

October 17 2012
Beachwood Municipal Complex
1600 Pinewald Rd

7:00 0 PM

Call to Order

Flag Salute:

While we pray for the safe return of our serving men and women, we must remember that 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, a moment of silence and a 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 December 31, 2011.

THIS MEETING IS DEDICATED TO THE MEMORY OF OUR FRIEND & CO-WORKER IRENE SWANCEY



Who passed away on 10/13/2012

ROLL CALL MEMBERS PRESENT:

Mayor Ronald R. Roma, Jr.

COUNCILMEMBERS:

Beverly Clayton
Gregory Feeney
Steven Komsa

Gerald LaCrosse
Thomas Miserendino
Edward Zakar

Absent:

SPECIAL PRESENTATION - Emily Weinhart in celebration of her 100th Birthday



**Proclamation
In Celebration of the 100th Birthday
Of
Emmy Weinhart**

WHEREAS, Emily Munze was born in Germany on October 16, 1912 and in 1932 at a time when 6 million Germans were unemployed , Adolf Hitler ran for election , Germany is in turmoil as Hitler is asked to help form a new government, Emily emigrated to the United States along with her Grandmother on one of the last ships to leave Germany at the time; and

WHEREAS, it was here in 1932 that young Emily met a young man named Rudolph Weinhart, who also had emigrated from Germany. The two young people who crossed the Atlantic Ocean unknown to each other, met, fell in love, and married in 1933 and remained together for 57 years until Rudy's death in 1990. They had one son Roy; and

WHEREAS, "Emmy" was a hard working mother and wife, and her early years in her new Country were spent with Saks 5th Avenue , New York- 1933 , B. Gertz Department Store in New York, as a buyer and years later, with Rudy opened a Pastry Shop in Millburn NJ; and .

WHEREAS, in 1969 Emmy and Rudy Weinhart began the adventure that would continue for Emmy for another 43 years, they headed south to Beachwood, where they would find their dream house, and in 1970 they finally settled on Mermaid Avenue; and

WHEREAS, in 1970 Emmy became a Beachwood hardworking wife and mother, because she became one of the friendly familiar faces everyone knew at Clancy's and remained such until 1992 ; and

WHEREAS, it is truly a special moment in life, when you can acknowledge the achievements of a true “centenarian”, and far more special when that centenarian attributes much of her happy times here in the Pearl in the Toms River. Emmy has often proclaimed her love for her “home town” to whomever will listen.

NOW, THEREFORE, be it Proclaimed by the Mayor and Council of the Borough of Beachwood, that October 16th, 2012 shall be set aside in tribute to Emmy Weinhart on the occasion of the 100th year of the celebration of her life; and

The Governing Body calls upon it’s fellow residents to offer salutations and congratulations to our Friend Emmy Weinhart and proclaim

**October 16, 2012 “Emmy Weinhart Day” in the Borough of Beachwood
And extend our best wishes on the very special occasion of her 100th Birthday.**

SPECIAL PRESENTATION

BEACHWOOD CITIZEN OF THE YEAR – MUNICIPAL ALLIANCE VOLUNTEERS



RECESS:

Motion: Feeney **Second:** Clayton

Approved: Clayton – Feeney – Komsa – LaCrosse – Miserendino - Zakar

10 Minutes

RE-OPEN

Motion: Komsa **Second:** Zakar

Approved: Clayton – Feeney – Komsa – LaCrosse – Miserendino - Zakar

2012-408 RESOLVED by Mayor and Council to approve the 2012 Certified Bills List in the amount of Bills List A: \$447,841.56

Motion: Clayton **Second:** Miserendino

Approved: Clayton – Feeney – Komsa – LaCrosse – Miserendino - Zakar

#2012-409 RESOLVED by Mayor and Council to approve the minutes of the October 3, 2012 meeting.

Motion: Zakar **Second:** Clayton

Approved: Clayton – Feeney – LaCrosse – Miserendino – Zakar **Abstain:** Komsa –

#2012-412

RESOLVED BY MAYOR AND COUNCIL TO AUTHORIZE A REFUND OF REDEMPTION MONIES FROM LIEN #10-00016 TO LIEN HOLDER, RAINBOW ASSOCIATES IN THE AMOUNT OF \$14,074.88 PLUS A PREMIUM OF \$3,200.00.

WHEREAS, at the Municipal Tax Sale held on September 10, 2010, a lien was sold on Block 1.45 Lot 14 also known as 338 Beachwood Blvd. for 2009 delinquent municipal charges; and,

WHEREAS, this lien, known as Tax Sale Certificate #10-000016 as sold to Rainbow Associates with a 0.00% interest rate; and a premium of \$3,200.00;

WHEREAS, Vincent Neveroski; owner, effected redemption, for certificate #10-00016 in the amount of \$14,074.88.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of Beachwood, in the County of Ocean, State of New Jersey to refund lien holder, Rainbow Associates, for the redemption of certificate #10-00016 in the amount of \$17,274.88.

#2012-413

RESOLVED BY MAYOR AND COUNCIL TO AUTHORIZE A REFUND OF REDEMPTION MONIES FROM LIEN #12-00032 TO LIEN HOLDER, ACT LIEN HOLDING, INC. IN THE AMOUNT OF \$4,068.93 PLUS A PREMIUM OF \$10,000.00.

WHEREAS, at the Municipal Tax Sale held on June 29, 2012, a lien was sold on Block 6.40 Lot 7 also known as 1210 Seaman Ave. for 2010 delinquent municipal charges; and,

WHEREAS, this lien, known as Tax Sale Certificate #12-00032 as sold to Act Lien Holding, Inc. with a 0.00% interest rate; and a premium of \$10,000.00;

WHEREAS, Jeffrey & Roberta Moncrief; owners, effected redemption, for certificate #12-00032 in the amount of \$.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of Beachwood, in the County of Ocean, State of New Jersey to refund lien holder, Act Lien Holding, Inc., for the redemption of certificate #12-00032 in the amount of \$14,068.93

#2012-414

RESOLVED BY MAYOR AND COUNCIL TO AUTHORIZE A REFUND OF REDEMPTION MONIES FROM LIEN #10-00125 TO LIEN HOLDER, US BANK CUST –PRO CAPITAL I, LLC IN THE AMOUNT OF \$3,450.36 PLUS A PREMIUM OF \$100.00.

WHEREAS, at the Municipal Tax Sale held on September 10, 2010, a lien was sold on Block 11.05 Lot 4 also known as 617 Mermaid Ave. for 2009 delinquent municipal charges; and,

WHEREAS, this lien, known as Tax Sale Certificate #10-00125 as sold to US Bank Cust – Pro Capital I, LLC with a 0.00% interest rate; and a premium of \$100.00;

WHEREAS, Mark and Lorna Roth; owners, effected redemption, for certificate #10-00125 in the amount of \$3,450.36.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of Beachwood, in the County of Ocean, State of New Jersey to refund lien holder, US Bank Cust – Pro Capital I, LLC, for the redemption of certificate #10-00125 in the amount of \$3,550.36

#2012-415

RESOLVED BY MAYOR AND COUNCIL TO AUTHORIZE A REFUND OF REDEMPTION MONIES FROM LIEN #10-00130 TO LIEN HOLDER, SOHEHA IN THE AMOUNT OF \$1,801.43.

WHEREAS, at the Municipal Tax Sale held on September 10, 2010, a lien was sold on Block 11.22 Lot 9 also known as 508 Windward Ave. for 2009 delinquent municipal charges; and,

WHEREAS, this lien, known as Tax Sale Certificate #10-00130 as sold to SOHEHA with a 0.00% interest rate; and,

WHEREAS, Frank and Jewel Vacchiano; owners, effected redemption, for certificate #10-00130 in the amount of \$1,801.43.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of Beachwood, in the County of Ocean, State of New Jersey to refund lien holder, SOHEHA, for the redemption of certificate #10-00130 in the amount of \$1,801.43.

#2012-416

RESOLVED BY MAYOR AND COUNCIL TO AUTHORIZE A REFUND OF REDEMPTION MONIES FROM LIEN #12-00059 TO LIEN HOLDER, VIRGO MUNICIPAL FINANCE FUND LP IN THE AMOUNT OF \$1,055.41 PLUS A PREMIUM OF \$1,100.00.

WHEREAS, at the Municipal Tax Sale held on June 29, 2012, a lien was sold on Block 11.11 Lot 2 also known as 545 Cable Ave. for 2010 delinquent municipal charges; and,

WHEREAS, this lien, known as Tax Sale Certificate #12-00059 as sold to Virgo Municipal Finance Fund LP with a 0.00% interest rate; and a premium of \$1,100.00;

WHEREAS, Frank Pangallo; owner, effected redemption, for certificate #12-00059 in the amount of \$1,055.41.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of Beachwood, in the County of Ocean, State of New Jersey to refund lien holder, Virgo Municipal Finance Fund LP, for the redemption of certificate #12-00059 in the amount of \$2,155.41

#2012-417

RESOLVED BY MAYOR AND COUNCIL TO AUTHORIZE A REFUND OF REDEMPTION MONIES FROM LIEN #12-00016 TO LIEN HOLDER, ANTHONY SILVA IN THE AMOUNT OF \$894.53 PLUS A PREMIUM OF \$1,000.00.

WHEREAS, at the Municipal Tax Sale held on June 29, 2012, a lien was sold on Block 2.08 Lot 6 also known as 89 Ivy Way for 2010 delinquent municipal charges; and,

WHEREAS, this lien, known as Tax Sale Certificate #12-00016 as sold to Anthony Silva with a 0.00% interest rate; and a premium of \$1,000.00;

WHEREAS, Francis Annunziata; owner, effected redemption, for certificate #12-00016 in the amount of \$894.53.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of Beachwood, in the County of Ocean, State of New Jersey to refund lien holder, Anthony Silva, for the redemption of certificate #12-00016 in the amount of \$1,894.53

#2012-418 RESOLVED BY MAYOR AND COUNCIL TO AUTHORIZE A REFUND OF REDEMPTION MONIES FROM LIEN #12-00014 TO LIEN HOLDER, US BANK CUST-PRO CAPITAL I, LLC IN THE AMOUNT OF \$1,939.81 PLUS A PREMIUM OF \$5,700.00.

WHEREAS, at the Municipal Tax Sale held on June 29, 2012, a lien was sold on Block 1.56 Lot 7 also known as 63 Railroad Ave. for 2010 delinquent municipal charges; and,

WHEREAS, this lien, known as Tax Sale Certificate #12-00014 as sold to US Bank CUST-Pro Capital I, LLC with a 0.00% interest rate; and a premium of \$5,700.00;

WHEREAS, Antonio Mistretta; owner, effected redemption, for certificate #12-00014 in the amount of \$1,939.81.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of Beachwood, in the County of Ocean, State of New Jersey to refund lien holder, US Bank CUST-Pro Capital I, LLC, for the redemption of certificate #12-00014 in the amount of \$7,639.81

TO APPROVE RESOLUTIONS #2012-411 to #2012-418

Motion: Clayton Second: LaCrosse
Approved: Clayton – Feeny – Komsa – LaCrosse – Miserendino - Zakar

ORDINANCE FINAL READING – PUBLIC DISCUSSION – ADOPTION

#2012-07 ORDINANCE OF THE BOROUGH OF BEACHWOOD, OCEAN COUNTY, NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER III (POLICE REGULATIONS), SECTION 3-2 ENTITLED, “BRUSH, GRASS AND WEEDS” TO INCLUDE “EMERGENT REPAIRS”

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 3-2.1 entitled, “Accumulation of Brush, Weeds and Trash Prohibited”, Section 3-2.2 entitled, “Violations and Penalties”, and Section 3-2.3 entitled, “Notice to Remove; Removal by Borough; Costs a Lien” are hereby deleted and in their place instead the following shall be inserted:

“Section 3-2.1, Accumulation of Brush, Weeds and Trash Prohibited.

It shall be unlawful for any owner or owners, occupant or occupants, tenant or tenants of any lot or tract of land situate within the Borough to permit or maintain on any such lot or tract of land any brush, weeds, dead or dying trees, stumps, roots, obnoxious growth, filth, garbage, trash and debris injurious to the public health, safety and general welfare or where the same shall tend to create a fire hazard. Grass or weeds in excess of 8 inches in height shall be considered a violation of the within Section and Ordinance.

3-2.2 Violations and Penalties.

Any owner or owners, occupant or occupants, tenant or tenants who shall neglect to cut and remove or otherwise destroy such brush, grass, weeds, dead or dying trees, stumps, roots, obnoxious growth, filth, garbage, trash and debris as directed by this Section shall, upon conviction thereof, be subject, for each offense, to the General Penalty as established in Chapter I, Section 1-5.

3-2.3 Notice to Remove; Removal by Borough; Costs a Lien.The Borough Code Enforcement Officer or his or her designee may at any time he or she believes there was a violation of the within provisions shall give notice to the owner or owners, occupant or occupants, tenant or tenants to cut and remove or otherwise destroy any such brush, weeds, grass, dead or dying trees, stumps, roots, obnoxious growth, filth, garbage, trash and debris within ten (10) days after notice to remove the same has been received from the Borough, which notice may be effected by personal service, by regular mail, by certified or registered mail, return receipt requested. Thereafter, the Borough shall cause the same to be removed under the direction of the Code Enforcement Officer or the designee or any other duly authorized individual of the Borough; and such

officer shall certify the costs thereof to the Borough Council, which shall examine the certificate and, if found correct, shall cause the cost as shown thereon to be charged against the land and premises; and the cost shall be added to and become and form a part of the taxes next to be assessed and levied upon the land, the same to bear interest at the same rate as taxes, and shall be collected and enforced by the same officers and in the same manner as taxes.”

Section 2. Section 3-2 of the Code of the Borough of Beachwood is hereby supplemented to include the following:

Section 3-2.5 Emergent Repairs.

At any time the Code Enforcement Officer, his designee or a law enforcement officer of the Borough determines that an emergent situation exists which presents a condition which could cause serious or life threatening injury or death said official shall request immediate securing or repairing to alleviate said condition. Thereafter, said officer shall certify the cost thereof to the Borough Council, which shall examine the certificate and, if found correct, shall cause the cost as shown thereon to be charged against the land and premises; and the cost shall be added to and become and form a part of the taxes next to be assessed and levied upon the land, the same to bear interest at the same rate as taxes, and shall be collected and enforced by the same officers and in the same manner as taxes.

Section 3-2.6 Violations and Penalties.

The owner or owners, occupant or occupants, tenant or tenants responsible for causing said emergent situation shall, in addition to the above referenced costs, be subject, upon conviction, to the General Penalty as established in Chapter I, Section 1-5.”

Section 3. Section 3-2 of the Code of the Borough of Beachwood is hereby supplemented to include the following:

Section 3-2.7 Control of Invasive Plants

a. Purpose. The purpose of this chapter is to protect and promote the public health through the control of the growth of invasive plant species.

b. Definition. Invasive plants and all native and non-native vines and vegetation that grow out of place and are competitive, persistent, and pernicious. These plants may damage trees, vegetation, or structures. Examples include but are not limited to bamboo (spreading or running type), ragweed, multi flora rose, kudzu-vine and poison ivy or oak.

c. All persons must control the growth of invasive plants. Failure to control the spread of such vegetation beyond the boundaries of a resident’s property is a violation of this chapter.

d. All places and premises in the Borough of Beachwood shall be subject to inspection by the enforcing officer. Such inspections shall be performed by such person, persons or agency duly authorized and appointed by the Borough of Beachwood. Such inspection shall be made if that official has reason to believe that any section of this chapter is being violated.

e. Violations and Penalties.

(i) Whenever an invasive plant as defined by this chapter is found on any plot of land, lot or any other premises or place, a violation shall be given to the owner, in writing, to remove or abate the same within such time as shall be specified therein. (recommend time in years – due to difficulty of removing bamboo)

(ii) The cost of abatement shall be borne by the property owner.

(iii) If the owner fails to comply with such notice within the time specified therein, the enforcing official may remove or otherwise control the invasive plant species and the Borough may thereafter recover the cost

of such removal from the property owner and place a lien on the property to recover the cost of invasive plant removal.

Section 4. 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 5. This Ordinance repeals any inconsistent ordinance or ordinances or part or parts thereof.

Section 6. This Ordinance shall take effect immediately.

OPEN TO PUBLIC DISCUSSION THIS ORDINANCE ONLY

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

NO QUESTIONS

CLOSE TO PUBLIC DISCUSSION THIS ORDINANCE ONLY

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

#2012-419 **RESOLVED to approve and adopt Ordinance #2012-07 as presented and held for public discussion.**

Motion: Miserendino **Second:** Clayton
Question: LaCrosse - Re: Enforcement as it relates to height of grass.... May be difficult.
Response: Mr. Hiering, ways of addressing, example ...photos
Approved: Clayton – Feeney – Komsa – LaCrosse – Miserendino – Zakar

Mrs. Clayton addressed the timeliness of this ordinance as it relates to invasive plants. Recent press articles talking about how problematic they are.

Correspondence

Reports:

Mayor Roma Simple short report tonight. First would like to offer our thoughts and prayers to the Swancey family. Irene was a wonderful lady who suffered, and I'm sure she's at peace now. Spoke with family members who seem to be at peace because she suffered for such a long time. Our thoughts are with them tonight. Congratulations to Emmy Weinhart. Not often you get to me someone who celebrates 100th birthday. Congratulations to Volunteers of the Alliance and GERALYN (Coordinator) and everyone who participates.

Council President Clayton : No report – just a comment on Emily Weinhart. Thanked Mrs. Ogle and all who helped put it together. Congratulations to the Municipal Alliance.

Councilman G. Feeney Congratulations to Alliance and Emily Weinhart. Irene Swancey, will be sorely missed. She was indicative of everyone who works for the Borough. They care so much about their job and making sure that what they do benefits all of us.

Councilman S. Komsa Thoughts and Prayers to Swancey family Irene was a wonderful person and she will be missed.. Happy 100th Birthday greetings to Emmy Weinhart. , In reading over the proclamation and the story contained, it's truly inspiring .life story. Congratulations to the Alliance Volunteers (Citizens of the Year) . 5K run Saturday. Online registration

ends midnight 10/18/12. 101 people signed up 1/3 Beachwood residents. Ranging 10 years to 80 years. From all over the tri state area. Expecting great weather. Harvest Bonfire 10/27 6p.m. to 9 p.m.

Councilman G. LaCrosse Just adding to Mrs. Clayton’s comments, if you’re going to shoot for 100 plus years, place to do it. Congratulations to Municipal Alliance Volunteers.

Councilman T. Miserendino
Councilman E. Zakar Congratulations to Emmy Weinhart and Municipal Alliance. Heartfelt condolences to the Swancey Family. Irene was a hard worker in Public Works and will be missed. Congratulations to Alliance Volunteers, Hardworking group of people. A wonderful thing. All organizations in Beachwood, it’s a great pleasure to have them as friends and cohorts in getting things done in Beachwood.

Mayor : Read a note of thanks from Citizen to Police for assistance with incident at their home. Congratulations to the Department. Did a great job.

Engineer J. Oris Shore Protection work to start, and will be well coordinated to address concerns of the area. Phase II Cable Ave – progressing. Most mains installed and water services over next few weeks followed by paving.

Mayor Roma: Asked for report on drainage issue addressed by Mrs. Calligan at last meeting.

Built into the contract – is a requirement to clean the drainage. Looking at option to add a few more feet of drainage to improve the discharge system there. Looking into the cost factor on that.
Field change order request for the security camera project. One area needed to address power .

RESOLUTION:
#2010-421 Asking consideration for a field change to add power at 2 locations at either end of where we are doing the work. Coming out of Riverfront Trust.

Cost: \$1,199.00

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

RESOLUTION
#2012-420 **RESOLUTION OF THE BOROUGH OF BEACHWOOD, OCEAN COUNTY, NEW JERSEY AWARDING A CONTRACT FOR THE FY 2012 NJDOT MUNICIPAL AID ROAD PROGRAM IMPROVEMENTS TO BARNEGAT BOULEVARD AND BRIGANTINE STREET TO EARLE ASPHALT COMPANY IN THE LOW BASE BID AMOUNT OF \$272,284.13**

WHEREAS, the Borough of Beachwood previously advertised for the receipt of bids on October 10, 2012 at 10:00 a.m. for the Borough’s FY 2012 NJDOT Municipal Aid Road Program Improvements to Barnegat Boulevard and Brigantine Street; and

WHEREAS, at the time of place for the receipt of bids two (2) bids were received ranging from a low base bid amount of \$272,284.13 to the high base bid of \$337,260.84; and

WHEREAS, the low bidder, Earle Asphalt Company, was also the low bidder for Alternate A with a bid amount of \$37,049.00 and Alternate B in the low bid amount of \$11,280.00; and

WHEREAS, the Borough Engineer has recommended the award to the low bidder, Earle Asphalt Company, and the Borough Attorney has reviewed and approved the low bid and all of its supporting bid documentation; and

WHEREAS, the governing body has consulted with its engineer and has determined that it is their desire to move forward with the contract based on an award of the base bid amount as submitted by the low bidder; and

WHEREAS, the Borough's Chief Financial Officer has certified that funds are available to award said contract; and

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 hereby award a Contract for the base bid amount of \$272,284.13 to Earle Asphalt Company for the Borough's FY 2012 NJDOT Municipal Aid Road Program Improvements to Barnegat Boulevard and Brigantine Street in accordance with the Borough's bid specifications.
2. That the award of the within Contract is contingent upon the prior approval of the NJDOT.
3. 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 Engineer, and the Borough Treasurer.

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

Attorney W. T. Hiering	No report
First Aid	Not Present
Environmental/Shade Tree	Not Present
Finance	No report
Municipal Clerk	

RESOLUTION:
#2012-422 **RESOLUTION OF THE BOROUGH OF BEACHWOOD, OCEAN COUNTY, NEW JERSEY AWARDED A CONTRACT TO ENFORSYS POLICE SYSTEMS INC., FOR THE ANNUAL MAINTENANCE OF THE POLICE DEPARTMENT RECORDS MANAGEMENT AND MOBILE DATA TERMINALS IN THE AMOUNT OF \$4,300.00**

WHEREAS, the Borough of Beachwood previously awarded a contract to Enforsys Police Systems Inc. for the upgrade and maintenance of the Beachwood Police Departments ; and

WHEREAS, the Borough has a substantial investment in its Management Records System and Enforsys has specialized software and the use of service from Enforsys is proprietary and licensed to said firm.

NOW, THEREFORE, BE IT RESOLVED to award the annual maintenance agreement effective November 1, 2012 to and including October 31, 2013 to Enforsys Police Systems Inc. in the amount of \$4,400.00 for approval.

Motion: Feeney **Second:** Zakar
Approved: Clayton – Feeney – Komsa – LaCrosse – Miserendino – Zakar

RESOLUTION:

#2012-423 Authorize imposing a Halloween Curfew Oct. 28 to Nov. 2 - 9:00 p.m. for everyone under the age of 18 unless accompanied by a parent or guardian.

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

RESOLUTION To approve the request for Conference/Training / Seminar of

#2012-424

Date:	Oct. 26	Wayne Gibson – Construction Official
Location:	Cape May County Fire Academy	
Subject:	ABC’S for UCC	
Cost:	\$0	
Vehicle:	No	

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

Rabies Clinic Nov. 3 – Mayo Park 1:00 – 2:00

OPEN TO PUBLIC DISCUSSION

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

Calligan; A
 Cable Ave.

Thanked Mr. Oris for communication on the drainage issue. Done very well. Worker explained what was done and when it would be completed. Very Happy.

Andren; J.
 744 Sunset Rd.

Resident 4 years now. Pleased, best move his family made. Looking to get involved in Community and Alliance.

Mayor: suggested he step out into Lobby and someone would give or get his information.

Justin Pierre
 Berkeley Ave.

Concerning illegal activity with ATV’s. Representing all residents in area. Problem drove him to purchase HD night vision camera (4) hidden in his house. Catching the action of the illegal ATV’s he’s been complaining about in the courts. Now being retaliated against all hours. Has shown pics and videos to Police and is told he has to take time to do it. Is seeking Council support to his problem.

Mayor: Council will not comment at this time because of legal action between Mr. Pierre and the Beachwood Police .

C. Fitzgerald
 Compass Ave:

One question. Last year, Mrs. Griffith acquired a \$3,000.00 grant from the State of New Jersey for Beachwood. I want to know what happened. This council stated that they had the grant but that they had to match. It was explained to all of you that you can give it back in kind. It didn’t have to come out of the coffers. Why wouldn’t you want \$3,000.00

LaCrosse: The grant she applied for was for someone to count trees. We would have to put in matching funds for someone to do a “tree inventory”

Fitzgerald: The paperwork was in, nobody wanted to be bothered. That’s what I understood. \$3,000 should never be thrown away. We could use it. Your getting \$3,000.

LaCrosse We would have to spend another \$3,000. To have someone count trees.

Fitzgerald Commented on Health Insurance for some members of Council. Part Timers getting full time benefits. Looking for an answer, that cost \$135,000 plus \$600 stipend taken in the beginning of the year.

Mayor: Don’t know if the numbers referenced are correct. However, each citizen of the town has an opportunity to vote, which ever way they like. If they choose to vote for current council or somebody else, that is their given right. To the best of my knowledge, Council people who served this community for many many years taken health benefits and the residents were aware, and if they didn’t approve of it, they would not have voted them into office again. It is up to the people to address on election. There are many people out here that have public sector jobs, that work for schools or the government that have spouses are retired etc that also get health benefits from a public funded system. That is their given right and we do not tell people not to do that ..don’t take your health benefits, don’t take your retirement benefits, your school benefits where ever they got it. If people don’t want to approve that, they have their opportunity on election day.

CLOSE TO PUBLIC DISCUSSION

Motion: Zakar Second: LaCrosse
Approved: Clayton – Feeney – Komsa – LaCrosse – Miserendino - Zakar

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 DPW/ GENERAL GOVERNMENT
 Contractual - Engineere
 Litigation - Update.

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

Motion: Miserendino Second: Feeney
Approved: Clayton – Feeney – Komsa – LaCrosse – Miserendino - Zakar

RE-OPEN

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

Action Taken as a Result of Executive Session. – Contractual

#2012-425 To approve the Agreement between Borough of Beachwood and T&M Associates for Ship Avenue Water Main and Road Re-Construction as follows:

Water Main – Design	\$44,500.00
Road Re-construction Design.	\$35,000.00

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

Adjournment

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

Prepared by: E.A. Mastropasqua

Ronald F. Roma; Jr.
Mayor

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