

MAYOR & COUNCIL MEETING MINUTES
 OCTOBER 19, 2022
 BEACHWOOD MUNICIPAL COMPLEX
 1600 PINEWALD RD.
 7:00 PM

CALL TO ORDER

- Mayor Roma called the meeting to order

Mayor and Council Roll Call	Present	Absent	Excused Tardy
Mayor Ronald Roma, Jr.	X		
Council President Gerald LaCrosse	X		
Councilman William Cairns	X		
Councilwoman Beverly Clayton	X		
Councilman Gregory Feeney		X	
Councilman Steven Komsa	X		
Councilman Edward Zakar	X		

Also present were Michael McKenna, Esq. of Hering, Gannon & McKenna and Jim Oris of Remington & Vernick Engineers

FLAG SALUTE led by Mayor Roma

Opening Statement and Remembrance Prayer read by Clerk Minock

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 transmitted to the Asbury Park Press, the Star Ledger and to the Borough website on January 7, 2022. Read into record by the Municipal Clerk.

REMEMBRANCE PRAYER

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 for our country, Iraq, 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.

Mayor noticed some students in public who were present for classes. One of the students, Jeremy Schiel, needed a signature from Mayor for his attendance.

NATIONAL FRIENDS OF LIBRARY WEEK PROCLAMATION

Mayor Roma introduced Dan Fitzgerald, the Beachwood Branch Library Manager. Mr. Fitzgerald gave overview of the Friends of Library. Clerk Minock read the Proclamation into record:

National Friends of Libraries Week Proclamation – Public Libraries

WHEREAS, Friends of the Ocean County Library Beachwood Branch raise money that enables our library to move from good to great - providing the resources for additional programming, much needed equipment, support for children's summer reading, and special events throughout the year; and

WHEREAS, the work of the Friends highlights on an on-going basis the fact that our library is the cornerstone of the community providing opportunities for all to engage in the joy of life-long learning and connect with the thoughts and ideas of others from ages past to the present; and

WHEREAS, the Friends understand the critical importance of well-funded libraries and advocate to ensure that our library gets the resources it needs to provide a wide variety of services to all ages including access to print and electronic materials, along with expert assistance in research, readers' advisory, and children's services; and

WHEREAS, the Friends' gift of their time and commitment to the library sets an example for all in how volunteerism leads to positive civic engagement and the betterment of our community.

NOW, THEREFORE, BE IT RESOLVED THAT I, Mayor Ronald F. Roma, Jr. of the Borough of Beachwood hereby proclaims October 16-22, 2022, as Friends of Libraries week in the Borough of Beachwood and urges everyone to join the Friends of the Library and thank them for all they do to make our library and community so much better.



2022 CITIZEN OF THE YEAR Tabled for November 2nd

RECOGNITION HIGH SCHOOL SOUTH HIGH HONOR ROLL STUDENTS 2021-2022

Mayor Roma offered the floor to Council President LaCrosse to explain how the High Honor Roll recognition began. Six years ago, Council President LaCrosse felt the high achieving academic students should be recognized as were the art students and athletic students so Council President spoke with Mayor and Council to make it happen. The students who are recognized must achieve high honor roll for the whole school year; all 4 marking periods. The governing body recognized the following high honor roll students for the school year 2021-2022 as follows:

Freshmen for 2021-2022

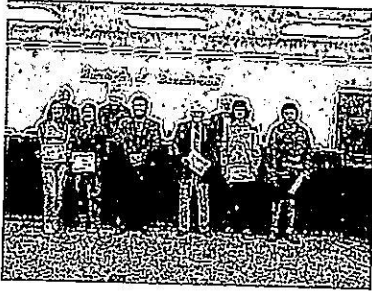
Emma Bellomy	Owen Bonner	Abigail Burr	Shannon Butler	Brynn Buz	Michael Cross
Sean Daluise	Christopher Farrant	Bisola Fasakin	Destiny Frazer	Casey Gellin	Carly Helmstetter
Isabella Jones	Emily Lundy	Morgan Mullen	Keira Mulvihill	Kayla Munoz	EllenMaria Narvaez
Kelli Nylander	Samantha Parker	Annabella Reynolds	Julia Santos	Taylor Scuro	Abigail Tharp
Jaseth Washington	Steven Zheng				



Sophomores for 2021-2022

Morgan Adams Lyla Bradley
 Jordan Lynch Madison Quinones
 Cecilia Bautista Villanueva

Brianna Kohut Madison Komsa Makayla Legaspi Devon Lndsay
 Cameron Riccardi Sean Roman Valeria Sherman Veronica Sherman



Juniors for 2021-2022

Favor Akinlolu Madison Bellomy
 Alexander Gimourginas
 Tyler Keenan James King
 Sarah Merklin Samantha Morey

Angelina Devivi Zachary Dexter Andrea Flores Rebecca Foytlin
 Sheridan Graubart Christopher Hastings Trevor Kaib
 Alyssa Kohut Jennifer Laroche Lia Maridici Madison Mann
 Cal Narvaez Adriana Palagano Dionna Ricart Bethany Sherman



BILLS AND CLAIMS

RESOLUTION 2022-317

RESOLUTION AUTHORIZING THE APPROVAL OF BILLS AND CLAIMS FOR THE BOROUGH OF BEACHWOOD

WHEREAS, The Chief Financial Officer has certified and submitted a consolidated bill list for the payment of claims;
 and

WHEREAS, all vouchers listed herewith have been encumbered and sufficient funds are available for payment; and

WHEREAS, the required signatures of the Department Head and/or the Finance Chairperson, the Vendor, and the Chief Financial Officer, have all been obtained on each voucher on the attached list \$544,948.99.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Borough Council of Beachwood Borough that the voucher list submitted is hereby approved for payment in the total amount of \$544,948.99.

BE IT FURTHER RESOLVED that a copy of this approval be forwarded to the following:

1. Municipal Clerk Sue Minock
2. Chief Financial Officer Jeannine Jones

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT

<i>Council President LaCrosse</i>			X			
<i>Councilman Cairns</i>	X		X			
<i>Councilwoman Clayton</i>			X			
<i>Councilman Feeney</i>						
<i>Councilman Komsa</i>		X	X			X
<i>Councilman Zakar</i>			X			

ACCEPTANCE OF MINUTES

RESOLUTION 2022-318

RESOLUTION OF THE BOROUGH OF BEACHWOOD, COUNTY OF OCEAN, STATE OF NEW JERSEY APPROVING THE BOROUGH COUNCIL REGULAR AND EXECUTIVE MEETING MINUTES

BE IT RESOLVED that the following minutes be hereby accepted approved and filed

MAYOR AND BOROUGH COUNCIL

October 5, 2022-Regular and Executive Session Minutes

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Council President LaCrosse</i>			X			
<i>Councilman Cairns</i>		X	X			
<i>Councilwoman Clayton</i>					X	
<i>Councilman Feeney</i>						X
<i>Councilman Komsa</i>	X		X			
<i>Councilman Zakar</i>					X	

CONSENT RESOLUTIONS RESO 2022-319 TO 2022-324

RESOLUTION #2022-319

RESOLUTION OF THE BOROUGH OF BEACHWOOD, OCEAN COUNTY, NEW JERSEY AUTHORIZING TRAINING-SEMINAR-CONFERENCE ATTENDANCE

RESOLVED by Mayor and Council to approve the following requests for "Conference – Training – Seminar"

POLICE DEPARTMENT

Dec 5, 2022
M Batullo
Grant Writing (virtual from Penn State Univ)
John H. Stamler Police Academy – Scotch Plains, NJ
\$499.00/pp
Vehicle: Yes

FIRE DEPARTMENT

Oct 22, 2022
J Aiello, G Fanelli, J Gugger
Hoarder House Fires
Rowan College – Mt. Laurel, NJ
\$35.00/pp
Vehicle: Yes

BE IT FURTHER RESOLVED that a copy of this approval be forwarded to the following:

1. Municipal Clerk Sue Minock
2. CFO Jeannine Jones
3. Fire Chief Roger Hull
4. Police Chief Glen DeMarco

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
---------	--------	-----	------	------	---------	--------

OCTOBER 19, 2022 MAYOR & COUNCIL MINUTES

<i>Council President LaCrosse</i>	X		X			
<i>Councilman Cairns</i>		X	X			
<i>Councilwoman Clayton</i>			X			
<i>Councilman Feeney</i>						X
<i>Councilman Komsa</i>			X			
<i>Councilman Zakar</i>			X			

**RESOLUTION 2022-320
RESOLUTION OF THE BOROUGH OF BEACHWOOD, COUNTY OF OCEAN COUNTY, NEW JERSEY AUTHORIZING COMMUNITY CENTER AND MAYO PARK RENTALS**

BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Beachwood to approved the following requests for the Community Center and Mayo Park

<u>Community Center Rentals:</u>		<u>Fee</u>	<u>Deposit</u>
12-22-22	D Gonzalez – Church Christmas Party	\$500.00	\$500.00
11-6-22	A Baudo – Sweet 16 Party	\$500.00	\$500.00
10-28-22	C Hardy – Birthday Party	\$500.00	\$500.00
<u>Mayo Park Rentals:</u>		<u>Fee</u>	<u>Deposit</u>
1-7-23	P Pekarchik – Birthday Party	\$200.00	\$100.00
12-11-22	D Brzostowski – Birthday Party	\$200.00	\$100.00
12-18-22	J Clayton – Holiday Party	\$200.00	\$100.00

BE IT FURTHER RESOLVED, that the Municipal Clerk is hereby directed to provide copies to the following:

1. Municipal Clerk Sue Minock
2. CFO Jeannine Jones

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Council President LaCrosse</i>	X		X			
<i>Councilman Cairns</i>		X	X			
<i>Councilwoman Clayton</i>			X			
<i>Councilman Feeney</i>						
<i>Councilman Komsa</i>			X			X
<i>Councilman Zakar</i>			X			

**RESOLUTION 2022-321
RESOLUTION AUTHORIZING A SHARED SERVICES AGREEMENT FOR THE BEACHWOOD VOLUNTEER FIRST AID SQUAD TO SERVICE THE RESIDENTS OF PINE BEACH**

WHEREAS, the Beachwood Volunteer First Aid Squad services both Beachwood and Pine Beach; and

WHEREAS, the location of the squad and its First Aid Building is located within Beachwood at 4 Beachwood Blvd; and

WHEREAS, N.J.S.A. 40A:65-1 provides for Municipalities to enter into Shared Services Agreements in an effort to more efficiently and effectively provide for the needs of both Municipalities; and

WHEREAS, the Borough of Beachwood Mayor and Council have reviewed said agreement and are satisfied with the contents of same; and

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

1. That the Mayor is authorized to execute and the Clerk to attest to the Shared Services Agreement for the Beachwood Volunteer First Aid Squad to service the residents of Pine Beach as stated in said agreement

BE IT FURTHER RESOLVED, the Municipal Clerk forward a certified copy of this resolution and the executed agreement to the following:

- Pine Beach Mayor Lawrence Cuneo
- Pine Beach Municipal Clerk Charlene Carney
- Beachwood CFO Jeannine M. Jones
- Beachwood Municipal Clerk Susan A. Minock

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Council President LaCrosse</i>	X		X			
<i>Councilman Cairns</i>		X	X			
<i>Councilwoman Clayton</i>			X			
<i>Councilman Feeney</i>						
<i>Councilman Komsa</i>			X			X
<i>Councilman Zakar</i>			X			

RESOLUTION 2022-322

RESOLUTION AUTHORIZING APPOINTMENT OF A PART TIME CERTIFIED TAX COLLECTOR FOR THE BOROUGH OF BEACHWOOD

WHEREAS, in accordance with N.J.S.A.40A9-142, every municipality in the State of New Jersey is required to have a Tax Collector; and

WHEREAS, Resolution 2020-66 appointed Wendy Prior, Certified Tax Collector, to fill the unexpired term for Al Jardine; and

WHEREAS, the Borough Governing Body desires to appoint Ms. Prior as the Certified Tax Collector for the Borough of Beachwood to a four (4) year term.

NOW, THEREFORE, BE IT RESOLVED the Borough Council of the Borough of Beachwood, County of Ocean and State of New Jersey to authorize appointment to Wendy Prior as a part time Certified Tax Collector for the annual rate of pay of \$9,420.00 retroactive to January 1, 2021.

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to the following:

- Susan A. Minock, Municipal Clerk
- Jeannine M. Jones, CFO

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Council President LaCrosse</i>	X		X			
<i>Councilman Cairns</i>		X	X			
<i>Councilwoman Clayton</i>			X			
<i>Councilman Feeney</i>						
<i>Councilman Komsa</i>			X			X
<i>Councilman Zakar</i>			X			

RESOLUTION #2022-323

RESOLUTION OF THE BOROUGH OF BEACHWOOD, OCEAN COUNTY, NEW JERSEY AUTHORIZING CHANGE OF DATE FOR A COMMUNITY CENTER RENTAL

WHEREAS, the Community Center Rental Applicant, Mohammed Tejwantie, received approval on December 15, 2021 under resolution 2021-334 for rental date December 10, 2022 with a deposit of \$500.00 and rental fee of \$500.00 in agreement with conditions and terms of the contract; and

WHEREAS, said applicant needs to change the rental date to May 27, 2023 while fully aware of the \$50.00 rescheduling fee;

NOW THEREFORE BE IT RESOLVED by Mayor and Council to approve the following rescheduling of Community Center rental contract for Mohammed Tejwantie to May 27, 2023.

BE IT FURTHER RESOLVED that a copy of this approval be forwarded to the following:

- Susan A. Minock, Municipal Clerk
- Jeannine M. Jones, Chief Financial Officer

COUNCIL	MOTION	ZND	AYES	NAYS	ABSTAIN	ABSENT
<i>Council President LaCrosse</i>	X		X			
<i>Councilman Cairns</i>		X	X			
<i>Councilwoman Clayton</i>			X			
<i>Councilman Feeney</i>						X
<i>Councilman Komsa</i>			X			
<i>Councilman Zakar</i>			X			

RESOLUTION 2022-324

RESOLUTION OF THE BOROUGH OF BEACHWOOD, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE RELEASE OF POSTED PERFORMANCE BOND TO SHORE TOP CONSTRUCTION CORPORATON AND THE ACCEPTANCE OF ITS TWO-YEAR MAINTENANCE BOND AND THE PAYMENT OF THE TOTAL AMOUNT DUE ON ENGINEERS CERTIFICATE NO. 2 (FINAL) FOR THE BOROUGH'S DRAINAGE IMPROVEMENTS FOR SEAMAN AVENUE, OAK AVENUE AND SPAR AVENUE

WHEREAS, the Borough of Beachwood required the posting of a performance bond in the amount of \$137,987.00 by Top Shore Construction Corporation for the Borough's Drainage Improvements Project for Seaman Avenue, Oak Avenue and Spar Avenue; and

WHEREAS, the Borough's Engineer received a request from the contractor for release of the performance bond and for payment in the amount of \$2,613.76 on Certificate No. 2 (final) should be made to the contractor for the same; and

WHEREAS, the Borough has received Change Order No. 1 representing final as-built quantity adjustments for a net contract decrease of \$7,299.00; and

WHEREAS, the Borough Engineer inspected the site and determined that all bonded improvements have been completed and the payment in the amount of \$2,613.76 on Certificate No. 2 (final) should be made to the contractor; and

WHEREAS, the Borough Engineer recommends release of said Performance Bond Guarantee subject to review letter of October 7, 2022.

WHEREAS, the Borough Engineer recommended the release of Performance Bond #B1253934 in the amount of \$137,987.00 issued by Selective Insurance Company of America for the Borough Beachwood Drainage Improvements Project for Seaman Avenue, Oak Avenue and Spar Avenue and the posting of a two-year Maintenance Bond by Selective Insurance Company of America in the amount of \$130,688.00 with an expiration date of June 30, 2024

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 approves the release of the Performance Guarantee in the amount of \$137,987.00 issued by Selective Insurance Company of America for the Borough Beachwood Drainage Improvements Project for Seaman Avenue, Oak Avenue and Spar Avenue Project.

2. That the Governing Body hereby accepts the two-year Maintenance Bond by Selective Insurance Company of America in the amount of \$130,688.00 with an expiration date of June 30, 2024 for Drainage Improvements Project for Seaman Avenue, Oak Avenue and Spar Avenue Project.

3. That the Governing Body hereby authorizes payment to Top Shore Construction Corporation in the amount of \$2,613.76 on payment of Certificate No. 2 (final).

4. That a certified copy of this resolution be forwarded to the Chief Financial Office, RV Engineers and Top Shore Construction Corporation.

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Council President LaCrosse</i>	X		X			
<i>Councilman Cairns</i>		X	X			
<i>Councilwoman Clayton</i>			X			
<i>Councilman Feeney</i>						
<i>Councilman Komsa</i>			X			X
<i>Councilman Zakar</i>			X			

NON-CONSENT RESOLUTION(S)

RESOLUTION 2022-325

THE BEACHWOOD BOROUGH GOVERNING BODY'S ACCEPTANCE OF THE CORRECTIVE ACTION REPORT RESOLVED by Mayor and Council to accept the following Corrective Action Report in connection with the 2021 Audit Report:

CORRECTIVE ACTION REPORT

BOROUGH OF BEACHWOOD OCEAN COUNTY

DECEMBER 31, 2021

Finding #21-01

- Finding:** The Analysis of Utility Capital Fund Cash includes cash deficits for ordinances over 5 years old.
- Criteria:** Upon authorization of utility capital projects, the Borough establishes deferred charges for the cost of the utility capital projects to be raised by future taxation and/or established water rates. Funded deferred charges relate to permanent debt issued, whereas unfunded deferred charges relate to temporary or non-funding of the authorized cost of water capital projects. According to N.J.S. 40A:2-4, the Borough may levy taxes on all taxable property within its jurisdiction, or in this case, set water rates accordingly, to repay its debt. The Borough raises the debt requirements for its debt in its current budget and/or utility budget as funds are raised thereby reducing the deferred charges.

Corrective Action: The utility capital cash deficit over five years old for ordinance 2006-14/2008-07 to be raised in the upcoming 2023 budget cycle.

ROLL CALL VOTE

OCTOBER 19, 2022 MAYOR & COUNCIL MINUTES

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Council President LaCrosse</i>	X		X			
<i>Councilman Cairns</i>			X			
<i>Councilwoman Clayton</i>			X			
<i>Councilman Feeney</i>						
<i>Councilman Komsa</i>		X	X			X
<i>Councilman Zakar</i>			X			

SECOND READING & PUBLIC HEARING OF ORDINANCE(S)

ORDINANCE 2022-06

ORDINANCE OF THE BOROUGH OF BEACHWOOD, OCEAN COUNTY, NEW JERSEY AMENDING CHAPTER XIII ENTITLED "SIGNS" TO AMEND SUBSECTION 13-1 (DEFINITIONS) AND SUPPLEMENT SUBSECTION 13-4 (SIGNS PERMITTED IN RESIDENTIAL ZONES)

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 13-1 of the Code of the Borough of Beachwood is hereby amended and Section 13-4 is hereby supplemented as follows:

~~§13-1 POLITICAL SIGN - Shall mean a temporary sign announcing or supporting political candidates or issues in connection with any national, State, County or local election. Such a sign shall not exceed 16 square feet in area. A political sign shall be permitted within 30 days prior to any national, State, County, or local election and shall be removed within five days after the election. No political sign shall be erected on any municipality owned property.~~

§13-4 SIGNS PERMITTED IN RESIDENTIAL ZONES

g. Political Signs are permitted in all residential zones.

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

SECTION 3. If any section, subsection, paragraph, sentence, clause, or phrase of this Ordinance shall be declared invalid for any reason whatsoever, such a decision shall not affect the remaining portions of the Ordinance, which shall remain in full force and effect, and for this purpose the provisions of this Ordinance are hereby declared to be severable.

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

Opened Public Comment

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Council President LaCrosse</i>	X		X			
<i>Councilman Cairns</i>			X			
<i>Councilwoman Clayton</i>			X			
<i>Councilman Feeney</i>						
<i>Councilman Komsa</i>			X			X
<i>Councilman Zakar</i>		X	X			

Being no one came forth, Council President LaCrosse motioned to close public discussion.

Closed Public Comment

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Council President LaCrosse</i>	X		X			
<i>Councilman Cairns</i>			X			
<i>Councilwoman Clayton</i>			X			
<i>Councilman Feeney</i>						
<i>Councilman Komsa</i>		X	X			X
<i>Councilman Zakar</i>			X			

Roll Call Adopting Ord 2022-06 on October 19, 2022

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Council President LaCrosse</i>	X		X			
<i>Councilman Cairns</i>		X	X			
<i>Councilwoman Clayton</i>			X			
<i>Councilman Feeney</i>						
<i>Councilman Komsa</i>			X			X
<i>Councilman Zakar</i>			X			

FIRST READING OF ORDINANCE(S)

- None

CORRESPONDENCE

- None

MAYOR & COUNCIL REPORTS

Mayor Roma

-Congratulated NJ State Teacher of the Year, Christine Girtain. An excellent teacher who was honored at a ceremony on October 17th. In Mayor's absence, Council President LaCrosse presented Ms. Girtain with a proclamation. Council President invited Ms. Girtain to tonight's Council meeting but she was unable to make it. Mayor's 2 sons had Ms. Girtain as a Science Teacher.

Council President LaCrosse

- Commented on the NJ State Teacher of the Year ceremony for Ms. Girtain; it was a packed house with parents and students; the outpouring of affection for Ms. Girtain was amazing. Thanked Mayor for reaching out for Council President to attend on his behalf.
-The High Honor Roll recognition is a wonderful event for the students.

Councilman Cairns

-Congratulated High Honor Roll Students and Ms. Girtain.
-Congratulated Mayor on his nomination for NJLM's Mayor's Hall of Fame. Mayor thanked Council for his nomination.

Councilwoman Clayton

-Commented it's always lovely honoring the High Honor Roll students. Beachwood has wonderful families.

Councilman Zakar

-Congratulated the students.
-Congratulated Mayor.
-Risk Management -- all is in check. The Safety Meeting went well. Halloween is coming so please be careful of the candy.

Councilman Komsa

- Congratulated the students and his daughter, Madison for her and all their achievements.
- Congratulated Mayor.
- Congratulated Ms. Girtain; quite an accomplishment.
- Saturday is the Bonfire at the beach from 6pm to 9pm.

Engineer Jim Oris

- Congratulated the Mayor's nomination to the NJLM Mayor's Hall of Fame
- Requested for a motion to award a contract for the 2022 NJDOT Road Reconstruction of Nautilus, Ship and Seaman as follows:

**RESOLUTION 2022-325a
 RESOLUTION OF THE BOROUGH OF BEACHWOOD, OCEAN COUNTY, NEW JERSEY AWARDDING A CONTRACT TO SHORE TOP
 CONSTRUCTION FOR THE 2022 NJDOT RECONSTRUCTION OF NAUTILUS STREET, SHIP AVENUE & SEAMAN AVENUE PROJECT
 IN THE AMOUNT OF \$519,915.00**

WHEREAS, the Borough of Beachwood previously authorized receipt of bids for the 2022 NJDOT Reconstruction of Nautilus Street, Ship Avenue and Seaman Avenue project; and

WHEREAS, at the time and place for the receipt of bids four (4) bids were received ranging from a low bid amount of \$519,915.00 to a high bid amount of \$869,019.62; and

WHEREAS, the Borough's Engineers, Remington & Vernick Engineers, have reviewed said bids and recommended the award to Shore Top Construction for the bid amount of \$519,915.00; and

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

WHEREAS, it is the desire of this Governing Body to act upon the Engineers 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 hereby awards a Contract to Shore Top Construction in the total amount of \$519,915.00 for the 2022 NJDOT Reconstruction of Nautilus Street, Ship Avenue and Seaman Avenue project in accordance with the Borough Engineers' bid specifications.

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 and the Borough Engineer.

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
---------	--------	-----	------	------	---------	--------

<i>Council President LaCrosse</i>		X	X			
<i>Councilman Cairns</i>	X		X			
<i>Councilwoman Clayton</i>			X			
<i>Councilman Feeney</i>						
<i>Councilman Komsa</i>			X			X
<i>Councilman Zakar</i>			X			

Attorney Mike McKenna

- Finalized the Dish Wireless agreement at \$28,000/year.
- Closing for Surf Avenue Borough property land sale took place on Friday for \$30,000.

Municipal Clerk Sue Minock

-Called for motion to accept the Shared Services Agreements with the Ocean County Prosecutor's Office for DRE/DUI/MOLEP as follows:

RESOLUTION #2022-325b

RESOLUTION AUTHORIZING INTER-LOCAL SERVICE AGREEMENT WITH THE OCEAN COUNTY PROSECUTOR'S OFFICE FOR THE FY 2022/23 "DRIVING WHILE INTOXICATED ENFORCEMENT PROGRAM", THE "DRUG RECOGNITION EXPERT CALLOUT PROGRAM" AND THE "MOVE OVER LAW ENFORCEMENT PROGRAM"

WHEREAS, the Police Department is recommending the Borough Council of the Borough of Beachwood approve the Shared Services Agreement between the Borough of Beachwood and County of Ocean Prosecutor's office for the "Driving While Intoxicated Enforcement Program", the "Drug Recognition Expert Callout Program" and the "Move Over Law Enforcement Program"; and

WHEREAS, the Interlocal Services Agreement shall be effective from October 1, 2022 and shall continue in full force and effect until September 30, 2023.

NOW THEREFORE BE IT RESOLVED, by the Borough Council of Borough of Beachwood, that it does hereby authorize the Shared Services Agreement between the Borough of Beachwood and County of Ocean for the "Driving While Intoxicated Enforcement Program" and the "Drug Recognition Expert Callout Program", and the "Move Over Law Enforcement Program".

NOW THEREFORE BE IT FURTHER RESOLVED, that the Mayor and Clerk are authorized to execute the agreements on behalf of the Borough of Beachwood.

BE IT FURTHER RESOLVED that a copy of this approval be forwarded to the following:

1. Susan A. Minock, Municipal Clerk
2. Jeannine M. Jones, Chief Financial Officer
3. Police Chief Glen DeMarco
4. Agent Robert Parlow, Office of the Prosecutor

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Council President LaCrosse</i>			X			
<i>Councilman Cairns</i>		X	X			
<i>Councilwoman Clayton</i>			X			
<i>Councilman Feeney</i>						
<i>Councilman Komsa</i>			X			X
<i>Councilman Zakar</i>	X		X			

Mayor mentioned the aside from his 10-year tenure as Mayor; Councilwoman Clayton is a 20-year veteran as of last year; Council President LaCrosse achieved a 20-year status on Council a couple years ago and Councilman Feeney achieved 20 years this year. Mayor will be 20 years as a Council Member next year.

PUBLIC DISCUSSION

Mayor called for motion to open for public discussion.

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Council President LaCrosse</i>			X			
<i>Councilman Cairns</i>			X			
<i>Councilwoman Clayton</i>		X	X			
<i>Councilman Feeney</i>						
<i>Councilman Komsa</i>	X		X			X
<i>Councilman Zakar</i>			X			

Being no one came forth, Mayor requested motion to close public discussion.

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Council President LaCrosse</i>			X			
<i>Councilman Cairns</i>	X		X			
<i>Councilwoman Clayton</i>		X	X			
<i>Councilman Feeney</i>						
<i>Councilman Komsa</i>			X			X
<i>Councilman Zakar</i>			X			

EXECUTIVE SESSION

**RESOLUTION 2022-326
RESOLUTION OF THE BOROUGH OF BEACHWOOD, COUNTY OF OCEAN, STATE OF NEW
JERSEY AUTHORIZING THE BOROUGH COUNCIL TO ENTER INTO 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:

The public shall be excluded from discussions of and action upon the hereinafter specified subject matter. It is anticipated that the subject matter discussed may be made public in 90 days.

1. Terms & Conditions – Federal Motor Carrier Safety Admin CDL training; State Comptroller Office sick payments; Home baking – Cottage Foods
2. Contractual – Ensign Ave Paper Street; Animal control; Landfill Solar update

Adjourned to Executive Session at 7:41 pm

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Council President LaCrosse</i>		X	X			
<i>Councilman Cairns</i>			X			
<i>Councilwoman Clayton</i>	X		X			
<i>Councilman Feeney</i>						X

<i>Councilman Komsa</i>			X			
<i>Councilman Zakar</i>			X			

Reconvened to Public Session at 8:47pm

COUNCIL	MOTION	2 ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Council President LaCrosse</i>		X	X			
<i>Councilman Cairns</i>			X			
<i>Councilwoman Clayton</i>	X		X			
<i>Councilman Feeney</i>						
<i>Councilman Komsa</i>			X			X
<i>Councilman Zakar</i>			X			

ACTION TAKEN FROM EXECUTIVE SESSION

RESOLUTION 2022-327

THE BEACHWOOD BOROUGH GOVERNING BODY'S ACCEPTANCE OF THE CORRECTIVE ACTION REPORT FOR COMPLIANCE TO THE SICK PAYMENT CAP PURSUANT TO N.J.S.A. 11A:6-19.1 AND N.J.S.A 11A:6-19.2

BE IT RESOLVED by the Borough of Beachwood Mayor and Council to accept the following Corrective Action Report in connection with the Office of the New Jersey State Comptroller violation report for compliance of N.J.S.A. 11A:6-19.1 and N.J.S.A 11A:6-19.2.

CORRECTIVE ACTION REPORT

BOROUGH OF BEACHWOOD OCEAN COUNTY

OCTOBER 19, 2022

- Finding:** The Teamsters Union Local #469 contract for the term of 2022-2025 and the New Jersey State Policemen's Benevolent Association Local #253 contract for the term of 2020-2024 have been found in violation of N.J.S.A. 11A:6-19.1 and N.J.S.A 11A:6-19.2 as per the New Jersey Office of the State Comptroller.
- Criteria:** Upon Collective Bargaining negotiations between the Borough of Beachwood and said Unions, the sick payment cap for retirement is in violation of N.J.S.A. 11A:6-19.1 and N.J.S.A 11A:6-19.2 by exceeding the accrued sick leave at retirement to be capped at \$20,000 for said Teamster's contract and \$23,000 for said PBA's contract.

Corrective Action: Addendums to be implemented to both Union contracts any other contracts, if any, to comply with N.J.S.A. 11A:6-19.1 and N.J.S.A 11A:6-19.2 to amend the sick payment cap at retirement to not exceed the amount of \$15,000. Any/All future contracts will identify with the maximum pay out for sick leave upon retirement as \$15,000; a non-negotiable item. The Borough Personnel Policy Handbook will be amended to reflect N.J.S.A. 11A:6-19.1 and N.J.S.A 11A:6-19.2 for retirement sick payment. Legal Counsel reviewed the State Comptroller's report findings as well as the Borough's Union contracts. An audit to be performed by the Borough CFO/Auditor to review the Union contracts of past and present. At the annual review, the Borough Auditor will assess the Borough's sick leave and vacation accrual systems and controls; calculate improperly paid or accrued leave balances, if any; recommend adjustments; identify improper leave payments and recommend improvements to internal policies, procedures and controls to be in compliance with N.J.S.A. 11A:6-19.1 and N.J.S.A 11A:6-19.2. Internal controls to be placed for all supplemental payments including verification of hiring dates of all employees prior to any annual sick leave payments; determination of whether the employee is subject to LFN-2007-28 and 2008-10; a requirement that a certification of service and final salary form through the EPIC (Employer Pensions and Benefits Information Connection) system be completed or other appropriate document of retirement from locally-administered pension system before issuing any payment; documentation of the review of each payment by the CFO or municipal administrator; and a requirement that the governing body approve supplemental payments.

COUNCIL	MOTION	2 ND	AYES	NAYS	ABSTAIN	ABSENT
---------	--------	-----------------	------	------	---------	--------

<i>Council President LaCrosse</i>			X			
<i>Councilman Cairns</i>			X			
<i>Councilwoman Clayton</i>		X	X			
<i>Councilman Feeney</i>						
<i>Councilman Komsa</i>			X			X
<i>Councilman Zakar</i>	X		X			


ADJOURNMENT

Mayor Roma called for motion to adjourn.

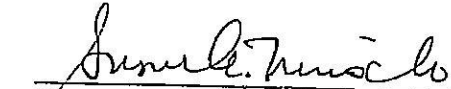
Adjourned at 8:47pm

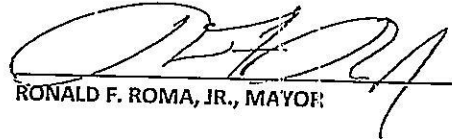
COUNCIL	MOTION	2 ND	AYES	NAYS	ABST/IN	ABSENT
<i>Council President LaCrosse</i>	X		X			
<i>Councilman Cairns</i>			X			
<i>Councilwoman Clayton</i>		X	X			
<i>Councilman Feeney</i>						X
<i>Councilman Komsa</i>			X			
<i>Councilman Zakar</i>			X			

Respectively submitted by,


 Susan A. Minock, RMC
 Municipal Clerk

ATTESTED BY:


 SUSAN A. MINOCK, RMC
 MUNICIPAL CLERK


 RONALD F. ROMA, JR., MAYOR