 207 days to 704 days without the assessment of any additional costs upon the contractor; and

WHEREAS, it is now the desire of this Governing Body to act upon the Engineer's recommendation and approve Final Change Order #4 as recommended by Borough Engineers T&M Associates.

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 approves Final Change Order #4 to the contract between the Borough of Beachwood and TKT Construction Co., Inc. reducing the final contract price of \$52,000.00 to \$47,511.00 reflecting the miscellaneous work allowance line item in the amount of \$4,489.00.
2. That upon adoption of the within Resolution the Clerk is authorized and directed to forward a certified copy of it to the Borough Engineer, the Borough Treasurer and TKT Construction Co., Inc. and the Borough CFO.

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

#2013-123 B RESOLUTION OF THE BOROUGH OF BEACHWOOD, OCEAN COUNTY, NEW JERSEY AUTHORIZING THE CLOSEOUT AND RELEASE OF PERFORMANCE BOND FOR TKT CONSTRUCTION CO., INC. IN CONNECTION WITH THE BOROUGH'S WATER TREATMENT PLANT PIPING MODIFICATIONS PROJECT

WHEREAS, the Borough of Beachwood previously awarded a contract to TKT Construction Co., Inc. in the amount of \$52,000.00 for the Water Treatment Plant Piping Modifications Project; and

WHEREAS, said contractor has completed the project, has submitted all closeout documentation, and has supplied a Maintenance Bond issued by International Fidelity Insurance Company in the amount of \$47,511.00 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 the closeout of 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 releases the Performance Bond posted by TKT Construction Co., Inc. in the amount of \$52,000.00 based upon the Borough's acceptance of Maintenance Bond No. NRIFSU 0603382 issued by International Fidelity Insurance Company in the amount of \$47,511.00 and terminating on September 27, 2013.
2. 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 TKT Construction Co., Inc.

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

#2013-124 RESOLVED by Mayor and Council to approve the 2013 Certified Bills List in the amount of **A:\$ 1,272,045.99**

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

#2013-125 RESOLVED by Mayor and Council to approve the minutes of the March 20, 2013 meeting of Mayor and Council

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

#2013-126 RESOLVED to approve the following requests for Conference – Training – Seminar

Date:	March 26	DPW - Triolo – Winkelman – Cicero	Location:	JIF - Barnegat
Subject:	Playground Safety	Cost: \$0	Vehicle:	Yes

Date:	April 08	DPW Gadevaia – Manna – Clayton - Adams	Location:	JIF – Toms River
Subject:	Shop & Tool Safety	Cost: \$0	Vehicle:	Yes

Date:	April 15-16	DPW – Gabriel Silva	Location:	Atlantic City
Subject:	SWANA Spring Conference	Cost: \$150	Vehicle:	Yes

Date:	April 30	DPW – Wrockledge – Long – Clayton; J- Triolo	Location:	JIF - Brick
Subject:	Blood Borne Pathogens (Retrain) Haz Mat – PPE	Cost:\$0	Vehicle:	Yes

Date:	May 03	DPW - Manna – Kessler – Long – Starmer – Adams	Location:	JIF – Toms River
Subject:	Ladder Ssafety – Working Surfaces & Playground Safety		Vehicle:	Yes

Date:	May 07	DPW- Winkelman – Long – Clayton – Triolo -Starmer	Location:	JIF – Barnegat
Subject:	Fall Protection – Bucket Truck	Cost: \$0	Vehicle:	Yes

Date:	May 10 DPW - Wrockledge – Long – Clayton – Long	Location:	JIF – Little Egg Harbor
Subject:	Lock Out – Tag Out and Hearing Conservation	Cost: \$0	Vehicle: Yes

Date:	May 21 DPW- DeMorato – Siedler –Walker-Brosen – Petroski	Location:	JIF – Belmar
Subject:	Blood Borne Pathogens (Retrain) Haz Mat	Cost: \$0	Vehicle: Yes

Date:	May 22 DPW – Gabriel Silva	Location:	Hightstown Fire Dept.
Subject:	Ethics: Laws and Regulations for DPW Manager	Cost: \$0	Vehicle: Yes

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

#2013-127 **RESOLVED by Mayor and Council to approve the following rentals:**

Mayo Park

April 13	Joann Anthony 719 Beacon Ave. Bchwd	Rental: \$125	Deposit: \$175
June 13	Pine Beach Elementary School 3rd Grade	Rental: WAIVE	Deposit: WAIVE

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

#2013-128 **RESOLVED by Mayor and Council to hire the following as “Seasonal Laborers” effective April 8, 2013. \$14.59 per hour.**

Joseph Hummel 611 Berkeley Ave. Bchwd

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

#2013-129 **RESOLVED by Mayor and Council to authorize Beachwood Public Works to enter into the Somerset County Co-operative for access to the Snap On Tool pricing.**

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

#2013-130 **RESOLVED BY MAYOR AND COUNCIL TO AUTHORIZE A REFUND OF REDEMPTION MONIES FROM LIEN #09-00017 TO LIEN HOLDER, U.S. BANK CUST/SASS MUNI V DTR, IN THE AMOUNT OF \$28,623.63.**

#2013-131 **RESOLVED BY MAYOR AND COUNCIL TO AUTHORIZE A REFUND OF REDEMPTION MONIES FROM LIEN #10-00107 TO LIEN HOLDER, U.S. BANK CUST-PRO CAPITAL I, LLC, IN THE AMOUNT OF \$25,437.60 WITH A PREMIUM OF \$1,400.00.**

#2013-132 **RESOLVED BY MAYOR AND COUNCIL TO AUTHORIZE A REFUND OF REDEMPTION MONIES FROM LIEN #11-00064 TO LIEN HOLDER, CULMAC CAPITAL 1, LLC, IN THE AMOUNT OF \$11,694.07 WITH A PREMIUM OF \$2,600.00.**

#2013-133 **RESOLVED BY MAYOR AND COUNCIL TO AUTHORIZE A REFUND OF REDEMPTION MONIES FROM LIEN #11-00087 TO LIEN HOLDER, U.S. BANK CUST/EMP IV CAP ONE, IN THE AMOUNT OF \$6,756.83.**

#2013-134 **RESOLVED BY MAYOR AND COUNCIL TO AUTHORIZE A REFUND OF REDEMPTION MONIES FROM LIEN #11-00088 TO LIEN HOLDER, U.S. BANK CUST/EMP IV CAP ONE, IN THE AMOUNT OF \$6,723.82 WITH A PREMIUM OF \$200.00.**

WHEREAS,

#2013-135 RESOLVED BY MAYOR AND COUNCIL TO AUTHORIZE A REFUND OF REDEMPTION MONIES FROM LIEN #11-00090 TO LIEN HOLDER, U.S. BANK CUST/EMP IV CAP ONE, IN THE AMOUNT OF \$6,723.82 WITH A PREMIUM OF \$400.00.

#2013-136 RESOLVED BY MAYOR AND COUNCIL TO AUTHORIZE A REFUND OF REDEMPTION MONIES FROM LIEN #11-00091 TO LIEN HOLDER, U.S. BANK CUST/EMP IV CAP ONE, IN THE AMOUNT OF \$5,020.64 WITH A PREMIUM OF \$700.00.

#2013-137 RESOLVED BY MAYOR AND COUNCIL TO AUTHORIZE A REFUND OF REDEMPTION MONIES FROM LIEN #11-00092 TO LIEN HOLDER, NEW JERSEY LIEN GROUP, LLC, IN THE AMOUNT OF \$6,529.39.

RESOLVED by Mayor and Council to approve Resolutions #2013-130 to #2013-137

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

#2013-138 WHEREAS, Block 4.12 Lot 12 owned by Kathy Ann Martin was manually read for the 2nd quarter 2013; and

WHEREAS, it was read and posted as 1650 when it should have been 1550.

NOW THEREFORE BE IT RESOLVED by Mayor and Council to credit the account in the amount of \$549.45

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

ORDINANCE FIRST READING TITLE ONLY

#2013-01 AN ORDINANCE OF THE BOROUGH OF BEACHWOOD, OCEAN COUNTY, NEW JERSEY PROVIDING FOR A SUPPLEMENTAL APPROPRIATION OF \$325,000.00 FOR THE REPAIR AND RECONSTRUCTION OF THE DOCK AND MARINA AREA AND RELATED IMPROVEMENTS WITHIN THE BOROUGH OF BEACHWOOD APPROPRIATING THE SUM OF \$325,000.00 AND AUTHORIZING THE ISSUANCE OF GENERAL IMPROVEMENT BONDS OR NOTES IN THE AMOUNT OF \$308,750.00 IN ORDER TO FINANCE THE COST THEREOF

RESOLUTION

#2013-139 RESOLVED BY Mayor and Council to approve Ordinance #2013-01 as presented on First Reading Title Only.

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

CORRESPONDENCE

1. Bergstrom - Looking for adjustment in bill ...\$1,149.75 (pipe broke while away)

Dear Mayor and Council,

I am writing this letter to see if you would consider adjusting my water bill as a pipe broke in the basement while I was away and flooded my basement. Thanking you for your consideration in this matter. Bill is attached.

\$1,149.75

Sincerely,
Thomas Bergstrom

OUTCOME: The Clerk has been instructed to work out a payment plan on the outstanding bill.

Reports	
Mayor Roma	Farewell to dedicated W. Cairns and Welcome to dedicated New Chief Robert Tapp. Thanked all for work done in connected with Hurricane repairs.
Councilman Zakar	Congrats Cairns retirement and Tapp as Chief. Recreation great Easter Egg Hunt. Saturday 4/6 Little League Opener.
Councilman Feeney	Recycling Grant Revenue received.
Councilman Komsa	Great job Recreation Easter Egg Hunt 10,000 eggs gone in 1 min. 22 seconds. Great day. Thanked PD for providing Easter Bunny. Memorial Day next event.
Mayor Roma	Mentioned that Ocean Signal in publication. Congrats
Councilman Miserendino	Presented Code Enforcement report. Had matter for Executive Session
Councilman LaCrosse	Will be contacting Lifeguards for return for our 2013 season. Working with OCBH on storm drain tracking. Congrats to Chief Cairns on his retirement and our new Chief Robert Tapp.
Councilwoman Clayton	May have to delay beach opening to July 1st. Finalizing Fireworks program. Went over plans with Engineer on some issues. Congrats to Chief Tapp. Born and raised in Beachwood. Commented on Farmers Almanac Storm predictions 2013.
Engineer Jim Oris	Real possibilities of tropical storms have been taken into consideration in the rebuild project. Will be built to standards. Will be discussing contract in closed. Barnegat Blvd. Mains 2 weeks away. Paving should be mid- summer.
Mayor	Addressing Mr. Lipton advising that we received 2 bids.
Hiering	Two bids have been reviewed and properly submitted. Items to be discussed.
First Aid	Congrats incoming outgoing Captain.
CMFO Mauder	Supplemental .Debt Statement on file.
Fire Chief	Thanked all for attending Easter Breakfast. Congrats Cairns and Tapp. Memorial Day Parade coming up.
Municipal Clerk	No report.

PUBLIC DISCUSSION- TO OPEN

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

Walter Maxim
752 Leeward Ave:

After Hurricane Sandy decided to address repairs to fence. Wasn't aware of the need of a permit. Someone complained. He was told that the six foot fence he put up in place of the 4 ft. fence would have to be taken down. He expressed his concern for the safety of his family which made his decide to replace with 6ft. Sex Offender 5 Blocks away. Recent attempted child abduction . Transients in the woods coming from the So. Toms River area. Fence was in disrepair and he has a dog that he was concerned about biting someone who put their hand through the damaged areas. He was told he would have to go to LUB for variance ...cost involved. Sounds like a "shakedown". Found 22 houses in violation, but he gets hassled. Commented on interaction with people in Construction Office. Was seeking relief from Governing Body.

