

May 01, 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.

A MOMENT OF SILENCE WAS OFFERED ON THE PASSING OF

**Former Mayor William R. Davis (1967)
Former Employee Albert Kessler**

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:

Gregory Feeney
Steven Komsa

Gerald LaCrosse
Thomas Miserendino
Edward Zakar

Absent: Beverly Clayton

**Mayor Roma and Councilmember LaCrosse
Special Presentation – Beachwood Elementary School**



#2013-161 RESOLVED by Mayor and Council to approve the 2013 Certified Bills List in the amount of A:\$1,514,928.87

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

#2013-162 RESOLVED by Mayor and Council to approve the minutes of the April 17, 2013 meeting of Mayor and Council

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

#2013-163 **TABLED**
RESOLVED to appoint _____ Alternate #1 term expires 12/31/2015.

#2013-164 RESOLVED by Mayor and Council to approve the following rentals:

Mayo Park

May 11	Snock 528 Forepeak Ave. Beachwood	Rental: \$125.00	Deposit: \$175.00
May 19	Girl Scout Troop #480 Beachwood (Armstrong)	Rental: WAIVE	Deposit: WAIVE
June 30	Navarro 1208 Mermaid Ave. Beachwood	Rental: \$125.00	Deposit: \$175.00

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

TAX COLLECTOR

#2013-165 **RESOLVED BY MAYOR AND COUNCIL TO AUTHORIZE A REFUND OF REDEMPTION MONIES FROM LIEN #11-00132 TO LIEN HOLDER, JOHN LAFLAMME, IN THE AMOUNT OF \$1,732.07 WITH A PREMIUM OF \$200.00.**

WHEREAS, at the Municipal Tax Sale held on November 18, 2011, a lien was sold on Block 9.01 Lot 2 also known as 1417 Anchor Ave. for 2010 delinquent municipal charges; and,

WHEREAS, this lien, known as Tax Sale Certificate #11-00132 as sold to John LaFlamme with a 0% interest rate; and a premium of \$200.00;

WHEREAS, Mark and Lora Altman; owners, effected redemption, for certificate #11-00132 in the amount of \$1,732.07.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of Beachwood, in the County of Ocean, State of New Jersey to refund lien holder, John LaFlamme, for the redemption of certificate #11-00132 in the amount of \$1,932.07.

#2013-166 **RESOLVED BY MAYOR AND COUNCIL TO AUTHORIZE A REFUND OF REDEMPTION MONIES FROM LIEN #12-00017 TO LIEN HOLDER, VIRGO MUNICIPAL FINANCE FUND LP, IN THE AMOUNT OF \$3,837.88 WITH A PREMIUM OF \$600.00.**

WHEREAS, at the Municipal Tax Sale held on June 29, 2012, a lien was sold on Block 2.09 Lot 4 also known as 109 Ensign Ave. for 2011 delinquent municipal charges; and,

WHEREAS, this lien, known as Tax Sale Certificate #12-00017 as sold to Virgo Municipal Finance Fund, LP with a 0% interest rate; and a premium of \$600.00;

WHEREAS, James Luciani II; owner, effected redemption, for certificate #12-00017 in the amount of \$3,837.88.

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 #12-00017 in the amount of \$4,437.88.

#2013-167 RESOLVED BY MAYOR AND COUNCIL TO AUTHORIZE A REFUND OF REDEMPTION MONIES FROM LIEN #12-00023 TO LIEN HOLDER, US BANK CUST FOR TLC 2012A, LLC, IN THE AMOUNT OF \$1,102.33 WITH A PREMIUM OF \$1,100.00.

WHEREAS, at the Municipal Tax Sale held on June 29, 2012, a lien was sold on Block 3.33 Lot 13 also known as 64 Elm St. for 2011 delinquent municipal charges; and,

WHEREAS, this lien, known as Tax Sale Certificate #12-00023 as sold to US Bank CUST for TLC 2012A, LLC with a 0% interest rate; and a premium of \$1,100.00;

WHEREAS, Afren & Diana Bobe; owners, effected redemption, for certificate #12-00023 in the amount of \$1,102.33.

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 #12-00023 in the amount of \$2,202.33.

#2013-168 RESOLVED BY MAYOR AND COUNCIL TO AUTHORIZE A REFUND OF REDEMPTION MONIES FROM LIEN #12-00036 TO LIEN HOLDER, US BANK CUST FOR TLC 2012A, LLC IN THE AMOUNT OF \$1,143.68 WITH A PREMIUM OF \$1,000.00.

WHEREAS, at the Municipal Tax Sale held on June 29, 2012, a lien was sold on Block 9.07 Lot 4 also known as 1331 Longboat Ave. for 2011 delinquent municipal charges; and,

WHEREAS, this lien, known as Tax Sale Certificate #12-00036 as sold to US Bank CUST for TLC 2012A, LLC with a 0% interest rate; and a premium of \$1,000.00;

WHEREAS, George & Lucia Hervas; owners, effected redemption, for certificate #12-00036 in the amount of \$1,143.68.

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 #12-00036 in the amount of \$2,143.68.

#2013-169 RESOLVED BY MAYOR AND COUNCIL TO AUTHORIZE A REFUND OF REDEMPTION MONIES FROM LIEN #12-00053 TO LIEN HOLDER, US BANK CUST FOR TLC 2012A LLC, IN THE AMOUNT F \$1,426.77 WITH A PREMIUM OF \$900.00.

WHEREAS, at the Municipal Tax Sale held on June 29, 2012, a lien was sold on Block 10.35 Lot 4 also known as 829 Pacific Ave. for 2011 delinquent municipal charges; and,

WHEREAS, this lien, known as Tax Sale Certificate #12-00053 as sold to US Bank Cust for TLC 2012A, LLC with a 0% interest rate; and a premium of \$900.00;

WHEREAS, Gale Soltys; owner, effected redemption, for certificate #12-00053 in the amount of \$1,426.77.

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 #12-00053 in the amount of \$2,326.77.

#2013-170 RESOLVED BY MAYOR AND COUNCIL TO AUTHORIZE A REFUND OF REDEMPTION MONIES FROM LIEN #12-00055 TO LIEN HOLDER, ANTHONY SILVA IN THE AMOUNT OF \$1,349.27 WITH A PREMIUM OF \$1,200.00.

WHEREAS, at the Municipal Tax Sale held on June 29, 2012, a lien was sold on Block 10.38 Lot 18 also known as 852 Berkeley Ave. for 2011 delinquent municipal charges; and,

WHEREAS, this lien, known as Tax Sale Certificate #12-00055 as sold to Anthony Silva with a 0% interest rate; and a premium of \$1,200.00;

WHEREAS, Ronald Diehl Jr; owner, effected redemption, for certificate #12-00055 in the amount of \$1,349.27.

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 #12-00055 in the amount of \$2,549.27.

RESOLVED by Mayor and Council to approve Resolutions #2013-165 to #2013-170

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

ORDINANCE FINAL READING – PUBLIC DISCUSSION – ADOPTION

ORDINANCE
2013-02

FINAL READING TITLE ONLY PUBLIC DISCUSSION AND ADOPTION.
CALENDAR YEAR 2013

**ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A
CAP BANK**

(N.J.S.A. 40A: 4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.0% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Borough Council of the Borough of Beachwood in the County of Ocean finds it advisable and necessary to increase its CY 2013 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Borough of Beachwood hereby determines that a 1.5 % increase in the budget for said year, amounting to \$ 112,013.93 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS the Borough of Beachwood hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Borough Council of the Borough of Beachwood, in the County of Ocean, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2013 budget year, the final appropriations of the Borough of Beachwood shall,

in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 1.5%, amounting to \$ 112,013.93, and that the CY 2013 municipal budget for the Borough of Beachwood be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

OPEN TO PUBLIC DISCUSSION THIS ORDINANCE ONLY

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

No questions

CLOSE TO PUBLIC DISCUSSION THIS ORDINANCE ONLY

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

CMFO Mauder provided an explanation of the Cap Ordinance for the public.

RESOLUTION TO APPROVE and ADOPT ORDINANCE 2013-02 AS PRESENTED AND HELD FOR
#2013-171 PUBLIC DISCUSSION.

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

CORRESPONDENCE None

REPORTS

Mayor Roma	Alliance beginning a “Sticker Shock” program designed to bring awareness on Alcohol. Looking to address 2x yearly. Looking for Volunteers for Recreation and other boards. Interested parties can apply by downloading Citizen Form on our website. Working with Mrs. Clayton on TRHSS program to reinstate their Thanksgiving Football Rally Bon Fire on the eve of their game with Lakewood. Beginning repairs on storm damage to our Marina and Community Center. Thanked all involved with Little League Opener, where he threw out the first ball.
Council President Zakar	Zero Claims this quarter. 25% down over 2012. Thanked all departments for hard work. Congratulated Young Artist Award recipients. It’s Spring.....DRIVE SAFELY. Happy Mothers’ Day.
Councilwoman Clayton	Absent
Councilman Feeney	No report
Councilman Komsa	Memorial Day Parade (May 27) will be followed by Riverfront Craft Show Memorial Day. More vendors this year.. 5K scheduled for October 5th. Same Course along the River front. Congratulated Mayor on throwing out first ball at season opener.
Councilman LaCrosse	Congratulated Young Artist Award Winners. Always recognizing Athletic talents nice to see concentration on the Arts. Beach opening will be scheduled after closing of school. Addressed the check list provided by the O.C. Bd. Health that must be addressed before opening. Mayor Roma addressed thank you note from BES PTO – for our donation to their Auction.

Councilman Miserendino	No report
Engineer J. Oris	Barnegat Blvd. Water Main project progressing. Compass Construction on target for Marina repairs. Well # 6 Emergency repairs addressed by Council at last meeting will see a Resolution awarding the work to Lane at the next meeting.
Attorney William Hiering	No report
CMFO Mauder	Reminder Public Hearing on Budget May 15th.
Municipal Clerk RESOLUTION #2013-172	RESOLVED by Mayor and Council to authorize the public sale by auction June 6th 2013 of the following impounded vehicles and/surplus vehicles and/or equipment no longer needed, pending final review. Motion: Zakar Second: Feeney Approved: Feeney – Komsa – LaCrosse – Miserendino – Zakar Absent: Clayton

Item #	Year	Make	Model	Vin #	Mileage	Keys	Blue Book	Min. Bid
IMPOUND								
2011-007	2001	Ford	Focus 2 Dr.	3FAFP31381R202785	105570	YES	\$ 2,970.00	\$ 200.00
2012-027	1997	Volkswagon	Cabriolet 2 Dr.	3VWBA81E8VM801386	DIGITAL	NO	\$ 1,370.00	\$ 100.00
2012-046	1994	Chevy	Prism	1Y1SK536XRZ016551	135,778	YES	\$ 1,785.00	\$ 100.00
2012-051	1997	Dodge	Stratus 4Dr.	1B3EJ46X3VN598482	199,999	YES	\$ 1,416.00	\$ 100.00
2012-052	1996	Mitsubishi	Eclipse	A3AK44Y0TE255449	195,023	YES	\$ 2,786.00	\$ 250.00
SURPLUS								
	1997	Ford	Crown Vic	2FALP71WVX177156	98,298	YES		\$ 150.00
	1987	Chevy	Bucket Truck	1GBJV34MOHJ171913	82,008	YES		\$ 250.00
	1989	Ford	Dump Truck	1FDXK74P3KVA33875	37,040	YES		\$ 500.00
	1999	Ford	Expedition	1FMPU18L3XLB73300	88,065	YES		\$ 150.00
		Tag Along	Compressor		820 Hours			\$ 500.00

**RESOLUTION
#2013-173**

RESOLVED by Mayor and Council to approve the following requests for Conference – Training – Seminar

Date:	June 14	Elizabeth Sarantinoudis – Elizabeth Mastropasqua
Location:	West Windsor Conference Center	
Subject:	NJLM – Mini Conference 07:30 – 5:00 p.m.	
Cost:	\$90 p.p. prior June 5th	
Vehicle:	Yes if available	

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

PUBLIC DISCUSSION- TO OPEN

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

NO QUESTIONS or COMMENTS

NO ACTION TAKEN FROM EXECUTIVE SESSION

ADJOURN

Motion: Miserendino

Second: LaCrosse

Approved: Feeney – Komsa – LaCrosse – Miserendino – Zakar

Absent: Clayton

Prepared by: E.A. Mastropasqua

Ronald F. Roma Jr.
Mayor

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