

MEETING MINUTES
 SEPTEMBER 20, 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, Police Chief Glen DeMarco and Fire Chief Roger Hull

FLAG SALUTE led by Mayor Roma

Opening Public Statement and Remembrance Prayer read by Clerk/Administrator 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.

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.

BILLS AND CLAIMS

RESOLUTION 2023-263

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 lists noted as List 1: \$ 1,077,992.03 and List 2: \$ 234,756.02.

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 \$1,312,748.05.

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

1. Susan A. Minock, Municipal Clerk
2. Jennifer A. Martin, Treasurer

COUNCIL	MOTION	2ND	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			

ACCEPTANCE OF THE MINUTES

RESOLUTION 2023-264
RESOLUTION AUTHORIZING THE ACCEPTANCE OF COUNCIL MINUTES

BE IT RESOLVED THAT THE FOLLOWING MINUTES BE AND ARE HEREBY ACCEPTED AND FILED:

MAYOR AND BOROUGH COUNCIL

August 16, 2023

- Regular Session Meeting
- Executive Session Meeting

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

CONSENT RESOLUTIONS RESO 2023-265 TO 2023-284a

RESOLUTION #2023-265
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"

WATER DEPARTMENT

Jan 9 - Apr 4, 2023

M Hayes, S Bortko

Advanced Water Operations Licensing Prep

Rutger's Online Tu & Th 6pm - 9pm

\$1,775.00/pp

CLERK/ADMINISTRATOR

Nov. 2, 2023

S Minock

Ethics: Doing the Right Thing When No One is Watching

Training Unlimited Webinar 10am - 12pm

\$75.00/pp

Vehicle: No

Vehicle: No

CLERK/Administrator

Oct. 18, 2023
S Minock
Labor Negotiations 2023
NJLM Webinar – Online 9am – 12:40pm
\$75.00/pp
Vehicle: No

FINANCE

Sept. 20, 2023
J Martin
Budget & FAST Update 2024
Webinar – Online 10am – 12pm
\$50.00/pp
Vehicle: No

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

1. Susan A. Minock, Municipal Clerk
2. Jennifer A. Martin, Treasurer
3. Gabriel Silva, DPW Asst. Director

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

RESOLUTION 2023-266

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>
11-12-23	M Nkwodimmah – Birthday Party	\$500.00	\$500.00
11-19-23	D Lagala – Bridal Shower	\$500.00	\$500.00
10-28-23	J Ogtuntade – Birthday Party	\$500.00	\$500.00
11-17-23	C Collins – Reception	\$500.00	\$500.00
5-11-24	J Krill – Birthday Party	\$500.00	\$500.00
10-26-24	A Wildner – Wedding	\$500.00	\$500.00
11-4-23	G Alva – Wedding	\$500.00	\$500.00
9-24-23	D Clarkson – Birthday	\$500.00	\$500.00
	<u>Mayo Park Rentals:</u>	<u>Fee</u>	<u>Deposit</u>
9-24-23	D Clarkson – Birthday	\$200.00	\$100.00
9-23-23	Beachwood Republican Club – Picnic	WAIVED	WAIVED
9-28-24	Beachwood Republican Club – Picnic	WAIVED	WAIVED
9-27-25	Beachwood Republican Club – Picnic	WAIVED	WAIVED
12-3-23	Cub Scout Pack 70 – Party-Gift Gathering	WAIVED	\$100.00
1-21-24	Cub Scout Pack 70 – Pinewood Derby	WAIVED	\$100.00
6-23-24	Cub Scout Pack 70 – Graduation	WAIVED	\$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. Jennifer A. Martin, Treasurer

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

RESOLUTION #2023-267

RESOLUTION OF THE BOROUGH OF BEACHWOOD, OCEAN COUNTY, NEW JERSEY AUTHORIZING CANCELLATION OF THE COMMUNITY CENTER RENTAL FOR SEPTEMBER 24, 2023

WHEREAS, Thomas Fasanella, made application to rent the Community Center for September 24, 2023 with a Deposit of \$500.00 and a Rental fee of \$500.00 as approved on Resolution 2023-241 in agreement with conditions and terms of the contract; and

WHEREAS, Mr. Fasanella canceled the September 24, 2023 Community Center rental knowledgeable of the \$250.00 cancellation fee which is 60 days or less to the date of the event;

NOW THEREFORE BE IT RESOLVED by the Borough of Beachwood Mayor and Council hereby approve the cancellation of Community Center rental contract for Thomas Fasanella for the September 24, 2023 rental date with full understanding to relinquish the \$250.00 cancellation fee to the Borough leaving a \$750.00 balance for the Deposit fee via Purchase Order 23-01337.

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

1. Susan A. Minock, Municipal Clerk
2. Jennifer A. Martin, Treasurer

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

RESOLUTION #2023-268

RESOLUTION OF THE BOROUGH OF BEACHWOOD, OCEAN COUNTY, NEW JERSEY AUTHORIZING CANCELLATION OF THE COMMUNITY CENTER RENTAL FOR OCTOBER 13, 2023

WHEREAS, Benjamin Keogh, made application to rent the Community Center for October 13, 2023 with a Deposit of \$500.00 and a Rental fee of \$500.00 as approved on Resolution 2023-179 in agreement with conditions and terms of the contract; and

WHEREAS, Mr. Keogh canceled the October 13, 2023 Community Center rental knowledgeable of the \$250.00 cancellation fee which is 60 days or less to the date of the event;

NOW THEREFORE BE IT RESOLVED by the Borough of Beachwood Mayor and Council hereby approve the cancellation of Community Center rental contract for Benjamin Keogh for the October 13, 2023 rental date

with full understanding to relinquish the \$250.00 cancellation fee to the Borough leaving a \$750.00 balance for the Deposit fee via Purchase Order 23-00839.

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

1. Susan A. Minock, Municipal Clerk
2. Jennifer A. Martin, Treasurer

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

RESOLUTION #2023-269

RESOLUTION OF THE BOROUGH OF BEACHWOOD, OCEAN COUNTY, NEW JERSEY AUTHORIZING CANCELLATION OF THE MAYO PARK CENTER RENTAL FOR SEPTEMBER 24, 2023

WHEREAS, Erin Scivoletti, made application to rent the Mayo Park Center for September 24, 2023 with a Deposit of \$100.00 and a Rental fee of \$200.00 as approved on Resolution 2023-156 in agreement with conditions and terms of the contract; and

WHEREAS, Ms. Scivoletti canceled the September 24, 2023 Mayo Park Center rental knowledgeable of the \$75.00 cancellation fee which is 60 days or less to the date of the event;

NOW THEREFORE BE IT RESOLVED by the Borough of Beachwood Mayor and Council hereby approve the cancellation of Mayo Park Center rental contract for Erin Scivoletti for the September 24, 2023 rental date with full understanding to relinquish the \$75.00 cancellation fee to the Borough leaving a \$225.00 balance for the Deposit fee via Purchase Order 23-01440.

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

1. Susan A. Minock, Municipal Clerk
2. Jennifer A. Martin, Treasurer

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

RESOLUTION 2023-270

RESOLUTION AUTHORIZING SPECIAL LAW ENFORCEMENT OFFICER II (SLEO II) APPOINTMENT OF SHANE M. KLUXEN

RESOLVED by Mayor and Council to appoint the following Special Law Enforcement Officer II (SLEO II) effective September 21, 2023 contingent upon successful Police background, psychological and medical examinations.

- Shane M. Kluxen hourly rate of \$20.00

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

- Municipal Clerk Susan A. Minock
- Treasurer Jennifer A. Martin
- Police Chief Glen DeMarco

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

RESOLUTION 2023-271

RESOLUTION AUTHORIZING SPECIAL LAW ENFORCEMENT OFFICER II (SLEO II) APPOINTMENT OF KYLE K. KRIMIN

RESOLVED by Mayor and Council to appoint the following Special Law Enforcement Officer II (SLEC II) effective September 21, 2023 contingent upon successful Police background, psychological and medical examinations.

- Kyle K. Krimin hourly rate of \$20.00

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

- Municipal Clerk Susan A. Minock
- Treasurer Jennifer A. Martin
- Police Chief Glen DeMarco

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

RESOLUTION 2023-272

RESOLUTION AUTHORIZING THE 2024 ANNUAL MUNICIPAL CALENDAR AWARD TO TREC IN THE AMOUNT OF \$6,865.00

WHEREAS, on July 1, 2023, the Borough of Beachwood Municipal Clerk solicited quotes from four (4) vendors for the 2024 annual printing of the Municipal Calendar, with a response date of August 31, 2023 (10:00am); and

WHEREAS, the Borough of Beachwood received three (3) responses as follows:

(4,500 copies)

- o TREC Printing – Toms River NJ \$ 6,865.00
- o Urner Barry Printing – Toms River NJ \$ 7,500.00
- o Lavalette Print Shop – Lavalette, NJ No response
- o Central Printing – Toms River NJ No response

NOW, THEREFORE, BE IT RESOLVED that the Borough of Beachwood Council hereby award the contract for printing of the 2024 Municipal Calendar to TREC Printing – Toms River NJ in the amount of \$6,865.00 for 4,500 copies.

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

1. Susan A. Minock, Municipal Clerk
2. Jennifer A. Martin, Treasurer
3. Ron George of TREC Printing -- Toms River, NJ

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

RESOLUTION 2023-273

RESOLUTION RECOGNIZING PERMANENT APPOINTMENT FOR STEVEN T. BORTKO AS WATER REPAIRER I (SENIOR WATER REPAIRER) OF PUBLIC WORKS FOR THE BOROUGH OF BEACHWOOD IN ACCORDANCE WITH THE NEW JERSEY STATE CIVIL SERVICE COMMISSION

WHEREAS, in accordance with NJAC 4A:4-2.7, Steven T. Borkto's promotion to Water Repairer I (Senior Water Repairer) for the Borough of Beachwood Public Works Department has been approved as permanent by the New Jersey State Civil Service Commission effective August 28, 2023; and

NOW, THEREFORE, BE IT RESOLVED the Borough Mayor and Council of the Borough of Beachwood, County of Ocean and State of New Jersey recognize the permanent Water Repairer I (Senior Water Repairer) appointment approval for Steven T. Borkto.

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

1. Susan A. Minock, Municipal Clerk
2. Chief Financial Officer
3. Gabriel Silva, DPW Asst. Director

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

RESOLUTION 2022-274

RESOLUTION AUTHORIZING SOCIAL AFFAIRS PERMIT FOR THE BEACHWOOD REPUBLICAN CLUB ANNUAL RALLY/PICNIC FUNDRAISER

WHEREAS, the Beachwood Republican Club proposes to hold its Annual Rally/Picnic Fundraiser at the Beachwood Mayo Park Center, 501 Beacon Avenue, Beachwood, NJ 08722; and

WHEREAS, the event is proposed to be held on September 23, 2023 from 2:00 pm to 6:00 pm; and

WHEREAS, the said rally entails the serving of alcoholic beverages to the persons of at least 21 years of age and the need for a Social Affairs permit is required by the New Jersey State Alcohol Beverage Control Commission as per N.J.S.A. 33:1-74 and N.J.A.C. 13:2-5.1; and

WHEREAS, the Governing Body desires to allow for the Beachwood Republican Club to hold its Annual Rally/Picnic Fundraiser with the serving of alcoholic beverages to the persons of at least 21 years of age.

NOW THEREFORE BE IT RESOLVED by Mayor and Council to approve the Social Affairs Permit (One Day Liquor License) to the Beachwood Republican Club on September 23, 2023 from 2:00 pm to 6:00 pm at the Beachwood Mayo Park Center, 501 Beacon Avenue, Beachwood, NJ 08722 to persons of at least 21 years of age.

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

- Susan A. Minock, Municipal Clerk
- Beachwood Republican Club Treasurer, Carl Schmidt
- State of NJ Alcohol Beverage Control
- Glen DeMarco, Police Chief

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

RESOLUTION 2023-275

RESOLUTION ACCEPTING BEACHWOOD BOROUGH EMPLOYEE RESIGNATION AND AUTHORIZING PAYOUT OF ACCUMULATED VACATION TIME

WHEREAS, Patrick Lynch, Department of Public Works Laborer, resigned effective September 8, 2023; and

WHEREAS, Mr. Lynch's amount of accumulated vacation time is in the amount of \$341.02; and

NOW THEREFORE BE IT RESOLVED that the Beachwood Borough Mayor and Council hereby accept the resignation of Patrick Lynch and authorize the accumulated vacation pay in the amount of \$341.02 due to Mr. Lynch.

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

- Susan A. Minock, Municipal Clerk
- Jennifer A. Martin, Treasurer
- Gabriel Silva, DPW Asst. Director

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

RESOLUTION 2023-276

RESOLUTION OF THE BOROUGH OF BEACHWOOD, OCEAN COUNTY, NEW JERSEY AUTHORIZING A LEAVE OF DISABILITY WITHOUT PAY

BE IT RESOLVED by the Borough of Beachwood Mayor and Council hereby approve the Disability Leave without pay for Kenneth Wall in his position as Heavy Truck Driver in the Department of Public Works effective August 15, 2023 for approximately four (4) months.

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

- Susan A. Minock, Municipal Clerk
- Jennifer A. Martin, Treasurer
- Gabriel Silva, Asst. Director of Public Works

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

RESOLUTION 2023-277

RESOLUTION OF THE BOROUGH OF BEACHWOOD, OCEAN COUNTY, NEW JERSEY AUTHORIZING PAYMENT TO THE BOROUGH ENGINEERS, REMINGTON & VERNICKS' ADDITIONAL PROFESSIONAL SERVICES FOR THE SOLAR PROJECT AGREEMENT NEGOTIATIONS

WHEREAS, the Borough of Beachwood has received a request for payment from the Borough Engineer, Remington & Vernick Engineers, for additional professional services in regard to the agreement negotiations of the landfill solar project in the amount of \$1,600.00; and

WHEREAS, the Borough Treasurer certified that funds are available for said project under account 3-01-20-165-099; Engineering Expense; and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Beachwood, County of Ocean and State of New Jersey hereby authorizes the Borough Engineers' request for payment from the Borough Engineer, Remington & Vernick Engineers, for additional professional services in regard to the agreement negotiations of the landfill solar project in the amount of \$1,600.00.

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 Treasurer, and Borough Engineer.

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

RESOLUTION 2023-278

RESOLUTION OF THE BOROUGH OF BEACHWOOD COUNTY OF OCEAN, STATE OF NEW JERSEY AUTHORIZING A REFUND OF REDEMPTION MONIES FROM LIEN #21-00022 TO LIEN HOLDER, EVOLVE BANK & TRUST IN THE AMOUNT OF \$5,516.62 AND A PREMIUM OF \$2,600.00.

WHEREAS, at the Municipal Tax Sale held on December 10, 2021 a lien was sold on Block 3.22 Lot 4 also known as 729 Ship Ave. for 2021 delinquent municipal charges; and,

WHEREAS, this lien, known as Tax Sale Certificate #21-00022 sold to Evolve Bank & Trust with a 0% interest rate and a premium of \$2,600.00;

WHEREAS, Wells Fargo Bank NA effected redemption for certificate #21-00022 in the amount of \$5,516.62.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of Beachwood, in the County of Ocean, State of New Jersey to refund lien holder, Evolve Bank & Trust for the redemption of certificate #21-00022 in the amount of \$8,116.62.

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

RESOLUTION 2023-279

RESOLUTION OF THE BOROUGH OF BEACHWOOD COUNTY OF OCEAN, STATE OF NEW JERSEY AUTHORIZING A REFUND OF REDEMPTION MONIES FROM LIEN #22-00009 TO LIEN HOLDER, EVOLVE BANK & TRUST IN THE AMOUNT OF \$2,818.92 AND A PREMIUM OF \$4,000.00.

WHEREAS, at the Municipal Tax Sale held on December 9, 2022 a lien was sold on Block 2.35 Lot 5 also known as 221 Pennant Ave. for 2021 delinquent municipal charges; and,

WHEREAS, this lien, known as Tax Sale Certificate #22-00009 sold to Evolve Bank & Trust with a 0% interest rate and a premium of \$4,000.00;

WHEREAS, Freddy & Greta McCullough effected redemption for certificate #22-00009 in the amount of \$2,818.92.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of Beachwood, in the County of Ocean, State of New Jersey to refund lien holder, Evolve Bank & Trust for the redemption of certificate #22-00009 in the amount of \$6,818.92.

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

RESOLUTION 2023-280

RESOLUTION OF THE BOROUGH OF BEACHWOOD COUNTY OF OCEAN, STATE OF NEW JERSEY AUTHORIZING A REFUND OF REDEMPTION MONIES FROM LIEN #22-00013 TO LIEN HOLDER, EVOLVE BANK & TRUST IN THE AMOUNT OF \$1,464.39 AND A PREMIUM OF \$3,300.00.

WHEREAS, at the Municipal Tax Sale held on December 9, 2022 a lien was sold on Block 3.28 Lot 7 also known as 1001 Beachwood Blvd. for 2021 delinquent municipal charges; and,

WHEREAS, this lien, known as Tax Sale Certificate #22-00013 sold to Evolve Bank & Trust with a 0% interest rate and a premium of \$3,300.00;

WHEREAS, John & Roberta Aiello effected redemption for certificate #22-00013 in the amount of \$1,464.39.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of Beachwood, in the County of Ocean, State of New Jersey to refund lien holder, Evolve Bank & Trust for the redemption of certificate #22-00013 in the amount of \$4,764.39.

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

RESOLUTION 2023-281

RESOLUTION OF THE BOROUGH OF BEACHWOOD COUNTY OF OCEAN, STATE OF NEW JERSEY AUTHORIZING A REFUND OF REDEMPTION MONIES FROM LIEN #22-00021 TO LIEN HOLDER, PRO CAP 8 FBO FIRST TRUST BANK IN THE AMOUNT OF \$2,389.05 AND A PREMIUM OF \$3,500.00.

WHEREAS, at the Municipal Tax Sale held on December 9, 2022 a lien was sold on Block 4.27 Lot 13 also known as 304 Forepeak Ave. for 2021 delinquent municipal charges; and,

WHEREAS, this lien, known as Tax Sale Certificate #22-00021 sold to Pro Cap 8 FBO First Trust Bank with a 0% interest rate and a premium of \$3,500.00;

WHEREAS, Richard Birmingham effected redemption for certificate #22-00021 in the amount of \$2,389.05.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of Beachwood, in the County of Ocean, State of New Jersey to refund lien holder, Pro Cap 8 FBO First Trust Bank for the redemption of certificate #22-00021 in the amount of \$5,889.05.

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

RESOLUTION 2023-282

RESOLUTION OF THE BOROUGH OF BEACHWOOD COUNTY OF OCEAN, STATE OF NEW JERSEY AUTHORIZING A REFUND OF REDEMPTION MONIES FROM LIEN #22-00039 TO LIEN HOLDER, EVOLVE BANK & TRUST IN THE AMOUNT OF \$1,758.53 AND A PREMIUM OF \$2,000.00.

WHEREAS, at the Municipal Tax Sale held on December 9, 2022 a lien was sold on Block 11.35 Lot 8 also known as 316 Pacific Ave. for 2021 delinquent municipal charges; and,

WHEREAS, this lien, known as Tax Sale Certificate #22-00039 sold to Evolve Bank & Trust with a 0% interest rate and a premium of \$2,000.00;

WHEREAS, Yehoshua Moscovicz effected redemption for certificate #22-00039 in the amount of \$1,758.53.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of Beachwood, in the County of Ocean, State of New Jersey to refund lien holder, Evolve Bank & Trust for the redemption of certificate #22-00039 in the amount of \$3,758.53.

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

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

RESOLUTION 2023-283

RESOLUTION OF THE BOROUGH OF BEACHWOOD COUNTY OF OCEAN, STATE OF NEW JERSEY AUTHORIZING A REFUND FOR OVERPAYMENT OF 2023 PROPERTY TAXES ON BLOCK 2.06 LOT 2.01 TO CORELOGIC IN THE AMOUNT OF \$1,267.35.

WHEREAS, the Mortgage Company and owner both made a payment on 3rd quarter property taxes for the property known as Block 2.06 Lot 2.01;

WHEREAS, Corelogic is requesting said monies to be refunded;

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of Beachwood, in the County of Ocean, State of New Jersey to authorize the refund to Corelogic in the amount of \$1,267.35.

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

RESOLUTION 2023-284

RESOLUTION OF THE BOROUGH OF BEACHWOOD, COUNTY OF OCEAN, STATE OF NEW JERSEY AUTHORIZING THE EXECUTION OF THE SPOTTED LANTERNFLY CHEMICAL TREATMENT GRANT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF AGRICULTURE

WHEREAS, the Mayor and the Borough Council of the Borough of Beachwood is desirous of entering into an agreement with the New Jersey Department of Agriculture for the receipt of the Spotted Lanternfly Chemical Treatment grant funding; and

WHEREAS, the Borough Attorney has reviewed the proposed agreement and are satisfied with the contents of the same; and

WHEREAS, the Mayor and Borough Council are further satisfied that the execution of the said agreement on behalf of the Borough of Beachwood would be in the public interest to Beachwood residents.

NOW THEREFORE BE IT RESOLVED by Mayor and Council hereby authorize the Mayor of the Borough of Beachwood to execute the agreement for the Spotted Lanternfly Chemical Treatment grant funding between the Borough of Beachwood and the New Jersey Department of Agriculture

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

- Susan A. Minock, Municipal Clerk
- Jennifer A. Martin, Treasurer
- Gabriel Silva, Assistant Director of Public Works
- New Jersey Department of Agriculture

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

RESOLUTION 2023-284a

RESOLUTION OF THE BOROUGH OF BEACHWOOD, OCEAN COUNTY, NEW JERSEY AUTHORIZING A NET CONTRACT DECREASE OF \$5,000.00 AND THE FULL PAYMENT IN THE AMOUNT OF \$4,664.86 FOR CHANGE ORDER #1 AND FINAL UNDER THE CONTRACT BETWEEN THE BOROUGH AND OPTIMUM CONTROLS CORPORATION FOR THE SCADA WATER SYSTEM UPGRADE PROJECT

WHEREAS, the Borough of Beachwood previously awarded a contract to Optimum Controls Corporation for the SCADA Water System Upgrade Project in the amount of \$108,543.00; and

WHEREAS, as a result of Change Order #1 there is a net decrease of the price in the amount of \$5,000.00 for a contract amount of \$103,543.00; and

WHEREAS, the Borough Engineer, John LeCompte, PE, PP, CME, has recommended the approval of said Change Order as well as final payment in the amount of \$4,664.86; and

WHEREAS, the Borough Treasurer has certified funds are available for said final payment under budget account C-06-56-581-801; and

WHEREAS, it is now the desire of this Governing Body to act upon the Engineer's recommendation and approve Change Order #1 and Final.

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

1. That the Borough Council of the Borough of Beachwood hereby formally approves Change Order #1 to the contract between the Borough of Beachwood and Optimum Controls Corporation wherein there is a net decrease of \$5,000.00 to the contract price.
2. That the Borough Council of the Borough of Beachwood hereby authorize Final payment in the amount of \$4,664.86 to Optimum Controls Corporation.
3. That upon adoption of the within Resolution the Clerk is authorized and directed to forward a certified copy of it to the Borough Engineer, the Borough Treasurer, and Optimum Controls Corporation.

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

NON-CONSENT RESOLUTION(S)

- None

SECOND READING FOR ORDINANCE(S)

ORDINANCE 2023-07

AN ORDINANCE AMENDING CHAPTER 14, STREETS AND SANITATION, OF THE CODE OF THE BOROUGH OF BEACHWOOD,
COUNTY OF OCEAN AND STATE OF NEW JERSEY

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

SECTION 1: Chapter 14, Streets and Sanitation, Section 14-1.7, Rules and Regulations for Excavations is hereby amended by replacing subsection e. through j. in its entirety with the following:

- e. Restoration required.
1. The permittee shall restore the surface of all streets, broken into or damaged as a result of excavation work, to its original condition in accordance with the Borough Design Standards and Details, and specifications of the Department of Public Works, Parks and Engineering, and at the direction of the Borough Engineer.
 2. In the case of utility work undertaken by a public or private utility or contractor, which work involves placing of new or replacing or repairing existing utility infrastructure, including but not limited to gas lines, water lines, electrical lines and sewer lines, or any disturbance of the roadway surface, where the area to be trenched is greater than fifty (50) linear feet, or where multiple small openings in the pavement are made within a fifty (50) linear-foot or greater length of a roadway, upon completion or within a reasonable amount of time as determined by the Borough Engineer, the permittee shall mill and repave the entire pavement surface from edge to edge or curb to curb for the full length of the excavation, at their cost, in accordance with the Borough Design Standards and Details, and specifications of the Department of Public Works, Parks and Engineering, and at the direction of the Borough Engineer. Further, should any proposed construction result in an undisturbed section of roadway between two disturbed segments, or between one disturbed segment and an intersecting roadway, and such undisturbed section is 500 linear feet or less in length, said undisturbed section will still require full restoration, edge to edge, at the cost of the Permittee in accordance with Borough roadway restoration specifications.
- f. Minimum Standards. The minimum permitted permanent repairs shall be, or in the opinion of the Borough Engineer, be equivalent to:
1. In streets surfaced with a bituminous surface treatment - construction of a hot, mixed bituminous stabilized base, NJDOT Mix I-1, four (4") inches compacted thickness and a hot, mixed bituminous concrete surface course, NJDOT Mix I-5, one and one-half (1 1/2") inches compacted thickness. All pavement edges to be vertically cut, neatly matched and tack coated - no existing overlaying pavements will be permitted;
 2. In streets of lesser construction, as approved by the Borough Engineer at the time of issuance of permit.
 3. Excavations of one (1) square yard or less regardless of type or road construction shall be restored with six (6") inches NJDOT I-4 Soil Aggregate and as directed in subsection 12-1.28. If the particular existing pavements exceed these criteria, higher type repairs may be required. All materials and workmanship to be in accordance with the Latest Revision to the New Jersey Department of Transportation's Standard Specifications for Road and Bridge Construction.

g. Temporary Restorations. The Permittee may be required to place a temporary surface over openings made in paved traffic lanes. Except when the permanent replacement pavement is to be replaced before the opening of the cut to traffic, the fill above the bottom of the paving slab shall be tamped into place and this fill shall be topped with a minimum of at least two (2") inches of cold mix bituminous concrete which is suitable to maintain the opening in good condition until permanent restoration can be made. The crown of the temporary restoration shall not exceed one (1") inch above the adjoining pavement. The Permittee shall exercise special care in making such temporary restorations and must maintain such restorations in safe traveling condition until such time as permanent restorations are made. If in the judgment of the Superintendent of Public Works, it is not expedient to replace the pavement over any cut or excavation made in the street upon completion of the work allowed under such permit by reason of the looseness of the earth or weather conditions, he/she may direct the Permittee to lay a temporary pavement of steel plate or other suitable material designated by him/her over said cut or excavation to remain until such time as the repair of the original pavement may be properly made.

h. Permanent Restoration. Permanent restoration of the street shall be made by the Permittee in strict accordance with the specifications prescribed by the Superintendent of Public Works and the Municipal Engineer. Permanent paving shall be constructed as follows:

1. In the case of main replacements and for streets where multiple service connections are made, after the backfill is placed/compacted and the approved settling time is completed, the road shall be milled and paved from curb to curb for the entire length of the trench in accordance with subsection 12-1.28b above.

i. Acceptance or approval of any excavation work by the Superintendent of Public Works shall not prevent the Borough from asserting a claim against a Permittee and his or its surety under the surety bond required hereunder for incomplete or defective work if discovered within thirty (36) months from the completion of the excavation work. The Superintendent of Public Works' presence during the performance of any excavation work shall not relieve the Permittee of its responsibilities hereunder.

j. Borough's Right to Restore Surfaces or Eliminate Violations; Maintenance of Condition.

1. Permittee Fails to Restore Surface; Borough to Act. If the Permittee shall have failed to restore the surface of the street to its original and proper condition upon the expiration of the time fixed by such permit or shall otherwise have failed to complete the excavation work covered by such permit, or shall fail to adhere to other requirements of this Chapter, the Borough shall have the right to do all work necessary to restore the street, eliminate violations and to complete the excavation work. The Permittee shall be liable for the actual costs thereof and twenty-five (25%) percent of such cost in addition thereto for general overhead and administrative expenses. The Borough shall have a cause of action for all fees, expenses and amounts paid out and due it for such work and shall apply in payment of the amount due it, any funds of the

Permittee deposited as herein provided and the Borough shall also enforce its rights under any surety bond provided pursuant to this Chapter. The Borough will normally give the Permittee twenty-four (24) hours notice of its intent to act, under the terms of this Section, to eliminate violations of this Chapter or to restore the surface, except that in the case of immediate danger to the public health or safety certified to by the appropriate officials, no such notice will be provided.

2. Guarantee for three (3) years. It shall be the duty of the Permittee to guarantee and maintain the site of the excavation working the same condition it was prior to the excavation for three (3) years after restoring it to its original condition.

- k. Backfills in tunnels. In cases where it becomes necessary to resort to tunneling operations to reach the point of connection with the main line, the backfill in such tunnel shall be of rammed cement concrete composed of a mixture by volume of one part cement to six parts of coarse aggregate material not inferior to cinders.

- l. Special conditions. The Borough reserves the right to impose special conditions in special cases.

- m. Notwithstanding, all road applications will require conformance with prescribed road restoration program. Failure to comply will result in work being done at the cost to the applicant.

- n. Every person owning, using, controlling or having an interest in pipes, conduits, ducts, utilities or other structures under the surface of any street used for the purpose of supplying or conveying gas, electricity, water, sanitary waste, communication impulses, or any other utility or communications service, to or from the Borough, or to or from its inhabitants, or for any other purpose shall file with the Engineer's office within two years after the adoption of this paragraph accurate information showing the location, size and description of all such installations. [Paragraph n was adopted on November 6, 2013, by Ord. No. 2013-10]

- o. Within 30 days after the first day of January of each and every year, such person shall file with the Engineer's office additional information showing installation, including all those made or abandoned during the previous years; provided, however, if no additions have been made to its installation during the previous year, a utility or authority may file with the Engineer's office a written statement to that effect, within the period of time specified above. A utility or authority may at its own option elect to provide additional information throughout the year as it is available rather than proceed as above noted.

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

SECTION 3: This ordinance shall take effect immediately upon its final passage and publication as required by law.

Open Public Hearing Ord 2023-07

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

Being no one came forth to speak on said Ordinance, Mayor Roma called for motion to close the Public Hearing

Closed Public Hearing Ord 2023-07

COUNCIL	MOTION	2ND	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		X			
<i>Councilman Zakar</i>			X			

Mayor called for motion to adopt Ordinance 2023-07

Roll Call Adopting Ord 2023-07 on September 20, 2023

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

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing Ordinance was introduced and passed on first reading at the regular meeting of the Borough Council of the Borough of Beachwood, in the County of Ocean, held on the 16th day of August, 2023 and was considered for second reading and final passage at a regular meeting of said governing body to be held on the 20th day of September, 2023 at 7:00 p.m. at the Beachwood Municipal Complex, 1600 Pinewald Road, Beachwood, New Jersey at which time and place any person desiring to be heard upon the same were given an opportunity to be so heard.

FIRST READING FOR ORDINANCE(S) - READ BY TITLE ONLY

ORDINANCE 2023-08

AN ORDINANCE OF THE BOROUGH OF BEACHWOOD , COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 10-11 OF THE BOROUGH OF BEACHWOOD CODE ENTITLED, "VACANT AND ABANDONED RESIDENTIAL PROPERTIES IN FORECLOSURE; MAINTENANCE, SECURITY AND UP-KEEP" SO AS TO AMEND THE TITLE AND VARIOUS SECTIONS THEREOF

WHEREAS, P.L. 2021, Chapter 444 authorized municipalities to adopt ordinances to (1) create a property registration program for the purposes of identifying and monitoring residential and commercial properties within the municipality for which a summons and complaint in an action to foreclose on a mortgage has been filed;

(2) regulate the care, maintenance, security, and upkeep of the exterior of vacant and abandoned residential and commercial properties for which a summons and complaint in an action to foreclose has been filed; and

(3) impose property registration fees on the creditor of residential or commercial properties on an annual or semi-annual basis; and

WHEREAS, P.L. 2021, Chapter 444, provided that municipalities may adopt said ordinances but same must contain certain provisions and requirements; and

WHEREAS, §10-11, Vacant and Abandoned Residential Properties in Foreclosure; Maintenance, Security and Up-Keep, of the Borough Code must be amended to comport with the new legislation.

NOW, THEREFORE, BE IT ORDAINED by the governing body of the Borough of Beachwood , County of Ocean, State of New Jersey as follows:

TITLE. That the governing body hereby amends the Title of Chapter 10-11, from "Vacant and Abandoned Residential Properties in Foreclosure; Maintenance, Security and Up-Keep" to "Vacant, Abandoned, Foreclosed Properties Registration and Maintenance"

SECTION 1. That the governing body hereby amends Chapter 10-11, Vacant, Abandoned, Foreclosed Properties Registration and Maintenance, so as to amend §10-11.1, "Owner Defined" as "Definitions" and to add the following definitions:

ANNUAL REGISTRATION

One (1) year from the date of the first action that requires registration pursuant to this Chapter, and every subsequent year that the property is still a registerable property. The date of the initial registration may be different than the date of the first action that required registration.

CREDITOR

A mortgagee or an agent or assignee of a mortgagee, such as the servicer, who has filed a complaint in the Superior Court seeking to foreclose upon a residential or commercial mortgage. If the entity seeking to foreclose upon the residential or commercial mortgage changes as a result of an assignment, transfer, or otherwise after the filing of the foreclosure complaint in the Superior Court, the new entity shall be deemed the creditor for purposes of this ordinance. For purposes of this ordinance, a creditor shall not include the State, a political subdivision of the State, a State, county, or local government entity, or their agent or assignee, such as the servicer.

SECTION 2. That the governing body hereby amends Chapter 10, Registration of Foreclosing Mortgaged Property and Vacant Property, so as to amend §10-11.2, Vacant Property, to omit the entire section and replace with the following definition shall be added:

VACANT AND ABANDONED

In accordance with N.J.S.A. 40:48-2.12s3(b)(8), a property shall be considered vacant and abandoned if it is not legally occupied by a mortgagor or tenant, which is in such condition that it cannot be legally reoccupied, because of the presence or finding of *at least two* of the following:

(a) overgrown or neglected vegetation;

(b) the accumulation of newspapers, circulars, flyers, or mail on the property;

- (c) disconnected gas, electric, or water utility services to the property;
- (d) the accumulation of hazardous, noxious, or unhealthy substances or materials on the property;
- (e) the accumulation of junk, litter, trash, or debris on the property;
- (f) the absence of window treatments such as blinds, curtains, or shutters;
- (g) the absence of furnishings and personal items;
- (h) statements of neighbors, delivery persons, or government employees indicating that the property is vacant and abandoned;
- (i) windows or entrances to the property that are boarded up or closed off, or multiple window panes that are damaged, broken, and unrepaired;
- (j) doors to the property that are smashed through, broken off, unhinged, or continuously unlocked;
- (k) a risk to the health, safety, or welfare of the public or any adjoining or adjacent property owners due to acts of vandalism, loitering, criminal conduct, or the physical destruction or deterioration of the property;
- (l) an uncorrected violation of a municipal building, housing, or similar code during the preceding year, or an order by municipal authorities declaring the property to be unfit for occupancy and to remain vacant and unoccupied;
- (m) the mortgagee or other authorized party has secured or winterized the property due to the property being deemed vacant and unprotected or in danger of freezing;
- (n) a written statement issued by a mortgagor expressing the clear intent of all mortgagors to abandon the property; or
- (o) any other reasonable indicia of abandonment.

SECTION 3. That the governing body hereby amends Chapter 10-11, Vacant, Abandoned, Foreclosed Properties Registration and Maintenance, so as to omit §10-11.3 Enforcement, in its entirety, and replace with Inspection and registration of real property under foreclosure as follows:

~~The Zoning Officer or any other local official responsible for administration of any property maintenance or public nuisance code is authorized to issue a notice to the creditor filing the Summons and Complaint in an action to foreclose if that public officer or other authorized municipal official determines that the creditor has violated the section by failing to provide for the care, maintenance, security, and upkeep of the exterior of the property. Such notice shall require the person or entity to correct the violation within 30 days of receipt of the notice, or within 10 days of receipt of the notice if the violation presents an imminent threat to the public~~

~~health and safety. The issuance of a notice pursuant to this subsection constitutes proof that the property is "vacant and abandoned" for the purpose of N.J.S.A. 2A:50-73.~~

§10-11.3, Inspection and registration of real property under foreclosure

- A. Any creditor or mortgagee filing a summons and complaint in an action to foreclose real property in the Borough of Beachwood shall, in addition to the notice provided to the municipality pursuant to N.J.S.A. 46:10B-51 or N.J.S.A. 40:48-2.12s2, register the residential or commercial property with the Borough's property registration program within 10 days of filing the summons and complaint in an action to foreclose, as a property in foreclosure and, as part of that registration:
 - i. provide the Borough with the information regarding the creditor required by N.J.S.A. 46:10B-51 or N.J.S.A. 40:48-2.12s2;
 - ii. Appoint a property manager to inspect, maintain and secure the real property subject to the mortgage in foreclosure;
 - iii. Provide the name of the creditor or mortgagee, the mailing address of the mortgagee, email address, telephone number and name of the property manager and said person's address, email address, and telephone number, regardless of whether it is occupied or vacant.
 - iv. identify the date the summons and complaint in an action to foreclose on a mortgage was filed against the subject property, the court in which it was filed, and the docket number of the filing; and
 - v. identify whether the property is vacant and abandoned in accordance with the definition herein under §10-11.1.
 - vi. Register a separate registration for each property subject to a filing a summons and complaint in an action to foreclose real property
- B. Any mortgagee who holds a mortgage on real property located within the Borough shall perform an inspection of the property upon default by the mortgagor as evidenced by the filing of a foreclosure action.
- C. Property inspected pursuant to Subsection A above that remains in foreclosure shall be inspected every 30 days by the creditor or mortgagee. If an inspection shows a change in the property's occupancy status, the creditor or mortgagee shall, within 10 days of that inspection, update the occupancy status of the property registration.
- D. If there is any change in the name, address, or telephone number for a representative, agent, or individual authorized to accept service on behalf of a creditor required to register pursuant to the property registration program following the filing of the summons and complaint, the creditor shall update the property registration program within 10 days of the change in that information;
- E. A creditor filing a summons and complaint in an action to foreclose shall, if the registered property becomes vacant and abandoned as defined in § 10-11.2 after the property is initially registered with the Borough, update the property registration with the Borough to reflect the change in the property's status within 10 days of the inspection performed under Section C above.
- F. A creditor filing a summons and complaint in an action to foreclose shall be responsible for the care, maintenance, security, and upkeep of the exterior of the property if the property is vacant and abandoned at any time while the property is registered with the property registration program;

- G. Any mortgagee or creditor located out-of-State shall be responsible for appointing an in-State representative or agent to act for the foreclosing creditor and shall provide the name and contact of said in-State representative or agent to the Borough Administrator within 10 days of the appointment of same.
- H. At the time of initial registration, each registrant shall pay a nonrefundable annual registration fee of \$500 for each property that is required to be registered because a summons and complaint in an action to foreclose was filed by the creditor. Subsequent nonrefundable annual registrations of properties and fees in the amount of \$500 are due within 10 days of the expiration of the previous registration. An additional \$2,000 per property shall be assessed annually if the property is vacant or abandoned pursuant to § 10-11.2 when the summons and complaint in an action to foreclose is filed, or becomes vacant and abandoned pursuant to § 10-11.2 at any time thereafter while the property is in foreclosure. Said fees shall be deposited to a special account in the Borough's department dedicated to the cost of implementation and enforcement of this chapter and fulfilling the purpose and intent of this chapter. None of the funds provided for in this section shall be utilized for the legal defense of foreclosure actions.
- I. If the mortgage and/or servicing on a property is sold or transferred, the new mortgagee is subject to all the terms of this chapter. Within 10 days of the transfer, the new mortgagee shall register the property or update the existing registration. The previous mortgagee(s) will not be released from the responsibility of paying all previous unpaid fees, fines, and penalties accrued during that mortgagee's involvement with the registrable property.
- J. If the mortgagee sells or transfers the registrable property in a non-arm's-length transaction to a related entity or person, the transferee is subject to all the terms of this chapter. Within 10 days of the transfer, the transferee shall register the property or update the existing registration. Any and all previous unpaid fees, fines, and penalties, regardless of who the mortgagee was at the time registration was required, including but not limited to unregistered periods during the foreclosure process, are the responsibility of the transferee and are due and payable with the updated registration. The previous mortgagee will not be released from the responsibility of paying all previous unpaid fees, fines, and penalties accrued during that mortgagee's involvement with the registrable property.
- K. This section shall also apply to properties that have been the subject of a foreclosure sale where title is transferred to the mortgagee as well as any properties transferred to the mortgagee under a deed in lieu of foreclosure or by any other legal means.
- L. Properties subject to this section shall remain subject to the annual registration requirement and the inspection, security, and maintenance standards of this section as long as the property remains registrable.
- M. Failure of the mortgagee and/or property owner of record to properly register or to modify the registration to reflect a change of circumstances as required by this chapter is a violation of this chapter and shall be subject to enforcement by any of the enforcement means available to the Township.
- N. If any property is in violation of this chapter, the Borough may take the necessary action to ensure compliance with and/or place a lien on the property for the cost of the outstanding obligation and any additional cost incurred to bring the property into compliance.

- O. Registration of foreclosure property does not alleviate the mortgagee and/or owner from obtaining all required licenses, permits and inspections required by applicable code or state statutes. Acquisition of required licenses, permits and inspections or registration of rental property does not alleviate the requirement for the property to be registered under this section. The mortgagee and/or owner is expected to update the status of the property in the event of a mortgagee-managed rental.

SECTION 4. That the governing body hereby amends Chapter 10, Vacant, Abandoned, Foreclosed Properties Registration and Maintenance, so as to omit §10-11.4, "Registration Requirements" in its entirety, and replace as follows "Security requirements; posting of information"

~~Any out-of-State creditor that is required to register upon filing of a foreclosure Complaint for an abandoned or vacant property shall provide its full name and contact information of the in-State representative or agent in the notice required to be provided pursuant to paragraph (1), subsection a of Section 17 of P.L. 2008, Chapter 127 (c.46:10B-51).~~

§10-11.4. Security requirements; posting of information

A. If a property is registrable and the property has become vacant or blighted, a property manager shall be designated by the creditor, mortgagee or owner to perform the work necessary to bring the property into compliance with the applicable code(s), and the property manager must perform regular inspections to verify compliance with the requirements of this chapter and any other applicable laws.

B. In addition to the above, the property is required to be secured in accordance with the applicable code(s) of the Township.

C. When a property subject to this chapter becomes vacant, it shall be posted with the name, address and telephone number of the creditor or out-of-State creditor's in-State representative or agent for the purpose of receiving service of process. There shall also be posted the name of the Property Manager, email address and twenty-four-hour contact telephone number of the property manager. The property manager shall be available to be contacted by the Borough Monday through Friday between 9:00 a.m. and 5:00 p.m., legal holidays excepted. The sign shall be placed in a window facing the street and shall be visible from the street. The posting shall be no less than 18 inches by 24 inches and shall be of a font that is legible from a distance of 45 feet. The posting shall contain the following language with supporting information:

CREDITOR (OR IF APPLICABLE, OUT-OF-STATE CREDITOR'S IN-STATE REPRESENTATIVE OR AGENT):

CREDITOR'S ADDRESS: _____

CREDITOR'S TELEPHONE NUMBER: _____

THIS PROPERTY IS MANAGED BY _____

AND IS INSPECTED ON A REGULAR BASIS.

THE PROPERTY MANAGER CAN BE CONTACTED

BY TELEPHONE AT _____

OR BY EMAIL AT _____

SECTION 5. That the governing body hereby amends Chapter 10, Registration of Foreclosing Mortgaged Property and Vacant Property, so as to omit §10-11.5, Failure to Appoint In-State Representative and Penalty in its entirety and replace with Additional authority as follows:

~~Any out of State creditors subject to the within section adopted pursuant to subsection 10-11.1 above found by the Municipal Court of the Borough of Beachwood or any other Court of competent jurisdiction to be in violation of the requirement to appoint an in State representative or agent pursuant to this section shall be subject to a fine of \$2,500.00 for each day of the violation. Any fines imposed on said creditor for the failure to appoint an in State representative or agent shall commence on the day after the 10 day period set forth in (1) of subsection a of Section 17 of P.L. 2008, Chapter 127 (c.46:10B-51) for providing notice to the Municipal Clerk that a Summons and Complaint in an action to foreclose on a mortgage has been served.~~

§10-11.5, Additional authority

- A. If the Enforcement Officer has reason to believe that a property subject to the provisions of this chapter is posing a serious threat to the public health, safety, and welfare, the Code Enforcement Officer may temporarily secure the property at the expense of the mortgage or owner and may bring the violations before the Code Enforcement, Committee or Special Magistrate as soon as possible to address the conditions of the property. Nothing herein shall limit the Borough from abating any nuisance or unsafe condition by any other legal means available to it. In the case of a violation for failure to provide care, maintenance, security, and upkeep of the exterior of vacant and abandoned property, such notice shall require the person or entity to correct the violation within 30 days of receipt of the notice, or within 10 days of receipt of the notice if the violation presents an imminent threat to public health and safety.

SECTION 6. That the governing body hereby amends Chapter 10, Registration of Foreclosing Mortgaged Property and Vacant Property, so as to omit §10-11.6, Failure to Maintain and Penalties and replace with Violations and Penalties as follows:

~~Any creditor found to have violated subsection 10-11.1 above found by the Municipal Court of the Borough of Beachwood or any other Court of competent jurisdiction, to be in violation of the requirement to correct a care, maintenance, security or up-keep violation cited in a notice issued pursuant to the section shall be subject to a fine of \$1,500.00 for each day of the violation. Any fine imposed pursuant to this subsection shall commence 31 days following receipt of the notice, except if the violation presents an imminent risk to the public health and safety, in which case any fine shall commence 11 days following receipt of the notice.~~

§10-11.6, Violations and penalties

- A. A creditor or mortgagee found by the municipal court of the Borough in which the property subject to the ordinance is located, or by any other court of competent jurisdiction, to be in violation, shall be subject to a fine of \$1,500 for each day of the violation. Any fines imposed pursuant to this paragraph shall commence thirty-one (31) days following receipt of the notice of violation, except if the violation presents an imminent risk to public health and safety, in which case any fines shall commence eleven (11) days following receipt of the notice.
- B. An out-of-State creditor found by the municipal court of the Borough in which the property subject to the ordinance is located, or by any other court of competent jurisdiction, to be in violation of the requirement to appoint an in-State representative or agent pursuant to the ordinance shall be subject to a fine of \$2,500 for each day of the violation. Any fines imposed on a creditor for the failure to appoint an in-State representative or agent shall commence on the day after the 10-day period set forth in N.J.S.A. 46:10B-51 or N.J.S.A. 40:48-2.12s3 for providing notice to the municipal clerk that a summons and complaint in an action to foreclose on a mortgage has been served.

SECTION 7. That the governing body hereby amends Chapter 10, Registration of Foreclosing Mortgaged Property and Vacant Property, so as to omit in its entirety **§10-11.7, Fine Monies Collected by the Municipality** as follows:

~~Not less than 20% of any money collected by the Borough of Beachwood pursuant to the requirements of subsection 10-11.1 above shall be utilized by the Municipality for the Municipal Code enforcement purposes.~~

SECTION 8. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 9. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof. Municipal Clerk called for motion to accept said Ordinance as introduced.

Introduced September 20, 2023 ROLL CALL:

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

Municipal Clerk announced "PUBLIC HEARING FOR ORDINANCE 2023-08 WILL TAKE PLACE ON OCTOBER 4, 2023 - 7:00 PM OR SHORTLY THEREAFTER AT BOROUGH HALL LOCATED AT 1600 PINEWALD ROAD, BEACHWOOD, NJ"

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing Ordinance was introduced and passed on first reading at the regular meeting of the Borough Council of the Borough of Beachwood, in the County of Ocean, held on the 20th day of September, 2023 and will be considered for second reading and final passage at a regular meeting of said governing body to be held on the 4th day of October, 2023 at 7:00 p.m. at the Beachwood Municipal Complex, 1600 Pinewald Road, Beachwood, New Jersey at which time and place any person desiring to be heard upon the same will be given an opportunity to be so heard.

ORDINANCE 2023-09

ORDINANCE AMENDING AN ORDINANCE ENTITLED "SALARY ORDINANCE" OF THE CODE OF THE BOROUGH OF BEACHWOOD, COUNTY OF OCEAN, STATE OF NEW JERSEY; FIXING AND DETERMINING SALARY, WAGES AND COMPENSATION TO BE PAID TO THE FOLLOWING OFFICERS AND EMPLOYEES IN THE BOROUGH OF BEACHWOOD, COUNTY OF OCEAN, STATE OF NEW JERSEY

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

SECTION 1: The annual salaries for the year 2023 of the following officers and employees herein named are hereby amended and fixed and determined as follows:

SECTION 2: The salary for the Police Department Contractual employees is by Agreement between the Borough of Beachwood and P. B.A. Local 253, January 1, 2020 to and including December 31, 2024

SECTION 3: The position of Detective shall be compensated in the step of their actual rank and classification, and in addition thereto shall receive an additional compensation in accordance with the current contract on file in the office of the Municipal Clerk.

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

SECTION 5: The salaries of the WHITE COLLAR and BLUE COLLAR employees is by agreement between the Borough of Beachwood and Teamsters Local 469 January 1, 2022 to and including December 31, 2025 and is on file in the office of the Municipal Clerk.

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

SECTION 7: The annual salaries and wages as described herein shall be in effect and retroactive to January 1, 2023 to and including December 31, 2023

SECTION 8: All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 9: This ordinance shall take effect immediately upon final passage and publication as required by law.

TITLE	MINIMUM	MAXIMUM
Account Clerk - Principal	44,000.00	60,000.00
Assessment Search Officer - Deputy	500.00	2,500.00
Assessor - P/T	10,000.00	32,000.00
Assessor's Assistant	14.13 per hour	30.00 per hour

Assistant Supervisor of Public Works	40,000.00	77,000.00
Badge Checker	14.13 per hour	17.00 per hour
Board Secretary - Planning Board	29,000.00	46,000.00
Board Secretary - Recreation Commission	600.00	1,300.00
Building Department - Permit Clerk	25,716.60	38,000.00
Camp Counselor - Summer	14.13 per hour	15.00 per hour
Camp Director - Summer	400.00 per week	600.00 per week
Cashier	33,809.00	37,000.00
Cashier P/T	19,000.00	27,000.00
Cashier - Senior	33,000.00	47,000.00
Chief Financial Officer	65,000.00	125,000.00
Clerical	27,000.00	43,000.00
Clerical P/T	14.13 per hour	22.00 per hour
Clerk I	30,000.00	35,000.00
Clerk Typist	30,000.00	43,000.00
Clerk Typist - Senior	33,000.00	50,000.00
COAH Housing Liaison Officer	500.00	2,500.00
Code Enforcement	25,716.60	75,000.00
Code Enforcement P/T	10,000.00	25,000.00
Council Member	5,000.00	22,000.00
Council President	5,500.00	23,000.00
Confidential Aide P/T	14.13 per hour	20.00 per hour
Construction Official	30.00 per hour	47.00 per hour
Emergency Management Coordinator	1,500.00	3,500.00
Emergency Management Deputy Coordinator	700.00	2,800.00
Equipment Operator	44,000.00	65,000.00
Fire Prevention Specialist	2,000.00	7,100.00
Fire Prevention Official	30.00 per hour	40.00 per hour
Laborer	34,000.00	45,000.00
Lifeguard	14.13 per hour	20.00 per hour
LOSAP Administrator	800.00	2,500.00
Mayor	6,500.00	35,000.00
Mayor's Assistant	18.00 per hour	22.00 per hour
Mechanic	49,000.00	65,000.00
Mechanic Helper	40,000.00	55,000.00
Mechanic - Senior	46,000.00	75,000.00
Municipal Clerk	60,000.00	126,000.00
Municipal Clerk - Deputy	30,000.00	60,000.00
Municipal Court Administrator	50,000.00	75,000.00

Municipal Court Administrator - Deputy	30,000.00	45,000.00
Municipal Court Administrator - Deputy P/T	14.85 per hour	19.00 per hour
Municipal Court - Magistrate	25,716.60	50,000.00
Municipal Court Violations Clerk	25,716.60	38,000.00
Municipal Court Violations Clerk P/T	14.13 per hour	15.00 per hour
Municipal Treasurer	40,000.00	105,000.00
Police Chief	159,000.00	190,000.00
Police Captain	145,000.00	170,000.00
Police Confidential Secretary	30,000.00	49,500.00
Police - Clerk / Reception	28,000.00	40,000.00
Police - Crossing Guard	14.13 per hour	17.00 per hour
Police Lieutenant	131,000.00	145,000.00
Police Officer	42,000.00	115,000.00
Police Secretary Stenographer	27,000.00	48,000.00
Police Sergeant	119,000.00	128,000.00
Police Special - Class II	20.00 per hour	22.00 per hour
Police Special - Class I	20.00 per hour	22.00 per hour
Police Special - Seasonal	14.13 per hour	22.00 per hour
Public Works Assistant Director	75,000.00	120,000.00
Public Works Repairer	43,000.00	60,000.00
Public Works Repairer - Senior	46,000.00	75,000.00
Public Works Supervisor	50,000.00	100,500.00
Registrar	500.00	2,500.00
Registrar Deputy	500.00	2,500.00
Tax Collector	30,000.00	80,000.00
Tax Collector P/T	7,500.00	17,000.00
Tax Collector - Deputy	2,000.00	4,500.00
Tax Search Officer	1,000.00	3,500.00
Tax Search Officer - Deputy	700.00	3,000.00
Technical Assistant to the Construction Official	37,000.00	55,000.00
Truck Driver	39,000.00	60,000.00
Truck Driver - Heavy Duty	40,000.00	75,000.00
Water Department Supervisor	50,000.00	100,500.00
Water Repairer	41,000.00	50,000.00
Water Repairer - Senior	42,000.00	65,000.00
Water Treatment Plant Operator	51,000.00	70,000.00
Zoning Officer - P/T	4,000.00	10,000.00

14.13 min wage	2023	25,716.60
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15.00 min wage	2024	27,300.00
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Introduced September 20, 2023 ROLL CALL:

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

Municipal Clerk announced "PUBLIC HEARING FOR ORDINANCE 2023-09 WILL TAKE PLACE ON OCTOBER 4, 2023 - 7:00 PM OR SHORTLY THEREAFTER AT BOROUGH HALL LOCATED AT 1600 PINEWALD ROAD, BEACHWOOD, NJ"

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing Ordinance was introduced and passed on first reading at the regular meeting of the Borough Council of the Borough of Beachwood, in the County of Ocean, held on the 20th day of September, 2023 and will be considered for second reading and final passage at a regular meeting of said governing body to be held on the 4th day of October, 2023 at 7:00 p.m. at the Beachwood Municipal Complex, 1600 Pinewald Road, Beachwood, New Jersey at which time and place any person desiring to be heard upon the same will be given an opportunity to be so heard.

CORRESPONDENCE

- None

MAYOR & COUNCIL REPORTS

Mayor Roma

- Thanked all the participants and volunteers for attending/working Family Fun Nights and Community Day at Birch & Surf Park as well as EMS, Fire and Police. Thanked all the employees and the Clerk who worked Community Day. Mayor is very glad to have been a part of all the events and will miss the first hand involvement.
- Mentioned the Fire Company, on Labor Day weekend, having been out working a forest fire all day into the later night; luckily the fire didn't get out of hand too badly. They did a fantastic job as always.
- Thanked Chief and the Fire Company for another 9-11 Memorial Event; a great job.
- Congratulations to the newest Graduate, Leonardo, of the Fire Company.
- Congratulated Councilman LaCrosse on the opening of the Wunder Weiner.

Council President Cairns

- Commented on the great job done by all for Community Day and the Family Fun Nights. Thanked Mayor and Mrs. Roma for their years of dedication with the programs. They will be sorely missed.

Councilman LaCrosse

- Referred to Mayor as the Father of Family Fun Nights and Community Day. The programs have brought much joy and happiness to all attendees over the years.
- Mayor asked Councilman about the hours of the Wunder Weiner; the hours will be 11am to 4pm.
- Recreation did a great job with the Yard Sale. More Movies in the Park to come.
- 1 item for Closed Session.

Councilwoman Clayton

- No report.

Councilman Zakar

- Concurred with all the colleagues on the dais about the Family Fun Nights and Community Day and honored to carry the torch. Thanked Mayor and Mrs. Roma for all they've done.
- The Police Department did excellent on the JIF survey; no concerns.
- Happy Birthday Councilwoman Clayton!

Councilman Komsa

- Well done Community Day and Family Fun Nights.
- Great job on the 9/11 Event to the Fire Company.
- October 19th will be another Veteran’s Outreach Event at the Community Center from 3pm to 6pm. The Director of the Veteran Affairs is a Beachwood Resident, Phil Zimmerman, who would like to hold seminars three (3) times a year.

Police Chief Glen DeMarco

-No report.

Fire Chief Roger Hull

- Thanked all for attending the 911 Memorial Service. Thanked Councilman Zakar and Mrs. Zakar for bringing the Boy Scouts.
- Leonardo and Gina graduated on Monday night; Leonardo achieved very high scores in the Haz Mat testing which are very difficult. Allison Smith is a new recruit who will begin the Academy.
- The Firefighters were at the Berkeley brush fires for approximately 14-15 hours. Mayor Roma brought pizza for all. The Fire Company is very impressed with Mayor Roma’s attendance to almost all calls.

Engineer Jim Oris

- A Solar Farm meeting took place to reconfigure the panels; attendees were Cliff Schiel and Gibby Silva. The consensus was to have recycling moved from the hill to the lower portion of the property. There is 3 acres. Mayor indicated the Solar Farm can provide a 6-figure revenue per year to the Borough. The solar company will do maintenance for grass, etc. Mr. Oris mentioned there will be meetings for First Responders’ access and training.
- The County is doing the Schedule C paving.
- The Pine Beach water tower maintenance has begun and no water has been needed from Beachwood.
- The County proposed a capitol project.

Attorney Mike McKenna

-The solar lease agreement has been finalized and was signed by Mayor this evening.

Municipal Clerk/Administrator Sue Minock

-No report.

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

PUBLIC COMMENT

OPENED PUBLIC COMMENT

COUNCIL	MOTION	2 ND	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		X			
<i>Councilman Zakar</i>			X			

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

CLOSED PUBLIC COMMENT

COUNCIL	MOTION	2 ND	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	X			
<i>Councilman Zakar</i>			X			

EXECUTIVE SESSION

**RESOLUTION 2023-285
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 specific subject matter. It is anticipated that the subject matter discussed may be made public in 90 days.

1. Personnel – Finance Cashier position; Overtime; Police Promotions
2. Terms & Conditions – Citizen of the Year; Truck repair; State mandated ordinances; Expenditures (roof, trucks, community center); Land sale request; Performance Bond release (Engineer)
3. Contractual – ADP v Prime Point

Adjourned to Executive Session at 7:27 pm

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Council President Cairns</i>		X	X			
<i>Councilwoman Clayton</i>	X		X			
<i>Councilman Feeney</i>						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 8:52 pm

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

ACTION TAKEN FROM EXECUTIVE SESSION

**RESOLUTION 2023-265a
RESOLUTION OF THE BOROUGH OF BEACHWOOD, OCEAN COUNTY, NEW JERSEY RESCINDS THE TRAINING-
SEMINAR-CONFERENCE ATTENDANCE FOR STEVEN BORTKO AND MICHAEL HAYES FOR THE ADVANCED WATER
OPERATIONS LICENSING PREP CLASS OFFERED FROM JANUARY 9, 2024 TO APRIL 4, 2024 ON RESOLUTION 2023-265**

WHEREAS, the Borough Council received a request for Michael Hayes and Steven Bortko to attend the Advanced Water Operations Licensing Prep online class through Rutgers via Resolution 2023-265; and

WHEREAS, after discussion in Executive Session, the Borough Council rescinded the approval in order to gather information from the Water Department's Supervisor for the purpose of additional licensing in the Water Department; and

WATER DEPARTMENT

Jan 9 – Apr 4, 2023
M Hayes, S Bortko
Advanced Water Operations Licensing Prep
Rutger's Online Tu & Th 6pm – 9pm
\$1,775.00/pp
Vehicle: No

NOW, THEREFORE BE IT RESOLVED by Mayor and Council to rescind the following request for "Conference – Training – Seminar" as per Resolution 2023-265 in order to gather more information from the Water Department Supervisor.

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

1. Susan A. Minock, Municipal Clerk
2. Jennifer A. Martin, Treasurer
3. Gabriel Silva, DPW Asst. Director

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

RESOLUTION 2023-286

RESOLUTION OF THE BOROUGH OF BEACHWOOD, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE RELEASE OF THE PERFORMANCE BOND CIC1921291 IN THE AMOUNT OF \$65,622.00 TO THOMAS ABRAMSKI FOR THE BONDED RIGHT-OF-WAY IMPROVEMENTS FOR BLOCK 5.56, LOTS 3, 4, 5, 6, & 8 UPON CONDITION OF RECEIPT OF THE TWO-YEAR MAINTENANCE BOND

WHEREAS, the Borough of Beachwood required the posting of a performance bond CIC1921291 in the amount of \$65,622.00 by Thomas Abramski for bonded Right-of-Way improvements for Block 5.56, lots 3, 4, 5, 6, & 8; and

WHEREAS, the Borough's Engineer received a request from Mr. Abramski for release of the performance bond in the amount of \$65,622.00; and

WHEREAS, the Borough Engineer inspected the site and determined that all bonded improvements have been completed ; and

WHEREAS, the Borough Engineer recommends release of said Performance Bond CIC1921291 in the amount of \$65,622.00 upon the condition of the receipt of the two-year maintenance bond in the amount of \$8,202.75.

WHEREAS, the Borough Engineer recommended the release of Performance Bond #100719170 in the amount of \$77,000.00 issued by United States Surety Company for the Borough Beachwood Aeration System inspection and Cleaning Rebid project and the posting of a two-year Maintenance Bond #100719170 by United States Surety Company in the amount of \$77,000.00 with an expiration date of May 8, 2025.

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 \$65,622.00 issued by the Capitol Indemnity Corporation on March 10, 2022 for the bonded Right-of-Way improvements for Block 5.56, lots 3, 4, 5, 6, & 8 upon condition of receipt of the two-year maintenance bond in the amount of \$8202.75.

2. That the Governing Body hereby accepts the approves the release of the Performance Guarantee in the amount of \$65,622.00 issued by the Capitol Indemnity Corporation on March 10, 2022 for the bonded Right-of-Way improvements for Block 5.56, lots 3, 4, 5, 6, & 8 upon condition of receipt of the two-year maintenance bond in the amount of \$8202.75.

3. That a certified copy of this resolution be forwarded to the Borough Treasurer, Remington Vernick Engineers and Thomas Abramski.

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

RESOLUTION 2023-287

RESOLUTION OF THE BOROUGH OF BEACHWOOD, OCEAN COUNTY, NEW JERSEY AWARDING PAYROLL SERVICES TO PRIME POINT IN THE AMOUNT OF \$13,920.00

WHEREAS, the Borough Clerk/Administrator and Treasurer reviewed two (2) proposals for payroll services with time and attendance; and

WHEREAS, the Borough Treasurer provided a cost analysis of the two (2) proposals from, ADP and Prime Point, presenting a savings of \$9,267.96 by way of Prime Point; and

WHEREAS, the Governing Body reviewed and discussed both payroll service companies; and

WHEREAS, the it is the desire of the Governing Body to utilize the services of Prime Point for payroll with time and attendance.

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 payroll services with time and attendance to Prime Point in the amount of \$13,920.00 per annum additionally with a one-time time & labor implementation fee for three (3) time clocks in the amount of \$1,687.00 and a service fee implementation cost of \$1,725.00.
2. That upon the adoption of the within resolution, the Borough Clerk is authorized to forward a certified copy of it to the Borough Treasurer, and Prime Point

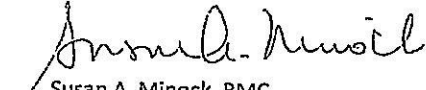
COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Council President Cairns</i>			X			
<i>Councilwoman Clayton</i>		X	X			
<i>Councilman Feeney</i>						X
<i>Councilman Komsa</i>			X			
<i>Councilman LaCrosse</i>	X		X			

Councilman Zakar			X			
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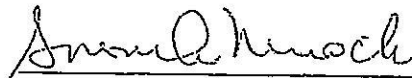
ADJOURNMENT at 8:54 pm

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

Respectively submitted by,


 Susan A. Minock, RMC
 Municipal Clerk/Administrator

ATTESTED BY:


 SUSAN A. MINOCK, RMC
 MUNICIPAL CLERK/ADMINISTRATOR


 RONALD F. ROMA, SR.,
 MAYOR