

**July 21, 2010**  
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 113 servicemen and women from New Jersey have been killed in Iraq and Afghanistan.

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

The greatest tribute we can give is remembering our Honored Dead. In their memory, a moment of silence and a prayer for all our disabled vets and those missing in action and the swift return of all our serving men and women.

OPENING STATEMENT: Ladies and Gentlemen, pursuant to the applicable portions of the New Jersey Open Public Meetings Act, adequate notice of this meeting has been given. The schedule for this meeting of Mayor and Council of the Borough of Beachwood is listed in the notice of meetings posted on the Bulletin Board, located in the Municipal Complex and delivered to the Asbury Park Press on January 7, 2010.

**ROLL CALL MEMBERS PRESENT:**

**COUNCILMEMBERS:**

**Beverly Clayton**  
**Gregory Feeney**

**Steven Komsa**  
**Bonnie Verga**

**ABSENT: Mayor Ronald W. Jones, Jr - Katina L. Clark - Ronald Roma**

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

Swearing in of Patrolman Allen Magory

Mayors appointments;

Frank Zito – moved from Mayor’s Alternate to Alternate #1 (Vacancy of Robert Woodward)

Robyn H. Griffith to Shade Tree Committee

**#2010-220** RESOLVED by Council to approve the 2010 Certified Bills List in the amount of \$952,129.20

**Motion:** Feeney  
**Approved:** Clayton – Feeney – Komsa - Verga

**Second:** Komsa  
**Absent:** Clark - Roma

**#2010-221** RESOLVED by Council to approve the minutes of the June 16, 2010 meeting of Mayor and Council.

**Motion:** Komsa  
**Approved:** Clayton – Feeney – Komsa - Verga

**Second:** Verga  
**Absent:** Clark - Roma

**#2010-222**

RESOLVED by Council to approve the Community Center Rentals as follows:

<b><u>COMMUNITY CENTER 2010</u></b>			
October	01	Beachwood Library / Nancy Voitko	Rental: WAIVE
		126 Beachwood Blvd.	Deposit: WAIVE
October	23	Operato	Rental: \$350
		216 Longboat Avenue	Deposit:\$500
October	24	T.R.H.S.S. Cheerleading	Rental: WAIVE
See letter below		c/o Katie Childers-Stein	Deposit: WAIVE
		44 Hyers St. Toms River	
<b><u>2010 Mayo Park</u></b>			
August	05	Cub Scout Pack 114 c/o Barry Wieck	Rental: WAIVE
		St. Paul's Church	Deposit:WAIVE
August	08	Ridge	Rental: \$125
		136 Halliard Ave. ,Beachwood	Deposit:\$175
August	22	Cramer	Rental: \$125
		512 Beach Ave , Beachwood	Deposit:\$175
<b><u>COMMUNITY CENTER 2011</u></b>			
April	16	England	Rental: \$700
		804 Castle Drive Toms River	Deposit: \$700
May	22	Miller	Rental: \$350
		948 Ship Ave	Deposit:\$500

**Motion:** Verga  
**Approved:** Clayton – Feeney – Komsa - Verga

**Second:** Feeney  
**Absent:** Clark - Roma


**TOMS RIVER HIGH SCHOOL SOUTH**  
*HOME OF THE INDIANS!*

June 24<sup>th</sup>, 2010

Dear Mayor & Council,

I would first like to introduce myself to you. My name is Katie Childers-Stein and I have been teaching at Intermediate South in Toms River for five years. I have been coaching the cheerleading team at High School South for a few years. My team is planning on hosting a Spaghetti Dinner Fundraiser on October 24<sup>th</sup>, 2010 and we would like to host the fundraiser at the Community Center.

Many of the cheerleaders who participate at High School South are residents of Beachwood. I am respectfully requesting the rental fee be waived in an effort to help the team raise as much money as possible to be used during the 2010-2011 season. Your support would be greatly appreciated and recognized on the Competition teams Sponsor shirts for the upcoming 2010-2011 season.

South cheerleaders thank you for your consideration and look forward to hearing from you soon. If you have any questions or concerns please feel free to contact me at anytime.

Respectfully,

Katie Childers-Stein  
 T.R.H.S.S. Cheerleading Coach  
[kchildersstein@trschoools.com](mailto:kchildersstein@trschoools.com)  
 Home: 732-608-9471  
 Cell : 732-691-7190

2010 JUN 7 PM

**#2010- 223** RESOLVED by Mayor and Council to hire the following for the Beachwood Summer Day Camp

<b><u>Director:</u></b>	Mellissa Petric-Morrison 624 Mermaid Ave – Beachwood	\$425. Per week
<b><u>Arts / Crafts</u></b>	Laura Krohn 88 Barnegat Blvd. – Beachwood	\$8.35 Per Hour
<b><u>RETURNING: COUNSELORS</u></b>		
	Nick Conway 1016 Longboat Ave – Beachwood	7.35 Per Hour
	Ben Crowley 944 Beachwood Blvd. – Beachwood	7.35 Per Hour
	Jordan Lindsay 1035 Mermaid Ave – Beachwood	7.35 Per Hour
	Susan Morales 845 Mizzen Ave – Beachwood	7.35 Per Hour
	Matthew Sakolsky 1345 Anchor Ave – Beachwood	7.35 Per Hour

<b>Motion:</b> Komsa	<b>Second:</b> Verga
<b>Approved:</b> Clayton – Feeney – Komsa - Verga	<b>Absent:</b> Clark - Roma



PLEASE NOTE WITH REGARD TO NEXT REFUND - WE WERE ABLE TO MOVE SOMEONE INTO THE SLIP WHO HAD REQUESTED THE ABILITY TO MOVE UP AND WE WERE SUCCESSFUL IN FILLING THAT SLIP AS WELL. ALL SLIPS ARE OCCUPIED.

To who may concern  
As JUNE 30, 2010 I will no longer be using slip 17 on Beachwood marina since were moving out of town  
Please cancel my slip. Thank you! Edwin Pedroza

932 - 997 - 0152  
291 BAYVIEW AVE  
DAYVILLE NJ 08791

THANK YOU!

#2010-226 RESOLVED BY Mayor and Council to authorize a refund in the amount of \$457.71 to Edwin Pedroza 291 Bayview Avenue , Bayville N.J., said refund representing a pro-rated rental of Slip #17 (\$780).

**Motion:** Clayton  
**Approved:** Clayton - Feeney - Komsa - Verga

**Second:** Komsa  
**Absent:** Clark - Roma



28 June 2010

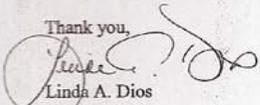
Linda A. Dios  
1344 Longboat Avenue  
Beachwood, NJ 08722

Mayor Jones  
Borough of Beachwood  
1600 Pinewald Road  
Beachwood, NJ 08722-2897

Mayor Jones:

Enclosed please find beach badge #007 and parking permit #310, which I purchased on Saturday, 26 June 2010, I am returning both and requesting a refund of \$15.00.

I went to the beach on Sunday, 27 June 2010, a church group came onto the beach for Baptism. There were at least 75 men, women, children, and a dog. Microphones were used. I was told that this would last 20 minutes (more like 2 hours). Besides being very offended by this what irritated me more was the fact that they did not have beach badges or parking permits. I remember this occurring last year and being told that this would not happen again. In past years I have seen Beachwood residents who walked to the beach with their children having to leave the beach because they did not have badges and obviously could not afford them. I am sure these church people were not Beachwood residents. I remember last year there was a boat race; those people did not have badges or parking permits and were allowed beach and lot access free -- and I, who had a parking permit having no place to park.

Thank you,  
  
Linda A. Dios

encl: 2010 beach badge  
2010 parking permit

cc: Ronald Roma  
Council President

RESOLUTION  
#2010-227

RESOLVED BY MAYOR AND COUNCIL to authorize a refund of beach badge and parking decal fees in the amount of \$15.00 to Linda A. Dios 1344 Longboat Avenue Beachwood.

**Motion:** Clayton  
**Approved:** Clayton – Feeney – Komsa - Verga

**Second:** Komsa  
**Absent:** Clark – Roma

ORDINANCE  
#2010-05

FIRST READING TITLE ONLY  
**ORDINANCE OF THE BOROUGH OF BEACHWOOD, OCEAN COUNTY, NEW JERSEY AMENDING CHAPTER II ENTITLED, "ADMINISTRATION", AS IT APPLIES TO THE FEES FOR COPIES OF MUNICIPAL RECORDS**

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

**Section 1.** Section 2-27 of the Code of the Borough of Beachwood is hereby deleted and in its place instead the following shall be inserted:

- a. There is hereby established a fee for furnishing photocopies of any record or other document kept in the normal course of business and except as hereinafter provided at the following rates:
  - 1. The fee for letter size page or smaller shall be \$0.05 per page.
  - 2. The fee for legal size page or larger shall be \$0.07 per page. If the page exceeds the legal size page then the Borough may charge its actual costs exceeding the \$0.07 per page. If that be the case the actual cost for duplicating the record shall be the cost of materials and supplies used to make a copy of the record but shall not include the cost of labor or other overhead expenses associated with making said copy except as provided in subsection b of this Ordinance.
- b. A special service charge may be imposed if the printed matter cannot be copied by ordinary document copying equipment in ordinary business size or involves an extraordinary expenditure of time and effort to accommodate the request. The Borough shall charge a special service charge in addition to the actual duplicating of the record which shall be reasonable and shall be based upon the actual direct costs of providing the copy or copies. The Borough shall establish rates for duplication of particular records when the actual cost of copying exceeds the foregoing rates which shall be established in advance by Ordinance. The requester shall have the opportunity to review the rates with the Clerk and object to the charge prior to being incurred.
- c. Requesters shall have the right to copy documents in mediums other than those used by the Borough of Beachwood to maintain the records. If a request involves a request for a record involving the following, the agency may charge a special charge that is reasonable and based on the cost of extensive use of information technology, or for labor cost of personnel providing the service that is actually incurred by the agency or attributable to the agency for programming, clerical, and supervisory assistance, or both, provided:
  - 1. A request for a medium not routinely used by the Borough.
  - 2. A request that is not routinely developed or maintained by the Borough.
  - 3. A request that requires a substantial amount of manipulation or programming of information technology.

- d. Individuals requesting duplicate cassettes or Borough recorded information shall pay a fee of \$1.00 (one dollar) per cassette.
- e. Access to electronic records in non-printed material shall be provided free of charge, but the Borough shall charge for the actual costs of any needed supplies for said purposes. Computer discs shall be charged at the rate of \$1.00 (one dollar) per disc.

**Section 2. Severability.** If the provisions of any subsection paragraph, subdivision or clause of this Section shall be judged invalid by a Court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any subsection, paragraph, subdivision or clause of this Section.

**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.

RESOLUTION: RESOLVED to approve Ordinance #2010-05 as presented on First Reading Title Only.

<b>Motion:</b>	<b>Komsa</b>	<b>Second:</b>	<b>Verga</b>
<b>Approved:</b>	<b>Clayton – Feeney – Komsa - Verga</b>	<b>Absent:</b>	<b>Clark – Roma</b>

ORDINANCE #2010-06 FIRST READING TITLE ONLY  
**ORDINANCE OF THE BOROUGH OF BEACHWOOD, OCEAN COUNTY, NEW JERSEY AMENDING CHAPTER III ENTITLED, “POLICE REGULATIONS”, TO PROHIBIT ILLICIT CONNECTIONS TO THE BEACHWOOD SEWERAGE AUTHORITY SEWERAGE COLLECTION SYSTEM AND PROVIDING FOR PENALTIES FOR VIOLATION THEREOF**

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

**Section 1.** Chapter III of the Code of the Borough of Beachwood entitled, “Police Regulations”, is hereby supplemented by the inclusion of the following sections:

**Section 3-2A.1 Definitions.** For the purposes of the within Section an illicit connection to the Beachwood Sewerage Authority sewerage collection system shall be any connection made to said system other than by permit issued by the Beachwood Sewerage Authority in accordance with its rules and regulations.

**Section 3-2B.2 Prohibited Conduct.** A person or entity is prohibited to make any connection to the Beachwood Sewerage Authority sewerage collection system without a permit issued by said Authority in accordance with its rules and regulations. Such prohibited connection shall include, but not be limited to, a sump pump connection by a customer of said system.

**Section 3-2B.3. Certificate of Occupancy. Inspections.** During any Certificate of Occupancy inspection or continuing Certificate of Occupancy inspection the appropriate inspector shall inspect for illicit connections to the Beachwood Sewerage Authority system as part of said inspection.

**Section 3-2B.4. Severability.** If the provisions of any subsection paragraph, subdivision or clause of this Section shall be judged invalid by a Court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any subsection, paragraph, subdivision or clause of this Section.

**Section 3-2B.5. Enforcement.** This section shall be enforced by the Municipal Code Enforcement Department, Building Department, or any other duly authorized or deputized individual.

**Section 3-2B.6. Penalties.** Any person or entity that violates any one or more of the above sections shall be subject to a fine of not more than one thousand dollars (\$1,000.00) for each separate offense and/or confinement to the Ocean County Jail for a period of not more than ninety (90) days.

**Section 2.** This Ordinance repeals any inconsistent ordinance or ordinances or part or parts thereof.

**Section 3.** This Ordinance shall take effect immediately upon its final passage and publication as required by law.

RESOLUTION: RESOLVED to approve Ordinance #2010-06 as presented on First Reading Title Only.

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

**Mrs. Clayton offered thanks to Mrs. Verga and Attorney Hiering for their work on this ordinance.**

ORDINANCE FIRST READING TITLE ONLY

#2010-07 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 2009 of the following officers and employees herein named are hereby amended and fixed and determined as follows:

TITLE	MINIMUM	MAXIMUM	
Account Clerk — Finance Dept.	\$ 29,000.00	\$ 42,000.00	
Assessment Search Officer - Deputy	\$ 500.00	\$ 1,700.00	
Assessor	\$ 10,000.00	\$ 25,000.00	
Assessor’s Assistant	\$ 10.00	\$ 25.00	Per Hour
Assistant Supervisor of Public Works	\$ 35,000.00	\$ 60,000.00	
Board Secretary - Planning Board	\$ 17,000.00	\$ 30,000.00	
Board Secretary - Recreation Commission	\$ 600.00	\$ 1,200.00	
Building Department Secretary	\$ 17,000.00	\$ 35,000.00	
Camp Counsellor - Summer	\$ 7.00	\$ 9.00	Per Hour

Camp Director - Summer	\$	400.00	\$	500.00	Weekly
Cashier	\$	18,000.00	\$	30,000.00	
Cashier-Senior	\$	20,432.00	\$	40,000.00	
Chief Financial Officer	\$	10,000.00	\$	30,000.00	
Clerical	\$	18,000.00	\$	30,000.00	
Clerk Typist	\$	18,000.00	\$	30,000.00	
Clerk Typist - Senior	\$	20,432.00	\$	45,000.00	
<b>COAH</b> Housing Liaison Officer	\$	500.00	\$	1,000.00	
Code Enforcement P/T	\$	10,000.00	\$	18,000.00	
Council Member	\$	5,000.00	\$	7,000.00	
Council President	\$	5,500.00	\$	7,500.00	
Construction Official	\$	30.00	\$	45.00	Per Hour
Emergency Management Coordinator	\$	1,500.00	\$	3,000.00	
Emergency Management Deputy Coordinator	\$	700.00	\$	2,000.00	
Equipment Operator	\$	27,000.00	\$	55,000.00	
Fire Prevention Inspector	\$	2,000.00	\$	6,000.00	
Fire Prevention Official	\$	4,000.00	\$	7,000.00	
Laborer	\$	23,500.00	\$	35,000.00	
Lifeguard	\$	6.15	\$	13.00	Per Hour
LOSAP Admin.	\$	800.00	\$	1,000.00	
Mayor	\$	6,500.00	\$	1,000.00	
Mechanic	\$	31,000.00	\$	55,000.00	
Mechanic Helper	\$	25,000.00	\$	42,000.00	
Municipal Clerk	\$	65,000.00	\$	120,000.00	
Municipal Clerk (Deputy)	\$	-			
Municipal Court Administrator	\$	30,000.00	\$	50,000.00	
Municipal Court Administrator - Deputy	\$	20,000.00	\$	35,000.00	
Municipal Court - Magistrate	\$	20,000.00	\$	30,000.00	
Municipal Court Violations Clerk		\$9.25		\$13.00	Per Hour
Municipal Treasurer	\$	35,000.00	\$	70,000.00	
Police Chief	\$	80,000.00	\$	125,000.00	
Police - Clerk / Reception	\$	20,000.00	\$	35,000.00	
Police - Crossing Guard	\$	8.25	\$	13.00	Per Hour
Police - Lieutenant	\$	60,000.00	\$	98,000.00	
Police Officer	\$	39,000.00	\$	89,000.00	
Police Secretary Stenographer	\$	25,000.00	\$	45,000.00	
Police Sergeant	\$	60,000.00	\$	95,000.00	
Police Special - Class II	\$	10.00	\$	17.00	Per Hour
Police Special - Seasonal	\$	8.00	\$	11.00	Per Hour
Public Works Repairer	\$	28,000.00	\$	55,000.00	

Public Works Repairer-Senior	\$	32,000.00	\$	65,000.00	
Public Works Supervisor	\$	50,000.00	\$	85,000.00	
Registrar	\$	300.00	\$	700.00	
Registrar Deputy	\$	300.00	\$	700.00	
Tax Collector	\$	30,000.00	\$	65,000.00	Full Time
Tax Collector-Deputy		\$-0-		\$ - 0-	
Tax Search Officer		\$-0-		\$ -0-	
Tax Search Officer - Deputy	\$	1,000.00	\$	3,000.00	
Truck Driver	\$	25,000.00	\$	50,000.00	
Water Repairer	\$	39,000.00	\$	55,000.00	
Water Repairer - Senior	\$	27,000.00	\$	65,000.00	
Zoning Officer	\$	4,000.00	\$	6,000.00	

SECTION 2: The salary for the Police Department Contractual employees is by Agreement between the Borough of Beachwood and P. B.A. Local 253, January 1, 2010 to and including December 31, 2012

SECTION 3: The position of Detective shall be compensated in the step of their actual rank and classification, and in addition thereto shall receive an additional three (3%) to their salary.

SECTION 4: The longevity for the Police Department Contractual Employees shall be in accordance with the current contract on file in the office of the Municipal Clerk.

SECTION 5: The salaries of the WHITE COLLAR and BLUE COLLAR employees is by agreement between the Borough of Beachwood and Teamsters Local 469 which expires on December 31, 2010 and is on file in the office of the Municipal Clerk.

SECTION 6: The longevity for the WHITE COLLAR and BLUE COLLAR employees shall be in accordance with the current contract on file in the office of the Municipal Clerk.

SECTION 7: The annual salaries and wages as described herein shall be in effect and retroactive to January 1, 2009 to and including December 31, 2009.

SECTION 08: All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 09: This ordinance shall take effect immediately upon final passage and publication as required by law.

RESOLUTION

#2010-231 RESOLVED by Mayor and Council to approve Ordinance #2010-07 as presented on First Reading Title Only.

**Motion:** Feeney  
**Approved:** Clayton - Feeney - Komsa - Verga

**Second:** Komsa  
**Absent:** Clark - Roma

RESOLUTION  
#2010-232

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

**Motion:** Clayton  
**Approved:** Clayton – Feeney – Komsa - Verga

**Second:** Feeney  
**Absent:** Clark – Roma

RESOLUTION

#2010-233 AUTHORIZE PAYMENT OF PREMIUM FOR TAX TITLE LIEN 04-018; BLOCK 9.14 LOT 13 IN THE AMOUNT \$11,700.00 TO THE BOROUGH OF BEACHWOOD FROM THE GENERAL TRUST ACCOUNT

WHEREAS, pursuant to N.J.S.A. 54:5-33, which states that any premium older than (5) years from the date of the Tax Sale shall be turned over to the Treasurer of the Municipality and become part of the funds of the Municipality, and:

WHEREAS, on tax sale certificate 04-018, against block 9.14 lot 13 sold on September 15, 2004 had a premium bid in the amount of \$11,700.00, and;

WHEREAS, the five year retention period expired on September 15, 2009 and pursuant to N.J.S.A. 54:5-33 the treasurer must pay the funds over to the Municipality.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Beachwood, County of Ocean and State of New Jersey to direct the Treasurer to process the proper paperwork to pay the amount of \$11,700.00 for the expired premium for tax sale certificate 04-018 from the general trust account to the current account.

**Motion:** Clayton  
**Approved:** Clayton – Feeney – Komsa - Verga

**Second:** Verga  
**Absent:** Clark – Roma

#2010-234 AUTHORIZE REFUND OF REDEMPTION MONIES FROM LIEN #07-00016 TO LIEN HOLDER CCTS TAX LIENS II, LLC IN THE AMOUNT OF \$ 176.28

WHEREAS, at the Municipal Tax Sale held on October 3, 2008, a lien was sold on Block 3.17 Lot 3, also known as 837 Seaman Avenue for 2007 delinquent municipal charges; and,

WHEREAS, this lien, known as Tax Sale Certificate #07-00016, was sold to CCTS Tax Liens II, LLC with a 0% interest rate; and,

WHEREAS, Dovenmuehle Mortgage, Inc, affected redemption on behalf of property owners, R.A. Pepper and M. Sabatino for certificate # 07-00016 in the amount of \$176.28

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of Beachwood, in the County of Ocean, State of New Jersey to refund lien holder, CCTS Tax Liens II, LLC for the redemption of certificate 07-00016 in the amount of \$ 176.28

**Motion:** Feeney  
**Approved:** Clayton – Feeney – Komsa - Verga

**Second:** Verga  
**Absent:** Clark – Roma

#2010-235 AUTHORIZE REFUND OF REDEMPTION MONIES FROM LIEN #09-00015 TO LIEN HOLDER FNA JERSEY LIEN SERVICES, LLC IN THE AMOUNT OF \$ 1,129.42

WHEREAS, at the Municipal Tax Sale held on December 11, 2009, a lien was sold on Block 3.05 Lot 3, also known as 825 Ensign Avenue for 2008 delinquent municipal charges; and,

WHEREAS, this lien, known as Tax Sale Certificate #09-00015, was sold to FNA Jersey Lien Services, LLC with a 0% interest rate; and,

WHEREAS, First American Tax Services, affected redemption on behalf of property owner, Veronica Neidhardt for certificate # 09-00015 in the amount of \$1,129.42.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of Beachwood, in the County of Ocean, State of New Jersey to refund lien holder, FNA Jersey Lien Services, LLC for the redemption of certificate 09-00015 in the amount of \$1,129.42

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

#2010-236 AUTHORIZE REFUND OF OVERPAYMENT OF TAXES ON BLOCK 1.10 LOT 3 TO WACHOVIA MORTGAGE, IN THE AMOUNT OF \$1,150.00

WHEREAS, Chase Home Finance, inadvertently made a duplicate payment for the 2010 2<sup>nd</sup> Quarter installment of taxes on behalf of property owner, Mark Avendano; Block 1.10 Lot 3, in the amount of \$1, 150.00; and,

WHEREAS, Wachovia Mortgage is now requesting the refund of said overpayment.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of Beachwood, in the County of Ocean, State of New Jersey to authorize the refund of overpayment caused by duplicate payment to Chase Home Finance in the amount of \$ 1,150.

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

RESOLUTION  
#2010-237

AUTHORIZE REFUND OF OVERPAYMENT OF TAXES ON BLOCK 8.45 LOT 2 TO CHASE HOME FINANCE, IN THE AMOUNT OF \$1,113.17

WHEREAS, Chase Home Finance, inadvertently made a duplicate payment for the 2010 2<sup>nd</sup> Quarter installment of taxes on behalf of property owner, Mark D. Aldellizzi; Block 8.45 Lot 8, in the amount of \$ 1,113.17; and,

WHEREAS, Chase Home Finance is now requesting the refund of said overpayment.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of Beachwood, in the County of Ocean, State of New Jersey to authorize the refund of overpayment caused by duplicate payment to Chase Home Finance in the amount of \$ 1,113.17

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

**RESOLUTION  
#2010-238**

**RESOLVED by Mayor and Council to refund "Traffic Control Escrow Funds" in the amount of \$370.50 to Jack Serpico 133 Orchid Ct. Toms River N.J. for July 4<sup>th</sup> Fireworks Program.**

**Motion:** Clayton  
**Approved:** Clayton – Feeney – Komsa - Verga

**Second:** Verga  
**Absent:** Clark – Roma

**CORRESPONDENCE** None

**REPORTS**

**Mayor Jones** **Absent**

**Councilmembers**

**Katina L. Clark** **Absent**

**Ronald Roma** **Absent**

G. Feeney	Executive Session Items - County revenue sharing single source seems to be working fairly well. Will be meeting with TR BoE about recycling.
B. Verga	Quarterly 30222. 212 permits STR 61 permits Isl. 7 permits
	41,075. Total received. About 3% below last year.
S. Komsa	Welcome new officer Magory. Thanked Fireworks Com. for fantastic job on this years show. Energy Audit finalized by the state. Looking to receive 100% reimbursement which will result in no cost to tax payers. Recreation concert on Beach 7/31. Sept. 25/26 Town Yard Sale.
B. Clayton	Thanked the volunteers for all their help with Fireworks. Some small issues but worked out. PD - DPW - helped to make it a wonderful event. To new officer - welcome. Turned in compliance evaluation from DEP. This past weekend very busy - Friday BYC Sail fest blow out - garvey races - huge party Mayo Park. Alliance had a great event.
Mr. Oris	Bike Path - County completed schedule "C" project of pathway. It's wider. Paved to match grant award from Recreation Trails Grant. Checked into DOT 2011 Bike program which may just go to new projects and we may not be able to get any funding.
<b><u>RESOLUTION #2010-239</u></b>	<b>If we have an acceptable match to allow application MOTION: CLAYTON SECOND; Komsa - Approved: Clayton-Feeney-Komsa-Verga</b>
	Had company to evaluate Beach for future shore protection application. Will report after. Then have conf. with NJDEP.

Mrs. Clayton	Time is of the essence. If we don't do something soon we will not have a beach. Would like to be part of that on-site meeting.
Mr. Oris	Locker Street elevated tank in progress will need to address change order. (Bragaton) \$16,125.00. Recommendation to move on DOT roadway project Phase VII.
Mr. Hiering	Update on Verizon

**Engineer Oris  
#2010-240**

**RESOLUTION OF THE BOROUGH OF BEACHWOOD, OCEAN COUNTY, APPROVING CHANGE ORDER NO. 1 TO THE CONTRACT BETWEEN THE BOROUGH AND BRAGATON CONSTRUCTION, INC. FOR THE REHABILITATION OF THE 300,000 GALLON ELEVATED WATER STORAGE TANK INCREASING THE CONTRACT BY \$16,125.00 TO AN ADJUSTED CONTRACT PRICE OF \$399,125.00 FOR ADDITIONAL PIT REPAIR WELDING AND INTERIOR SURFACE COATING OF THE WATER TANK**

**WHEREAS**, the Borough of Beachwood previously awarded a contract to Bragaton Construction, Inc. for the rehabilitation of the 300,000 gallon elevated water storage tank in the amount of \$383,000.00; and

**WHEREAS**, as a result of removal of the existing interior coating of the tank it was determined that the pit repair welding had to be increased due to actual field conditions and that the interior surface-full finish coat should be modified in accordance with the correspondence of the Borough Engineer dated July 13, 2010 attached hereto as Schedule A; and

**WHEREAS**, it is now the desire of this Governing Body to authorize Change Order No. 1 to said Contract in accordance with 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. 1 to the contract between the Borough and Bragaton Construction, Inc. for the rehabilitation of the 300,000 gallon elevated water storage tank increasing the base bid amount of \$383,000.00 by \$16,125.00 to a modified contract price of \$399,125.00.

2. That upon adoption of the within Resolution the Clerk is authorized and directed to forward a certified copy of it to the Borough Engineers, the contractor, the Borough CFO and the Borough Treasurer.

**Motion:** Feeney  
**Approved:** Clayton - Feeney - Komsa - Verga

**Second:** Clayton  
**Absent:** Clark - Roma

**RESOLUTION**

**#2010-241**

**RESOLUTION OF THE BOROUGH OF BEACHWOOD, OCEAN COUNTY, NEW JERSEY  
AUTHORIZING THE SUBMISSION OF A NEW JERSEY DEPARTMENT OF TRANSPORTATION  
MUNICIPAL AID APPLICATION-FISCAL YEAR 2011 FOR VARIOUS ROADWAY AND DRAINAGE  
IMPROVEMENTS TO OAK STREET WITHIN THE BOROUGH**

**WHEREAS**, the Borough of Beachwood has the opportunity to make application and to execute a Grant Agreement with the New Jersey Department of Transportation for road improvement project for fiscal year 2011; and

**WHEREAS**, the Borough lists its number one priority for Municipal aid in the area of Oak Street from Windward Avenue to Ocean Avenue (1200 L.F.); and

**WHEREAS**, the Borough intends to use the funds for roadway and drainage improvements for this submitted application requesting \$255,300.00 in funding from the NJDOT

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

1. That the Borough Council hereby approves the grant application and authorizes the submission of the electronic grant application, MA-2011-Beachwood Borough – 00457, for funding as set forth in the preamble hereof and further authorizes the Mayor and Clerk to execute the appropriate application and all accompanying documentation and Grant Agreement to the New Jersey Department of Transportation Municipal Aid Program for fiscal year 2011.

2. That upon the adoption of the within resolution, the Borough Clerk shall forward a certified copy of same to the New Jersey Department of Transportation, the Borough Engineer, Borough CFO, and Borough Treasurer.

**Motion:** Feeney  
**Approved:** Clayton – Feeney – Komsa - Verga  
**Abstain :** Clayton

**Second:** Verga  
**Absent:** Clark – Roma

**Municipal Clerk** No Report

**OPEN TO PUBLIC DISCUSSION**

**Motion:** Verga  
**Approved:** Clayton – Feeney – Komsa - Verga

**Second:** Komsa  
**Absent:** Clark – Roma

LaCrosse - Forecastle Ave.	Thanked Mrs. Clayton for best display the Borough's ever had. Thanked all volunteers for fantastic job. Status of Mayor and Mrs. Clark's absence. Water Tank rehab was able to be done because we have new tank (500) in place. Comments about Mayor's statements on radio, re: employees of the Borough engaged in illegal activities". Very irresponsible. Mayors' public comments about legal fees and
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**ACTION TAKEN FROM EXECUTIVE SESSION:**

**RESOLUTION**

**#2010-242**

**RESOLVED** by the Governing Body of the Borough of Beachwood to approve the additional work of of T & M Assoc. In scheduling and administration of Schedule "C" not to exceed \$10,000.00

**Motion:** Feeney

**Second:** Clayton

**Approved:** Clayton - Feeney - Komsa - Verga

**Absent:** Clark - Roma

**RESOLUTION**

**#2010-243**

**RESOLVED** by the Governing Body of the Borough of Beachwood to approve the additional work of f T & M Assoc. On the Water Utility Filtration System - Filter #5 not to exceed \$2,500.00

**Motion:** Clayton

**Second:** Feeney

**Approved:** Clayton - Feeney - Komsa - Verga

**Absent:** Clark - Roma

**RESOLUTION**

**#2010-244**

**RESOLVED** by the Governing Body of the Borough of Beachwood to approve the 3 year agreement between the Borough of Beachwood and PBA pending their ratification and review of documents; and

**FURTHER RESOLVED** to authorize execution on behalf of the Borough of Beachwood.

**RESOLUTION**

**#2010-2245**

**WHEREAS**, on May 26, 2010 the Borough held an auction of Impound Vehicles authorized by resolution; and

**WHEREAS**, two vehicles were not sold -

1988 Honda CRX - Vin#: JHMED8352JS007889

1996 Mitsubishi Eclipse - Vin#: 4A3AK34Y2TE350296

**AND**

**WHEREAS**, the Ocean County Training Center Fire and EMS Academy seeks out donated vehicles for use in training sessions, which has proven to be an excellent training opportunity for the recruits.

**NOW, THEREFORE, BE IT RESOLVED TO** authorize the Chief of Police to contact the OC Training Academy and make arrangements for transfer of these vehicles for training programs.

**Motion:** Clayton

**Second:** Verga

**Approved:** Clayton - Feeney - Komsa - Verga

**Absent:** Clark - Roma

**ADJOURN**

**Motion:** Feeney

**Second:** Clayton

**Approved:** Clayton - Feeney - Komsa - Verga

**Absent:** Clark - Roma

Submitted by : E.A. Mastropasqua

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Ronald W. Jones, Jr.

Attested to by: \_\_\_\_\_

Elizabeth A. Mastropasqua RMC

Mayor

Municipal Clerk