



#2012 -428

**RESOLUTION PROVIDING FOR THE INSERTION OF A SPECIAL ITEM OF REVENUE IN THE BUDGET OF THE BOROUGH OF BEACHWOOD PURSUANT TO N.J.S.A. 40A:4-87 (CHAPTER 159, P.L. 1948)**

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any such item of revenue in the budget of the county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget, and

WHEREAS, the Director may also approve the insertion of any item of appropriation for equal amount,

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Beachwood, in the County of Ocean, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2012 which item is now available as a revenue from monies held pursuant to the provisions of statute.

Drunk Driving Enforcement Fund \$ 4,576.67

BE IT FURTHER RESOLVED that a like sum of \$ 4,576.67 and the same is hereby appropriated under the following captions:

Drunk Driving Enforcement Fund \$ 4,576.67

AND, BE IT FURTHER RESOLVED that the Borough Clerk shall submit one copy of the Certification for State and Federal Grants to the Director of the Division of Local Government Services for approval.

Motion: Feeney Second: LaCrosse  
Approved: Clayton – Feeney – LaCrosse – Miserendino  
Absent: Steven Komsa Edward Zakar

#2012-429

**AUTHORIZE THE ISSUANCE OF A DUPLICATE CERTIFICATE OF REDEMPTION FOR TAX SALE CERTIFICATE 10-00064.**

WHEREAS, the Tax Collector of this municipality has previously issued a tax sale certificate to Sal Vinci dated September 10, 2010, covering premises commonly known and referred to as Block 5.27 Lot 12 as set out on the municipal tax map then in use which certificate bears number 10-00064 and was recorded in the County of Ocean in book 14757 and page 0799 and;

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

WHEREAS, redemption on aforementioned property took place on April 6, 2011 per Borough records.

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

Motion: Clayton Second: Miserendino  
Approved: Clayton – Feeney – LaCrosse – Miserendino  
Absent: Steven Komsa Edward Zakar

#2012-430

**RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF BEACHWOOD, OCEAN COUNTY, NEW JERSEY APPOINTING MATTHEW HEAGEN, ESQ. TO REPRESENT THE BOROUGH’S INTERESTS IN CONNECTION WITH ITS AGREEMENT WITH THE BOROUGH OF PINE BEACH FOR FIRST AID SERVICES**

**WHEREAS**, there currently exists a need to retain a conflict attorney in connection with the Borough’s ongoing agreement with Pine Beach in relation to financing the Beachwood First Aid Squad; and

**WHEREAS**, the maximum amount of the contract is \$4,000.00 based on an hourly rate of \$145.00 per hour and funds are available in the Borough’s current budget; and

**WHEREAS**, the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq. provides for the award of the contract for “Professional Services” without competitive bidding due to the specialized nature of said legal services; and

**WHEREAS**, it is the desire of this Governing Body to adopt the above referenced Resolution of appointment.

**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 Mayor and Clerk are hereby authorized to execute the attached agreement with Matthew Heagen, Esq. of the firm of Heagen, Seems & Pagano.
2. This contract is being awarded without competitive bidding as a “Professional Service” in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law because of the need for specialized legal services in connection with an ongoing contractual dispute with the Borough of Pine Beach.
3. A notice of this action shall be printed once in an official newspaper of the Municipality.

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

Comments Mayor received updates as follows:

Lt. Tapp	Some lights (traffic) back on. Only addressing voluntary evacuation of residents low lying areas
Supv. Behrens	On track with Sanitation. Trucks out cutting/gathering. Should be done by Wednesday. Extra recyclables on as need basis. Extended recycling hours through weekend.
Treasurer	Nothing important.
<b>Resolution: #2012-431</b>	<b>To allow the Treasurer to address refunds of Community Center Cancellations without benefit of individual resolutions.</b>
<b>Motion: Miserendino</b>	<b>Second: LaCrosse</b> <b>Approved: Clayton – Feeney – LaCrosse – Miserendino</b> <b>Absent: Komsa - Zakar</b>
Mayor	We have maintained routine contact with JCPL on a daily basis as well with the Governors Office – FEMA represe - routine contact daily. As well as with Governors Office - Fema - President Obama.
	4:00 conference with JCPL. JCPL reporting that Customers in Beachwood scheduled to be turned on today. With pending storm, may have some delay. Meeting with Lt. Tapp this p.m. to recommend residents remain off streets. Residents getting various responses from JCPL on turn on. Spoke with

	JCPL re; same. Congrats Clayton - Miserendino on election victory.
Council President	Thanked to all responders in town and the many people and the outpouring of donations and assistance.
Councilman Feeney	Thank you to all our staff. Great job. Couldn't ask for better. Realize frustration. Mother nature shows that we can rebound.
Councilman LaCrosse	Congrats to Clayton - Miserendino. Reiterate comments on our employees. Everyone has been an excellent example ...our residents as well. Dis-satisfied with Comcast performance on phone service. Things need to be looked at and discussed with Comcast. Circumstances as they were .... would like to consider discussing underground utilities.
Councilman Miserendino	Involvement with Emergency Services ... congratulated all ours for their immediate response. Been kept busy.
Mayor	OEM on standby for todays expected storm.
Miserendino	If Fire House needs to be opened , it will
Clayton	Asked DPW Supervisor Behrens about the number of lost Trees ----
Behrens	Lost count, probably hundreds plus.
Mayor	

OPENED TO PUBLIC DISCUSSION

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

CLOSED TO PUBLIC DISCUSSION

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

Adjournment

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

Prepared by E.A. Mastropasqua

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 Ronald F. Roma Jr.  
 Mayor

Attested to by: \_\_\_\_\_  
 Elizabeth A. Mastropasqua RMC  
 Municipal Clerk