

July 17, 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 151 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.

OPENING STATEMENT: Ladies and Gentlemen, pursuant to the applicable portions of the New Jersey Open Public Meetings Act, adequate notice of this meeting has been given. The schedule for this meeting of Mayor and Council of the Borough of Beachwood is listed in the notice of meetings posted on the Bulletin Board, located in the Municipal Complex and delivered to the Asbury Park Press and Municipal Web Site on January 4, 2013

**ROLL CALL MEMBERS PRESENT:**

Mayor Roma

**COUNCILMEMBERS:**

Beverly Clayton  
Gregory Feeney  
Steven Komsa

Gerald LaCrosse  
Thomas Miserendino

Absent: Edward Zakar

Mayor commented that Council Zakar is under the weather. He is undergoing some tests in the hospital.

Also present were William Hiering, Esq. of Hiering, Gannon and McKenna; and James Oris, PE, CME of T&M Associates.

**#2013-231**

**RESOLUTION OF THE BOROUGH OF BEACHWOOD, OCEAN COUNTY, NEW JERSEY AUTHORIZING THE APPROVAL OF CHANGE ORDER NO. 3 TO THE CONTRACT BETWEEN THE BOROUGH AND COMPASS CONSTRUCTION FOR STORM DAMAGE RECONSTRUCTION, PHASE I, BEACHWOOD BEACH AND BEACHWOOD MARINA FOR EXTRA WORK COMPLETED BY THE CONTRACTOR AND ELECTRICAL SUB-CONTRACTOR INCLUDING A NUMBER OF CONTRACT REDUCTIONS REFLECTING A NET REDUCTION OF \$5,979.50**

**WHEREAS**, the Borough of Beachwood previously awarded a contract for Storm Damage Reconstruction, Phase I, Beachwood Beach and Beachwood Marina to Compass Construction in the amount of \$908,558.00; and

**WHEREAS**, as a result of prior Change Orders No. 1 and No. 2, the contract price was increased by \$99,018.89 for an adjusted contract price of \$1,007,576.89; and

**WHEREAS**, it is now the desire of the Borough Council to act upon the Engineer’s recommendation for the approval of Change Order No. 3 reducing the contract by \$5,979.50.

**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. 3 to the contract between the Borough of Beachwood and Compass Construction for Storm Damage Reconstruction, Phase I, Beachwood Beach and Beachwood Marina decreasing the contract by \$5,979.50 to an adjusted contract price of \$1,001,597.39.
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, Compass Construction, and the Borough CFO.

**Motion: Clayton**  
**Approved: Clayton, Feeney, Komsa, LaCrosse, Miserendino**

**Second: Feeney**  
**Absent: Zakar**

**#2013-232 RESOLUTION OF THE BOROUGH OF BEACHWOOD, OCEAN COUNTY, NEW JERSEY AUTHORIZING THE APPROVAL OF CHANGE ORDER NO. 2 TO THE CONTRACT BETWEEN THE BOROUGH AND GEORGE KOUSTAS PAINTING & CONSTRUCTION, LLC FOR THE BEACHWOOD COMMUNITY CENTER RESTORATION PROJECT INCREASING THE CONTRACT BY \$12,618.30 FOR VARIOUS SUPPLEMENTARY CONTRACT ITEMS**

**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 has recommended the approval of said Change Order No. 2; and

**WHEREAS**, prior Change Order No. 1 increased the original contract price of \$186,100.00 by an additional \$5,513.94; and

**WHEREAS**, it is now the desire of the Borough Council to approve said Change Order No. 2 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 #2 to the contract between the Borough of Beachwood and George Koustas Painting & Construction, LLC for the Beachwood Community Center Restoration Project to increase the contract by \$12,618.30 to an adjusted contract price of \$204,232.24.
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.

**Motion: Feeney**  
**Approved: Clayton, Feeney, Komsa, LaCrosse, Miserendino**

**Second: Komsa**  
**Absent: Zakar**

Mayor indicated that he will now swear in Ms. Sarah McNabb for the Environmental Shade Tree Commission. **Resolution #2013-260 Motion: Komsa Second: LaCrosse Approved: Clayton, Feeney, Komsa, LaCrosse, Miserendino Absent: Zakar**

Ms. McNabb's daughters held the Bible for her Oath of Office. Her whole family was present for the occasion. Everyone applauded afterwards. Mayor thanked Ms. McNabb.

**#2013-233 RESOLVED** by Mayor and Council to approve the 2013 Certified Bills Lists in the amount of Bills Lists A: **\$1,391,787.54** B: **\$1,635,730.55**

**Motion: Clayton**  
**Approved: Clayton, Feeney, Komsa, LaCrosse, Miserendino**

**Second: Komsa**  
**Absent: Zakar**

**#2013-234**      **RESOLVED** by Mayor and Council to approve the minutes of the June 19, 2013 meeting of Mayor and Council

**Motion: Feeney**  
**Approved: Clayton, Feeney, Komsa, LaCrosse**  
**Abstain: Miserendino**

**Second: LaCrosse**  
**Absent: Zakar**

**#2013-235**      **RESOLVED** by Mayor and Council to approve the 2012 Executive Sessions meeting minutes of Mayor and Council

**Motion: Feeney**  
**Approved: Clayton, Feeney, Komsa, LaCrosse, Miserendino**

**Second: LaCrosse**  
**Absent: Zakar**

**#2013-236**      **BOARD OF EDUCATION OF THE TOMS RIVER SCHOOLS AMENDED TAX PAYMENT SCHEDULE PREVIOUSLY APPROVED BY THE BOROUGH**

**WHEREAS**, the amount of district taxes for the School Year 2013-2014 payable by the BOROUGH OF BEACHWOOD, amounts to the sum of \$7,221,768.00, and

**WHEREAS**, the amount requested in the schedule which follows does not exceed the district tax needed to meet the obligations of the Board of Education for any of the succeeding eight week periods,

**NOW, THEREFORE, BE IT RESOLVED**, that the official request for the district taxes to be paid for the School Year 2013-2014 shall be paid in accordance with the amended schedule as set forth below:

<b>Payable on or before</b>	<b><u>General Fund Amount Due</u></b>	<b><u>Debt Service Amount Due</u></b>	<b><u>Total Due</u></b>
July 5, 2013	\$689,293.80	202,197.54	
August 2, 2013	\$689,293.80		\$891,491.34
September 6, 2013	\$689,293.80		\$689,293.80
October 4, 2013	\$689,293.80		\$689,293.80
November 1, 2013	\$689,293.80	9,503.19	\$689,293.80
January 3, 2014	\$689,293.80	\$116,668.87	\$805,962.67
February 7, 2014	\$689,293.80		\$689,293.80
March 7, 2014	\$689,293.80		\$689,293.80
April 4, 2013	\$689,293.80		\$689,293.80
May 2, 2013	<u>\$689,293.80</u>	<u>460.40</u>	<u>\$689,754.20</u>
	<u>\$6,892,938.00</u>	<u>\$328,830.00</u>	<u>\$7,221,768.00</u>

**And be further**

**RESOLVED**, that this Resolution shall constitute the request for district taxes for the School Year 2013-2014

**Motion: Feeney**  
**Approved: Clayton, Feeney, Komsa, LaCrosse, Miserendino**

**Second: Clayton**  
**Absent: Zakar**

**#2013-237**      **RESOLVED** by Mayor and Council to approve the following rental(s):

**Mayo Park**

September 22 St. Paul's Church 1012 Pacific Ave. Beachwood Rental: **Waive per request** Deposit: **Waive**

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

**#2013-238 RESOLVED** by Mayor and Council to approve the following Mayo Park Rental po# 13-01058 Approval:

July 21 Gadevaia, Devan 508 Compass Avenue Beachwood Deposit: \$175.00

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

**#2013-239 WHEREAS**, Joseph P. Kelty, 651 Bayside Avenue, Beachwood submitted full payment (\$690) for slip #51 June 27, 2013; and

**WHEREAS**, Mr. Kelty has submitted a written request noting that he has not been able to dock his boat at all this season. **NOW, THEREFORE, BE IT RESOLVED** to authorize a full refund of \$690 to Mr. Joseph P. Kelty, 651 Bayside Avenue, Beachwood.

To: Mayor + Council  
Borough of BEACHWOOD  
ATTN: Borough Clerk  
AHS Dept. of PUBLIC WORKS

DEAR SIR  
To whom it may concern,  
I, JOSEPH P. KELTY of 651 BAYSIDE AVE,  
IN BEACHWOOD NJ WISH TO CANCEL MY  
SLIP RENEWAL FOR THE YEAR 2013.  
I would like to cancel my RENEWAL  
of slip #51 + Ramp Permit #27 and  
IN RETURN I would appreciate the  
RETURN of the sum of my slip FEE  
of 690.00 IN ITS ENTIRETY.  
PLEASE find enclosed two (2) BOAT slip  
PERMITS with the NUMBER "027".  
I APPRECIATE your kind concern in  
this MATTER. THANK YOU for your effort  
AND CONSIDERATION.

Sincerely,  
*Joseph P. Kelty*  
JOSEPH P. KELTY

*Please issue full refund  
for my slip 2013 season  
Please put on waiting list for  
next year.*  
*J. Kelty*

Mayor questioned the full refund since letters were sent out to slip holders that refunds would be prorated to July 1st due to the marina not being available. Clerk Mastropasqua indicated that Mr. Kelty withdrew his boat slip prior to the July 1st date. He provided a written withdrawal on June 27, 2013. Mr. Hiering indicated that the refund was requested before the boat slips were ready.

**Motion:** Clayton  
**Approved:** Clayton, Feeney, Komsa, LaCrosse, Miserendino

**Second:** LaCrosse  
**Absent:** Zakar

**#2013-240** WHEREAS, Mr. Szablewski, owner of slip #19, has submitted a written request noting that he will not be using his slip for various reasons. **NOW, THEREFORE, BE IT RESOLVED** to authorize a full refund of \$780.00 to Mr. Robert Szablewski, 1429 Windward Avenue, Beachwood.

27-Jul-13  
To Whom It May Concern,  
Thank you for repairing the Beachwood  
Town Docks but this year I will not be using my boat slip for  
various reasons. There are two things that can be done:  
1- Hold my money for the 2014 boating season  
or  
2- Refund my money and I will go on the waiting  
list for next year.  
Please advise me when you can about your decision.  
Thank You  
Robert Szablewski  
Attached: Boat Paperwork

Mayor indicated if the refund request was submitted after July 1st. The letter above indicates an incorrect date. The Deputy Clerk indicated the date stamp reflects the receipt date of June 27, 2013. Councilwoman Clayton asked since it is now July 16th, has the money been refunded. Treasurer, Liz Sarantinoudis, responded the money has not been refunded. We had started with a partial refund but after reviewing with Clerk Mastropasqua, we're going to send the full amount of \$780.00. Mayor asked if the purchase order was sent out and Ms. Sarantinoudis indicated the purchase order was not yet sent out for signature. Further discussion of Council took place. Mayor just wanted to make sure the requests were received prior to the slips being available. Mayor questioned if these slip holders will go to the bottom of next year's waiting list. Clerk Mastropasqua assured these people will be at the bottom of next year's waiting list.

**Motion:** LaCrosse  
**Approved:** Clayton, Feeney, Komsa, LaCrosse, Miserendino

**Second:** Clayton  
**Absent:** Zakar

**#2013-241** **RESOLVED** by Mayor and Council to add the names of Robert Zavistoski, Esq. and Matthew J. Dorry, Esq. of the firm of Citta, Holzapfel & Zabarsky as new Alternate Municipal Prosecutors, replacing Sean J. Spinello, Esq. who has left the firm.

**Motion:** Miserendino  
**Approved:** Clayton, Feeney, Komsa, LaCrosse, Miserendino

**Second:** Feeney  
**Absent:** Zakar

#2013-242

WHEREAS, Eileen Uguro, Block 9.42, Lot 6 of 1121 Spray Avenue, Beachwood communicated with Borough of Beachwood concerning the amount of her 2nd quarter water bill; and

WHEREAS, the account showed an extremely high amount; and WHEREAS, the meter was tested by the Borough and a malfunction was noted; and **NOW, THEREFORE, BE IT RESOLVED** to authorize a credit of account for \$149.85 to Ms. Uguro of 1121 Spray Avenue, Beachwood.



**Borough of Beachwood**  
Ocean County  
1200 Beachwood Boulevard Beachwood, New Jersey 08722  
(732) 286-6010  
Fax: (732) 286-6011

JUL 19 2013

June 28 , 2013

Mayor and Council  
RE: 1121 Spray Ave.

On June 27, 2013 The Water Dept. was requested by the home owner to investigate a high water bill, and check the water meter at 1121 Spray.

After testing the water meter, it was found that the meter was registering at a higher rate than the actual usage. During our test, also we noticed the meter jumping numbers, sticking and causing low flow and low pressure.

Therefore, The water Dept. has installed a new meter.  
Please consider the above findings in the homeowners request.

Clifford Schiel

Asst. Supervisor Beachwood Water Dept.

**Motion: Feeney**  
**Approved: Clayton, Feeney, Komsa, LaCrosse, Miserendino**

**Second: Komsa**  
**Absent: Zakar**

#2013-243

**RESOLVED** by Mayor and Council to approve the One Day Liquor License of the Beachwood Volunteer Fire Company for August 24th, 2013

**Motion: Clayton**  
**Approved: Clayton, Feeney, Komsa, LaCrosse**  
**Abstain: Miserendino**

**Second: Komsa**  
**Absent: Zakar**

#2013-244

**RESOLUTION OF THE BOROUGH OF BEACHWOOD, OCEAN COUNTY, NEW JERSEY AUTHORIZING THE RELEASE OF PERFORMANCE BOND, ACCEPTANCE OF MAINTENANCE BOND, APPROVAL OF FINAL CHANGE ORDER NO. 1 AND CLOSEOUT OF THE BOROUGH'S CONTRACT WITH MUNICIPAL MAINTENANCE CO., INC. FOR REHABILITATION OF FILTER NO. 1 AND 2 FOR THE BOROUGH'S WATER SYSTEM**

WHEREAS, the Borough of Beachwood previously awarded a contract to Municipal Maintenance Co., Inc. for Filter No. 1 and 2 Rehabilitation of the Borough's Water Treatment Plant in the amount of \$69,850.00; and

WHEREAS, as a result of adjusted quantities the Borough Engineer has recommended Final Change Order No. 1 reducing the contract by \$4,460.20; and

**WHEREAS**, the contractor has additionally supplied its Affidavit of Compliance with the New Jersey Prevailing Wage Act; and

**WHEREAS**, said contractor has supplied a Maintenance Bond issued by Ohio Casualty Insurance Company in the amount of \$32,694.90 for one-half of the final adjusted contract price in accordance with the Borough's bid specifications; and

**WHEREAS**, the Borough Attorney has reviewed said Maintenance Bond and back-up documentation and found the same to be in proper form and order; and

**WHEREAS**, it is now the desire of this Governing Body to act upon the Engineer's recommendation and closeout said project and approve Final Change Order No. 1 and the release of the Performance Bond supplied by Municipal Maintenance Co., Inc.

**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 No. 1 to the contract between the Borough and Municipal Maintenance Co., Inc. reducing the contract by \$4,460.20 to a final adjusted contract price of \$65,389.80.
2. That the Borough further authorizes the release of the Performance Bond supplied by Municipal Maintenance Co., Inc. in the original amount of \$69,850.00 based upon the Borough's acceptance of Maintenance Bond No. 327014312M in the amount of \$32,694.90 running for a period of two (2) years as provided for in the Borough's bid specifications.
3. Based upon the above the Borough is authorizing the closeout of said project with Municipal Maintenance Co., Inc.
4. 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 the applicant.

**Motion: Feeney**  
**Approved: Clayton, Feeney, Komsa, LaCrosse, Miserendino**

**Second: LaCrosse**  
**Absent: Zakar**

**Councilman Feeney noted that the Final Change Order No. 1 reduced the contract by \$4,460.20. Engineer Oris agreed.**

**#2013-245**

**RESOLUTION OF THE BOROUGH OF BEACHWOOD, OCEAN COUNTY, NEW JERSEY AUTHORIZING THE APPROVAL OF CHANGE ORDER NO. 2 TO THE CONTRACT BETWEEN THE BOROUGH AND BRENNAN BROS. CONTRACTING, LLC, FOR THE BEACHWOOD WATER MAIN EXTENSION - BARNEGAT BOULEVARD PROJECT INCREASING THE CONTRACT BY \$15,785.00 TO REFLECT SUPPLEMENTARY POLICE TRAFFIC DIRECTORS AND ADJUSTING THE CONTRACT PRICE FROM \$204,006.52 TO \$219,791.52**

**WHEREAS**, the Borough of Beachwood previously awarded a contract to Brennan Bros. Contracting, LLC for the Beachwood Water Main Extension along Barnegat Boulevard for the original contract price of \$204,006.52; and

**WHEREAS**, the Borough Engineer has recommended the approval of Change Order No. 2 increasing the contract by \$15,785.00 to reflect additional traffic director requirements; and

**WHEREAS**, the Borough's Attorney has reviewed said Change Order No. 2 and found it to be in proper form and order; and

**WHEREAS**, it is now the desire of the Borough Council to approve said Change Order 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 #2 to the contract between the Borough of Beachwood and Brennan Bros. Contracting, LLC for the Beachwood Water Main Extension at Barnegat Boulevard to increase the contract by \$15,785.00 to reflect additional required traffic direction to reflect an increase of 7.74% to the original contract amount of \$204,006.52 to an adjusted price of \$219,791.52.
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, Brennan Bros Contracting, LLC, and the Borough CFO.

**Motion: Feeney**  
**Approved: Clayton, Feeney, Komsa, LaCrosse, Miserendino**

**Second: Komsa**  
**Absent: Zakar**

Councilwoman Clayton asked Engineer Oris, when we put these contracts out to bid, why don't we put in the bid that they must calculate and include the Police salaries in the bidding process? Mr. Oris replied that in most instances they will meet with the Traffic Safety Officer and work that into the bid. In accordance with the current public bidding law, we have to estimate what we think the need will be for traffic directors. In this particular instance, there were much unforeseen circumstances with the water cabling extending the contract time which resulted in additional time. At final change order, it will be close to the original contract amount. Recent changes in the public bidding laws, dictate that we have to estimate after meeting with the Traffic Safety Officer.

**#2013-246**

**RESOLVED BY THE MAYOR TO AUTHORIZE THE GRACE PERIOD FOR INTEREST TO BE CALCULATED ON THIRD QUARTER 2013 TAXES TO BE EXTENDED UNTIL AUGUST 30<sup>TH</sup>, 2013.**

**WHEREAS**, by N.J.S.A. 54:4-64, the Tax Collector shall complete the work of preparing the tax bills at least 25 days before the third installment of taxes falls due; and

**WHEREAS**, the Tax Collector, Wendy J. Prior, has confirmed that because the certification of the tax rate was not completed in a timely manner, the tax bills for 2013/2014 will be mailed late; and

**WHEREAS**, the Tax Collector is requesting that the grace period for interest to be collected be extended; and

**WHEREAS**, the Tax Collector is requesting the third quarter interest shall be charged after August 30, 2013 (instead of August 10, 2013);

**NOW THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Beachwood, County of Ocean, State of New Jersey that the date to charge interest for the third quarter taxes be after August 30, 2013.

**Motion: Clayton**  
**Approved: Clayton, Feeney, Komsa, LaCrosse, Miserendino**

**Second: LaCrosse**  
**Absent: Zakar**

#### **TAX COLLECTOR RESOLUTIONS OF REFUND**

**#2013-247**

**RESOLVED BY MAYOR AND COUNCIL TO AUTHORIZE A REFUND OF REDEMPTION MONIES FROM LIEN #13-00018 TO LIEN HOLDER, KENAT INC. IN THE AMOUNT OF \$2,491.01 WITH A PREMIUM OF \$800.00.**

**WHEREAS**, at the Municipal Tax Sale held on May 17, 2013, a lien was sold on Block 1.38 Lot 1 also known as 74 Bowline St. for 2012 delinquent municipal charges; and,

**WHEREAS**, this lien, known as Tax Sale Certificate #13-00018 as sold to Kenat Inc. with a 0% interest rate; and a premium of \$800.00;

**WHEREAS**, Margaret Kramer; owner, effected redemption, for certificate #13-00018 in the amount of \$2,491.01.

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of Beachwood, in the County of Ocean, State of New Jersey to refund lien holder, Kenat Inc., for the redemption of certificate #13-00018 in the amount of \$3,291.01.

**#2013-248**

**RESOLVED BY MAYOR AND COUNCIL TO AUTHORIZE A REFUND OF REDEMPTION MONIES FROM LIEN #13-00104 TO LIEN HOLDER, US BANK CUST FOR BV001, LLC IN THE AMOUNT OF \$5,106.89 WITH A PREMIUM OF \$7,100.00.**

**WHEREAS**, at the Municipal Tax Sale held on May 17, 2013, a lien was sold on Block 10.01 Lot 9 also known as 1020 Cable Ave. for 2012 delinquent municipal charges; and,

**WHEREAS**, this lien, known as Tax Sale Certificate #13-00104 as sold to US Bank Cust for BV001, LLC with a 0% interest rate; and a premium of \$7,100.00;

**WHEREAS**, Joseph & Julie Huba; owners, effected redemption, for certificate #13-00104 in the amount of \$5,106.89.

**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 for BV001, LLC, for the redemption of certificate #13-00104 in the amount of \$12,206.89.

**#2013-249**

**RESOLVED BY MAYOR AND COUNCIL TO AUTHORIZE A REFUND OF REDEMPTION MONIES FROM LIEN #13-00022 TO LIEN HOLDER, US BANK CUST FOR PRO CAP II LLC IN THE AMOUNT OF \$507.04 WITH A PREMIUM OF \$400.00.**

**WHEREAS**, at the Municipal Tax Sale held on May 17, 2013, a lien was sold on Block 1.43 Lot 9 also known as 308 Beach Ave. for 2012 delinquent municipal charges; and,

**WHEREAS**, this lien, known as Tax Sale Certificate #13-00022 as sold to US Bank Cust for Pro Cap II LLC with a 0% interest rate; and a premium of \$400.00;

**WHEREAS**, Kathleen Kroll-Daniels & M. Kroll; owners, effected redemption, for certificate #13-00022 in the amount of \$507.04.

**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 for Pro Cap II LLC, for the redemption of certificate #13-00022 in the amount of \$907.04.

**#2013-250**

**RESOLVED BY MAYOR AND COUNCIL TO AUTHORIZE A REFUND OF REDEMPTION MONIES FROM LIEN #13-00064 TO LIEN HOLDER, K.C.C. PROMISED LANDS LLC IN THE AMOUNT OF \$1,311.98 WITH A PREMIUM OF \$2,100.00.**

**WHEREAS**, at the Municipal Tax Sale held on May 17, 2013, a lien was sold on Block 4.18 Lot 3 also known as 537 Barnegat Blvd. for 2012 delinquent municipal charges; and,

**WHEREAS**, this lien, known as Tax Sale Certificate #13-00064 as sold to K.C.C. Promised Lands LLC with a 0% interest rate; and a premium of \$2,100.00;

WHEREAS, 537 Barnegat Blvd; owners, effected redemption, for certificate #13-00064 in the amount of \$1,311.98.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of Beachwood, in the County of Ocean, State of New Jersey to refund lien holder, K.C.C. Promised Lands LLC, for the redemption of certificate #13-00064 in the amount of \$3,411.98.

#2013-251

**RESOLVED BY MAYOR AND COUNCIL TO AUTHORIZE A REFUND OF REDEMPTION MONIES FROM LIEN #09-00450 TO LIEN HOLDER, KKR HOLDINGS, LLC IN THE AMOUNT OF \$5,457.71.**

WHEREAS, at the Municipal Tax Sale held on December 11, 2009, a lien was sold on Block 11.21 Lot 9 also known as 508 Spray Ave. for 2008 delinquent municipal charges; and,

WHEREAS, this lien, known as Tax Sale Certificate #09-00450 as sold to KKR Holdings, LLC with a 0% interest rate;

WHEREAS, Robert & Sylvia Jones; owners, effected redemption, for certificate #09-00450 in the amount of \$5,457.71.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of Beachwood, in the County of Ocean, State of New Jersey to refund lien holder, KKR Holdings, LLC, for the redemption of certificate #09-00450 in the amount of \$5,457.71.

#2013-252

**RESOLVED BY MAYOR AND COUNCIL TO AUTHORIZE A REFUND OF REDEMPTION MONIES FROM LIEN #13-00100 TO LIEN HOLDER, US BANK CUST FOR PRO CAP II, LLC IN THE AMOUNT OF \$612.15 WITH A PREMIUM OF \$500.00.**

WHEREAS, at the Municipal Tax Sale held on May 17, 2013, a lien was sold on Block 9.41 Lot 4 also known as 1129 Mizzen Ave. for 2012 delinquent municipal charges; and,

WHEREAS, this lien, known as Tax Sale Certificate #13-00100 as sold to US Bank Cust for Pro Cap II, LLC with a 0% interest rate; and a premium of \$500.00;

WHEREAS, Brian & Peggy Katz; owners, effected redemption, for certificate #13-00100 in the amount of \$612.15.

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 for Pro Cap II, LLC, for the redemption of certificate #13-00100 in the amount of \$1,112.15.

**RESOLVED TO APPROVE TAX COLLECTOR RESOLUTIONS 247 to 252**

Motion: Clayton

Second: Miserendino

Approved: Clayton, Feeney, Komsa, LaCrosse, Miserendino

Absent: Zakar

#2013-253 RESOLVED by Mayor and Council to approve the following requests for “Conference – Training – Seminar”

Date:	August 20	Justin Apel & Daniel Altman
Location:	Ocean County Police Academy	
Subject:	Street Drug Interdiction – Beyond the Stop	
Cost:	\$40.00/p.p.	
Vehicle:	Yes	

<b>Date:</b>	<b>August 14</b>	<b>Susan Minock</b>
<b>Location:</b>	<b>Trenton</b>	
<b>Subject:</b>	<b>Gov't Records Council's Annual OPRA Seminar</b>	
<b>Cost:</b>	<b>\$0</b>	
<b>Vehicle:</b>	<b>No</b>	

**Motion: Clayton**  
**Approved: Clayton, Feeney, Komsa, LaCrosse, Miserendino**

**Second: LaCrosse**  
**Absent: Zakar**

**ORDINANCE FINAL READING**

**#2013-05**

**AN ORDINANCE AMENDING AN ORDINANCE ENTITLED "SALARY ORDINANCE" OF THE CODE OF THE BOROUGH OF BEACHWOOD, COUNTY OF OCEAN, STATE OF NEW JERSEY; FIXING AND DETERMINING SALARY, WAGES AND COMPENSATION TO BE PAID TO THE FOLLOWING OFFICERS AND EMPLOYEES IN THE BOROUGH OF BEACH WOOD, COUNTY OF OCEAN, STATE OF NEW JERSEY.**

BE IT ORDAINED, by the Mayor and Council of the Borough of Beachwood, in the County of Ocean, State of New Jersey as follows:

SECTION 1: The annual salaries for the year 2013 of the following officers and employees herein named are hereby amended and fixed and determined as follows:

Title	Minimum	Maximum	
Lifeguard	\$ 8.00 PH	\$ 15.00	Per Hour

SECTION 2: The annual salaries and wages as described herein shall be in effect and retroactive to January 1, 2013 to and including December 31, 2013

SECTION 3: All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 4: This ordinance shall take effect immediately upon final passage and publication as required by law.

**Open to Public Discussion this ordinance only**

**Motion: LaCrosse**  
**Approved: Clayton, Feeney, Komsa, LaCrosse, Miserendino**

**Second: Clayton**  
**Absent: Zakar**

**Close to Public Discussion this ordinance only**

**Motion: LaCrosse**  
**Approved: Clayton, Feeney, Komsa, LaCrosse, Miserendino**

**Second: Miserendino**  
**Absent: Zakar**

**#2013-254      RESOLVED BY MAYOR AND COUNCIL to approve and adopt Ordinance #2013-05 as presented and held for public discussion**

**Motion: LaCrosse**  
**Approved: Clayton, Feeney, Komsa, LaCrosse, Miserendino**

**Second: Komsa**  
**Absent: Zakar**

**ORDINANCE FINAL READING**

**#2013-03      ORDINANCE OF THE BOROUGH OF BEACHWOOD, OCEAN COUNTY, NEW JERSEY AUTHORIZING THE CONVEYANCE OF CERTAIN LANDS NOT NEEDED FOR MUNICIPAL PURPOSES WITHOUT CONSIDERATION TO THE COUNTY OF OCEAN IN ACCORDANCE WITH N.J.S.A. 40A:12-13.4\_**

**BE IT ORDAINED** by the Borough Council of the Borough of Beachwood, County of Ocean, and State of New Jersey, as follows:

**SECTION 1. Purpose.** The purpose of the within Ordinance is to authorize the conveyance of lands owned by the Borough of Beachwood known as Block 6.27, Lots 1, 4, 5 and 6; Block 6.28, Lots 5, 6, 9, 10, and 12; Block 6.29, Lots 5, 7, 12 and 13; Block 6.30, Lots 4, 6, 7, 8, 9, 10 and 12; Block 8.34, Lots 1, 2, 3, 4 and 5; and Block 8.35, Lots 1, 4, 5, 6, 7, 8, and 10 on the Tax Map of the Borough of Beachwood to the County of Ocean for the use for public purposes. There shall be no consideration for the transfer and the properties shall be used for public purposes of the County and if the lands are not used in accordance with this limitation, title thereto shall revert to the Borough of Beachwood without any entry or re-entry made thereon on behalf of the Borough.

**SECTION 2.** Authorization. The within Ordinance authorizes the conveyance of real property known as Block 6.27, Lots 1, 4, 5 and 6; Block 6.28, Lots 5, 6, 9, 10, and 12; Block 6.29, Lots 5, 7, 12 and 13; Block 6.30, Lots 4, 6, 7, 8, 9, 10 and 12; Block 8.34, Lots 1, 2, 3, 4 and 5; and Block 8.35, Lots 1, 4, 5, 6, 7, 8, and 10 on the Tax Map of the Borough of Beachwood in accordance with the provisions of N.J.S.A. 40A:12-13.4. These properties shall be used for public purposes and are being acquired by the County of Ocean in conjunction with their acquisition of other lands per the County's Natural Lands Trust Program.

**SECTION 3.** This Ordinance repeals any inconsistent ordinance or ordinances or part or parts thereof.

**SECTION 4.** This Ordinance shall take effect immediately upon its final passage and publication as required by law.

**Open to Public Discussion this ordinance only**

**Motion: Miserendino**  
**Approved: Clayton, Feeney, Komsa, LaCrosse, Miserendino**

**Second: LaCrosse**  
**Absent: Zakar**

**Close to Public Discussion this ordinance only**

**Motion: Komsa**  
**Approved: Clayton, Feeney, Komsa, LaCrosse, Miserendino**

**Second: Miserendino**  
**Absent: Zakar**

**#2013-255      RESOLVED BY MAYOR AND COUNCIL to approve and adopt Ordinance #2013-03 as presented and held for public discussion**

**Motion: Miserendino**  
**Approved: Clayton, Feeney, Komsa, LaCrosse, Miserendino**

**Second: Feeney**  
**Absent: Zakar**

**2013-06**

**ORDINANCE OF THE BOROUGH OF BEACHWOOD, OCEAN COUNTY, NEW JERSEY ESTABLISHING A LENGTH OF SERVICE AWARD PROGRAM FOR MEMBERS OF THE BEACHWOOD FIRST AID SQUAD, INC. AS SPONSORING AGENCY AND IN CONJUNCTION WITH THE BOROUGH OF PINE BEACH**

**BE IT ORDAINED** by the Borough Council of the Borough of Beachwood, County of Ocean, and State of New Jersey, as follows:

**SECTION 1.** Purpose. The purpose of the within Ordinance is to establish the Length of Service Award Program for the Beachwood First Aid Squad, Inc. The Beachwood First Aid Squad, Inc. serves the Borough of Pine Beach, as well as Beachwood, and contributions will be established on the basis of 70% for Beachwood and 30% for Pine Beach. The program is to reward members of the Beachwood Volunteer First Aid Squad, Inc. for the years of loyal and devoted service to the residents of the Borough of Beachwood and the Borough of Pine Beach. If the Beachwood First Aid Squad, Inc. disbands, or cease to operate, no financial contributions will be made. This shall not affect accumulated proceeds which shall remain in trust.

**SECTION 2.** The LOSAP shall provide for fixed annual contributions to the deferred income account for each member of the Beachwood First Aid Squad that meets the criteria set below. Such contribution shall be made in accordance with a plan that shall be established by the sponsoring agency Borough of Beachwood which shall be identical to a similar plan to be adopted by the Borough of Pine Beach and it shall be serviced by a single contractor. The plan shall be administered in accordance with the Laws of the State of New Jersey, the U.S. Internal Revenue Code and this sub-section. Said initial plan point system is attached hereto as Schedule A.

**SECTION 3.** The length of LOSAP shall provide for annual contributions to each eligible member that meets the criteria as follows:

The fixed annual contribution shall be seven hundred and fifty (\$750.00) dollars per eligible member per qualifying year.

The estimated cost of the program annually has been calculated as follows: 50 members x \$750.00 per member = \$37,500.00

Prorated on the basis of 70% responsibility to Beachwood and 30% responsibility to Pine Beach with a maximum of \$15,000.00 from Pine Beach.

A minimum of 100 points per year must be earned in order to qualify for the LOSAP program.

The point system hereby established is attached hereto as Schedule "A".

**SECTION 4.** This Ordinance repeals any inconsistent ordinance or ordinances or part or parts thereof.

**SECTION 5.** This Ordinance shall take effect immediately upon its final passage and publication as required by law and further conditioned upon the adoption of a similar Ordinance by the Borough of Pine Beach. Additionally, subsequent to the adoption of the within Ordinance and an Ordinance by Pine Beach it shall not take effect until it is presented as a public question and approved by the voters of both Municipalities at the next general election.

**SCHEDULE "A"  
POINTS SCHEDULE**

Every member is eligible to participate in the LOSAP program within the guideline established by the State of New Jersey

Each member must earn 100 points annually to qualify to earn awards in the program. The program points will be calculated based on a calendar year running January 1<sup>st</sup> through December 31<sup>st</sup>. The program will be administered by the Board of Trustees of the Beachwood First Aid Squad Inc. **They will submit a report to Beachwood Borough and Pine Beach Borough by March 1.**

1 Point for every 12 hours logged into the time-tracking program in use for duty crew. Maximum: 50 Points  
Points for responding to first aid calls will be determined on a sliding scale as follows:

Minimum 5.0% of total calls for the year, receive 20 points

Minimum 7.5% of the total calls for the year, receive 25 points

Minimum 10% of the total calls for the year, receive 30 points

Maximum 30 Points

10 points for serving and fulfilling the obligations of the office for a full year as an elected officer of the organization as identified in the By-Laws and Constitution of the organization. These points will not be prorated for partial year service.

1 point for each regular squad meeting attended. Maximum: 12 points

1 point for each squad drill attended. Maximum 12 points

2 points for every 3 hours of special event (i.e., parades, event stand-by, fund raising, approved training courses) participation. Approved events will be determined by the organization annually. These points will be determined at the end of the year based on the total hours of participation, not event.

Maximum: 20 points

1 point for each year of LOSAP qualifying service. Maximum: 25 points

**Open to Public Discussion this ordinance only**

**Motion: LaCrosse**

**Second: Komsa**

**Approved: Clayton, Feeney, Komsa, LaCrosse, Miserendino**

**Absent: Zakar**

**Close to Public Discussion this ordinance only**

**Motion: LaCrosse**

**Second: Clayton**

**Approved: Clayton, Feeney, Komsa, LaCrosse, Miserendino**

**Absent: Zakar**

**#2013-256      RESOLVED BY MAYOR AND COUNCIL to approve and adopt Ordinance #2013-06 as presented and held for public discussion**

**Motion: LaCrosse**

**Second: Clayton**

**Roll Call: Clayton Yes, Feeney Yes, Komsa Yes, LaCrosse Yes, Miserendino Yes**

**Absent: Zakar**

Councilman LaCrosse asked if anything new has arisen with Pine Beach in regards to the LOSAP. Mr. Hering responded that the ordinance has been amended to meet the specifications of Pine Beach's Ordinance and Resolution regarding that if the Beachwood First Aid disbands, the funding from Pine Beach would cease. Mr. Hering also indicated the resolution was amended to reflect the same.

**#2013-257      RESOLUTION OF THE BOROUGH OF BEACHWOOD, OCEAN COUNTY, NEW JERSEY ESTABLISHING A BALLOT QUESTION AND EXPLANATORY STATEMENT IN ACCORDANCE WITH N.J.S.A. 40A:14-183 KNOWN AS "EMERGENCY SERVICES VOLUNTEER LENGTH OF SERVICE AWARD PROGRAM ACT"**

**WHEREAS**, the Borough of Beachwood in conjunction with the Borough of Pine Beach have authorized by Ordinance the implementation of a Length of Service Award Program for the members of the Beachwood First Aid Squad; and

**WHEREAS**, the Beachwood First Aid Squad serves not only the Borough of Beachwood but also the Borough of Pine Beach and contributions are shared on the basis of 70% for Beachwood and 30% for Pine Beach; and

**WHEREAS**, it is now the desire of this governing body to implement a ballot question and an explanatory statement in accordance with the requirements of N.J.S.A. 40A:14-185.

**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. The following referendum question shall be submitted to the voters of the Borough of Beachwood at the November 5, 2013 general election:

Shall the Borough of Beachwood be authorized as sponsoring agency to establish a Length of Service Award Program for the members of the Beachwood First Aid Squad that serve the Borough of Beachwood and the Borough of Pine Beach pursuant to the following terms and conditions:

- a. The program shall provide for annual contributions to a deferred income account for each active volunteer member that meets eligible criteria and in accordance with the schedule adopted by the Borough of Beachwood. The Borough of Beachwood shall bear the cost of 70% of said program and the Borough of Pine Beach shall bear the cost of 30% with a maximum of \$15,000.00 from Pine Beach.
- b. The proposed annual contribution for an active volunteer member shall be \$750.00.  
The estimated cost of the program has been calculated as \$37,500.00 for regular annual service.
- c. If the Beachwood First Aid Squad, Inc. disbands, or ceases to operate, no financial contribution will be made.

YES \_\_\_\_\_ NO \_\_\_\_\_

**EXPLANATORY STATEMENT**

The Borough of Beachwood and the Borough of Pine Beach both desire to sponsor a Length of Service Award Program for the active volunteer members of the emergency service known as the Beachwood First Aid Squad serving both municipalities. The award program will consist of an annual contribution to a deferred compensation program for all qualifying members. Members of the Beachwood First Aid Squad would earn points for organization-related activities, and they would qualify for the annual contribution upon earning a minimum of 100 points per year. Details of the point system are available for public view in the Office of the Borough Clerk and are posted in the Beachwood Municipal Complex and the Beachwood Branch of the Ocean County Library. The proposed maximum contribution of each qualifying active member of the Beachwood First Aid Squad is \$750.00, and the proposed estimated total amount to be budgeted for the program is \$37,500.00. The costs of said program will be based upon the contribution of 70% by the Borough of Beachwood and 30% by the Borough of Pine Beach.

- 2. That upon adoption of the within Resolution the Clerk is authorized and directed to forward a certified copy of it to the Ocean County Board of Elections, the Borough of Pine Beach, the Beachwood First Aid Squad, the Borough CFO and the Borough Treasurer.

**Motion:** Clayton  
**Approved:** Clayton, Feeney, Komsa, LaCrosse, Miserendino

**Second:** LaCrosse  
**Absent:** Zakar

**#2013-257a** **RESOLVED** by Mayor and Council to approve Amendment to the Capital Budget lowering the Capital Budget by \$16,000.00 to match the Bond Ordinances being introduced this evening as read by CFO, John Mauder.

*COPY  
Original in  
Finance Office*

BOROUGH OF BEACHWOOD - COUNTY OF OCEAN  
CAPITAL BUDGET AMENDMENT

WHEREAS, the local capital for the year 2013 was introduced on the 17th day of April 2013,  
WHEREAS, it is desired to amend said adopted capital budget section,

**NOW, THEREFORE, BE IT RESOLVED**, by the governing body of the Borough of Beachwood, County of Ocean, that the following amendment to the introduced capital budget be made:

Recorded Vote: (insert last names)  
 (CLAYTON) ( )  
 (FEENEY) ( )  
 Ayes (KOMISA) Nays ( )  
 (LACROSE) ( ) Abstain ( )  
 (MISERENDIND) ( ) Absent (ZAPPA)

FROM  
CAPITAL BUDGET (CURRENT YEAR ACTION)  
2013

Project	Estimated Total Cost	Amounts Reserved in Prior Years	Planned Funding Services for Current Year 2013					To Be Funded in Future Years
			2013 Budget Appropriation	Capital Improvement Fund	Capital Surplus	Grants-in-Aid & Other Funds	Debt Authorized	
Purchase of Fire Equipment Road and Drainage Imprts.	(16,000) (500,000)		60,000	(800) (25,000)			15,200 (475,000)	
<b>Total All Projects</b>	\$ 5,644,000		\$ 60,000	\$ 129,200			\$ 579,800	\$ 4,875,000

FROM  
6 YEAR CAPITAL PROGRAM 2013 - 2018  
ANTICIPATED PROJECT SCHEDULE AND FUNDING REQUIREMENT

Project	Estimated Total Cost	Estimated Completion Time	Funding Amounts per Budget Year						
			2013	2014	2015	2016	2017	2018	
Purchase of Fire Equipment Road and Drainage Impmts.	(16,000) (500,000)		(16,000) (500,000)						
<b>Total All Funds</b>	<b>\$ 5,644,000</b>		<b>\$ 594,000</b>	<b>\$ 1,010,000</b>					

FROM  
6 YEAR CAPITAL PROGRAM 2013 - 2018  
SUMMARY OF ANTICIPATED FUNDING SOURCES AND AMOUNTS

Project	Estimated Total Cost	Budget Appropriations		Capital Improvement Fund	Capital Surplus	Grants		Bonds and Notes	
		Current Year 2013	Future Years			In-Aid and Other Funds	General	Self Liquidating	
Purchase of Fire Equipment Road and Drainage Impmts.	(16,000) (500,000)			(800) (23,000)				(15,200) (475,000)	
<b>Total All Funds</b>	<b>\$ 5,644,000</b>	<b>\$ 10,000</b>	<b>\$ 50,000</b>	<b>\$ 129,200</b>	<b>\$</b>	<b>\$</b>	<b>\$ 2,454,800</b>	<b>\$ 3,000,000</b>	<b>\$</b>

TO  
CAPITAL BUDGET (CURRENT YEAR ACTION)  
2013

Project	Estimated Total Cost	Amounts Reserved in Prior Years	Planned Funding Services for Current Year 2013					To Be Funded in Future Years
			2013 Budget Appropriation	Capital Improvement Fund	Capital Surplus	Grants-in-Aid & Other Funds	Debt Authorized	
Public Works Facility	87,500			4,375			83,125	
Purchase of Fire Equipment	15,500			775			14,725	
Road and Drainage Impvts.	790,000			39,500			750,500	
<b>Total All Funds</b>	<b>\$ 6,537,000</b>	<b>\$</b>	<b>\$ 60,000</b>	<b>\$ 173,850</b>	<b>\$</b>	<b>\$</b>	<b>\$ 1,428,150</b>	<b>\$ 4,875,000</b>

6 YEAR CAPITAL PROGRAM 2013 - 2018  
ANTICIPATED PROJECT SCHEDULE AND FUNDING REQUIREMENT

Project	Estimated Total Cost	Estimated Completion Time	Funding Amounts per Budget Year					
			2013	2014	2015	2016	2017	2018
Public Works Facility	87,500		87,500					
Purchase of Fire Equipment	15,500		15,500					
Road and Drainage Impvts.	790,000		790,000					
<b>Total All Funds</b>	<b>\$ 6,537,000</b>	<b>\$</b>	<b>\$ 1,487,000</b>	<b>\$ 1,010,000</b>				

TO  
6 YEAR CAPITAL PROGRAM 2013 - 2018  
SUMMARY OF ANTICIPATED FUNDING SOURCES AND AMOUNTS

Project	Estimated Total Cost	Budget Appropriations		Capital Improvement Fund	Capital Surplus	Grants in-Aid and Other Funds	Bonds and Notes	
		Current Year 2013	Future Years				General	Self- Liquidating
Public Works Facility	87,500			4,375			83,125	
Purchase of Fire Equipment	15,500			775			14,725	
Road and Drainage Impvts.	790,000			39,500			750,500	
<b>Total All Funds</b>	<b>\$ 6,537,000</b>	<b>\$ 10,000</b>	<b>\$ 50,000</b>	<b>\$ 173,850</b>	<b>\$</b>	<b>\$</b>	<b>\$ 3,303,150</b>	<b>\$ 3,000,000</b>

**BE IT FURTHER RESOLVED**, that three certified copies of this resolution be filed forthwith in the Office of the Director of Local Government Services.

It is hereby certified that this is a true copy of a resolution amending the capital budget section adopted by the governing body on the 17th day of July, 2013.

Certified by me

\_\_\_\_\_

Elizabeth A. Mastropasqua

TRENTON, NEW JERSEY

Borough Clerk

APPROVED \_\_\_\_\_, 2013

Director of Local Government Services \_\_\_\_\_

Motion: LaCrosse

Second: Miserendino

Roll Call: Clayton Yes, Feeney Yes, Komsa Yes, LaCrosse Yes, Miserendino Yes

Absent: Zakar

**BOND ORDINANCE INTRO READ BY TITLE ONLY**

**2013-07 ORDINANCE OF THE BOROUGH OF BEACHWOOD, OCEAN COUNTY, NEW JERSEY AUTHORIZING VARIOUS WATER SYSTEM IMPROVEMENTS FOR THE BOROUGH'S POTABLE WATER SYSTEM AND APPROPRIATING THE SUM OF \$500,000.00 THEREFOR AND AUTHORIZING THE ISSUANCE OF WATER UTILITY BONDS OR NOTES IN THE AMOUNT OF \$500,000.00 TO FINANCE THE COSTS THEREOF**

**#2013-258 RESOLVED BY MAYOR AND COUNCIL to approve Ordinance #2013-07 as presented at Intro**

Motion: Feeney

Second: LaCrosse

Roll Call: Clayton Yes, Feeney Yes, Komsa Yes, LaCrosse Yes, Miserendino Yes

Absent: Zakar

**THE PUBLIC HEARING FOR ADOPTION WILL BE HELD ON AUGUST 21, 2013**

**BOND ORDINANCE INTRO READ BY TITLE ONLY**

**2013-08 ORDINANCE OF THE BOROUGH OF BEACHWOOD, OCEAN COUNTY, NEW JERSEY AUTHORIZING THE ACQUISITION OF AN EMERGENCY GENERATOR AND RELATED EQUIPMENT FOR THE PUBLIC WORKS FACILITY, THE PURCHASE OF PAGERS WITH CHARGING BASES AND PURCHASE OF A THERMAL IMAGING CAMERA FOR THE BOROUGH'S FIRE DEPARTMENT AND VARIOUS ROAD AND DRAINAGE IMPROVEMENTS WITHIN THE BOROUGH APPROPRIATING THE SUM OF \$893,000.00 THEREFORE AND AUTHORIZING THE ISSUANCE OF GENERAL IMPROVEMENT BONDS AND NOTES IN THE AMOUNT OF \$850,000.00 TO FINANCE THE COSTS THEREOF**

**2013-259 RESOLVED BY MAYOR AND COUNCIL to approve Ordinance #2013-08 as presented at Intro with CFO John Mauder noted that \$250,000.00 Department of Transportation Grant for 2013 received to offset the bonds. Mayor indicated that the pagers are for 1st responders, not the traditional type pagers.**

Motion: Komsa

Second: Feeney

Roll Call: Clayton Yes, Feeney Yes, Komsa Yes, LaCrosse Yes, Miserendino Yes

Absent: Zakar

**THE PUBLIC HEARING FOR ADOPTION WILL BE HELD ON AUGUST 21, 2013**

**CORRESPONDENCE**

- Recognition Letter for Code Enforcement and the Department of Public Works

**Richard and Mary Jane Somosky**  
 436 Beachwood Blvd.  
 Beachwood, NJ 08722  
 Phone: 732-341-7566 Fax: 732-240-9583

JUN 24 AM 9:54

June 21, 2013

Borough of Beachwood  
 1600 Pinewald Rd.  
 Beachwood, New Jersey 08722

Dear Mayor Roma and Council Members:

We would like to take a moment to recognize one of your employees, Bill Knapp (your Code Enforcer), as well as some of the employees from Beachwood Department of Public Works.

A few weeks prior to Memorial Day we called and asked Mr. Knapp to pay a visit to us regarding a property right next to ours. We are not sure of the details but the owners have abandoned the home and we have been living next door to a deteriorating mess. Through the methods available to him, Mr. Knapp tried his best to contact the owners. Whether he could or could not, the property was looking horrible. He informed us that he was continuing to address our issues.

Right before the Memorial Day parade Mr. Knapp had a few of the Public Works employees come over to the address and they cleaned up the property very much to our satisfaction.

We truly appreciated the efforts of Mr. Knapp and the hard work of the Public Works Department.

We would appreciate it if you would put this "on the record" and possibly read it at one of your next Council meetings.

Thank you!

Sincerely,



Richard and Mary Jane Somosky

**Reports**

<p>Mayor Roma</p>	<p><b>#2013-261 Resolution Naming Deputy Tax Collector: Frank Hennessey</b></p> <p><b>Motion: Feeney</b> <span style="float: right;"><b>Second: Komsa</b></span>  <b>Approved: Clayton, Feeney, Komsa, LaCrosse, Miserendino</b> <span style="float: right;"><b>Absent: Zakar</b></span></p> <p>Mayor Roma thanked Dan Leonard for assisting in a car accident. He climbed into an overturned vehicle and removed a trapped child and his disabled grandfather. Being Mrs. Somosky was seated at this meeting, Mayor wanted to mention her son's responsiveness and the fact that Mr. Leonard will be thanked publically at the next meeting. Applause. Mayor congratulated and thanked Ms. McNabb for her willingness to take on the responsibility of being a member on the Environmental Shade Tree Commission. She has 3 small children and her husband is also involved within the community in Recreation. God bless them and their abilities to help out in our town. The Summer Fun Nights started the 1st Monday after the 4th of July and we're having a fantastic turnout the 1st 2 weeks. Mayor thanked Police, Fire and First Aid for their participation as always. Monarch Helicopter will be landing and taking off on Monday, July 22nd approximately 6:15pm to 7:30pm. They are very generous and good to the kids. They allow the kids to climb onto the back of the helicopters into the patient area. The kids can try on the helmets and they really enjoy it. If you have children or grandchildren, it's a fun time. The 12th Annual Luau is on Saturday at 6pm on the Beach. Inflatable rides, games, \$5.00 wristbands for all night</p>
-------------------	--

	rides, crafts, D.J., Hula Dancers and hopefully, no rain. Lastly, Mayor thanked Bette Mastropasqua for the training and guidance to Sue Minock, the new Deputy Clerk. He indicated that Deputy Clerk Minock is doing a good job so far and she needs to get the names straight. (Laughter).
Council President Zakar	Absent
Councilwoman Clayton	Councilwoman Clayton thanked everyone for coming out to the Fire Works display. She thanked the Committee members, Mayor, Councilman Komsa and Councilman LaCrosse for their hard work. Councilwoman indicated the fireworks <u>finale</u> came out at 10:31pm. Councilwoman indicated that she will call the pyrotechnic to have a longer finale for next year. Councilwoman said it was 40 rounds fired off. Everyone have a very pleasant rest of the summer.
Councilman Feeney	Councilman Feeney The Engineer has a few issues in his report.
Councilman Komsa	Councilman Komsa thanked Ms. Sarah McNabb for stepping up to volunteer for the Environmental Shade Tree Commission. Great job to Councilwoman Clayton on the fireworks and thanks to all of Recreation for the work on the beach at the fireworks. The Carousel Music Concert is scheduled for July 28th on the Beach around 7:30pm which is sponsored by the County. The band charges \$1,000.00; the County pays for half and the other half falls on the Borough of Beachwood Recreation but T&M Associates provided a \$500.00 donation to offset the cost. As a result, it's a FREE concert. Councilman thanked Jim Oris for his firm's donation that he has provided for the past 7 years of concerts on the beach. On September 28th and 29th, the Annual Yard Sale will take place. The 2nd Annual Beachwood 5K Run is on October 5th. It's \$20.00 per person and \$15.00 for the 1 Mile Fun Run/Walk. Registration is on jerseyrun.com. This is a fundraiser that supports Recreation. After the race, lunch will be provided to all participants at the Lamp Post. Thomson Chiropractic will offer free chair massages. All this for \$20.00. Hope to see everyone there.
Councilman LaCrosse	<p>Councilman LaCrosse jokingly asked if people can show up to the run/walk races 1 ½ hours early so they can finish on time. (Laughter) Councilman Komsa indicated there is no time limit and then go to the Lamp Post. Mayor Roma indicated that last year's fastest female was Councilwoman Clayton's daughter. Councilman LaCrosse indicated that the fireworks program would be very difficult without the leadership of Councilwoman Clayton who gets the job done. Councilman also paid compliments on the wonderful fireworks display. Many thanks to the Fire Department. No rain but the weather could have been cooler. Councilman told the new Deputy Clerk, Sue Minock, that a former member of Council would refer to Bette Mastropasqua as Bette "Matropacka" so don't worry about the name pronunciations. Deputy was having difficulty with pronouncing Miserendino during Roll Calls. Councilman LaCrosse explained the purpose of Resolution 2013-262 for refunding the construction permit fee to St. Paul's Lutheran Church. St Paul is helping a disabled Beachwood resident to build a handicap ramp. Councilman is requesting the Construction's fee portion of the permit to be refunded. The State fee portion of \$3.00 has been paid by the church and Councilman asked Council to refund the Borough portion of \$85.00.</p> <p><b>#2013-262 Resolution approving refund of Construction Permit fee of \$85.00 to St. Paul's Lutheran Church for handicap ramp construction for Beachwood resident.</b></p> <p><b>Motion: Clayton</b> <b>Second: Miserendino</b>  <b>Approved: Clayton, Feeney, Komsa, LaCrosse, Miserendino</b> <b>Absent: Zakar</b></p> <p>Councilman LaCrosse thanked Sarah McNabb for her volunteerism. He wished everyone a Happy July and August and hopes the temperature goes down.</p>

Councilman Miserendino	No report.
OEM	Dennis from the First Responders indicated that they're progressing along.
CFO	No report.
Attorney Hiering	No report.
Engineer Oris	<p><b>#2013-262a RESOLUTION OF THE BOROUGH OF BEACHWOOD, OCEAN COUNTY, NEW JERSEY AWARDED AN EMERGENCY CONTRACT TO EARLE ASPHALT COMPANY FOR EMERGENCY TRENCH REPAIR AT ROUTE 9 AND SHIP AVENUE FOR THE BEACHWOOD WATER DEPARTMENT IN THE AMOUNT OF \$19,469.68</b></p> <p><b>WHEREAS</b>, the Borough of Beachwood experienced a water main break at Ship Avenue and Route 9 on July 10, 2013; and</p> <p><b>WHEREAS</b>, the Borough was able to repair the water main break but did not have the equipment or personnel to perform the excavation in the trench area and repaving in accordance with NJDOT standards; and</p> <p><b>WHEREAS</b>, the Borough has deemed that an emergency contract is needed to repair the trench area due to the location of said water main break; and</p> <p><b>WHEREAS</b>, the Borough Engineer has supported the Borough's emergency contract as explained in his correspondence of July 11, 2013; and</p> <p><b>WHEREAS</b>, it is now the desire of this governing body to approve said emergency contract in accordance with the requirements of the Local Public Contracts Law.</p> <p><b>NOW, THEREFORE, BE IT RESOLVED</b> by the Borough Council of the Borough of Beachwood, County of Ocean and State of New Jersey as follows:</p> <ol style="list-style-type: none"> <li>1. That the Borough Council hereby awards an emergency contract to Earle Asphalt Company for the emergency trench repair at Route 9 and Ship Avenue in accordance with the Engineer's correspondence of July 11, 2013 attached hereto as Schedule "A" and in the amount of \$19,469.68.</li> <li>2. That upon the adoption of the within resolution, the Borough Clerk is authorized to forward a certified copy of it to the Borough CFO, the Borough Treasurer, Borough Engineer, and Earle Asphalt Company.</li> </ol> <p><b>Motion: Feeney</b> <span style="float: right;"><b>Second: Clayton</b></span>  <b>Approved: Clayton, Feeney, Komsa, LaCrosse, Miserendino</b> <span style="float: right;"><b>Absent: Zakar</b></span></p>
Engineer Oris	<p><b>#2013-263 RESOLUTION OF THE BOROUGH OF BEACHWOOD, OCEAN COUNTY, NEW JERSEY AUTHORIZING THE CLOSEOUT OF THE EMERGENCY CONTRACT BETWEEN THE BOROUGH AND LAYNE CHRISTENSEN COMPANY FOR EMERGENCY REPAIRS TO WELL NO. 6 AND IN THE AMOUNT OF \$30, 223.00</b></p> <p><b>WHEREAS</b>, the Borough of Beachwood previously awarded a contract to Layne Christensen Company on an emergency basis for the repairs of Well No. 6 in the amount of \$30,223.00; and</p> <p><b>WHEREAS</b>, said contractor has completed all work to the satisfaction of the Borough Engineers; and</p> <p><b>WHEREAS</b>, the Borough Engineers recommended the closeout of said contract.</p> <p><b>NOW, THEREFORE, BE IT RESOLVED</b> by the Borough Council of the Borough of Beachwood, County of Ocean and State of New Jersey as follows:</p> <ol style="list-style-type: none"> <li>1. That the Borough Council of the Borough of Beachwood hereby authorizes the closeout of the Borough's emergency contract with Layne Christensen Company for the repairs to Well No. 6 in accordance with the Borough's specifications and based upon the Borough Engineer's recommendation.</li> </ol>

	<p>2. That upon adoption of the within Resolution the Clerk is authorized and directed to forward a certified copy of it to the Borough CFO, the Borough Engineer, the Borough Treasurer and Layne Christensen Company.</p> <p><b>Motion: Feeney</b> <span style="float: right;"><b>Second: LaCrosse</b></span>  <b>Approved: Clayton, Feeney, Komsa, LaCrosse, Miserendino</b> <span style="float: right;"><b>Absent: Zakar</b></span></p>
Clerk	<p><b>#2013-264 Resolution approving requests for Training – Seminar Robin Clayton and Gibby Silva on 7/25/13 at Rutgers University in Piscataway, NJ for 2013 Clean Communities Grant Update: No Cost; Use of 1 vehicle</b></p> <p><b>Motion: Feeney</b> <span style="float: right;"><b>Second: Komsa</b></span>  <b>Approved: Feeney, Komsa, LaCrosse, Miserendino</b> <span style="float: right;"><b>Absent: Zakar</b></span>  <b>Abstain: Clayton</b></p>

**PUBLIC DISCUSSION- TO OPEN**

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

- **Bonnie Verga (former Councilwoman) 44 Elm Street said it’s been great working with Bette Mastropasqua over the years. She wished Bette and her husband well in her retirement. Ms. Verga also wished the new Deputy Clerk well in her new position.**
- **Mary Jane Somosky 436 Birch Blvd reiterated on the recognition letter read aloud tonight for Code Enforcement and Public Works. She indicated that Public Works came out again a month later to cut the grass. Ms. Somosky complimented the department and she’s appreciative of the hard work they do for the community.**
- **Carol Mesamucci 709 Vincent Avenue questioned the boat slips. She currently has a boat slip that just became available and she paid the fee back in the winter. Her son just became a Beachwood homeowner and he would like a boat slip so he inquired about it and he will be charged the full price. Mayor Roma indicated that a decision was made late Friday afternoon to only charge as of July 1st. In years past, the full amount would have been paid but being FEMA claim is in, the fee will be prorated for only this year. Mayor indicated that Liz Sarantinoudis would speak to her in regards to this issue. Councilwoman Clayton indicated the spot may not be locked in for next year. Mayor indicated there has been a communication lapse regarding boat slips and he indicated the spot will be “locked in” for next year.**

**PUBLIC DISCUSSION- TO CLOSE**

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

Mayor stated it’s only prorated to July 1st and if someone comes in during September, they will not get a prorated rate. Only this year.

**EXECUTIVE SESSION #2013-265**

**WHEREAS, SECTION 8 of the Open Public Meetings Act, N.J.S.A. 10:4-12 permits the exclusion of the public from a meeting in certain circumstances; and**

**WHEREAS, this public body is of the opinion that such circumstances presently exist.**

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

1. The public shall be excluded from discussion of and action upon the hereinafter-specified subject matter.
2. The general nature of the subject matter to be discussed is as follows:

Contractual - Engineering  
Terms & Condition – Personnel

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

**Motion: LaCrosse**  
**Approved: Clayton, Feeney, Komsa, LaCrosse, Miserendino**

**Second: Feeney**  
**Absent: Zakar**

**ADJOURN TO EXECUTIVE SESSION at 8:10pm**

**RE-OPEN TO PUBLIC MEETING at 8:55pm**

**Motion: Komsa**  
**Approved: Clayton, Feeney, Komsa, LaCrosse, Miserendino**

**Second: LaCrosse**  
**Absent: Zakar**

**ACTION TAKEN FROM EXECUTIVE SESSION**

**#2013-266** Resolution approving purchase order in the amount of \$9,000.00 to T&M Associates from the Borough of Beachwood for the efforts associated with the Beachwood Marina and Beachwood Beach reconstruction projects. The Borough previously approved \$110,000.00 for survey, design and permitting under Resolutions 2013-55, 2013-82 and 2013-160. This increase would bring the total funding to \$119,000.00, where \$119,000.00 was budgeted.

**Motion: Komsa**  
**Approved: Clayton, Feeney, Komsa, LaCrosse, Miserendino**

**Second: Clayton**  
**Absent: Zakar**

**#2013-267** Resolution approving purchase order in the amount of \$6,000.00 to T&M Associates from the Borough of Beachwood to provide the necessary construction administration and inspection services necessary to complete the Beachwood Community Center restoration project. The Borough has previously approved \$10,000.00 coordinating design services, assembling bid documents and specifications and providing construction administration and limited inspection.

**Motion: Miserendino**  
**Approved: Clayton, Feeney, Komsa, LaCrosse, Miserendino**

**Second: Feeney**  
**Absent: Zakar**

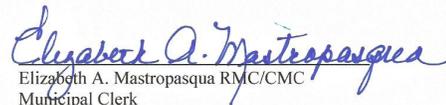
**ADJOURNMENT at 8:57pm**

**Motion: LaCrosse**  
**Approved: Clayton, Feeney, Komsa, LaCrosse, Miserendino**

**Second: Miserendino**  
**Absent: Zakar**

Respectively submitted by,

Susan A. Minock  
Borough Deputy Clerk

  
Elizabeth A. Mastropasqua RMC/CMC  
Municipal Clerk

Ronald F. Roma, Jr., Mayor