

May 07, 2008



7:00 Mayor and Council Meeting
Beachwood Municipal Complex
1600 Pinewald Rd.

Call to Order

Flag Salute

While we pray for the safe return of our serving men and women, we must remember that 94 servicemen from New Jersey have been killed in Iraq and Afghanistan.



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 vets and those missing in action and 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 Berkeley Times and Asbury Park Press on January 4, 2008.

ROLL CALL MEMBERS PRESENT:

Mayor Ronald Jones

COUNCILMEMBERS: Katina Clark Steven Komsa
 Beverly Clayton Ronald Roma
 Gregory Feeney Bonnie Verga

Absent:

A total of 10 minutes has been allocated under Borough Code 2-6.9 for the public discussion by individuals. Citizens are welcome to address the Mayor and Council on any governmental item of concern to them, whether or not it is scheduled on the agenda. Citizens must give their name and address when recognized to speak. The public is advised that these meetings are recorded and are subject to the Open Public Records Act.

Also, please turn off or put all cell phones on vibrate.

Special Presentation – Mrs. Clark made presentation to 32 attendees at Beach Clean Up

PUBLIC HEARING ON MUNICIPAL BUDGET 2008

Present: Mr. Antonides – Mr. Mauder – Ms. Sarantinoudis

Mr. Antonides: Brief comments from Mr. Antonides. The Borough has applied for “Discretionary” aid and at this time, because there is no decision on Aid, we cannot adopt our budget. Subject to State Approval. State Aid has been slashed for most municipalities. Tax increases related to four items:
1. \$140,687 to State Aid loss = 1.46 cents
2. PERS Bill increased = 37.2
3. PFRS contribution = .75 cents and
4. Reserve for Uncollected Taxes = 1.36 cents. Reason for increase in Reserve is Economy.

Mr. Feeney: Re: Discretionary Aid asked for \$140,687, which is the same amount of cut in State Aid.

Novaky
Maple St. Best case scenario on state aid we will receive. Would it be enough to reduce budget by 1 penny.

Antonides: Depends on State Legislature at this time.

Novaky If you would delay on Administrators position you would know off a penny.

CLOSE PUBLIC HEARING ON BUDGET.

Motion: Feeney Second: Roma
Approved: Clark – Clayton – Feeney – Komsa – Roma - Verga Opposed:
Abstain: Absent;

NO APPROVAL FROM DCA to ADOPT

#2008-175 RESOLVED by Mayor and Council to approve the 2008 Certified Bills List in the amount of \$316,914.92

Motion: Clayton Second: Feeney
Approved: Clark – Clayton – Feeney – Komsa – Roma - Verga Opposed:
Abstain: Absent;

#2008-176 RESOLVED by Mayor and Council to approve the minutes of the April 16th Meeting of Mayor and Council.

Motion: Clayton Second: Verga
Approved: Clark – Clayton – Feeney – Komsa – Roma - Verga Opposed:
Abstain: Absent;

#2008-177 RESOLVED by Mayor and Council to approve the minutes of the April 17th Meeting of Mayor and Council.

Motion: Feeney Second: Roma
Approved: Clark – Clayton – Feeney – Komsa – Roma - Verga Opposed:
Abstain: Absent;

#2008-178A RESOLVED by Mayor and Council to approve the minutes of the April 30th – re-scheduled workshop meeting of Mayor and Council

POINT OF ORDER - Mr. Komsa – addressing correction in Resolution on Rowan University/Anonometer

#2008-178B To correct resolution #173 addressing Rowan University installing an Anonometer to be amended to reflect "waiving of fees".

Motion: Roma Second: Verga
 Approved: Clark - Clayton - Feeney - Komsa - Roma - Verga Opposed:
 Abstain: Absent;

#2008-178A Approval of minutes as amended

Motion: Feeney Second: Verga
 Approved: Clark - Clayton - Feeney - Komsa - Roma - Verga Opposed:
 Abstain: Absent;

#2008-179 RESOLVED by Mayor and Council to approve the following rentals for the Community Center - Mayo Park

2008		Community Center		
May	12	Beachwood Recreation	Rental:	WAIVE
		c/o Robin Clayton	Deposit:	WAIVE
		Summer Camp Registration		
2008		Mayo Park		
June	14	Britt	Rental:	\$125
		77 Locker St.	Deposit:	\$175
		Beachwood		
June	21	Cub Scout Pack 114	Rental:	WAIVE
		c/o King	Deposit:	WAIVE
		402 Pacific Ave - Beachwood		
July	12	Burke	Rental:	\$125
		1510 Cable Ave	Deposit:	\$175
		Beachwood		
August	23	Beachwood Vol. Fire Co. #1 Inc.	Rental:	\$WAIVE
		745 Beachwood Blvd.	Deposit:	\$WAIVE
		Beachwood		
September 21		St. Paul Lutheran Church	Rental:	\$WAIVE
		130 Cable Ave	Deposit:	\$WAIVE
		Beachwood		
2009		Community Center		
May	15	Kirk	Rental:	\$350
		623 Forecastle Ave	Deposit:	\$175
		Beachwood		

Motion: Roma Second: Feeney

Approved: Clark - Clayton - Feeney - Komsa - Roma - Verga Opposed:
Abstain: Absent;

#2008-179B RESOLVED by Mayor and Council to approve the One Day Liquor License for the Beachwood Volunteer Fire Company #1 Inc. for August 23, 2008.

Motion: Roma Second: Feeney
Approved: Clark - Clayton - Feeney - Komsa - Roma - Verga Opposed:
Abstain: Absent;

#2008-180 **RESOLUTION OF THE BOROUGH OF BEACHWOOD, COUNTY OF OCEAN, NEW JERSEY AUTHORIZING THE ADVERTISEMENT AND RECEIPT OF BIDS FOR THE LEASING OF SPACE FOR CELLULAR ANTENNAS ON THE MUNICIPAL WATER TANK LOCATED AT SEAMAN AVENUE, A/K/A BLOCK 2.20, LOT 1**

WHEREAS, the Borough of Beachwood is desirous of offering additional space for cellular antennas on the Borough's Municipal Water Tank located at Seaman Avenue, a/k/a Block 2.20, Lot 1; and

WHEREAS, the Borough currently has several cellular antenna carriers located on the tank at the current time; and

WHEREAS, the Borough desires to make additional space available on the top of the tank in order to obtain additional revenue for said use; and

WHEREAS, the Borough considers the proposed location to be premium space and hereby establishes a minimum bid of \$27,600.00 per annum.

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 Clerk is hereby authorized to advertise a Notice to Bidders to be retained on file in the Beachwood Borough Clerk's Office. Along with said Notice to Bidders the following documents:
 - a. Instruction to Bidders
 - b. Specifications
 - c. Proposed Lease Agreement
 - d. Proposal Sheet
 - e. Required miscellaneous Affidavits
 - f. Memorandum of Lease Agreement
 - g. Site description
2. The date for receipt of sealed proposals is hereby established at no later than May 28th, 2008 at 2:00 p.m. in the Public Meeting Room, Beachwood Borough Hall, 1600 Pinewald Road, Beachwood, New Jersey at which time the bids will be opened and read aloud.
3. That upon the adoption of the within Resolution, the Clerk is authorized to forward a certified copy of it to potential bidders and the Borough Treasurer.

Motion: Komsa Second: Roma
Approved: Clark - Clayton - Feeney - Komsa - Roma - Verga Opposed:

Abstain:

Absent:

#2008-181

RESOLUTION OF THE BOROUGH OF BEACHWOOD, OCEAN COUNTY, NEW JERSEY AWARDING A CONTRACT TO EARLE ASPHALT COMPANY OF FARMINGDALE, NEW JERSEY IN THE AMOUNT OF \$92,413.13 FOR ROADWAY IMPROVEMENTS TO NAUTILUS STREET IN ACCORDANCE WITH THE BOROUGH'S BID SPECIFICATIONS

WHEREAS, the Borough of Beachwood previously authorized the advertisement and receipt of bids on Friday, April 25, 2008 at 2:00 p.m.; and

WHEREAS, at the time and place of the receipt of bids five (5) proposals were submitted ranging from a low of \$92,413.13 to a high of \$129,068.69; and

WHEREAS, said program is to be financed through the FY2007 NJDOT Municipal Aid Program and funds are available pursuant to said grant; and

WHEREAS, the Borough Engineer has recommended the award of the contract to the low bidder, Earle Asphalt Company, and it is noted that the bid is below the Engineer's estimate; and

WHEREAS, it is now the desire of this Governing Body to award a Contract to the low bidder for improvements to Nautilus Street.

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 Earle Asphalt Company of Farmingdale, New Jersey in the amount of \$92,413.13 for roadway improvements to Nautilus Street pursuant to FY2007 NJDOT Municipal Aid Program and in accordance with the Borough's bid specifications.
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 successful bidder, Earle Asphalt Company, and the Borough Treasurer.
3. That the within resolution is contingent upon the prior approval of the New Jersey Department of Transportation

Motion:

Roma

Second:

Verga

Approved:

Clark - Clayton - Feeney - Kamsa - Roma - Verga

Opposed:

Abstain:

Absent:

#2008-182

RESOLUTION OF THE BOROUGH OF BEACHWOOD, IN THE COUNTY OF OCEAN, NEW JERSEY RATIFYING SUBMISSION OF A FINANCIAL ADDENDUM FORM TO THE NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST AND MAKING APPLICATION TO THE LOCAL FINANCE BOARD PURSUANT TO N.J.S.A. 58:11B-9(a) AND N.J.S.A. 40A:2-26(e)

WHEREAS, the Borough Council of the Borough of Beachwood, in the County of Ocean New Jersey (the "Borough") has submitted an application to the New Jersey Department of Environmental Protection ("NJDEP") and the New Jersey Environmental Infrastructure Trust ("NJEIT") to participate in the NJEIT 2008 Financing Program and has, on March 24, 2008 submitted a Financial Addendum Form as part of such application process; and

WHEREAS, the Borough desires to make application to the Local Finance Board for (i) approval of the issuance of its bonds to the New Jersey Department of Environmental Protection and the New Jersey Environmental Infrastructure Trust pursuant to N.J.S.A. 58-11B-9(a), and (ii) approval of the use of non-

conforming maturity schedules pursuant to N.J.S.A. 40A:2-26(e), as described therein; and

WHEREAS, the Borough Council of the Borough believes that:

- (a) it is in the public interest to accomplish such purpose;
- (b) said purpose or improvements are for the health, welfare, convenience or betterment of the inhabitants of the Borough; and
- (c) the proposal is an efficient and feasible means of providing services for the needs of the inhabitants of the Borough and will not create an undue financial burden to be placed upon the Borough;

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

Section 1. The application to the NJEIT and the NJDEP and submission of the Financial Addendum Form are hereby ratified.

Section 2. The application to the Local Finance Board is hereby approved, and the Borough's business administrator, chief financial officer, bond counsel, financial advisor and auditor, along with other representatives of the Borough, are hereby authorized to prepare such application, to file such application with the Local Finance Board and to represent the Borough in matters pertaining thereto.

Section 3. The Clerk is hereby directed to prepare and file a copy of the proposed resolution with the Local Finance Board as part of such application.

Section 4. The Local Finance Board is hereby respectfully requested to consider such application and to record its findings, recommendations and/or approvals as provided by the applicable New Jersey Statute, including causing its consent to be endorsed upon a certified copy of the Ordinance.

Section 5. This Resolution shall take effect immediately.

Motion: Clark Second: Roma
Approved: Clark - Clayton - Feeney - Komsa - Roma - Verga Opposed:
Abstain: Absent:

#2008-183 **RESOLUTION OF THE BOROUGH OF BEACHWOOD DECLARING ITS OFFICIAL INTENT TO REIMBURSE EXPENDITURES FOR PROJECT COSTS FROM THE PROCEEDS OF DEBT OBLIGATIONS IN CONNECTION WITH ITS PARTICIPATION IN THE 2008 NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST FINANCING PROGRAM**

WHEREAS, the Borough of Beachwood (the "Borrower") intends to acquire, construct, renovate and/or install the environmental infrastructure project more fully described in **Exhibit A** attached hereto (the "Project");

WHEREAS, the Borrower intends to finance the Project with debt obligations of the Borrower (the "Project Debt Obligations") but may pay for certain costs

of the Project (the "Project Costs") prior to the issuance of the Project Debt Obligations with funds of the Borrower that are not borrowed funds;

WHEREAS, the Borrower reasonably anticipates that obligations, the interest on which is excluded from gross income under Section 103 of the Internal Revenue Code of 1986, as amended (the "Code"), will be issued by the New Jersey Environmental Infrastructure Trust (the "Issuer") to finance the Project on a long-term basis by making a loan to the Borrower with the proceeds of the Issuer's obligations (the "Project Bonds"); and

WHEREAS, the Borrower desires to preserve its right to treat an allocation of proceeds of the Project Debt Obligations to the reimbursement of Project Costs paid prior to the issuance of the Project Debt Obligations as an expenditure for such Project Costs to be reimbursed for purposes of Sections 103 and 141 through 150, inclusive, of the Code.

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Borrower as follows:

Section 1. The Borrower reasonably expects to reimburse its expenditure of Project Costs paid prior to the issuance of the Project Debt Obligations with proceeds of its Project Debt Obligations.

Section 2. This resolution is intended to be and hereby is a declaration of the Borrower's official intent to reimburse the expenditure of Project Costs paid prior to the issuance of the Project Debt Obligations with the proceeds of a borrowing to be incurred by the Borrower, in accordance with Treasury Regulations §1.150-2.

Section 3. The maximum principal amount of the Project Debt Obligations expected to be issued to finance the Project is \$3,300,000.

Section 4. The Project Costs to be reimbursed with the proceeds of the Project Debt Obligations will be "capital expenditures" in accordance with the meaning of Section 150 of the Code.

Section 5. No reimbursement allocation will employ an "abusive arbitrage device" under Treasury Regulations §1.148-10 to avoid the arbitrage restrictions or to avoid the restrictions under Sections 142 through 147, inclusive, of the Code. The proceeds of the Project Bonds used to reimburse the Borrower for Project Costs, or funds corresponding to such amounts, will not be used in a manner that results in the creation of "replacement proceeds", including "sinking funds", "pledged funds" or funds subject to a "negative pledge" (as such terms are defined in Treasury Regulations §1.148-1), of the Project Debt Obligations or another issue of debt obligations of the Borrower, other than amounts deposited into a "bona fide debt service fund" (as defined in Treasury Regulations §1.148-1).

Section 6. All reimbursement allocations will occur not later than 18 months after the later of (i) the date the expenditure from a source other than the Project Debt Obligations is paid, or (ii) the date the Project is "placed in service" (within the meaning of Treasury Regulations §1.150-2) or abandoned, but in no event more than 3 years after the expenditure is paid.

Section 7. This resolution shall take effect immediately.

EXHIBIT A:

Construction of a 500,000 gallon spheroid water tower in the southwest corner of the Municipal Building property, replacement of a 400ft water line, construction of a 200ft. ductile iron water line, making repairs to the existing 300,000 gallon elevated tank and rehabilitation and repair of a 250,000 gallon flat bottom raw water tank.

Motion: Roma
Approved: Clark - Clayton - Feeney - Komsa - Roma - Verga
Abstain:
Second: Clayton
Opposed:
Absent:

ORDINANCEFIRST READING TITLE ONLY

#2008-07 AN ORDINANCE OF THE BOROUGH OF BEACHWOOD, IN THE COUNTY OF OCEAN, NEW JERSEY, PROVIDING A SUPPLEMENTAL APPROPRIATION OF \$1,400,000 FOR THE CONSTRUCTION OF AN ELEVATED WATER STORAGE TANK, VARIOUS WATER UTILITY IMPROVEMENTS AND MISCELLANEOUS RELATED EQUIPMENT FOR THE BOROUGH OF BEACHWOOD AND PROVIDING FOR THE ISSUANCE OF \$1,400,000 IN WATER IMPROVEMENT BONDS OR NOTES OF THE BOROUGH OF BEACHWOOD TO FINANCE THE SAME.

RESOLUTION

#2008-184 RESOLVED by Mayor and Council to approve Ordinance #2008-07 as presented on First Reading title only.

Motion: Roma
Approved: Clark - Clayton - Feeney - Komsa - Roma - Verga
Abstain:
Second: Feeney
Opposed:

#2008-185 RESOLUTION OF THE BOROUGH OF BFACHWOOD, NEW JERSEY Approving a Disabled Veteran Exemption Block **11.25** LOT 12

WHEREAS, The Department of Veteran Affairs determined that Patrick G. Meehan at 436 Neptune Avenue, Block 11.25 Lot 12 to have a service connected disability that is totally disabling; and

WHEREAS, Mr. Meehan has made application to the Borough as a totally disabled veteran, which has been approved by the Tax Assessor as of March **5th**, 2008.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Beachwood, in the County of Ocean, State of New Jersey as follows:
The Tax Collector is directed to cancel taxes as follows as follows:

2008- \$2,701.19

The Tax Collector is directed to process any refund due as a result of the cancellation of taxes. The parcel is exempted on the 2009 tax list.

Motion: Roma
Approved: Clark-- Clayton - Feeney - Komsa - Roma - Verga
Opposed:
Abstain:
Second: Komsa
Absent;

#2008-186 RESOLUTION OF THE BOROUGH OF BEACHWOOD to AUTHORIZE REFUND OF REDEMPTION MONIES FROM LIEN #06-003 TO LIEN HOLDER CCTS TAX LIEN I LLC IN THE AMOUNT OF \$ 4,484.31.

WHEREAS, at the Municipal Tax Sale held on September 20, 2006, a lien was sold on Block 1.47 Lot 2 also known as 337 Seaman Avenue, for 2005 delinquent sewer charges; and,

WHEREAS, this lien, known as Tax Sale Certificate #06-003, was sold to CCTS Tax Lien I LLC with an 18% redemption fee; and,

WHEREAS, Comerica has effected redemption, on behalf of property owner, Madeline Braden, for certificate # 06-003 in the amount of \$4,484.31.

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

1. **Authorize the Treasurer to issue a check in the amount of \$4,484.31, payable to CCTS Tax Lien I LLC; 141 Shreve Avenue, Barrington, NJ 08007 for the redemption of Tax Sale Certificate #06-003**

Motion: Roma Second: Clayton
Approved: Clark-- Clayton - Feeney - Komsa - Roma - Verga
Opposed:
Abstain: Absent;

#2008-187 RESOLUTION OF THE BOROUGH OF BEACHWOOD to AUTHORIZE REFUND OF REDEMPTION MONIES FROM LIEN #07-017 TO LIEN HOLDER CASA NOVA TODAY LLC IN THE AMOUNT OF \$ 1,668.38.

WHEREAS, **at** the Municipal Tax Sale held on December 14, 2007, a lien **was sold on Block 2.42 Lot 14, also known as 146 Longboat Avenue, for 2006 delinquent** water and sewer charges; and,

WHEREAS, this **lien**, known as Tax Sale Certificate #07-017, was sold to Casa Nova Today LLC with **an 18% redemption fee; and,**

WHEREAS, Countrwide Tax Servicers have effected redemption, on behalf of property owner, Muthoni, Mwangi, for certificate #07-017 in the amount of \$1,668.38.

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

1. **Authorize the Treasurer to issue a check in the amount of \$1,668.38, payable to Casa Nova Today LLC; 60 Chambersbridge Road, Unit 4, Lakewood, NJ 08701 for the redemption of Tax Sale Certificate #07-017.**

Motion: Roma Second: Clark
Approved: Clark - Clayton - Feeney - Komsa - **Roma** - Verga
Opposed:
Abstain: Absent;

#2008-188 RESOLUTION OF THE BOROUGH OF BEACHWOOD to AUTHORIZE REFUND OF REDEMPTION MONIES FROM LIEN #07-018 TO LIEN HOLDER CCTS TAX LIENS I LLC IN THE AMOUNT OF \$622.67.

WHEREAS, at the Municipal Tax Sale held on December 14, 2007, a lien was sold on Block 2.43 Lot 12, also known as 136 Pacific Avenue, for 2006 delinquent sewer charges; and,

WHEREAS, this lien, known as Tax Sale Certificate #07-018, was sold to CCTS Tax Liens I LLC with an 18% redemption fee; and,

WHEREAS, Countrywide Tax Servicers have effected redemption, on behalf of property owner, Tramanh, for certificate #07-018 in the amount of \$622.67.

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

1. Authorize the Treasurer to issue a check in the amount of \$622.67, payable to CCTS Tax Liens I LLC, 141 Shreve Avenue, Barrington, N.J. 08007 for the redemption of Tax Sale Certificate #07-018

Motion: Roma Second: Clark
Approved: Clark - Clayton - Feeney - Komsa - Roma - Verga
Opposed:
Abstain: Absent;

#2008-189 RESOLUTION OF THE BOROUGH OF BEACHWOOD to AUTHORIZE REFUND OF REDEMPTION MONIES FROM LIEN #07-021 TO LIEN HOLDER DAXUAN WANG IN THE AMOUNT OF \$ 328.85.

WHEREAS, at the Municipal Tax Sale held on December 14, 2007, a lien was sold on Block 3.10 Lot 10, also known as 724 Surf Avenue, for 2006 delinquent sewer charges; and,

WHEREAS, this lien, known as Tax Sale Certificate #07-021, was sold to Daxuan Wang with an 18% redemption fee; and,

WHEREAS, OCWEN has effected redemption, on behalf of property owners, Raymond and Diana Knapp, for certificate # 07-021 in the amount of \$328.85.

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

1. Authorize the Treasurer to issue a check in the amount of \$328.85, payable to Daxuan Wang, 11 Walnut Street, Livingston, NJ 07039, for the redemption of Tax Sale Certificate #07-021.

Motion: Roma Second: Komsa
Approved: Clark - Clayton - Feeney - Komsa - Roma - Verga
Opposed:
Abstain: Absent;

#2008-190 RESOLUTION OF THE BOROUGH OF BEACHWOOD to AUTHORIZE REFUND OF REDEMPTION MONIES FROM LIEN #07-026 TO LIEN HOLDER DAUXAN WANG IN THE AMOUNT OF \$ 609.71.

WHEREAS, at the Municipal Tax Sale held on December 14, 2007, a lien was sold on Block 4.45 Lot 11, also known as 124 Barnegat Blvd, for 2006 delinquent sewer charges; and,

WHEREAS, this lien, known as Tax Sale Certificate #07-026, was sold to Dauxan Wang with an 18% redemption fee; and,

WHEREAS, Emigrant Savings Bank has effected redemption, on behalf of property owner, Astra Lewis, for certificate # 07-026 in the amount of \$609.71.

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

1. Authorize the Treasurer to issue a check in the amount of \$609.71, payable to Dauxan Wang; 11 Walnut St. Livingston N.J. 070139 for the redemption of Tax Sale Certificate #07-026

Motion: Roma Second: Komsa
Approved: Clark - Clayton - Feeney - Komsa - Roma - Verga
Opposed:
Abstain: Absent:

#2008-191 RESOLUTION OF THE BOROUGH OF BFACHWOOD to AUTHORIZE REFUND OF REDEMPTION MONIES FROM LIEN #07-033 TO LIEN HOLDER US BANK-CUST/SASS MUNI V dir IN THE AMOUNT OF \$ 1,475.39.

WHEREAS, at the Municipal Tax Sale held on December 14, 2007, a lien was sold on Block 9.36 Lot 1, also known as 26 Spruce Street, for 2006 delinquent water charges; and,

WHEREAS, this lien, known as Tax Sale Certificate #07-033, was sold to US Bank-Cust/Sass MuniV dtr with an 18% redemption fee; and,

WHEREAS, Countrywide Tax Servicers have effected redemption, on behalf of property owner, Ji Huang Yang, for certificate # 07-033 in the amount of \$1,475.39.

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

1. Authorize the Treasurer to issue a check in the amount of \$1,475.39, payable to US Batik-Cust/Sass MuniV dii, 2 Liberty Place, 50 South 16th Street-Suite 1950, Philadelphia, PA 19102 for the redemption of Tax Sale Certificate #07-033.

Motion: Roma Second: Clayton
Approved: Clark - Clayton - Feeney - Komsa - Roma - Verga
Opposed:
Abstain: Absent:

#2008-192 **RESOLUTION OF THE BOROUGH OF BEACHWOOD to AUTHORIZE REFUND OF REDEMPTION MONIES FROM LIEN #07-036 TO LIEN HOLDER SINGH REAL ESTATE IN THE AMOUNT OF \$474.21.**

WHEREAS, at the Municipal Tax Sale held on December 14, 2007, a lien was sold on Block 10.25 Lot 11 also known as 828 Neptune Avenue, for 2006 delinquent sewer charges; and,

WHEREAS, this lien, known as Tax Sale Certificate #07-0 36, was sold to Singh Real Estate with an 18% redemption fee; and,

WHEREAS, Countrywide Tax Servicers have effected redemption, on behalf of property owner, Thomas and Nicole Bocchino, for certificate #07-036 in the amount of \$474.21.

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

1. Authorize the Treasurer to issue a check in the amount of \$474.21 to Singh Real Estate, 555 Lincoln Drive West, Marlton N.J. 08053, for the redemption of Tax Sale Certificate #07-036.

Motion: Roma Second: Clayton
Approved: Clark - Clayton - Feeney - Komsa - Roma - Verga
Opposed:
Abstain: Absent:

#2008-193 **RESOLUTION OF THE BOROUGH OF BEACHWOOD TO AUTHORIZE A REFUND OF REDEMPTION MONIES FROM LIEN #07-037 TO LIEN HOLDER CRUSADER LIEN SERVICES IN THE AMOUNT OF \$ 1,496.73.**

WHEREAS, at the Municipal Tax Sale held on December 14, 2007, a lien was sold on Block 10.32 Lot 12 also known as 744 Neptune Avenue, for 2006 delinquent sewer charges; and,

WHEREAS, this lien, known as Tax Sale Certificate #07-037, was sold to Crusader Lien Services with an 18% redemption fee; and,

WHEREAS, Countrywide Tax Servicers have effected redemption, on behalf of property owner, Axel Sovensen and Tracy Iadersoa for certificate # 07-03 7 in the amount of \$1,496.73.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of Beachwood, in the County of Ocean, State of New jersey as follows:

1. Authorize the Treasurer to issue a check in the amount of\$1.496.73, payable to Crusader Lien Services, 179 Washington Lane, Jenkintown, PA 19046, for the redemption of Tax Sale Certificate #07-0 37.

Motion: Roma Second: Clayton
Approved: Clark - Clayton - Feeney - Komsa - Roma - Verga
Opposed:
Abstain: Absent:

#2008-194 **RESOLUTION OF THE BOROUGH OF BEACHWOOD to AUTHORIZE REFUND OF REDEMPTION MONIES EROM LIEN #07-042 TO LIEN HOLDER CCTS TAX LIEN SERVICES IN THE AMOUNT OF \$452.96.**

WHEREAS, at the Municipal Tax Sale held on December 14, 2007, a lien was sold on Block 11.44 Lot 1.01, also known as 26 Bowline Street, for 2006 delinquent sewer charges; and,

WHEREAS, this lien, known as Tax Sale Certificate #07-042, was sold to CCTS Tax Lien Services with a 17% redemption fee; and,

WHEREAS, Countrywide Tax Servicers have effected redemption, on behalf of property owner, Nicole Bocchino, for certificate # 07-042 in the amount of \$452.96.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of Beachwood, in the County of Ocean, State of New jersey as follows:

1. Authorize the Treasurer to issue a check in the amount of \$452.96, payable to CCTS Tax Lien Services, 141 Shreve Avenue, Barrington, NJ 08007, for the redemption of Tax Sale Certificate #07-042.

Motion: Roma Second: Clayton
Approved: Clark - Clayton - Feeney - Komsa - Roma - Verga
Opposed:
Abstain: Absent:

#2008-195 **RESOLUTION OF THE BOROUGH OF BEACHWOOD to AUTHORIZE REFUND OF REDEMPTION MONIES FROM LIEN #050010 TO LIEN HOLDER CRUSADER SERVICING CORPORATION IN THE AMOUNT OF \$14,613.55 PLUS PREMIUM AMOUNT OF \$8,000.00**

WHEREAS, at the Municipal Tax Sale held on September 14, 2005, a lien was sold on Block 10.01 Lot 9, also known as 1020 Cable Avenue, for 2004 delinquent tax charges; and,

WHEREAS, this lien, known as Tax Sale Certificate #0500 10, was sold to Crusader Servicing Corporation a 0% redemption fee and a premium payment of \$8,000.00; and,

WHEREAS, Home Comings Financial LLC has effected redemption, on behalf of property owners, Joseph and Julie Huba, for certificate # 050010 in the amount of \$14,613.55.

NOW, THEREFORE, BE it RESOLVED, by the Borough Council of Beachwood, in the County of Ocean, State of New Jersey as follows:

1. Authorize the Treasurer to issue a check in the amount of \$14,613.55, payable to Crusader Servicing Corp., 179 Washington Lane, Jenkintown, PA 19046 pIus the premium amount of \$8,000.00

Motion: Roma Second: Clayton
Approved: Clark - Clayton - Feeney - Komsa - Roma - Verga

Opposed:
Abstain:

Absent:

RESOLUTION
#2008-196

**RESOLUTION OF THE BOROUGH OF BEACHWOOD, OCEAN COUNTY, NEW JERSEY
AUTHORIZING FINAL CHANGE ORDER #2 TO THE CONTRACT BETWEEN THE
BOROUGH AND CENTERPOINT ASSOCIATES, INC. FOR THE BOROUGH'S NEW
WATER DEPARTMENT AERATOR REDUCING THE CURRENT CONTRACT AMOUNT
BY \$4,455.40 AS A RESULT OF FINAL QUANTITIES FOR A FINAL ADJUSTED
CONTRACT PRICE OF \$272,627.97**

WHEREAS, the Borough of Beachwood previously awarded a contract for a new aerator to Centerpoint Associates, Inc. of Blackwood, New Jersey in the original amount of \$270,770.00; and

WHEREAS, as a result of change order #1 the Contract price was increased by \$6,313.37 to an adjusted contract price of \$277,083.37 ; and

WHEREAS, the Borough Engineers have recommended Final Change Order #2 reflecting final as built - quantities reducing the adjusted contract price by \$4,455.40; and

WHEREAS, it is now the desire of this Governing Body to act upon the Engineer's recommendation.

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 approves Final Change Order #2 between the Borough of Beachwood and Centerpoint Associates, Inc. in connection with the Borough's new aerator for it's Water Department reducing the contract by an additional \$4,455.40 to a final adjusted contract price of \$272,627.97.
2. That upon adoption of the within Resolution the Clerk is authorized and directed to forward a certified copy of it to the Borough Administrator, the Borough Engineers, the Borough Treasurer and Centerpoint Associates, Inc.

Motion: Roma Second: Verga
Approved: Clark - Clayton - Feeney - Komsa - Roma - Verga
Opposed:
Abstain: Absent:

CORRESPONDENCE: None

Reports:

Mayor Jones

Congratulated Chief Cairns and the members Police Department on recent successful execution of search warrants, realizing seizure of large amounts of narcotics. Police have dealt a severe blow to the criminal element who are determined to pollute our community, and financially profit by destroying the lives of our young people. The message in Beachwood is clear, "zero tolerance". It's more than a sign on the highway. I believe for some the raid and seizure as reported in the media was an awakening, that even in a spirited community like Beachwood, drugs are a challenge, and not some other community's problem. It is my opinion, and has been my experience that being idle and having too much time is an ally to those who traffic in vice. The Municipal Alliance and Recreation Commission do offer excellent programs to move our children in the right direction. Unfortunately more must be done. We need to explore new ideas, and offer community based activities that will stimulate the mind and body. We need to create an avenue to provide outreach to our children for them to meet the challenges of peer pressure. A pressure that's much more difficult than what we faced as kids.

Tonight, I am announcing that during the next 45 days, I will be soliciting the public on a direction they believe Beachwood should move in to provide recreation programs for our kids. I am hopeful this recreation initiative will produce a solid plan for the future. It is my intention to conduct a public hearing to extract ideas. Subsequently after exhaustive research and analyzing these ideas, I will submit a detailed report to the Council and Recreation Commission. This is a "we" proposal not an "I" proposal, a "we proposal". It will include the Mayor, the Council, all interested sub divisions of our Borough and most importantly the citizens of the community. I have served 128 days in office. Unfortunately my focus has been derailed, and I apologize for that. From this day forth, I will perform the duties I was elected to carry out. I ask for your cooperation, and seek objective input too. The goal of the recreation initiative is to lift up and support our children, to provide proactive programs in a safe environment. It is incumbent upon us as elected officials, to help mold our children in a manner that will make them productive adults."

Mrs. Clark

Girls Softball opening day - great weather. Thanked Fire Chief Hull and First Aid Capt. Ryan VanSandt for first pitch. Thanked Police for providing traffic safely. Some residents have express interest in "No Smoking" at beach or a designated smoking area or "ashtrays" by the pavilion.

Mrs. Clayton - Great idea, but concern about kids tossing same into River. Its' easier to do a rake up, we keep in clean.

Mrs. Clark: To Mr. Komsa - outstanding job on Wind power presentation. Mrs. Verga great job on Construction Dept. Changes it's up and running. Applaud her for all her efforts on that.

Shade Tree Commission meets tomorrow in the Complex, if anyone interested.

Environmental Commission working on their FJR (Environmental Inventory Resource) that they have to propose to the Planning Board.

Last item, about a month or so ago, brought up discussion on "skate park" proposal. Would like to have Community Center or Complex for meeting for

public.

Council concurrence on use of Community Center or Complex.

Mrs. Clayton

Commended Mr. Komsa on Wind Power public information session. Informative and well received. Wonderful project. Great job. Wish him well.

Fireworks Committee meeting - went very well. Sending post cards out to residents in June.

Difficult to get other towns involved, basically because of budget constraints.

First Aid Bldg - had meeting with Architect last week and set forth a schedule to address. May

27 (Bids or specifications) June 23 (Award) July 6 (Demolition). First Aid will do their own

demolition (need to determine that vendors window for work)

Mr. Feeney

Spoke at earlier meeting re: Recycling Grant from County \$27,000. Working with DPW with regard to the paving at the Recycling center.- . First Aid Building, have had discussions with Pine Beach regarding refurbishing of building. Borough of Beachwood will retain ownership in building and Pine Beach will be furnishings. Discussions have gone well thus far. Positive.

Mr. Komsa:

Congratulated PD on success of raid on Friday. Proud of all involved. Lifeguards salaries.

RESOLUTION

<u>#2008-197</u>	<u>LIFEGUARDS</u>	<u>2008</u>
Head Lifeguard	Nicole Castle 701 Meadow Lane Forked River, NJ 08731	12.50/hr
Lifeguard	Steven Sablack 924 Ship Avenue Beachwood, NJ 08722	9.30/hr
Lifeguard	Robert Anthony 628 Capstan Avenue Beachwood, NJ 08722	
Lifeguard	Chad Anthony 628 Capstan Avenue Beachwood, NJ 08722	
Lifeguard	Andrew Clayton 1452 Longboat Avenue Beachwood, NJ 08722	
Motion: Approved: Abstain:	Roma Clark -Feeney - Komsa - Roma -Verga Clayton	Second: Verga

Memorial Day Craft Fair 5/26. Carousel of Music July 13 "Sentimental Journey" and Aug. 10th - "Jersey Gold". Summer Camp Registration May 12 -22 June 12 . Camp is June 23 to Aug. 1

Thanked all for Attending Wind Power info session. Will keep moving forward. Rowan University advises that the Borough has been moved to #1 spot on list for ANONOMETER. Will meet with Mr. Behrens to review sites.

Mr. Roma

Congratulated G. Feeney and Little Leagues all coaches and players on 50th Anniversary. Celebrated at Blue Claws May 1. Great job, congratulations. Reminder, two dances left for this school season. May and June.

Mrs. Verga

Thanked Mrs. Clark and all who attended Clean Beach Sweep. Cold morning but all worked hard. Agrees with proposal for setting no smoking at Beach or designated smoking area. Thinks ashtray could be anchored at tree.

Mr. Roma

Believes we already have ordinance for parks and playgrounds.

Mrs. Verga

Mrs. Clark - replace signs.

Mrs. Verga

Re: revisions of "Land Use Development Ordinance" in 2007. Mr. Lonski (Esq) sent copies to Engineer and copies were made for council and Mr. Hiering. Request review for discussion at another meeting. Schedule for Workshop. Asked if Planning Board members if they received copy last year.

Mr. Roma:

Planning Board may **have gotten** it.
Was Cost of updating for CDO provided for.

Clerk:

Only budgeted for regular updates

Mr. Hiering

No Report

Mr. Oris

Re-paving Nautilus Street - 1) DOT funding \$125,000. Minor housekeeping to amend
Resolution to refer to "award subject to approval from DOP"

RESOLUTION:

#2008-198 To Approve Amendment to Resolution #2008-181

Motion: Roma Second: Verga
Approved: Clark - Clayton- Feeney - Komsa - Roma - Verga

Mr. Oris

Work on Mermaid Avenue substantially complete. Will be closing out shortly.

Municipal Clerk

Request from O.C. Election Board to use Community Center August 14 and 28 for

Mayor Jones Mrs. Bucca dropped off at Borough and were turned over to Deputy Clerk.. Will look into

Pribula Agent for rental properties. Cannot understand why the Borough requires rental C.O Seaman Ave annually. Why can't it be done at least when tenant moves out.

Mrs. Verga Will look into.

Mrs. Clayton If you wait until tenants turnover. Inspector looks for many things.

Pribula Should not have to do every year. Should only do when tenant moves out and when new tenant moves in.

Mrs. Clayton Mrs. Verga will check into.

Lipton
Anchor Ave No town has you register every year. It's useless , not proper and unconstitutional.

LaCrosse
Forecastle Ave Congratulated Police Dept. Wonderful job. Mr. Komsa - great presentation on Wind Power.
Mrs. Clark - great efforts on beach clean up. May have problem enforcing the smoking ban.
To Mayor - Comment on article in paper, "when you look outside the council chambers of Beachwood, people see that Ron Jones is doing good things" Jones said", question; what is taking place outside of council chambers that is keeping him from doing his job"?

Mayor Jones: I am doing my job!

LaCrosse: It doesn't sound like it here, and earlier you said "you've been derailed from doing your duties. In what way have you been derailed from doing your duties?"

Mayor Referred back to Re-organization and Attorney's response to questions and his belief that the Mayor should be on all committees. Comes to find out from the Attorney, whom he disagrees with, that the Mayor is a member of no committee. So what information he gets is never on an official basis its from speaking with councilmen. I really do believe that the Mayor should be on all committees.

LaCrosse: How does it "de-rail"?

Mayor: It changed the way I intend to conduct business with the municipality.

LaCrosse It appears that you wanted to conduct business the way Mayor Verrano does or the way Mayor Scarpelli did, but this is a different form of government, so you have to work with the council and not

Mayor Speaking with people does not have to be legislatively, that is correct.
LaCrosse It says here – you've been de-railed, your saying that your de-railed, I'd like to see you start doing the job that you promised the people that you were going to do, and so far I haven't seen that.
Also as far as our Code Book is concerned, are all of our codes going to be updated?

Municipal Clerk Our code book is updated every single year.

LaCrosse Just the statements made to the press, a lot of things coming out in press. Some of this you have to admit, is weighing heavily on your shoulders. It's not the members of council who are forbidding you to do your job, **it** is you not working with the council to do the job you were elected to do.

DiBella

1008 Halliard: As member of Environmental Commission wanted to thank Mrs. Clark and Mrs. Verga on efforts on Clean Beach sweep.
Re: Comments on Community Service agreement, that according to the Mayor was signed by the Clerk, the Clerk said she didn't sign **it**. I asked that the Council for an investigative committee to look into this . Has anyone seen the agreement yet? NO Has a committee been formed yet?

Mr. Feeney: These issues will be discussed in Executive Session with regard to contractual issues.

DiBella: Talk at the last meeting about some underage girls that were here stuffing envelopes. Does anybody know what envelopes they were stuffing? NO
Are there any insurance liabilities, obviously these girls were not part of the community service program, are there any insurance liabilities of having underage children working in the administrative offices.

Municipal Clerk There is always a liability factor with anyone who comes into the Municipal Complex.

DiBella So as I understand Council, this is going to be reviewed by council and will be reported at the next meeting as to the agreement that was not approved by council, but somehow initiated.
Does the Mayor have a responsibility to make sure that

the laws and ordinances are enforced equally.

Council All of us do

DiBella Contracts cannot be enacted without the consent of council.

Mr. Hiering: Correct.

PUBLIC DISCUSSION - TO CLOSE

Motion: Feeney Second: Komsa
Approved: Clark - Clayton - Feeney - Komsa - Roma - Verga
Opposed:
Abstain: Absent:

EXECUTIVE SESSION

WHEREAS, SECTION 8 of the N.J. 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 of the subject matter to be discussed is as follows:

Contractual - O.C. Probation
Teamsters Local 469
Engineer - CMX T2W2
Terms and Condition of Employment - Building Department
Personnel - Building Department

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

Motion: Roma Second: Clayton
Approved: Clark - Clayton - Feeney - Komsa - Roma - Verga
Opposed:
Abstain: Absent:

RE-OPEN

Motion: Roma Second: Komsa
Approved: Clark - Clayton - Feeney - Komsa - Roma - Verga
Opposed:
Abstain: Absent:

ACTION TAKEN RESULTING FROM EXECUTIVE SESSION THIS DATE

Borough received letter of resignation from Clerical in Building Department. Clerk will contact DOP for information,

Borough received communication that PERC authorized Teamsters
Local 4-69 to act as representative for Blue/White Collar Workers

#2008-201 Resolved by Mayor and Council to name CMX as the Borough's T2W2
Licensed official. Cost not to exceed \$8,500.00

Motion: Roma Second: Clayton
Approved: Clark - Clayton - Feeney - Komsa - Roma - Verga
Opposed:
Abstain: Absent:

#2008-202 Resolved by Mayor and Council to approve an agreement with Ocean County
Probation for Community Service with the stipulation that program be
under the supervision of the Chief of Police William Cairns. This
includes a letter to the agency stating same.

Motion: Roma Second: Clayton
Approved: Clark - Clayton - Feeney - Komsa - Roma - Verga
Opposed:
Abstain: Absent:

ADJOURN

Motion: Roma Second: Feeney
Approved: Clark - Clayton - Feeney - Komsa - Roma - Verga
Opposed:
Abstain: Absent:

Prepared by: E.A. Mastropasqua

Ronald W. Jones Jr.
Mayor

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