

July 20, 2011 Beachwood Municipal Complex
1600 Pinewald Rd.

7:00 P.M. Call to Order

Flag Salute

While we pray for the safe return of our serving men and women, we must remember that 129 servicemen and women from New Jersey have been killed in Iraq and Afghanistan , most recently July 14, 2011 Army Spc. Rafael A. Nieves Jr., 22, of Bayonne and Jersey City, died in Paktika province Afghanistan, of wounds suffered when enemy forces attacked his vehicle with small-arms and rocket-propelled grenade fire while on a mounted patrol. Married with had two young children, a boy and a girl. Rafael Nieves was an infantryman with the 1st Battalion, 506th Infantry Regiment, 4th Brigade Combat Team, 101st Airborne Division.



Our war dead must always be remembered. Their Heroism deserves its glory, so too does the bravery of each who entered the unknown of conflict and gave their lives to the cause of Freedom.

The greatest tribute we can give is remembering our Honored Dead. In their memory, a moment of silence and a prayer for all our disabled vets and those missing in action and 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 annual notice of meetings on posted on the Bulletin Board, located in the Municipal Complex and delivered to the Asbury Park Press and the Municipal Web Site on January 1, 2011.

ROLL CALL MEMBERS PRESENT:

Mayor: **Bonnie M. Verga**

Council President: **Ronald Roma**

Council Members: **Beverly Clayton** **Gerald LaCrosse**
Gregory Feeney (7:35 pm)
Steven Komsa **Edward Zakar**

ABSENT

#2011-235 RESOLVED by Mayor and Council to approve the 2011 Certified Bills List in the amount of
A: \$ 1,341,093.76 B: \$912,489.31

Motion: Clayton Second: Roma
Approved: Clayton – Komsa – LaCrosse – Roma - Zakar Absent: Feeney

#2011-236 RESOLVED by the Governing Body of the Borough of Beachwood to approve the minutes of the June 15, 2011 meeting of Mayor and Council.

Motion: Clayton Second: LaCrosse
 Approved: Clayton – Komsa – LaCrosse – Roma - Zakar Absent: Feeney

#2011-237 RESOLVED by the Governing Body of the Borough of Beachwood to approve the minutes of the July 6, 2011 Special meeting of the Governing Body

Motion: Komsa Second: Zakar
 Approved: Clayton – Komsa – LaCrosse – Roma - Zakar Absent: Feeney

#2011-238 RESOLVED by Mayor and Council to approve and authorize the submittal of the 2012 Municipal Alliance Grant Application in the amount of \$15,000 with a 25% cash match of \$3,750.00

Motion: LaCrosse Second: Clayton
 Approved: Clayton – Komsa – LaCrosse – Zakar Absent: Feeney
 Abstain: Roma

#2011-239 RESOLVED by the Governing Body to approve the following requests for Rentals

2011 COMMUNITY CENTER					
Sept.	11	Tupper	Rental:	\$400	
		117 Windward Ave. Beachwood	Deposit:	\$600	
Oct.	06	Dillon (Eagle Court of Honor)	Rental:	WAIVE	
		153 Capstan Ave. Beachwood	Deposit:	WAIVE	
2011 MAYO PARK					
July	09	Getchis (Came in after June 18 meeting and this meeting)	Rental:	\$125.00	
		553 Forepeak Ave. Beachwood	Deposit:	\$175.00	
July	16	Cub Scout Pack 114 (Benjamin Zee)	Rental:	WAIVE	
		129 Ocean Ave. Beachwood	Deposit:	WAIVE	
July	23	Paro	Rental:	\$125.00	
		645 Spar Ave. Beachwood	Deposit:	\$175.00	
Aug	14	Batin	Rental:	\$250.00	
		12 Sunnydale Dr. Bayville	Deposit:	\$175.00	
Aug.	20	Beachwood Vol. Fire Com. #1 Inc.	Rental:	Waive	
			Deposit:	Waive	
Sept.	17	Shank	Rental:	\$250.00	
		37 Mill Creek Rd. Bayville	Deposit:	\$175.00	
Sept.	24	Belesky	Rental:	\$125.00	
		848 Cable Ave. Beachwood	Deposit:	\$175.00	
2012 COMMUNITY CENTER					

Jan.	20	T.R.H.S. South Diamond Club	Rental:	Waive
		c/o Ellen Cranmer	Deposit:	Waive
July	14	Toscano	Rental:	\$800.00
		1444 Viola Ct. Bricktown	Deposit:	\$800.00

Motion: Roma Second: Clayton
Approved: Clayton – Komsa – LaCrosse – Roma - Zakar Absent: Feeney

#2011-240

RESOLUTION OF THE BOROUGH OF BEACHWOOD, OCEAN COUNTY, APPROVING CHANGE ORDER NO. 2 TO THE CONTRACT BETWEEN THE BOROUGH AND T.K.T. CONSTRUCTION CO., INC. TO EXTEND THE CONTRACT COMPLETION DATE TO SEPTEMBER 30, 2011 AT NO ADDITIONAL COST TO THE BOROUGH

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

WHEREAS, the Borough previously extended the contract duration to seventy-three (73) days or until July 19, 2011; and

WHEREAS, the Borough has requested that the contractor extend the Contract through September 30, 2011 in order to avoid work on the project during the summer of 2011 when the Water Treatment Plant is at peak capacity; and

WHEREAS, the contractor has agreed to extend the Contract duration to a total of two hundred and seven (207) days with a completion date of September 30, 2011 at no additional charge to the Borough; and

WHEREAS, the Borough Engineer has recommended the aforesaid change to avoid construction during the peak demand months of the summer; and

WHEREAS, it is now the desire of this Governing Body to approve Change Order No. 2 to extend the Contract duration.

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. 2 to the contract between the Borough and T.K.T. Construction Co., Inc. extending the duration of the Contract to two hundred and seven (207) days or until September 30, 2011 in order to avoid construction during the peak demand months of the summer.
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 contractor, the Borough CFO and the Borough Treasurer.

Motion: Roma Second: Clayton
Approved: Clayton – Komsa – LaCrosse – Roma - Zakar Absent: Feeney

#2011-241 RESOLVED by the Governing Body of the Borough of Beachwood to approve the release of outstanding balances in Traffic Control for S & G Paving in the amount of \$693.00

Motion: Zakar Second: Komsa
Approved: Clayton – Komsa – LaCrosse – Roma - Zakar Absent: Feeney

#2011-242 A RESOLUTION APPROVING PARTICIPATION WITH THE STATE OF NEW JERSEY SAFE AND SECURE COMMUNITIES PROGRAM ADMINISTERED BY THE DIVISION OF CRIMINAL JUSTICE, DEPARTMENT OF LAW AND PUBLIC SAFETY.

WHEREAS, the Borough of Beachwood wishes to apply for funding for a project under the Safe and Secure Communities Program; and

WHEREAS, the Governing Body has reviewed the accompanying application and has approved said request; and

WHEREAS, the project is a joint effort between the Department of Law and Public Safety and the Borough of Beachwood for the purpose described in the application.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council that ;

- 1. As a matter of public policy the Borough of Beachwood wishes to participate to the fullest extent possible with the Department of Law and Public Safety.**
- 2. The Attorney General will received funds on behalf of the applicant.**
- 3. The Division of Criminal Justice shall be responsible for the receipt and review of the applications for said funds.**
- 4. The Division of Criminal Justice shall initiate allocations to each applicant as authorized**

Motion: Roma Second: Clayton
Approved: Clayton – Komsa – LaCrosse – Roma - Zakar Absent: Feeney

#2011-243 To authorize the purchase of a 2002 Dodge 2500 Van from O.C . Vehicle Services for \$1.00 for the Beachwood Public Works use.

Motion: LaCrosse Second: Komsa
Approved: Clayton – Komsa – LaCrosse – Roma - Zakar Absent: Feeney
Abstain: Roma

#2011-244 RESOLVED by the Governing Body to approve the following requests for Conference – Training and/or Seminar

Date:	July 22	E. Sarantinoudis - E. Mastropasqua –J. Mauder
Location:	PNC Bank Arts Center	
Subject:	Understanding the New Pensions and Health Benefits Law	
Cost:	\$55.00 p.p.	
Vehicle:	No	

Date:	Sept. 16	G. Silva (DPW) 5.5 CEU’s for CPWM RENEWAL
Location:	Rutgers	
Subject:	N.J. Compost Operator Certification	
Cost:	\$260.00	
Vehicle:	Yes	

**RESOLUTION
#2011-253**

BOROUGH OF BEACHWOOD, COUNTY OF OCEAN

CAPITAL BUDGET AMENDMENT

WHEREAS, the local capital for the year 2011 was introduced on the 13th day of April 2011,

WHEREAS, it is desired to amend said adopted capital budget section,

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

Recorded Vote: (insert last names)

(((
(((
Ayes (Nays (Abstain (
(((
((Absent (

FROM
CAPITAL BUDGET (CURRENT YEAR ACTION)
2011

Project	Estimated Total Cost	Amounts Reserved in Prior Years	Planned Funding Services for Current Year 2011					Debt Authorized	To Be Funded in Future Years
			2011 Budget Appropriation	Capital Improvement Fund	Capital Surplus	Grants-in-Aid & Other Funds			
Purchase of Public Works, First Aid and Fire Equipment	80,000			4,000			76,000		
Total All Projects	\$ 5,960,000	\$	\$ 10,000	\$ 20,000	\$	\$	\$ 380,000	\$ 5,550,000	

**6 YEAR CAPITAL PROGRAM 2011 - 2016
ANTICIPATED PROJECT SCHEDULE AND FUNDING REQUIREMENT**

Project	Estimated Total Cost	Estimated Completion Time	Funding Amounts per Budget Year					
			2011	2012	2013	2014	2015	2016
Purchase of Public Works, First Aid and Fire Equipment	80,000		80,000					
Total All Funds	\$ 5,960,000		\$ 410,000	\$ 1,100,000	\$ 1,100,000	1,100,000	\$ 1,100,000	\$ 1,100,000

FROM
**6 YEAR CAPITAL PROGRAM 2011 - 2016
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 2011	Future Years				General	Self-Liquidating
Purchase of Public Works, First Aid and Fire Equipment	80,000			4,000			76,000	
Total All Funds	\$ 5,960,000	\$ 10,000	\$ 50,000	\$ 107,500	\$	\$	\$ 2,042,500	\$ 3,750,000

TO
CAPITAL BUDGET (CURRENT YEAR ACTION)
2011

Project	Estimated Total Cost	Amounts Reserved in Prior Years	Planned Funding Services for Current Year 2011					To Be Funded in Future Years
			2011 Budget Appropriation	Capital Improvement Fund	Capital Surplus	Grants-in-Aid & Other Funds	Debt Authorized	
Purchase of Public Works, First Aid and Fire Equipment	165,000			8,250			156,750	
Various Roadways & Drainage (Including Schedule C)	210,000			10,500			199,500	
Total All Funds	\$ 6,255,000	\$	\$ 10,000	\$ 34,750	\$	\$	\$ 660,250	\$ 5,550,000

6 YEAR CAPITAL PROGRAM 2011 - 2016
ANTICIPATED PROJECT SCHEDULE AND FUNDING REQUIREMENT

Project	Estimated Total Cost	Estimated Completion Time	Funding Amounts per Budget Year					
			2011	2012	2013	2014	2015	2016
Purchase of Public Works, First Aid and Fire Equipment	165,000		165,000					
Various Roadways & Drainage (Including Schedule C)	210,000		210,000					
Total All Funds	\$ 6,255,000	\$	\$ 705,000	\$ 1,110,000				

TO
6 YEAR CAPITAL PROGRAM 2011 - 2016
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 2011	Future Years				General	Self-Liquidating
Purchase of Public Works, First Aid and Fire Equipment	165,000			8,250			156,750	
Various Roadways & Drainage (Including Schedule C)	210,000			10,500			199,500	
Total All Funds	\$ 6,255,000	\$ 10,000	\$ 50,000	\$ 122,250	\$	\$	\$ 2,322,750	\$ 3,750,000

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 20th day of July, 2011.

Certified by me

Date

TRENTON, NEW JERSEY
APPROVED _____, 2011

Director of Local Government Services

Municipal Clerk

Motion: Roma
Approved: Clayton - Komsa - LaCrosse - Roma - Zakar

Second: LaCrosse
Absent: Feeney

CORRESPONDENCE - None

Reports	
Mayor Bonnie Verga	Honored and thrilled to be sitting in this seat.
Council President Roma	Welcome to Mayor Verga. Summer fun nights in progress. Compliments to Bldgs/ Grounds fantastic job. Park looks great. Started with well over 300 participants. Thanked council members who attended. Thanked WOBM for donating Blue Claws tickets that can be raffled off. Remind everyone Luau Sat. 23rd. 6 - 10 p.m. Will have a rock wall to climb. \$5 wrist bands.
Council Beverly Clayton	Welcomed Mrs. Verga. Just finished bluff landscaping. New railing fences around town. Deck at Community Center painted. Bumper strips at Marina ramp. Looking at quotes for Bicycle Path. Getting quotes for HVAC. Thanked DPW for all the work they have done in this heat. They keep Beachwood beautiful. Fireworks Thank You Ad in Riverside Signal. Thanked all who aided. Thanked Fire - First Aid . Good show. Thanks to Sponsors - Professionals for donations and residents. Next year 72nd.
Council Steven Komsa	Welcomed Mayor. Thanked Fireworks Committee for another great display. Thanked Alliance for another great Monday. Zumba Classes and Basketball under way. Carousel of Music Aug. 13, 2011. Welcomed newest Rec Commissioner
Council Gerald LaCrosse	Commented on Fireworks and Mrs. Claytons efforts to make it a fantastic event. Introduction of LOSAP ordinance. Currently in place for Fire. Great program. This new is an opportunity to do something for our First Aid members, who are there when we need them. Hopes ordinance passes and able to place on ballot. Welcomed Mayor Verga.
Council Edward Zakar	Welcomed Mayor Verga. Wished her good luck over next few months. Building Dept doing well. Eagle Scout project coming up over the next week. Fireworks, awesome. Comments on LOSAP program, thanked all volunteers who step up to the plate when needed. Alliance Coordinator G. Roma to be congratulated for all her hard work. August 11 - St. Barnabas Health Care with Fire Prevention.
Engineer James Oris	Well 8 work ongoing. Ran some water tests. After that hope for authorization to put well on line. Expect work to begin on Locker - and Mizzen and Oak. Cable should begin in 3 to 4 weeks

#2011-251 RESOLUTION OF THE BOROUGH OF BEACHWOOD, OCEAN COUNTY, NEW JERSEY AWARDING A CONTRACT TO DSC CONSTRUCTION, INC. FOR WATER MAIN REPLACEMENT AND ROADWAY AND DRAINAGE IMPROVEMENTS TO CABLE AVENUE IN THE AMOUNT OF \$441,869.00 IN ACCORDANCE WITH THE BOROUGH’S BID SPECIFICATIONS

WHEREAS, the Borough of Beachwood previously advertised for the receipt of bids on Wednesday, July 13, 2011 at 11:00 a.m.; and

WHEREAS, at the time and place for the receipt of bids five (5) bids were received ranging from a low of \$441,869.00 to a high of \$616,921.75;; and

WHEREAS, the Borough Engineer has recommended the award of said project to the low bidder, DSC Construction, Inc.; and

WHEREAS, the Borough Attorney has reviewed and approved the bid submission documents; and

WHEREAS, the Borough CFO and Treasurer have certified that funds are available for said project; and

OPEN TO PUBLIC DISCUSSION

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

Lipton – D	Welcomed Mayor Verga. Three things. Out in boat, looks like beach is eroding. Are we doing anything on that.
Engineer Oris	Updated program thus far. With completion of design, will submit to DEP.
Lipton- D.	Make note about formally complaining about "prevailing wage. We have to pay twice as much (all municipalities) for projects. It's insane and ridiculous. Could save billions annually.
Councilman LaCrosse	Explained how prevailing wage came about. Has gone way overboard.
Lipton	Did anyone read letter to Editor on Fireworks...in Press.
Miller; R. Barnegat Blvd. Miller; C. Barnegat Blvd	Shore Vineyard. July 10, 07:30 in morning - started pounding drums. Complained -- Pastor Rob - confronted him. Has filed complaint against church. Noise ordinance needs to be re-visited. 2 Saturdays past - similar - police called. "Private" Nuisance - something needs to be done. We plan our lives around the church. Peace and tranquility is ruined. Discussion on the matter. Suggestions on changing noise ordinance. Mrs. Clayton and Mrs. Verga both indicated they would reach out for Shore Vineyard. Chief Cairns noted that the Church has changed over recent years .

CLOSE TO PUBLIC DISCUSSION

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

EXECUTIVE SESSION

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:

Terms & Condition of Employment - Tax Collection
 Contractual - Engineer - Financial Institution(s)
 Potential Litigation –

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

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

LaCrosse Left Executive Session prior to

RE-OPEN

Motion: Roma

Second:

Feeney

Approved: Clayton – Komsa - Roma - Zakar

Absent

LaCrosse

ACTION TAKEN AS A RESULT OF EXECUTIVE SESSION

RESOLUTION

#2011- 252

WHEREAS, the Borough of Beachwood is in need of general banking services; and

WHEREAS, the Chief Financial Officer reviewed and evaluated all proposals received and recommended to the Borough of Beachwood Council that Ocean First Bank be appointed official local depository to maintain accounts of the Municipality based on their proposal dated February 4, 2011; and

WHEREAS, said depository, Ocean First Bank, may receive to the credit of Beachwood Borough checks, drafts, notes, acceptances, or other evidences of indebtedness (whether belonging to this Borough or otherwise) which may be in, or hereafter come into, its possession;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Beachwood that Ocean First Bank, be and hereby is authorized to make payment from all Borough funds on deposit in all accounts of the Borough of Beachwood with it upon and according to the checks, drafts, notes or acceptances of this Borough signed by:

Mayor: Bonnie M. Verga

Council members:	Beverly Clayton	Gregory Feeney
	Steven Komsa	Gerald W. La Crosse
	Ronald Roma	Edward Zakar

Borough Clerk: Elizabeth A. Mastropasqua

Municipal Treasurer: Elizabeth Sarantinoudis

Finance Officer: John Mauder, CMFO

BE IT FURTHER RESOLVED by the Township Council of the Borough of Beachwood that Ocean First Bank, be and hereby is authorized to make payment from the funds on deposit in the Municipal Court Account and Municipal Court Bail Account with it upon and according to the checks, drafts, notes or acceptances of this Borough signed by:

Magistrate: Damian G. Murray

Court Administrator: Linda Felton

Deputy Court Administrator: Lesley Kirchgessner

BE IT FURTHER RESOLVED by the Borough Council of the Borough of Beachwood that the Chief Financial Officer is authorized to enter into an agreement with Ocean First Bank for general banking services.

Motion: Feeney

Second:

Clayton

Approved: Clayton – Feeney--Komsa -Roma - Zakar

Absent

LaCrosse

#2011-254 RESOLVED by Mayor and Council to authorize the Chief of police to dispose of old video equipment to interested agencies, pending letter from requestor and a Hold Harmless Insurance Document.

Motion: Roma **Second:** Zakar
Approved: Clayton - Feeney--Komsa -Roma - Zakar **Absent** LaCrosse

ADJOURN

Motion: Roma **Second:** Feeney
Approved: Clayton - Feeney--Komsa -Roma - Zakar **Absent** LaCrosse

Prepared by: Elizabeth A. Mastropasqua

Bonnie M. Verga
Mayor

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