

MEETING MINUTES  
 FEBRUARY 15, 2023  
 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 William J. Cairns	X		
Councilwoman Beverly Clayton	X		
Councilman Gregory Feeney	X		
Councilman Steven Komsa	X		
Councilman Gerald LaCrosse		X	
Councilman Edward Zakar	X		

Also present were Michael McKenna, Esq. of Hering, Gannon and McKenna; Jim Oris of Remington & Vernick Engineers, EMS Chief Chris Matyas and Police Chief Glen DeMarco

**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 9, 2023. Read into record by the Municipal Clerk.

**REMEMBRANCE PRAYER**

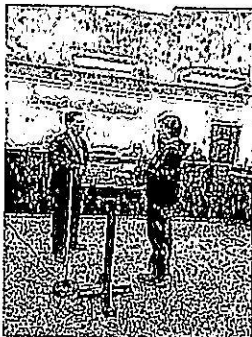
While we pray for the safe return of our serving men and women, we must remember that servicemen and women from New Jersey have been killed in service for our country, Iraq, Afghanistan and around the world

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.

**MAYORAL APPOINTMENT - OATH OF OFFICE**

***NO VOTING REQUIRED FOR MAYORAL APPOINTMENT***



Rob Rosetta being sworn in as Alternate #1 Land Use Board Member by Mayor Roma



February 1, 2023

- Regular Session Meeting
- Executive Session Meeting

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

**RESOLUTION OF SUPPORT**

**RESOLUTION 2023-75  
RESOLUTION OF THE BOROUGH OF BEACHWOOD,  
COUNTY OF OCEAN, STATE OF NEW JERSEY,  
SUPPORTING THE EFFORTS OF THE TOMS RIVER MAYOR AND  
THE TOWNSHIP COMMITTEE TO HAVE THE PROPOSED  
CIBA-GEIGY SETTLEMENT MODIFIED TO PROVIDE GREATER  
BENEFITS FOR ALL THOSE DIRECTLY AFFECTED  
WHETHER WITH HEALTH IMPACTS, ECONOMIC  
IMPACTS OR ENVIRONMENTAL IMPACTS.**

WHEREAS, the New Jersey Department of Environmental Protection (“DEP”) announced on December 2022, a draft settlement with BASF Corporation in the matter of Ciba-Geigy Toms River Superfund Site; and

WHEREAS, following a full and thorough review of the New Jersey Department of Environmental Protection’s settlement agreement with BASF Corporation for damages to natural resources at the Ciba-Geigy Corp. site in Toms River Township, the Township Mayor and Council have voiced their opposition to the settlement and are calling for extensive modifications, and

WHEREAS, the Toms River Township Mayor and Council, in a strongly worded resolution to Gov. Murphy, DEP Commissioner Shawn M LaTourette, and State Legislators and others, noted that the proposed settlement does not go far enough to hold BASF financially accountable for the still unhealed injuries their operations inflicted on the local environment, economy and public health; and

WHEREAS, the now defunct Ciba-Geigy Corp., and before that Toms River Chemical, whose parent company is now BASF, was responsible for the discharge of hazardous substances into the environment over the course of about five decades during the manufacture of dyes, pigments, resins, epoxy additives, and other operations at the approximately 1,255 acre site off Route 37 in Toms River Township, and

WHEREAS, accordingly to Toms River Township, under the proposed settlement, BASF escapes paying any monetary penalties because the NJDEP surrendered any claims for statutory natural resource damages, which it first sought in a lawsuit purportedly instituted by the Attorney General in 2007, and

WHEREAS, Toms River Township is calling for a remaining 250 acres of the site or a significant portion thereof, to be deeded to the Township for perpetual preservation, so long as BASF remains responsible for the cost of ongoing remediation, and

WHEREAS, Toms River Township also is calling on the creation of a fund to be paid by BASF and administered by a trustee appointed by the Township to compensate victims of the cancer cluster, in addition to requiring an exhibit at the proposed environmental center on the property that would comprehensively document the damage the pollution caused to the environment, the health of residents, and the negative impact on the community which would be created and maintained by a committee of academics, environmentalists and residents and generously funded by BASF.

WHEREAS, along with the Township of Toms River, Save Barnegat Bay, a community based 501(c)(3) organization whose mission is to restore and protect the Barnegat Bay and its ecosystem, has also expressed serious concerns with both

the DEP's settlement process and substance.

**NOW, THEREFORE, BE IT RESOLVED**, that the Borough of Beachwood Mayor and Council of the Borough of Beachwood, County of Ocean, State of New Jersey hereby supports the efforts of the Toms River Mayor and Council to have the proposed Ciba-Geigy settlement modified to provide greater benefits for all those directly affected whether with health impacts, economic impacts or environmental impacts.

**BE IT FURTHER RESOLVED**, that the Borough of Beachwood Mayor and Council of the Borough of Beachwood, County of Ocean, State of New Jersey requests the New Jersey Department of Environmental Protection to:

1. Conduct a Public Information Session to allow for public questions and comments with responses from the DEP. Extend the public comment period for 20 days after the Public Information Session to allow for informed public participation in the proposed settlement.
2. To create a depository at the Ocean County Library, along with digital access through the NJDEP containing all documentation related to the condition of the Ciba-Geigy site, along with all permits concerning discharges, reports of all work completed on the landfills and all monitoring information for the Toms River, its tributaries and adjacent wetlands prior to the requested public information hearing.
3. To publish all monitoring information concerning the status of the Toms River, its surface waters, sediments, and adjacent wetlands from the border of Manchester Township to Barnegat Bay and the Atlantic Ocean and continue to monitor to the next three years.
4. To establish a public information plan to provide current and all future updated information regarding the status of all actions taken concerning the remediation of the site along with opportunity for public involvement.

**BE IT FURTHER RESOLVED**, by the Borough of Beachwood Mayor and Council of the Borough of Beachwood, County of Ocean, State of New Jersey that a copy of this resolution shall be forwarded to Governor Murphy, Senate President Scutari, Assembly Speaker Coughlin, Senator Menendez, Senator Booker, Congressman Van Drew, Congressman Kim, Congressman Smith, Senator Connors, Senator Holzapfel, Senator Thompson, Senator Singer, Assemblyman Rumpf, Assemblywoman Gove, Assemblyman Catalano, Assemblyman McGuckin, Assemblyman Clifton, Assemblyman Kean, Assemblyman Thomson, Assemblyman Sauickie, NJDEP Commissioner Shawn M. LaTourette, NJDEP Deputy Commissioner Sean D. Moriarty, Ocean County Board of Commissioners, and all Ocean County Mayors.

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

**CONSENT RESOLUTIONS RESO 2023-76 TO 2023-87**

**RESOLUTION #2023-76  
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 DEPT**

June 7, 2023

M Batullo, Matt Tapp

Cannabis Impairment & Detection Training

**POLICE DEPT**

On Demand Webinar

Matt Tapp

Drug Id, Paraphernalia & the MV Stop on Demand

Ocean Co Police Academy. – Lakewood, NJ  
 \$149.00/pp  
 Vehicle: Yes

Computer  
 \$225/pp  
 Vehicle: No

**POLICE DEPT**

Apr 3 & 4, 2023  
 Det. A Altman  
 Pre-employment Background Investigations  
 Middlesex Co. Fire Academy. – Sayreville, NJ  
 \$299.00/pp  
 Vehicle: Yes

**POLICE DEPT**

Feb 23, 2023  
 Det. D Bowden  
 Planning the Active Shooter Drill  
 Online  
 \$125.00/pp  
 Vehicle: No

**WATER DEPARTMENT**

Mar 1, 2023  
 P Dukette  
 Locating & Documenting Non-Metallic Buried Utilities  
 Egg Harbor City Fire Hall – Egg Harbor City, NJ  
 \$0.00/pp  
 Vehicle: Yes

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

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

**RESOLUTION 2023-77**

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

WHEREAS, the Community Center and or Mayo Park was rented by the following members

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>
8-13-23	J Capone – Sweet 16 Party	\$800.00	\$800.00
8-4-23	W Patel – Birthday Party	\$800.00	\$800.00
7-22-23	N Saze Jr – Retirement Party	\$500.00	\$500.00
7-21-23	K Kovacs – Sweet 16 Party	\$800.00	\$800.00
3-19-23	T Burke – Birthday Party	\$500.00	\$500.00
3-11-23	M Osman – Memorial Service for Wife	\$500.00	\$500.00
	<u>Mayo Park Rentals:</u>	<u>Fee</u>	<u>Deposit</u>
5-12-23	Environmental Shade Tree – Girl Scout Recycling	WAIVER	WAIVER
3-5-23	A Henehan - Baby Shower	\$200.00	\$100.00
4-15-23	E Flores – Birthday Party	\$300.00	\$200.00
4-29-23	C Lightbody – 1 <sup>st</sup> Birthday Party	\$200.00	\$100.00

3-4-23	C Albino – Birthday Party	\$200.00	\$100.00
8-26-23	S Papa – Sweet 16 Party	\$200.00	\$100.00
6-17-23	K Gilchrist – 1 <sup>st</sup> Birthday Party	\$200.00	\$100.00
8-5-23	L Casagrande – Family Reunion	\$200.00	\$100.00
3-11-23	A Caruso – Birthday Party	\$300.00	\$200.00
4-1-23	J Scomak – Birthday Party	\$200.00	\$100.00
2-10-23	G Caitlin – Birthday Party	\$200.00	\$100.00
3-18-23	E Kandil – Birthday Party	\$200.00	\$100.00
3-19-23	K Murphy – 1 <sup>st</sup> Birthday Party	\$300.00	\$200.00
4-23-23	K D Cobiانchi – 1 <sup>st</sup> Birthday Party	\$200.00	\$100.00
5-5-23	B Clark – Life Line Screening	\$300.00	\$200.00
4-22-23	P Saunders – 30 <sup>th</sup> Birthday Party	\$200.00	\$100.00

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

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

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

**RESOLUTION PULLED**

**RESOLUTION 2023-78**

RESOLUTION AUTHORIZING THE AWARD OF CONTRACT TO DISH WIRELESS, LLC, AMP TELECOMMUNICATIONS, FOR THE LEASING OF SPACE FOR CELLULAR ANTENNAS ON THE MUNICIPAL MONO POLE LOCATED AT 1600 PINEWALD ROAD A/K/A BLOCK 8.44, LOT 1

**RESOLUTION #2023-79**

RESOLUTION OF THE BOROUGH OF BEACHWOOD, OCEAN COUNTY, NEW JERSEY AUTHORIZING CANCELLATION OF THE MAYO PARK CENTER RENTAL FOR MARCH 18, 2023

WHEREAS, Daniele Herald, made application to rent the Mayo Park Center for March 18, 2023 with a Deposit of \$100.00 and Rental Fee of \$200.00 in agreement with conditions and terms of the contract; and

WHEREAS, Ms. Herald canceled the rental for March 18, 2023 being aware of the \$50.00 cancellation fee which is in advance of 60 days to the date of the event;

NOW THEREFORE BE IT RESOLVED by the Borough of Beachwood Mayor and Council hereby approve the cancelation of Mayo Park Center rental contract for Daniele Herald for the March 18, 2023 rental date with full understanding to relinquish the \$60.00 cancellation fee to the Borough while gaining back the remaining total balance of Deposit and Rental fees in the amount of \$250.00 via Purchase Order 23-00087.

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

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

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

**RESOLUTION # 2023-80  
RESOLUTION OF THE BOROUGH OF BEACHWOOD, COUNTY OF OCEAN, STATE OF NEW JERSEY AMENDING CLAIMANT  
CERTIFICATION REQUIREMENT (N.J.S.A. 40A:5-16.5)**

WHEREAS, N.J.A.C. 5:30-9A.6 and 5:31-4.1 allows for greater flexibility for local units when implementing the claimant certification requirement set forth in N.J.S.A. 40A:5-16(a); and

WHEREAS, the local units are now given discretion to require a claimant certification as it deems necessary and appropriate; and

WHEREAS, the Chief Financial Officer recommends that a claimant signature only be required for Refunds, Advance Payments, Employee Reimbursements, or for services provided exclusively and entirely by an individual (i.e. sole proprietors); and

WHEREAS, as a continued internal control, N.J.S.A. 40A:5-16(b) still requires local units "a written or electronic certification of some officer or duly designated employee of the local unit having knowledge of the facts that the goods have been received by, or the services rendered to, the local unit" prior to any disbursements of funds; and

WHEREAS, the Chief Financial Officer recommends the adoption of this Claimant Signature policy.

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Beachwood that, effective immediately, claimant's signatures will only be required for Refunds, Advance Payments, Employee Reimbursements, or for services provided exclusively and entirely by an individual.

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, CFO
3. Glen DeMarco, Police Chief
4. Gabriel Silva, Asst. Director of Public Works
5. Sandra Klumb, Court Administrator
6. Michael Ruvo, Code Enforcement/Zoning Officer
7. Roger Hull, Fire Chief
8. Christopher Matyas, EMS Chief
9. Geralynn Roma, Municipal Alliance Coordinator
10. Michele Rutkowski, Recreation Commission Chair
11. Carl Schmidt, Environmental Shade Tree Committee Chair
12. Gabrielle Napolitano, Land Use Board Secretary

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

**RESOLUTION 2023-82**  
**RESOLUTION OF THE BOROUGH OF BEACHWOOD, COUNTY OF OCEAN COUNTY, STATE NEW**  
**JERSEY AUTHORIZING THE HIRING OF NICHOLAS CARRERA AS A PROBATIONAL LABORER**  
**IN THE DEPARTMENT OF PUBLIC WORKS**

WHEREAS, in lieu of the vacancy from Robert Hartman, the Department of Public Works is in need of a full-time Laborer; and

WHEREAS, the Department of Public Works Assistant Director has interviewed and recommended Nicholas Carrera for said position; and

WHEREAS, the Borough Council is in favor to hire Nicholas Carrera as a probationary Laborer for a salary of \$39,226.00 pending a successful Police background check and medical evaluation; and

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of Beachwood, in the County of Ocean, State of New Jersey to hire Nicholas Carrera as a probationary Laborer for a salary of \$39,226.00 pending a successful Police background check and medical evaluation.

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

- Sue Minock, Municipal Clerk
- Jeannine Jones, Chief Financial Officer
- Gabriel Silva, DPW Asst. Director

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

**RESOLUTION 2023-82**  
**RESOLUTION OF THE BOROUGH OF BEACHWOOD, COUNTY OF OCEAN COUNTY, STATE NEW**  
**JERSEY AUTHORIZING THE HIRING OF MICHAEL DURANTE AS A PROBATIONAL LABORER**  
**IN THE DEPARTMENT OF PUBLIC WORKS**

WHEREAS, in lieu of the vacancy from Connor Feeney, the Department of Public Works is in need of a full-time Laborer; and

WHEREAS, the Department of Public Works Assistant Director has interviewed and recommended Michael Durante for said position; and

WHEREAS, the Borough Council is in favor to hire Michael Durante as a probationary Laborer for a salary of \$39,226.00 pending a successful Police background check and medical evaluation; and

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of Beachwood, in the County of Ocean, State of New Jersey to hire Michael Durante as a probationary Laborer for a salary of \$39,226.00 pending a successful Police background check and medical evaluation.

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

- Sue Minock, Municipal Clerk
- Jeannine Jones, Chief Financial Officer
- Gabriel Silva, DPW Asst. Director



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

**RESOLUTION 2023-83**

**RESOLUTION OF THE BOROUGH OF BEACHWOOD, OCEAN COUNTY, NEW JERSEY ACCEPTING THE BOROUGH ENGINEERS, REMINGTON & VERNICK ENGINEERS' PROPOSAL TO PROVIDE PROFESSIONAL SERVICES RELATIVE TO THE PINELANDS STORMWATER CONTROL ORDINANCE AND THE MUNICIPAL STORMWATER MANAGEMENT PLAN (SWMP) FOR THE BOROUGH OF BEACHWOOD**

WHEREAS, pursuant to the January 18, 2023 letter received from the Pinelands Commission amending the stormwater management regulations in their Comprehensive Management Plan, the Pinelands Protection Act requires that Pinelands area municipalities amend their municipal master plans and land development regulations; and

WHEREAS, the Borough of Beachwood is required to meet said obligations and by doing so, Remington & Vernick Engineers offer their Professional Services to compile and update the Stormwater Management Plan (SWMP) and the Stormwater Control Ordinances (SCO); submit the updated SWMP and SCO; hearing process and submit the approved SWMP and SCO for an amount not to exceed \$5,100.00; and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Beachwood, hereby accepts its Borough Engineers' proposal to provide assistance to provide offer their Professional Services to compile and update the Stormwater Management Plan (SWMP) and the Stormwater Control Ordinances (SCO); submit the updated SWMP AND SCO; hearing process and submit the approved SWMP and SCO for an amount not to exceed \$5,100.00.

BE IT FURTHER RESOLVED by the Borough Council of the Borough of Beachwood 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 Borough Engineer.

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

**RESOLUTION 2023-84**

**RESOLUTION OF THE BOROUGH OF BEACHWOOD, OCEAN COUNTY, NEW JERSEY ACCEPTING THE BOROUGH ENGINEERS, REMINGTON & VERNICK ENGINEERS' PROPOSAL FOR PROFESSIONAL SERVICES RELATED TO THE WATER MAIN REPLACEMENT FOR VARIOUS ROADS (COMPASS AVENUE & CLUB HOUSE ROAD; BEACON AVENUE; HARPOON STREET; BAYSIDE AVENUE) IN THE TOTAL AMOUNT OF \$66,000.00**

WHEREAS, Remington and Vernick Engineers submitted a proposal for professional services related to the Water Main Replacement for Various Roads (Compass Avenue & Club House Road; Beacon Avenue; Harpoon Street; Bayside Avenue) entailing water line replacement and the installation of over 3,850 linear feet of new 8" P.V.C. water main and all associated water services in the area; and

WHEREAS, for budgeting purposes, Remington and Vernick Engineers estimated the construction costs in the amount of \$440,000.00; and

WHEREAS, the professional services costs of Remington and Vernick Engineers for design, administration and inspection will be a total amount of \$66,000.00.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Beachwood, County of Ocean and State of New Jersey hereby accepts its Borough Engineers' proposal to provide professional services in the amount of \$66,000.00 for the Water Main Replacement for Various Roads (Compass Avenue & Club House Road; Beacon Avenue; I-arpoon Street; Bayside Avenue).

BE IT FURTHER RESOLVED by the Borough Council of the Borough of Beachwood that upon the adoption of the this resolution, the Borough Clerk is authorized to forward a certified copy of it to the Borough CFO, and Borough Engineer.

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

**RESOLUTION 2023-85**

RESOLUTION OF THE BOROUGH OF BEACHWOOD, OCEAN COUNTY, NEW JERSEY AUTHORIZING COSTS OF SERVICES SUBMITTED BY REMINGTON VERNICK ENGINEERS IN RELATION TO THE WATER TREATMENT PLANT REPLACEMENT PROJECT SPECIFICALLY FOR THE PERMITTING SERVICES & THE FINAL DESIGN SERVICES IN THE TOTAL AMOUNT OF \$183,855.00

WHEREAS, Remington and Vernick Engineers submitted a request for cost of services related to the Water Treatment Plant Replacement project specifically for the Permitting Services and the Final Design Services; and

WHEREAS, Remington and Vernick Engineers were previously paid for Design Development and Pilot Study in the amount of \$105,575.00; and

WHEREAS, the additional service costs for Permitting and Final Design will be a total amount of \$183,855.00.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Beachwood, County of Ocean and State of New Jersey hereby authorizes costs of services to Remington, Vernick Engineers to provide the additional services of Permitting and Final Design in the amount of \$183,855.00.

BE IT FURTHER RESOLVED by the Borough Council of the Borough of Beachwood that upon the adoption of this resolution, the Borough Clerk is authorized to forward a certified copy of it to the Borough CFO, and Borough Engineer.

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

**RESOLUTION 2023-86**

RESOLUTION OF THE BOROUGH OF BEACHWOOD COUNTY OF OCEAN, STATE OF NEW JERSEY AUTHORIZING A REFUND OF REDEMPTION MONIES FROM LIEN #21-00006 TO LIEN HOLDER, ROSS J. PARADISE IN THE AMOUNT OF \$830.03 AND A PREMIUM OF \$500.00.

WHEREAS, at the Municipal Tax Sale held on December 10, 2021 a lien was sold on Block 1.41 Lot 12 also known as 428 Spar Ave. for 2021 delinquent municipal charges; and,

WHEREAS, this lien, known as Tax Sale Certificate #21-00006 sold to Ross J. Paradise with a 0% interest rate and a premium of \$500.00;

WHEREAS, Harriet Hardee effected redemption for certificate #21-00006 in the amount of \$830.03.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of Beachwood, in the County of Ocean, State of New Jersey to refund lien holder, Ross J. Paradise for the redemption of certificate #21-00006 in the amount of \$1,330.03.

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

**RESOLUTION 2023-87**

RESOLUTION OF THE BOROUGH OF BEACHWOOD COUNTY OF OCEAN, STATE OF NEW JERSEY AUTHORIZING A REFUND OF REDEMPTION MONIES FROM LIEN #21-00014 TO LIEN HOLDER, FIG CUST FIGNJ19LLC & SEC PTY IN THE AMOUNT OF \$1,604.81 AND A PREMIUM OF \$1,700.00

WHEREAS, at the Municipal Tax Sale held on December 10, 2021 a lien was sold on Block 2.30 Lot 12 also known as 134 Spar Ave. for 2021 delinquent municipal charges; and,

WHEREAS, this lien, known as Tax Sale Certificate #21-00014 sold to FIG Cust FIGNJ19LLC & SEC PTY with a 0% interest rate and a premium of \$1,700.00;

WHEREAS, Tyrone Sharp effected redemption for certificate #21-00014 in the amount of \$1,604.81.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of Beachwood, in the County of Ocean, State of New Jersey to refund lien holder, FIG Cust FIGNJ19LLC & SEC PTY for the redemption of certificate #21-00014 in the amount of \$3,304.81.

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

**NON-CONSENT RESOLUTION(S)**

**RESOLUTION 2023-88**

RESOLUTION OF THE BOROUGH OF BEACHWOOD AUTHORIZING AND RATIFYING THE CIRCULATION OF A PRELIMINARY OFFICIAL STATEMENT AND FINAL OFFICIAL STATEMENT IN CONNECTION WITH THE SALE OF THE BOROUGH'S GENERAL OBLIGATION BOND ANTICIPATION NOTES IN AN AGGREGATE AMOUNT NOT EXCEEDING \$9,935,000 AND APPROVING A CONTINUING DISCLOSURE CERTIFICATE WITH RESPECT TO SAID NOTES OF

THE BOROUGH, AND AUTHORIZING AND/OR RATIFYING OTHER ACTIONS IN CONNECTION  
THEREWITH

WHEREAS, the Borough Council of the Borough of Beachwood, in the County of Ocean, New Jersey (the "Borough"), has previously adopted (i) a bond ordinance numbered 2013-08, duly adopted by the Borough Council on August 21, 2013 ("Ordinance 2013-08"), (ii) a bond ordinance numbered 2014-05, duly adopted by the Borough Council on June 18, 2014 ("Ordinance 2014-05"), (iii) a bond ordinance numbered 2014-6, duly adopted by the Borough Council on June 18, 2014 ("Ordinance 2014-06") as amended by a bond ordinance numbered 2014-11, duly adopted by the Borough Council on December 17, 2014 ("Ordinance 2014-11"), (iv) a bond ordinance numbered 2015-08 duly adopted by the Borough Council on October 7, 2015 ("Ordinance 2015-08"), (v) a bond ordinance numbered 2015-09 duly adopted by the Borough Council on October 7, 2015 ("Ordinance 2015-09"), (vi) a bond ordinance numbered 2016-09, duly adopted by the Borough Council on September 21, 2016 ("Ordinance 2016-09"), (vii) a bond ordinance numbered 2016-10 duly adopted by the Borough Council on September 21, 2016 ("Ordinance 2016-10"), (viii) a bond ordinance numbered 2017-04 duly adopted by the Borough Council on October 4, 2017 ("Ordinance 2017-04"), (ix) a bond ordinance numbered 2017-05 duly adopted by the Borough Council on October 4, 2017 ("Ordinance 2017-05"), (x) a bond ordinance numbered 2018-02 adopted by the Borough Council on March 7, 2018 ("Ordinance 2018-02"), (xi) a bond ordinance numbered 2018-06 duly adopted by the Borough Council on October 3, 2018 ("Ordinance 2018-06"), (xii) a bond ordinance numbered 2018-07 adopted by the Borough Council on October 3, 2018 ("Ordinance 2018-07"), (xiii) a bond ordinance numbered 2019-03 duly adopted by the Borough on April 17, 2019 ("Ordinance 2019-03"), (xiv) a bond ordinance numbered 2019-08 duly adopted by the Borough on November 6, 2019 ("Ordinance 2019-08"), (xv) a bond ordinance numbered 2020-05 duly adopted by the Borough on February 3, 2021 ("Ordinance 2020-05"); and (xvi) a bond ordinance numbered 2021-13 duly adopted by the Borough on September 15, 2021 ("Ordinance 2021-13", and together with Ordinance 2013-08, Ordinance 2014-05, Ordinance 2014-06, Ordinance 2014-11, Ordinance 2015-08, Ordinance 2015-09, Ordinance 2016-09, Ordinance 2016-10, Ordinance 2017-04, Ordinance 2017-05, Ordinance 2018-02, Ordinance 2018-06, Ordinance 2018-07, Ordinance 2019-03, Ordinance 2019-08 and Ordinance 2020-05, the "Bond Ordinances"), which authorized the issuance of bond anticipation notes; and

WHEREAS, the Borough intends to issue its bond anticipation notes on a tax-exempt basis, consisting of General Improvement Bond Anticipation Notes (the "GI Notes") and Water Utility Bond Anticipation Notes (the "Water Notes") in an aggregate amount not to exceed \$9,935,000, consisting of not to exceed \$7,707,000 GI Notes and not to exceed \$2,228,000 Water Notes under and pursuant to the Bond Ordinances, for the purpose of refunding a portion of the Borough's \$10,198,000 Bond Anticipation Notes, consisting of \$6,977,000 General Improvement Bond Anticipation Notes and \$2,286,000 Water Utility Bond Anticipation Notes which were issued on March 2, 2022 and the Borough's \$935,000 Bond Anticipation Notes, Series 2022C which were issued on August 30, 2022, all of which mature on March 3, 2023, and used to finance and refinance certain general capital and water utility improvements; and

WHEREAS, all matters pertaining to the sale of the Notes have been delegated by the Bond Ordinances respectively, to the Chief Financial Officer of the Borough; and

WHEREAS, in connection with the offering and sale of the Notes, the Borough distributed a Preliminary Official Statement and intends to distribute a final Official Statement setting forth certain information relating to the Borough and the Notes, and the Borough also intends to enter into a Continuing Disclosure Certificate.

NOW, THEREFORE, BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF BEACHWOOD, IN THE COUNTY OF OCEAN, NEW JERSEY, AS FOLLOWS:

SECTION 1. Authorization for Official Statement. The distribution by the Borough, and its municipal advisor, of the Preliminary Official Statement relating to the Notes (a draft of which is attached hereto as Exhibit A and shall be filed with the records of the Borough) is hereby approved in substantially such form, with such insertions, deletions and changes therein and any supplements thereto as bond counsel may advise and the Borough officer executing the same may approve, such approval to be evidenced by such Borough officer's execution thereof. The Chief Financial Officer is hereby authorized to deem the Preliminary Official Statement "final" within the meaning of Rule 15c2-12 of the Rules of the Securities and Exchange Commission.

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February 15, 2023 Mayor & Council Minutes

Commission and to execute and deliver a certificate to that effect. The Chief Financial Officer is hereby authorized to approve the contents and terms of the final Official Statement in respect of the aforementioned notes in substantially the form of the Preliminary Official Statement. The Chief Financial Officer is hereby authorized to sign such Official Statement on behalf of the Borough, in substantially such form, with such insertions, deletions and changes therein and any supplements thereto as bond counsel may advise and the Borough officer executing the same may approve, such approval to be evidenced by such Borough officer's execution thereof.

**SECTION 2. Continuing Disclosure.** The form of the Continuing Disclosure Certificate in substantially the form attached hereto as Exhibit B is hereby approved, and the execution of the Continuing Disclosure Certificate by Chief Financial Officer of the Borough is hereby authorized. The Borough hereby covenants and agrees that it will comply with and carry out all of the provisions of the Continuing Disclosure Certificate executed by the Borough and dated the date of issuance and delivery of the Notes, as originally executed and as it may be amended from time to time in accordance with the terms thereof. Notwithstanding any other provision of this Resolution, failure of the Borough to comply with the Continuing Disclosure Certificate shall not be considered a default on the Notes; however, any holder may take such actions as may be necessary and appropriate, including seeking specific performance by court order, to cause the Borough to comply with its obligations under this Section.

**Section 3. Further Action.** Any matter relating to the award, sale or execution of the Notes which has been delegated to the Chief Financial Officer may be performed by said officer. On behalf of the Borough, the appropriate representatives of the Borough are authorized and directed to take all steps which are necessary or convenient to effectuate the terms of this Resolution with respect to the issuance, sale and delivery of the Notes, including, but not limited to the execution of all tax certificates and other closing documentation. All such actions heretofore taken are hereby ratified, approved and confirmed.

**Section 4. Effective Date.** This Resolution shall take effect upon adoption.

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

**SECOND READING FOR ORDINANCE(S)**

- None

**FIRST READING FOR ORDINANCE(S) BY TITLE ONLY**

- None

**CORRESPONDENCE**

- None

**MAYOR & COUNCIL REPORTS**

**Mayor Roma**

- Thanked Council President Cairns & Councilman Zakar for attending the EMS Installation Dinner. Mayor was unable to attend. Congratulated EMS Chief Matyas.
- Thanked Mr. Rosetta for being a volunteer on the Land Use Board.
- Happy Belated Valentine's Day!

**Council President Cairns**

- The Code Enforcement/Zoning Officer had been out sick and thankfully, he's well and back to work.
- Court had their first in-person session since COVID. It was a packed house last night.

Councilwoman Clayton

- Spring is here; the weather is very nice and kids are playing outside.
- The Community Center kitchen design is coming along.

Councilman Zakar

- Thanked Mr. Rosetta for his volunteerism to the Land Use Board.
- Thanked EMS Chief for the dinner invitation and congratulated his achievement as Chief from Captain.
- 1 claim for this year and 1 claim from last year.

Councilman Feeney

- The mild winter has helped; the snowplows and over-time has not been needed thus far.

Councilman Komsa

- No report.

EMS Chief Chris Matyas

- Thanked Council President Cairns and Councilman Zakar for attending the Installation dinner.

Police Chief Glen DeMarco

- Thanked Council President Cairns and Councilman Zakar for attending the Installation dinner.

Engineer Jim Oris

- The Pinelands Commission has noticed the Borough to adopt the amended Ordinance and Master Plan according to their specs so RVE is working on this project.
- NJ Updated the Stormwater Management requirements. Tier B has been eliminated and the Borough is now Tier A. Mr. Oris will draft a memo of requirements. Proposal to come.
- FEMA meeting will taking place regarding floodplain management rules. Jamie Zimmerman will attend it.

Attorney Mike McKenna

- 2 items for Executive Session.

Municipal Clerk Sue Minock

- Call for motion to authorize the vacation payout for Robert Hartman:

RESOLUTION 2023-88a

RESOLUTION AUTHORIZING BEACHWOOD BOROUGH EMPLOYEE RESIGNATION AND PAYMENT OF VACATION TIME TO ROBERT HARTMAN

WHEREAS, Robert Hartman, Department of Public Works Laborer, resigned effective February 10, 2023; and

WHEREAS, Mr. Hartman accumulated vacation time pay in the amount of \$1,810.56; and

NOW THEREFORE BE IT RESOLVED that the Beachwood Borough Mayor and Council hereby authcize the payment of vacation time in the amount of \$1,810.56 to Robert Hartman effective immediately.

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

- Susan A. Minock, Municipal Clerk
- Jeannine M. Jones, CFO
- Gabriel Silva, DPW Asst. Director

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



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

Mayor called for motion to open the floor to public comment.

**PUBLIC COMMENT**

**OPENED PUBLIC COMMENT**

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

Being no one came forth, Mayor Roma called for motion to close Public Comment

**CLOSED PUBLIC COMMENT**

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

**EXECUTIVE SESSION**

**RESOLUTION 2023-89  
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. Contractual – Tuition Policy; Berkeley Interlocal Agreement for resale/rental backup; Medical Bank participation expansion; Disability retirement; Ball field usage
2. Personnel – Mechanic hire request
3. Terms & Conditions – Short Term Rentals; Cranberry Road Extension; Update on barber shop licensing

Adjourned to Executive Session at 7:16 pm

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

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

**RE-OPEN PUBLIC SESSION**

Re-Opened to Public Session at 8:26pm

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

\*Councilwoman left Executive Session at 7:22 pm

\*\*Councilman Feeney left Executive Session at 8:00pm

**ACTION TAKEN FROM EXECUTIVE SESSION**

**RESOLUTION 2023-90  
RESOLUTION AUTHORIZING THE AMENDMENT OF THE EMPLOYEE WELLNESS INCENTIVE PROGRAM**

WHEREAS, Resolution 2022-367 was approved to change the annual Medical Bank to an annual Employee Wellness Incentive Program permitting the employees to engage in one of the several annual Wellness Programs offered by the Borough to receive a Wellness Incentive in the amount of \$900.00, subject to New Jersey State income tax, by providing proof of participation to the Chief Financial Officer.

WHEREAS, the Borough Council is inclined to expand the option to receive the annual \$900.00 subject to New Jersey State income tax to allow for employees to provide proof of a medical physical examination from their Primary Care Physician to the Chief Financial Officer; and

WHEREAS, proof of a receipt or note from the doctor's office will suffice.

NOW, THEREFORE, BE IT RESOLVED the Council of the Borough of Beachwood, County of Ocean and State of New Jersey hereby authorize to amend the annual Employee Wellness Incentive program by expanding the participation to an annual medical physical examination from the employee's Primary Care Physician in order to receive the Wellness Incentive in the amount of \$900.00, subject to New Jersey State income tax, by providing proof of the examination to the Chief Financial Officer.

BE IT FURTHER RESOLVED that this Resolution hereby be utilized to amend the current and future Collective Bargaining Agreements between the Borough of Beachwood and the Beachwood-Pine Beach PBA Local 253 and the Teamsters Union Local 469.

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

1. Sue Minock, Municipal Clerk
2. Jeannine Jones, Chief Financial Officer
3. Borough Department Heads
4. Beachwood-Pine Beach PBA Local 253 President
5. Teamsters Union Local 469 Representative



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

**RESOLUTION 2023-92**

RESOLUTION OF THE BOROUGH OF BEACHWOOD, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING AN AMENDMENT TO THE INTERLOCAL AGREEMENT BETWEEN THE BOROUGH OF BEACHWOOD AND BERKELEY TOWNSHIP FOR THE CONSTRUCTION AND INSPECTION SERVICES, SUB CODE PLAN REVIEW AND SUB CODE INSPECTIONS PURSUANT TO THE STATE UNIFORM CONSTRUCTION ACT, N.J.S.A. 52:27D-119, BY THE BERKELEY CONSTRUCTION INSPECTION DEPARTMENT ADDING BACKUP COVERAGE FOR A HOUSING INSPECTOR IN ABSENCE OF THE BEACHWOOD HOUSING INSPECTOR

WHEREAS, pursuant to Resolution 2022-352, the Borough of Beachwood Governing Body renewed the joint agreement with the Township of Berkeley to utilize the Berkeley Township Construction and Inspection Services, sub code plan review and sub code inspections, pursuant to the State Uniform Construction Act, N.J.S.A. 52:27d-119, et. Seq., and the regulations promulgated thereunder as per Resolution 2018-405; and

WHEREAS, the Borough of Beachwood Council desires to amend said agreement to include a backup Housing Inspector in the absence of the Beachwood Housing Inspector; and

WHEREAS, the Beachwood collection of fees and remittance to Berkeley as stated in the agreement Sections 2.b and 2.c shall be incorporated as such; and

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Beachwood, County of Ocean, State of New Jersey hereby authorize to amend the Interlocal Agreement between the Borough of Beachwood and Township of Berkeley to add the backup coverage for a Housing Inspector in the absence of the Beachwood Housing Inspector

BE FURTHER RESOLVED as follows:

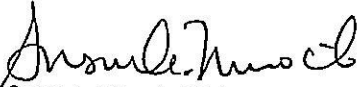
1. A certified copy of this Resolution shall be sent to the Berkeley Township Municipal Clerk and the Borough of Beachwood Chief Financial Officer.

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

**ADJOURNMENT at 8:28pm**


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

Respectively submitted by,

  
Susan A. Minock, RMC  
Municipal Clerk

Attested by:

  
Susan A. Minock, RMC-Municipal Clerk

  
Ronald F. Roma, Jr., Mayor