

**Meeting Minutes**  
**May 7, 2014**  
**Beachwood Municipal Complex**  
**1600 Pinewald Rd.**  
**7:00 PM**

Call to Order by Mayor Roma.

<b>Mayor and Council Roll Call</b>	<b>Present</b>	<b>Absent</b>	<b>Excused Tardy</b>
Mayor Ronald Roma, Jr.	<b>X</b>		
Council President Steven Komsa	<b>X</b>		
Councilwoman Beverly Clayton	<b>X</b>		
Councilman Gregory Feeney	<b>X</b>		
Councilman Gerald LaCrosse		<b>X</b>	
Councilman Thomas Miserendino		<b>X</b>	
Councilman Edward Zakar	<b>X</b>		

Also present were William Hiering, Esq. of Hiering, Gannon and McKenna; Jim Oris, PE, PP, CME of T&M Associates; CFO John Mauder; and Treasurer Liz Sarantinoudis

Flag Salute led by the Municipal Clerk

**OPENING STATEMENT Read by the Municipal Clerk**

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 emailed to the Asbury Park Press and the Ocean Signal and posted on the Borough website on January 6, 2014.

**REMEMBRANCE PRAYER Read by the Municipal Clerk**

While we pray for the safe return of our serving men and women, we must remember that 152 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, we ask for a moment of silence and prayer for all our disabled veterans, those missing in action and a call for the swift return of all our serving men and women.

**PROCLAMATIONS**

- **Honoring Toms River South High School’s Coach Ken Frank’s 800th Win – On Hold per Councilman Feeney**
  
- **Primary Immuno Deficiencies Disease Proclamation was read by the Municipal Clerk**  
 Ms. Kim Barna came forward to provide overview of the Primary Immuno Deficiencies Disease. Ms. Barna was diagnosed with this disease and her family friend, Matthew Conover, a 5th Grader at the Beachwood Elementary School promoted an awareness day to make others aware of this disease. Matthew Conover was also present at the meeting and Mayor recognized him with a Certificate of Excellence for outstanding citizenship for promoting awareness of the Primary Immuno Deficiencies Disease. Ms. Barna is very proud of Matthew for his actions. The Mayor indicated that he attended the “Zebra Day” at the school where everyone wore black and white to promote awareness. The Mayor also indicated that he presented Matthew with a Certificate at the school assembly but the name of the disease was not correct so changes were made to the certificate and the proclamation was revised to reflect the correct name. Ms. Barna indicated that Beachwood Borough is the only municipality in the State of New Jersey to recognize the Primary Immuno Deficiencies Disease and she hopes to have other towns promote awareness. The Municipal Clerk indicated that she will forward the proclamation to the President of the NJ State Association of Municipal Clerks to get the word out to every Clerk in NJ.

- Fibrodysplasia Ossificans Progressiva (FOP) Proclamation was read by the Municipal Clerk

**CHANGE ORDER RESOLUTION**

**RESOLUTION #2014-164**

**RESOLUTION OF THE BOROUGH OF BEACHWOOD, OCEAN COUNTY, NEW JERSEY AUTHORIZING THE APPROVAL OF FINAL CHANGE ORDER NO. 4 TO THE CONTRACT BETWEEN THE BOROUGH AND GEORGE KOUSTAS PAINTING & CONSTRUCTION, LLC FOR THE BEACHWOOD COMMUNITY CENTER RESTORATION PROJECT REDUCING THE CONTRACT BY \$7,500.00 AND ADJUSTING THE CONTRACT PRICE TO \$197,982.24**

**WHEREAS**, the Borough of Beachwood previously awarded a contract to George Koustas Painting & Construction, LLC for the Beachwood Community Center Restoration Project for the original contract price of \$186,100.00; and

**WHEREAS**, the Borough Engineer previously recommended the approval of said Change Order No. 1 increasing the contract by \$5,513.94, Change Order No. 2 increasing the contract by \$12,618.30, and Change Order No. 3 increasing the contract by \$1,250.00; and

**WHEREAS**, prior Change Orders increased the original contract price to an adjusted price of \$205,482.24; and

**WHEREAS**, it is now the desire of the Borough Council to approve said Final Change Order No. 4 reducing the contract by \$7,500.00 based 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 Change Order No. 4 to the contract between the Borough of Beachwood and George Koustas Painting & Construction, LLC for the Beachwood Community Center Restoration Project to decrease the contract by \$7,500.00 to an adjusted contract price of \$197,982.24.

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, George Koustas Painting & Construction, LLC, and the Borough CFO.

COMMITTEE	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Councilwoman Clayton</i>			X			
<i>Councilman Feeney</i>	X		X			
<i>Councilman Komsa</i>		X	X			
<i>Councilman LaCrosse</i>						X
<i>Councilman Miserendino</i>						X
<i>Councilman Zakar</i>			X			

**TEMPORARY BUDGET 2014**

**EMERGENCY TEMPORARY RESOLUTION 2014-165**

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 2014 budget; and WHEREAS, no adequate provision has been made in the 2014 temporary budget or 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 2014 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S. 40A:4-20) including this resolution total \$4,788,726.60

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:

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

DEPARTMENT	S/W	O/E	TOTAL
MAYOR AND COUNCIL	11,000.00		11,000.00
MUNICIPAL CLERK	3,000.00		3,000.00
FINANCIAL ADMINISTRATION	13,000.00	10,000.00	23,000.00
REVENUE	13,000.00	1,000.00	14,000.00
TAX ASSESSMENT	5,000.00	500.00	5,500.00
	5,000.00		5,000.00
UNIFORM CONSTRUCTION	40,000.00	250.00	40,250.00
CODE ENFORCEMENT	5,000.00		5,000.00
LIABILITY INSURANCE		52,000.00	52,000.00
WORKERS COMPENSATION		60,000.00	60,000.00
EMPLOYER GROUP		300,000.00	300,000.00
POLICE	620,000.00		620,000.00

CROSSING GUARD		4,000.00			4,000.00
EMERGENCY MANAGEMENT		1,000.00		500.00	1,500.00
FIRE PREVENTION		4,000.00			4,000.00
PROSECUTOR SERVICES				5,000.00	5,000.00
STREETS AND ROADS		5,000.00			5,000.00
PUBLIC WORKS				3,000.00	3,000.00
SOLID WASTE COLLECTON		70,000.00			70,000.00
RECYCLING		30,000.00			30,000.00
BUILDINGS AND GROUNDS		40,000.00		10,000.00	50,000.00
VEHICLE MAINTENANCE		20,000.00			20,000.00
RECREATION		200.00		750.00	950.00
PARKS/PLAYGROUNDS				750.00	750.00
BEACH MAINTENANCE				500.00	500.00
CELEBRATION OF PUBLIC EVENTS				375.00	375.00
GARBAGE AND TRASH DISPOSAL				150,000.00	150,000.00
MUNICIPAL COURT		21,000.00		1,500.00	22,500.00

<b>SUB TOTAL</b>		910,200.00		596,125.00		1,506,325.00
WATER UTILITY		120,000.00		100,000.00		220,000.00
WATER UTILITY COMM. SECURITY				20,000.00		20,000.00
<b>GRAND TOTAL</b>		1,030,200.00		716,125.00		1,746,325.00

2. That said emergency temporary appropriations have been provided for in the 2014 Budget under the aforementioned line items.
3. That one certified copy of this resolution be filed with the Director of Local Government Services.

COMMITTEE	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Councilwoman Clayton</i>	<b>X</b>		<b>X</b>			
<i>Councilman Feeney</i>		<b>X</b>	<b>X</b>			
<i>Councilman Komsa</i>			<b>X</b>			
<i>Councilman LaCrosse</i>						<b>X</b>
<i>Councilman Miserendino</i>						
<i>Councilman Zakar</i>			<b>X</b>			

**FINANCE BOND ORDINANCE**

**SECOND READING & PUBLIC HEARING FOR BOND ORDINANCE #2014-03 READ BY TITLE ONLY  
ORDINANCE 2014-03**

**AN ORDINANCE OF THE BOROUGH OF BEACHWOOD, IN THE COUNTY OF OCEAN, NEW JERSEY PROVIDING FOR THE RELOCATION OF TWO STORMWATER OUTFLOWS AND OTHER RELATED EXPENSES IN AND FOR THE BOROUGH OF BEACHWOOD AND APPROPRIATING \$1,200,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$1,140,000 IN BONDS OR NOTES OF THE BOROUGH OF BEACHWOOD TO FINANCE THE SAME.**

BE IT ORDAINED BY THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF BEACHWOOD, IN THE COUNTY OF OCEAN, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring), AS FOLLOWS:

Section 1. The improvement or purpose described in Section 3 of this bond ordinance is hereby authorized to be undertaken by the Borough as a general improvement. For the improvement or purpose described in Section 3 hereof, there is hereby appropriated the sum of money therein stated as the appropriation made for the

improvement or purpose, such sum amounting to \$1,200,000, including the sum of \$60,000 as a down payment as required by the Local Bond Law.

Section 2. In order to finance the cost of the improvement or purpose provided for hereunder, negotiable bonds or notes are hereby authorized to be issued in the principal amount of \$1,140,000. In anticipation of the issuance of the bonds or notes, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for which the bonds or notes are to be issued is the relocation of two stormwater outflows located at Beachwood Beach, and including all work and materials necessary therefor and incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8.1. The chief financial officer is hereby authorized to sell part or all of the notes from time to time, at not less than par and accrued interest, at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser

Section 5. The capital budget or temporary capital budget (as applicable) of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency and amendment, the resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget or amended temporary capital budget (as applicable) and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

Section 6. (a) The improvement or purpose described in Section 3 of this bond ordinance is not a current expense. It is an improvement or purpose the Borough may lawfully undertake as a general improvement, and no part of the costs thereof have been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of the improvement or purpose, within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 40 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Borough Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$1,140,000 and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An amount not exceeding \$450,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

(e) The Borough reasonably expects to commence acquisition and/or construction of the improvement or purpose described in Section 3 hereof, and to advance all or a portion of the costs in respect thereof, prior to the issuance of bonds or notes hereunder. To the extent such costs are advanced, the Borough further reasonably expects to reimburse such expenditures from the proceeds of the bonds or notes authorized by this bond ordinance, in an aggregate not to exceed the amount of bonds or notes authorized in Section 2 hereof.

**Section 7.** Any grant moneys or contributions from developers or otherwise, received for the purposes described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized hereunder shall be reduced to the extent that such funds are so used.

**Section 8.** The full faith and credit of the Borough is hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable real property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

**Section 9.** The Borough hereby covenants to take any action necessary or refrain from taking such action in order to preserve the tax-exempt status of the bonds and notes authorized hereunder as is or may be required under the Internal Revenue Code of 1986, as amended, and the regulations promulgated thereunder (the "Code"), including compliance with the Code with regard to the use, expenditure, investment, timely reporting and rebate of investment earnings as may be required thereunder.

**Section 10.** To the extent that any previous ordinance or resolution is inconsistent herewith or contradictory hereto, said ordinance or resolution is hereby repealed or amended to the extent necessary to make it consistent herewith.

**Section 11.** This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

**Introduction: April 16, 2014 ROLL CALL**

COMMITTEE	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Councilwoman Clayton</i>						X
<i>Councilman Feeney</i>		X	X			
<i>Councilman Komsa</i>			X			
<i>Councilman LaCrosse</i>	X		X			
<i>Councilman Miserendino</i>						X
<i>Councilman Zakar</i>			X			

**NOTICE OF PENDING BOND ORDINANCE**

PUBLIC NOTICE IS HEREBY GIVEN that the foregoing bond ordinance was duly introduced and passed upon first reading at a regular meeting of the Mayor and Borough Council of the Borough of Beachwood, in the County of Ocean, New Jersey, held on April 16, 2014. Further notice is hereby given that said bond ordinance will be considered for final passage and adoption, after public hearing thereon, at a regular meeting of said Mayor and Borough Council to be held in the Municipal Building, 801 Beachwood Avenue, Beachwood, New Jersey on May 21, 2014 at 7 o'clock p.m., and during the week prior to and up to and including the date of such meeting, copies of said bond ordinance will be made available at the Borough Clerk's office in the Municipal Building to the members of the general public who shall request the same.

**OPEN FOR PUBLIC HEARING FOR BOND ORDINANCE 2014-03**

COMMITTEE	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Councilwoman Clayton</i>			X			
<i>Councilman Feeney</i>		X	X			
<i>Councilman Komsa</i>	X		X			
<i>Councilman LaCrosse</i>						X
<i>Councilman Miserendino</i>						X
<i>Councilman Zakar</i>			X			

**Being no public comment for this Bond Ordinance, Motion was called to close.**

**CLOSE FOR PUBLIC HEARING FOR BOND ORDINANCE 2014-03**

COMMITTEE	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Councilwoman Clayton</i>			X			
<i>Councilman Feeney</i>			X			

<i>Councilman Komsa</i>	X		X			
<i>Councilman LaCrosse</i>						X
<i>Councilman Miserendino</i>						X
<i>Councilman Zakar</i>		X	X			

**MOTION TO ADOPT BOND ORDINANCE 2014-03**

**ROLL CALL for adoption of Ordinance 2014-03**

COMMITTEE	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Councilwoman Clayton</i>			X			
<i>Councilman Feeney</i>		X	X			
<i>Councilman Komsa</i>			X			
<i>Councilman LaCrosse</i>						X
<i>Councilman Miserendino</i>						X
<i>Councilman Zakar</i>	X		X			

**NOTICE OF ADOPTION OF BOND ORDINANCE**

**PUBLIC NOTICE IS HEREBY GIVEN** that the bond ordinance published herewith has been finally adopted by the Mayor and Borough Council of the Borough of Beachwood, in the County of Ocean, New Jersey on May 21, 2014 and the 20-day period of limitation within which a suit, action or proceeding questioning the validity of such bond ordinance can be commenced, as provided in the Local Bond Law, has begun to run from the date of the first publication of this notice.

**CONSENT AGENDA RESOLUTIONS #2014-168 TO #2014-174**

**RESOLUTION #2014-168**

**RESOLUTION OF THE BOROUGH OF BEACHWOOD, OCEAN COUNTY, NEW JERSEY AUTHORIZING TRAINING-SEMINAR-CONFERENCE ATTENDANCE**

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

April 22, 2014  
 Mayor R. Roma  
 Ocean County Mayor’s Association Business Meeting – Toms River, NJ  
 \$20.00/pp  
 Vehicle: No

May 20, 2014  
 Mayor R. Roma  
 Ocean County Mayor’s Association Business Meeting – Toms River, NJ  
 \$20.00/pp  
 Vehicle: No

April 23, 2014  
 L. Felton, Court Admin.  
 New Equipment & Web Applications – Toms River Municipal Court – Toms River, NJ  
 \$0.00/pp  
 Vehicle: No

April 29, 2014  
 L. Kirchgessner, Dep. Court Admin.  
 New Equipment & Web Applications – Toms River Municipal Court – Toms River, NJ  
 \$0.00/pp  
 Vehicle: No

May 14, 2014

W. Gibson, Construction Official  
 Handling Water Damaged Electrical Equipment – Cape May County Fire Academy, NJ  
 \$0.00/pp  
 Vehicle: No

**BE IT FURTHER RESOLVED** that a copy of this approval be forwarded to the following:

1. Municipal Clerk
2. John Mauder, Chief Financial Officer
3. Elizabeth Sarantinoudis, Treasurer
4. L. Felton, Court Administrator
5. W. Gibson, Construction Official

COMMITTEE	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Councilwoman Clayton</i>			X			
<i>Councilman Feeney</i>	X		X			
<i>Councilman Komsa</i>		X	X			
<i>Councilman LaCrosse</i>						X
<i>Councilman Miserendino</i>						X
<i>Councilman Zakar</i>			X			

**RESOLUTION #2014-169  
 RESOLUTION OF THE BOROUGH OF BEACHWOOD, OCEAN COUNTY, NEW JERSEY  
 AUTHORIZING RENTALS AT MAYO PARK, BEACHWOOD, NJ**

**RESOLVED** by Mayor and Council to approve the following requests for Mayo Park Rentals:

<u>Date</u>	<u>Name/Event</u>	<u>Picnic:</u>	<u>Kitchen:</u>	<u>Deposits:</u>
7-26-14	J. Palomba-Birthday Party	\$150.00	N/A	\$75.00
6-20-14	T. R. School Transportation-Annual Picnic	<b>WAIV ER</b>	N/A	<b>WAIVER</b>
6-17-14	Scout Troop 70 – Court of Honor	<b>WAIV ER</b>	N/A	<b>WAIV ER</b>
5-18-14	S. Arroyo – Birthday Party	\$75.00	N/A	\$75.00
8-9-14	M. Licata – Birthday Party Set Up	\$75.00	N/A	\$75.00
8-10-14	M. Licata – Birthday Party	\$75.00	N/A	\$75.00

COMMITTEE	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Councilwoman Clayton</i>			X			
<i>Councilman Feeney</i>	X		X			
<i>Councilman Komsa</i>		X	X			
<i>Councilman LaCrosse</i>						X
<i>Councilman Miserendino</i>						X
<i>Councilman Zakar</i>			X			

**RESOLUTION #2014-170  
 RESOLUTION OF THE BOROUGH OF BEACHWOOD, OCEAN COUNTY, NEW JERSEY AUTHORIZING  
 RENTALS AT THE BEACHWOOD COMMUNITY CENTER**

**RESOLVED** by Mayor and Council to approve the following requests for Community Center Rentals:

<u>Date</u>	<u>Name/Event</u>	<u>Rental:</u>	<u>Deposit:</u>
6/6/14	W. Jennings – Wedding	\$400.00	\$600.00
9/14/14	T. Ferreira – Birthday Party	\$400.00	\$600.00
12/6/14	S. Fernandez – 50th Birthday	\$400.00	\$600.00

8/17/14	P. Farrell – Wedding	\$400.00	\$600.00
8/15/14	C. Patterson – Wedding	\$400.00	\$600.00
5/11/14	S. LeGrand – No One Fights Alone Fund Raiser	<b>\$0.00***</b>	\$600.00
8/10/14	J. Trivigno – Bridal Shower	\$400.00	\$600.00

**\*\*\*Rental Fee waived per Resolution 2014-135**

COMMITTEE	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Councilwoman Clayton</i>			X			
<i>Councilman Feeney</i>	X		X			
<i>Councilman Komsa</i>		X	X			
<i>Councilman LaCrosse</i>						X
<i>Councilman Miserendino</i>						X
<i>Councilman Zakar</i>			X			

**RESOLUTION**

**#2014-171**

**RESOLVED BY MAYOR AND COUNCIL TO AUTHORIZE A REFUND OF REDEMPTION MONIES FROM LIEN #13-00080 TO LIEN HOLDER, US BANK CUST FOR BV001 LLC IN THE AMOUNT OF \$1,003.96 WITH A PREMIUM OF \$300.00.**

**WHEREAS**, at the Municipal Tax Sale held on May 17, 2013, a lien was sold on Block 6.36 Lot 11 also known as 1316 Anchor Ave. for 2012 delinquent municipal charges; and,

**WHEREAS**, this lien, known as Tax Sale Certificate #13-00080 as sold to US Bank Cust for BV001 LLC with an 0% interest rate and a premium of \$300.00;

**WHEREAS**, Amtrust Reo LLC; owners, effected redemption, for certificate #13-00080 in the amount of \$1003.96.

**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 BV001 LOLC for the redemption of certificate #13-00080 in the amount of \$1,303.96.

COMMITTEE	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Councilwoman Clayton</i>			X			
<i>Councilman Feeney</i>	X		X			
<i>Councilman Komsa</i>		X	X			
<i>Councilman LaCrosse</i>						X
<i>Councilman Miserendino</i>						X
<i>Councilman Zakar</i>			X			

**RESOLUTION**

**#2014-172**

**AUTHORIZE THE ISSUANCE OF A DUPLICATE CERTIFICATE OF REDEMPTION FOR TAX SALE CERTIFICATE 07-00031.**

**WHEREAS**, the Tax Collector of this municipality has previously issued a tax sale certificate to US Bank-Cust/SASS Muni V dated October 3, 2008, covering premises commonly known and referred to as Block 6.36 Lot 11 as set out on the municipal tax map then in use which certificate bears number 07-00031 and was recorded in the County of Ocean in book 14166 and page 0545 and;

**WHEREAS**, the property owner of the aforesaid tax sale certificate has requested the Tax Collector issue a duplicate Certificate of Redemption as original cancelled redemption certificate has been lost or otherwise misplaced; and,

**WHEREAS**, redemption on aforementioned property took place on November 2, 2009 as per Borough records.

**NOW THEREFORE BE IT RESOLVED**, by the Council of the Borough of Beachwood, County of Ocean, State of New Jersey to authorize the Tax Collector upon receipt of the payment of a fee of \$50.00 per certificate to issue a duplicate certificate of redemption

.COMMITTEE	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Clayton			X			
Councilman Feeney	X		X			
Councilman Komsa		X	X			
Councilman LaCrosse						X
Councilman Miserendino						X
Councilman Zakar			X			

**RESOLUTION 2014-173  
RECYCLING AND TONNAGE GRANT**

**RESOLUTION AUTHORIZING THE SUBMISSION OF THE RECYCLING TONNAGE GRANT APPLICATION TO THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION**

WHEREAS, The Mandatory Source Separation and Recycling Act, P .L1987, c.102, has established a recycling fund upon which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, It is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, The New Jersey Department of Environmental Protection has promulgated recycling regulations to Implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, The recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, A resolution authorizing this municipality to apply for such tonnage grants (for calendar year 2013) will memorialize the commitment of this municipality to recycling and to indicate the assent of Mayor and Council of the Borough of Beachwood to the *efforts* undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, Such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Beachwood that the Borough of Beachwood hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates Gabriel Silva to ensure that the application is properly filed; and

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

COMMITTEE	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Councilwoman Clayton</i>			X			
<i>Councilman Feeney</i>	X		X			
<i>Councilman Komsa</i>		X	X			
<i>Councilman LaCrosse</i>						X
<i>Councilman Miserendino</i>						X
<i>Councilman Zakar</i>			X			

**RESOLUTION # 2014-174  
RESOLUTION OF THE BOROUGH OF BEACHWOOD,  
COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE  
ESTABLISHMENT OF A COMMUNITY EMERGENCY RESPONSE TEAM (C.E.R.T.)**

**WHEREAS**, it is the desire of the Beachwood Governing Body to establish a Community Emergency Response Team (C.E.R.T.); and

**WHEREAS**, the C.E.R.T. program is designed to produce organized teams that will be capable of assisting their communities in times of disaster functioning as support to our Emergency Service Organizations; and

**WHEREAS**, the C.E.R.T. program will function under the direction of Office of Emergency Management (OEM)

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Borough Council of the Borough of Beachwood, County of Ocean, State of New Jersey, that a Community Emergency Response Team is hereby established.

COMMITTEE	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Councilwoman Clayton</i>			X			
<i>Councilman Feeney</i>	X		X			
<i>Councilman Komsa</i>		X	X			
<i>Councilman LaCrosse</i>						X
<i>Councilman Miserendino</i>						X
<i>Councilman Zakar</i>			X			

**RESOLUTION 2014-175  
RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF BEACHWOOD, OCEAN COUNTY, NEW JERSEY  
APPROVING THE CLOSEOUT OF THE BOROUGH'S CONTRACT WITH GEORGE KOUSTAS PAINTING &  
CONSTRUCTION CO., INC. IN CONNECTION WITH THE COMMUNITY CENTER RESTORATION CONTRACT AND  
AUTHORIZING THE RELEASE OF THEIR PERFORMANCE BOND BASED UPON THEIR POSTING OF A MAINTENANCE  
BOND AS REQUIRED**

**WHEREAS**, the Borough of Beachwood previously awarded a contract to George Koustas Painting & Construction, LLC for the Beachwood Community Center Restoration Project with the original contract price of \$186,100.00; and  
**WHEREAS**, as a result of Change Orders said contract has been revised to a final contract price of \$197,982.24; and  
**WHEREAS**, the contractor has supplied all closeout documents to the Borough Engineer and Borough Attorney who have approved the same; and

**WHEREAS**, the contractor has supplied original Maintenance Bond No. B10020425MB dated April 3, 2014 issued by Aegis Security Insurance Company in the amount of \$98,991.00; and

**WHEREAS**, the Borough Engineer has recommended the release of Performance Bond and the close out of said project.

**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 authorizes the close out of the Borough's contract with George Koustas Painting & Construction Co., Inc. and the release of Aegis Security Insurance Company Performance Bond issued for the Beachwood Community Center Restoration Project based upon the Borough's prior receipt of Maintenance Bond B10020425MB issued by the Aegis Security Insurance Company in the amount of \$98,991.00.
2. The Borough Council further authorizes the closeout of said project based upon the contractors supplying all required release documentation.
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 Treasurer, the Borough Engineers, and George Koustas Painting & Construction, LLC.

COMMITTEE	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Clayton			X			
Councilman Feeney	X		X			
Councilman Komsa			X			
Councilman LaCrosse						X
Councilman Miserendino						X
Councilman Zakar		X	X			

**RESOLUTION 2014- 176  
BOROUGH OF BEACHWOOD  
OCEAN COUNTY**

**RESOLUTION AUTHORIZING APPOINTMENT OF JUNIOR FIRE FIGHTER FOR BEACHWOOD BOROUGH VOLUNTEER  
FIRE COMPANY #1**

**WHEREAS**, Fire Chief Robert Risk has submitted a New Jersey State Firemen's Association Membership application for a Junior Fire Fighter; and

**WHEREAS**, Junior Fire Fighter Member Rules and Regulations were adopted as per Resolution 87-188 ; and

**WHEREAS**, Joseph R. Gugger desires to become a Junior Fire Fighter for the Beachwood Borough Volunteer Fire Company #1; and

**WHEREAS**, Mayor and Council wish to appoint Mr. Gugger as a Junior Fire Fighter Member for the Beachwood Borough Volunteer Fire Company #1 ;

**NOW THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Beachwood, County of Ocean County, State of New Jersey that it does hereby appoint Mr. Gugger as a Junior Fire Fighter Member for the Beachwood Borough Volunteer Fire Company #1 upon acceptance of the New Jersey State Firemen's Association

**BE IT FURTHER RESOLVED** that the Mayor and Council of the Borough of Beachwood authorize the Municipal Clerk to sign the New Jersey State Firemen's Association Membership application on behalf of the Borough

**BE IT FURTHER RESOLVED** that a copy of this approval be forwarded to the following:

1. Municipal Clerk
2. John Mauder, Chief Financial Officer
3. Elizabeth Sarantinoudis, Treasurer
4. Fire Chief Robert Risk

COMMITTEE	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Clayton			X			
Councilman Feeney			X			

<i>Councilman Komsa</i>		X	X			
<i>Councilman LaCrosse</i>						X
<i>Councilman Miserendino</i>						X
<i>Councilman Zakar</i>	X		X			

**RESOLUTION 2014-177**

**2014 BEACHWOOD BOROUGH MAYORAL RECREATION COMMISSION APPOINTMENT CICHETTI**

- **MAYORAL APPOINTMENT...PULLED RESOLUTION 5-7-14 AS PER COUNCIL.**

**RESOLUTION 2014-177A**

**2014 BEACHWOOD BOROUGH MAYORAL RECREATION COMMISSION APPOINTMENT ORSANO**

- **MAYORAL APPOINTMENT...PULLED RESOLUTION 5-7-14 AS PER COUNCIL.**

**CORRESPONDENCE**

- February 18, 2014 Environment Shade Tree Commission Minutes
- February 2014 Police Department Report

**MOTION TO NOTE AND FILE CORRESPONDENCE**

COMMITTEE	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Councilwoman Clayton</i>			X			
<i>Councilman Feeney</i>	X		X			
<i>Councilman Komsa</i>		X	X			
<i>Councilman LaCrosse</i>						X
<i>Councilman Miserendino</i>						X
<i>Councilman Zakar</i>			X			

**MAYOR & COUNCIL REPORTS**

**Mayor Roma**

- Mayor commended Beachwood Fire Company, 1st Aid, Police, the State Forestry and surrounding towns' first responders in the quick response and the outstanding job taking care of the fire that started in Beachwood. He thanked the entire community for pulling together to assist in supporting the fire fighters with food. Mayor indicated that there was no loss of life, no injuries and minimal structure damage. He also thanked the DPW.
- Two more dances left. The June dance is for the 5th, 6th, and 7th graders.
- Mayor addressed Justin Pierre in the public that the Police Chief is in talks with the gravel pit owners regarding the ATV problem from his email sent to Mayor and Council.
- Congratulations to Erik Weber for his Riverside Signal that will be a once a month publication covering all the communities
- Mayor read the announcement for the Beachwood Bike Rodeo offered on May 10th from 10am to 12pm

**Council President Komsa**

- Council President thanked the Beachwood Police, Fire, 1st Aid and surrounding communities for the fire response
- the Spring Yard Sale was very successful
- River Fest at Mayo Park will take place on Memorial Day, 5/26
- Yoga on the Beach will start on May 17th at 8am for every Saturday at \$5.00 per day

**Councilwoman Clayton**

- Councilwoman thanked the fire fighters and surrounding towns
- Fire Works mailers are to go out on June 1st

-Buying trees for the Community Center and repairing the brand new outlets that were vandalized. The outlets are being changed to metal from plastic

**Councilman Zakar**

- Councilman indicated that the Mayor deserves recognition in his active role during the fire. The Mayor was present all day during the fire and he had done press conferences and gotten out the robo calls to the community to keep everyone updated. The robo calls were a great investment and Councilman received many compliments from residents. He further indicated the Mayor was very cool, calm and collected on the robo calls  
-The community Garden area is being cleared and it's getting in shape to be ready for planting  
-The Memorial Day Parade begins at 11am beginning at the fire house; the ceremony begins at 10am and there is a bike contest for the kids  
-As for Risk Management, we're still injury free for the month of April. An overall 300% decrease in injuries across all of Borough Hall. No claims and no employees have been out of work so far this year.

**Councilman Feeney**

- No report

**CFO John Mauder**

- Reminder of the Budget public hearing at the next meeting on the 21st and spoke of the State doing the examination of the budget

Mayor indicated to Jim Oris that he received a heads up notification from the DOT that the 2014 DOT application was approved.

**Engineer Jim Oris**

-Reporting on the status of Ship Avenue of the water main and resurfacing improvement. The contractor has moved forward with water main installation. He'll probably be ready to test the water main and sanitize it within the next week and then drop back and do the required services. Paving should take place about 30 days after that.  
-The Beachwood Beach drainage improvements permits have been issued from NJ DEP. They're just waiting on the finalization of the financing of the Environmental Infrastructure Trust Fund (EIT).

Mayor indicated that the plan is to not interrupt the beach season and the work will begin after closing this season.

**Attorney Bill Hering**

- No report

**Clerk Sue Minock**

-A letter was received from Mr. Ford requesting reimbursement for a reclamation pick up permit for Freon being they found a new owner for their refrigerator/freezer and the pick up was no longer needed.

**RESOLUTION 2014-178a**

**REIMBURSEMENT FOR FREON RECLAMATION PICK UP PERMIT FOR FORD**

**WHEREAS**, The Borough of Beachwood had issued a Pick Up Permit for a refrigerator/freezer at the cost of \$20.00 to Mr. Ford of 636 Berkeley Avenue, Beachwood; and

**WHEREAS**, Mr. Ford later provided written notice that the refrigerator/freezer had been given away so the Borough pick up was no longer necessary and requested a refund of \$20.00; and

**NOW, THEREFORE, BE IT RESOLVED** the Governing Body of the Borough of Beachwood authorizes a reimbursement of \$20.00 to Mr. Ford of 636 Berkeley Avenue, Beachwood, NJ

**BE IT FURTHER RESOLVED** that a copy of this approval be forwarded to the following:

1. Municipal Clerk
2. John Mauder, Chief Financial Officer
3. Elizabeth Sarantinoudis, Treasurer

COMMITTEE	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Councilwoman Clayton</i>	X		X			
<i>Councilman Feeney</i>		X	X			
<i>Councilman Komsa</i>			X			
<i>Councilman LaCrosse</i>						X
<i>Councilman Miserendino</i>						X
<i>Councilman Zakar</i>			X			

-Beachwood Yacht Club is hosting their Annual Jr. Regatta to use the Community Center parking lot and overflow lot and the T-Dock. Mayor indicated that the Borough does this each year with them. Councilwoman Clayton indicated that the Community Center is not being used the night of July 18th and she handed 2 sets of agreements to the Clerk instructing to mail the 2 copies to the Yacht Club for signature and 1 fully executed copy will come back to Councilwoman. Clerk also indicated that the letter states they wish use of the T-Dock for August 16th to host the Barnegat Bay Yacht Racing Summer Series which is fine by Council. Lastly, the Yacht Club indicated that their Fall Series runs for 4 consecutive Sundays in September from the 7th to the 28th and they wish to use the T-Dock which is fine with Council.

-Pine Beach-Beachwood Little League requests the use of their field on May 23rd at 8pm for a Movie Night. Mayor indicated that it's their field so he sees no reason why they can't use it for the Movie Night. However, he would like for them to designate an ending time of about 10 to 10:30pm.

**RESOLUTION 2014-178b**

**PINEBEACH-BEACHWOOD LITTLE LEAGUE MOVIE NIGHT**

**WHEREAS**, The Pine Beach-Beachwood Little League has requested of the Governing Body to hold a movie night on from 8pm to 10:30pm on May 23, 2014 on their own little league field; and

**NOW, THEREFORE, BE IT RESOLVED** the Governing Body of the Borough of Beachwood authorize the movie night to take place on the Pine Beach-Beachwood Little league field on May 23, 2014 from 8pm to 10:30pm.

COMMITTEE	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Councilwoman Clayton</i>			X			
<i>Councilman Feeney</i>	X		X			
<i>Councilman Komsa</i>			X			
<i>Councilman LaCrosse</i>						X
<i>Councilman Miserendino</i>						X
<i>Councilman Zakar</i>		X	X			

**PUBLIC COMMENT**

**OPEN PUBLIC COMMENT**

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Councilwoman Clayton</i>			X			
<i>Councilman Feeney</i>	X		X			
<i>Councilman Komsa</i>			X			
<i>Councilman LaCrosse</i>						X
<i>Councilman Miserendino</i>						X
<i>Councilman Zakar</i>		X	X			

- Mr. Justin Pierre of 1026 Berkeley Avenue indicated that he is glad that Governing Body got involved with the 2 medical issues mentioned earlier tonight. He spoke of the recent fire and his personal fire fighting experience in the past and how the gravel pit stopped a particular fire. Mr. Pierre spoke of the ATVers and commended Chad Anthony for his assistance. He further gave overview of ATVers he has taken to court.

**CLOSE PUBLIC COMMENT**

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Councilwoman Clayton</i>	X		X			
<i>Councilman Feeney</i>		X	X			
<i>Councilman Komsa</i>			X			
<i>Councilman LaCrosse</i>						X
<i>Councilman Miserendino</i>						X
<i>Councilman Zakar</i>			X			

**EXECUTIVE SESSION**

**RESOLUTION 2014-179  
AUTHORIZING A CLOSED SESSION MEETING  
BOROUGH OF BEACHWOOD**

**WHEREAS**, the Open Public Meetings Act, P.L. 1975, Chapter 231 and P.L. 2001, C. 404, permits the exclusion of the public from a meeting in certain circumstances; and

**WHEREAS**, the Borough Council of the Borough of Beachwood wishes to go into a closed Executive Session and is of the opinion that such circumstances presently exist which should not be discussed in public, and

**WHEREAS**, the Open Public Meetings Act pursuant to N.J.S.A. 47:1A-1 and N.J.S.A. 10:4-12 permits the Borough Council to discuss certain matter(s) in private, and in this case for the purpose of the Borough Council to discuss, Contractual, Terms and Conditions, and Personnel all of which requires attorney-client privilege in this regard;

1. **Contractual** – T&M Assoc. Discussion of Wind River Developers April 22nd letter; DPW Contract Negotiations
2. **Terms and Conditions** –Tax Collector request for Ordinance draft; Little League Movie Night; Land Offer to Borough; Refund of Clean Up Fee Request; Beachwood Yacht Club Jr. Regatta; Refund of Refrigerator/Freezer Pick Up

**NOW, THEREFORE, BE IT RESOLVED** by Borough of Beachwood Council that it will go into an Executive Session for the purpose of the Borough Council to discuss Terms and Conditions and Personnel, all of which requires attorney-client privilege in this regard

**BE IT FURTHER RESOLVED** that the results of such discussion may be revealed at such time as the matter(s) are resolved and/or a contract(s) is signed and/or the negotiations are formally settled. Interested parties may contact the Municipal Clerk anytime during normal business hours for periodic updates as to the availability in this regard.

**Items discussed in Public Session**

COMMITTEE	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Councilwoman Clayton</i>			X			
<i>Councilman Feeney</i>			X			
<i>Councilman Komsa</i>		X	X			

<i>Councilman LaCrosse</i>						X
<i>Councilman Miserendino</i>						X
<i>Councilman Zakar</i>	X		X			

**Adjourned to Executive Session at 8:08 pm**

**Re-Open to Public Meeting at 8:44pm**

COMMITTEE	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Councilwoman Clayton</i>			X			
<i>Councilman Feeney</i>	X		X			
<i>Councilman Komsa</i>		X	X			
<i>Councilman LaCrosse</i>						X
<i>Councilman Miserendino</i>						X
<i>Councilman Zakar</i>			X			

**NO ACTION TAKEN DURING EXECUTIVE SESSION**

**ADJOURNMENT at 8:44pm**

COMMITTEE	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Councilwoman Clayton</i>			X			
<i>Councilman Feeney</i>	X		X			
<i>Councilman Komsa</i>		X	X			
<i>Councilman LaCrosse</i>						X
<i>Councilman Miserendino</i>						X
<i>Councilman Zakar</i>			X			

Respectively submitted by,

Susan A. Minock, RMC  
Municipal Clerk