

April 17, 2013

Beachwood Municipal Complex
1600 Pinewald Rd.

7:00 PM

Call to Order

Flag Salute

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

Our war dead must always be remembered. Their Heroism deserves its glory, so too does the bravery of each who entered the unknown of conflict and gave their lives to the cause of Freedom.

The greatest tribute we can give is remembering our Honored Dead. In their memory, a moment of silence and a prayer for all our disabled veterans, those missing in action and a call for the swift return of all our serving men and women.

OPENING STATEMENT: Ladies and Gentlemen, pursuant to the applicable portions of the New Jersey Open Public Meetings Act, adequate notice of this meeting has been given. The schedule for this meeting of Mayor and Council of the Borough of Beachwood is listed in the notice of meetings posted on the Bulletin Board, located in the Municipal Complex and delivered to the Asbury Park Press and Municipal Web Site on January 4, 2013

ROLL CALL MEMBERS PRESENT:

Mayor Roma

COUNCILMEMBERS:	Beverly Clayton	Gerald LaCrosse
	Gregory Feeney	
	Steven Komsa	Edward Zakar

Absent: Thomas Miserendino

Mayor Roma requested a moment of silent in memory of the victims of the Boston Marathon Bombing.

**New Librarian (Christine Estlow) Will Be Present for
National Library Week 2013
Proclamation**

WHEREAS, libraries have historically served as our nation's great equalizers of knowledge by providing free access to all;

WHEREAS; libraries work to meet the changing needs of their users, including building collections, expanding outreach services and increasing programming;

WHEREAS, our nation’s libraries provide a forum for diverse ideas and points of view that help us better understand each other and ourselves;

WHEREAS, librarians are trained professionals, helping people of all ages and backgrounds find and interpret the information they need to live, learn and work in a challenging economy;

WHEREAS, librarians design and offer programs to meet their community’s economic needs, providing residents with resume writing classes, interviewing workshops and job seeking resources;

WHEREAS, libraries are part of the American dream, places for education, opportunity and lifelong learning;

WHEREAS, libraries, librarians, library workers and supporters across America are celebrating National Library Week.

NOW, THEREFORE, be it resolved that I, Ronald Roma, Mayor of Beachwood, proclaim April 14-20, 2013 to be National Library Week. I encourage all residents to visit your local branch of the Ocean County Library this week to take advantage of the wonderful library resources available to the community.

#2013-142 SELF-EXAMINATION OF BUDGET RESOLUTION

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the *Borough of Beachwood* has been declared eligible to participate in the program by the Division of Local government Services, and the Chief Financial officer has determined that the local government meets the necessary conditions to participate in the program for the 2013 budget year.

NOW THEREFORE BE IT RESOLVED by the governing body of the *Borough of Beachwood* that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
 - a. Payment of interest and debt redemption charges
 - b. Deferred charges and statutory expenditures
 - c. Cash deficit of preceding year
 - d. Reserve for uncollected taxes

WHEREAS, the Borough Council of the Borough of Beachwood in the County of Ocean finds it advisable and necessary to increase its CY 2013 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Borough of Beachwood hereby determines that a 1.5 % increase in the budget for said year, amounting to \$ 112,013.93 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS the Borough of Beachwood hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Borough Council of the Borough of Beachwood, in the County of Ocean, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2013 budget year, the final appropriations of the Borough of Beachwood shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 1.5%, amounting to \$ 112,013.93, and that the CY 2013 municipal budget for the Borough of Beachwood be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

RESOLUTION TO APPROVE ORDINANCE 2013-02 AS PRESENTED ON FIRST READING
TITLE
#2013-143 ONLY.

Motion: Feeney
Approved: Clayton – Feeney – Komsa – LaCrosse – Zakar

Second: Zakar
Absent: Miserendino

INTRODUCTION TO THE 2013 MUNICIPAL BUDGET – CMFO MAUDER

Cap Calculation		
Total General Appropriations for 2012		\$ 9,622,692.00
"Cap" Base Adjustments:	\$	
	_____	.00
		<u>9,622,692.00</u>
Less Exceptions:		
Total Other Operations	\$ 131,621.00	
Total Uniform Construction Code		
Total Interlocal Services Agreements	21,216.00	
Total Additional Appropriations		
Total Public and Private Programs		
Total Capital Improvements	60,000.00	
Total Debt Service	949,577.00	
Total Deferred Charges		
Judgments		
Cash Deficit of Preceding Year		
Total Appropriations for School Purposes		
Transferred to Board of Education		
Reserve for Uncollected Taxes	<u>992,683.00</u>	
Total Exceptions		<u>2,155,097.00</u>
Amount on Which "Cap" is Applied		\$ <u>7,467,595.00</u>
Amount on Which "Cap" is Applied		\$ 7,467,595.00
Add:		
2011 "Cap" Bank		102,429.24
2012 "Cap" Bank		71,549.61
2% "Cap"		149,351.90
1.5% Additional "Cap" by COLA Rate Ordinance		112,013.93
Assessor's Certified Additions for New Construction		<u>7,437.00</u>
Allowable Operating Appropriations Within "Caps"		\$ <u>7,910,376.68</u>
Total 2013 Operating Appropriations Within "Caps"		\$ <u>7,718,818.00</u>

TO APPROVE BUDGET AS INTRODUCED:

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

#2013-144 RESOLVED by Mayor and Council to approve the 2013 Certified Bills List in the amount of **A:\$ 1,364,626.48**

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

#2013-145 RESOLVED by Mayor and Council to approve the minutes of the April 3, 2013 meeting of Mayor and Council

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

#2013-146 **MAYORAL APPOINTMENT** – Susan Grietz to fill the vacancy of Kathy Calcara term expires 12/31/2013. (Ms. Grietz appeared later in the meeting and Mayor Roma issued Oath of Allegiance.

#2013-147 TABLED TO ANOTHER DATE
RESOLVED to appoint _____ Alternate #1 term expires 12/31/2015.

#2013-148 RESOLVED by Mayor and Council to approve the following rentals:

Mayo Park
June 04
WAIVE

Pine Beach Elementary School 5th Grade

Rental: WAIVE Deposit:

June 05
\$175

Sabrina Zitniak 1009 Mermaid Ave. Bchwd

Rental: \$125 Deposit:

June 10
WAIVE

Pine Beach Elementary School 4th Grade

Rental: WAIVE Deposit:

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

Second: **LaCrosse**
Absent: **Miserendino**

#2013-149 **RESOLVED BY MAYOR AND COUNCIL TO AUTHORIZE A REFUND OF REDEMPTION MONIES FROM LIEN #10-00028 TO LIEN HOLDER, SAL VINCI, IN THE AMOUNT OF \$17,981.23 WITH A PREMIUM OF \$2,600.00.**

WHEREAS, at the Municipal Tax Sale held on September 10, 2010, a lien was sold on Block 2.28 Lot 9 also known as 114 Beachwood Blvd. for 2009 delinquent municipal charges; and,

WHEREAS, this lien, known as Tax Sale Certificate #10-00028 as sold to Sal Vinci with a 0% interest rate; and a premium of \$2,600.00;

WHEREAS, Francis Clancy; owner, effected redemption, for certificate #10-00028 in the amount of \$17,981.23.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of Beachwood, in the County of Ocean, State of New Jersey to refund lien holder, Sal Vinci, for the redemption of certificate #10-00028 in the amount of \$20,581.23.

#2013-150 **RESOLVED BY MAYOR AND COUNCIL TO AUTHORIZE A REFUND OF REDEMPTION MONIES FROM LIEN #11-00059 TO LIEN HOLDER, JOHN LAFLAMME, IN THE AMOUNT OF \$2,891.45 WITH A PREMIUM OF \$100.00.**

WHEREAS, at the Municipal Tax Sale held on November 18, 2011, a lien was sold on Block 3.03 Lot 4 also known as 827 Leeward Ave. for 2010 delinquent municipal charges; and,

WHEREAS, this lien, known as Tax Sale Certificate #11-00059 as sold to John LaFlamme with a 0% interest rate; and a premium of \$100.00;

WHEREAS, Shirley Meaders; owner, effected redemption, for certificate #11-00059 in the amount of \$2,891.45.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of Beachwood, in the County of Ocean, State of New Jersey to refund lien holder, John LaFlamme, for the redemption of certificate #11-00059 in the amount of \$2,991.45.

#2013-150 RESOLVED BY MAYOR AND COUNCIL TO AUTHORIZE A REFUND OF REDEMPTION MONIES FROM LIEN #11-00154 TO LIEN HOLDER, FNA JERSEY BOI, LLC, IN THE AMOUNT OF \$17,572.02 WITH A PREMIUM OF \$5,500.00.

WHEREAS, at the Municipal Tax Sale held on November 18, 2011, a lien was sold on Block 9.30 Lot 8.03 also known as 1109 Mermaid Ave. for 2010 delinquent municipal charges; and,

WHEREAS, this lien, known as Tax Sale Certificate #11-00154 as sold to FNA Jersey BOI, LLC with a 0% interest rate; and a premium of \$5,500.00;

WHEREAS, Jos. Krimin & Yolanda Dolinski-Krimin; owners, effected redemption, for certificate #11-00154 in the amount of \$17,572.02.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of Beachwood, in the County of Ocean, State of New Jersey to refund lien holder, FNA Jersey BOI, LLC, for the redemption of certificate #11-00154 in the amount of \$23,072.02.

#2013-151 RESOLVED BY MAYOR AND COUNCIL TO AUTHORIZE A REFUND OF REDEMPTION MONIES FROM LIEN #12-00027 TO LIEN HOLDER, US BANK CUST FOR TLC 2012A, LLC, IN THE AMOUNT OF \$3,999.03 WITH A PREMIUM OF \$700.00.

WHEREAS, at the Municipal Tax Sale held on June 29, 2012, a lien was sold on Block 4.18 Lot 10 also known as 528 Compass Ave. for 2011 delinquent municipal charges; and,

WHEREAS, this lien, known as Tax Sale Certificate #12-00027 as sold to US Bank CUST for TLC 2012A, LLC with a 0% interest rate; and a premium of \$700.00;

WHEREAS, Alan & Maureen Kaufman; owners, effected redemption, for certificate #12-00027 in the amount of \$3,999.03.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of Beachwood, in the County of Ocean, State of New Jersey to refund lien holder, US Bank CUST for TLC 2012A, LLC, for the redemption of certificate #12-00027 in the amount of \$4,699.03.

#2013-152 RESOLVED BY MAYOR AND COUNCIL TO AUTHORIZE A REFUND OF REDEMPTION MONIES FROM LIEN #12-00035 TO LIEN HOLDER, US BANK CUST FOR TLC 2012A, LLC, IN THE AMOUNT OF \$1,791.98 WITH A PREMIUM OF \$500.00.

WHEREAS, at the Municipal Tax Sale held on June 29, 2012, a lien was sold on Block 8.45 Lot 7 also known as 45 Poplar St. for 2011 delinquent municipal charges; and,

WHEREAS, this lien, known as Tax Sale Certificate #12-00035 as sold to US Bank CUST for

TLC 2012A, LLC with a 0% interest rate; and a premium of \$500.00;

WHEREAS, Patricia & Kostantinos Dimitratos; owners, effected redemption, for certificate #12-00035 in the amount of \$1,791.98.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of Beachwood, in the County of Ocean, State of New Jersey to refund lien holder, US Bank CUST for TLC 2012A, LLC, for the redemption of certificate #12-00035 in the amount of \$2,291.98.

#2013- 153

BY MAYOR AND COUNCIL TO AUTHORIZE A REFUND OF REDEMPTION MONIES FROM LIEN #12-00045 TO LIEN HOLDER, US BANK CUST FOR TLC 2012A, LLC, IN THE AMOUNT OF \$1,071.31 WITH A PREMIUM OF \$1,100.00.

WHEREAS, at the Municipal Tax Sale held on June 29, 2012, a lien was sold on Block 9.42 Lot 9 also known as 1108 Mizzen Ave. for 2011 delinquent municipal charges; and,

WHEREAS, this lien, known as Tax Sale Certificate #12-00045 as sold to US Bank CUST for TLC 2012A, LLC with a 0% interest rate; and a premium of \$1,100.00;

WHEREAS, Jose Perez; owner, effected redemption, for certificate #12-00045 in the amount of \$1,071.3.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of Beachwood, in the County of Ocean, State of New Jersey to refund lien holder, US Bank CUST for TLC 2012A, LLC, for the redemption of certificate #12-00045 in the amount of \$2,171.31.

#2013-154

RESOLVED BY MAYOR AND COUNCIL TO AUTHORIZE A REFUND OF REDEMPTION MONIES FROM LIEN #12-00050 TO LIEN HOLDER, VIRGO MUNICIPAL FINANCE FUND LP, IN THE AMOUNT OF \$1,517.91 WITH A PREMIUM OF \$1,100.00.

WHEREAS, at the Municipal Tax Sale held on June 29, 2012, a lien was sold on Block 10.25 Lot 13 also known as 844 Neptune Ave. for 2011 delinquent municipal charges; and,

WHEREAS, this lien, known as Tax Sale Certificate #12-00050 as sold to Virgo Municipal Finance Fund, LP with a 0% interest rate; and a premium of \$1,100.00;

WHEREAS, James & Debbie Roberts; owners, effected redemption, for certificate #12-00050 in the amount of \$1,517.91

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of Beachwood, in the County of Ocean, State of New Jersey to refund lien holder, Virgo Municipal Finance Fund, LP, for the redemption of certificate #12-00050 in the amount of \$2,617.91.

RESOLVED by Mayor and Council to approve Resolutions #2013-149 to #2013-154

Motion: LaCrosse

Second Komsa

Approved: Clayton – Feeney – Komsa – LaCrosse – Zakar

Absent: Miserendino

ORDINANCE FINAL READING – PUBLIC DISCUSSION – ADOPTION

#2013-01 AN ORDINANCE OF THE BOROUGH OF BEACHWOOD, OCEAN COUNTY, NEW JERSEY PROVIDING FOR A SUPPLEMENTAL APPROPRIATION OF \$325,000.00 FOR THE REPAIR AND RECONSTRUCTION OF THE DOCK AND MARINA AREA AND RELATED IMPROVEMENTS WITHIN THE BOROUGH OF BEACHWOOD APPROPRIATING THE SUM OF \$325,000.00 AND AUTHORIZING THE ISSUANCE OF GENERAL IMPROVEMENT BONDS OR NOTES IN THE AMOUNT OF \$308,750.00 IN ORDER TO FINANCE THE COST THEREOF

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

SECTION 1. The improvements described in Section 3 of this Ordinance have heretofore been authorized to be undertaken by the Borough of Beachwood, Ocean County, New Jersey as a general improvement. For said improvements as stated in Section 3 and appropriating \$325,000.00 there is hereby appropriated the supplemental amount of \$325,000.00, said sum being in addition to the \$1,110,000.00 appropriated heretofore by bond ordinance 2012-08 of the Borough finally adopted on December 19, 2012 and including the sum of \$16,250.00 as a down payment required by the local bond law. The down payment is now available by virtue of provisions for down payment or for capital improvement purposes in one or more previously adopted budgets.

SECTION 2. In order to finance the additional cost of the general improvement or purpose not covered by application of the additional down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$308,750.00 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

SECTION 3. (a) The improvements heretofore authorized and the purpose for the financing of which the bonds are to be issued is the additional funding required for the repairs/replacement due to Hurricane Sandy of the West T Dock, bulkhead and dredging of slips, electric and water to walkways along Marina, boat slips, landscape repairs, East T Dock repairs, beach replenishment, and Community Center repairs and related improvements which were previously authorized by ordinance of the Borough finally adopted on December 19, 2012.

- (b) The estimated maximum amount of bonds or notes to be issued for said purpose is \$1,054,400.00 general improvements bonds or notes authorized by ordinance of the Borough finally adopted December 19, 2012 and amended by the within Ordinance authorizing \$308,750.00 general improvement bonds or notes.
- (c) The estimated costs for said purpose is \$1,435,000.00 including the \$1,110,000.00 appropriated by bond ordinance of the Borough finally adopted December 19, 2012 and the \$325,000.00 appropriated herein, the excess thereof over the estimated maximum of bonds or notes to be issued therefor being the amount of \$71,750.00 including the \$55,500.00 appropriated by bond ordinance of the Borough finally adopted December 19, 2012 and \$16,250.00 appropriated herein.

SECTION 4. The following additional matters are hereby determined, declared, recited and stated:

- (a) The said purpose described in Section 3 of this Bond Ordinance is not a current expense and is the improvement which the Borough may lawfully acquire or make as a general improvement and no part of the cost thereof has been or shall be specially assessed on property specifically benefitted thereby.

- (b) The period of usefulness of said purpose within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this Bond Ordinance is twenty-five (25) years.
- (c) The supplemental debt statement required by said law has been duly made and filed in the Office of the Borough Clerk and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Finance in the Department of Community Affairs in the State of New Jersey and such statement shows that the gross debt of the Borough as defined in said law is increased by the authorization of the bonds and notes provided for in this Bond Ordinance by \$308,750.00 and the said obligations authorized by this Bond Ordinance will be within all debt limitations prescribed by law.
- (d) The aggregate amount not exceeding \$275,000.00 for items of expense listed in and permitted under Section 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement. Of this amount, \$275,000.00 was estimated for these items of expense in the Bond Ordinance of the Borough finally adopted December 19, 2012 and no additional sum as being appropriated herein.

SECTION 5. The full faith and credit of the municipality are hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this Bond Ordinance. Said obligations shall be direct, unlimited obligations of the municipality and the municipality shall be obligated to levy ad valorem taxes upon all taxable property within the municipality for the payment of said obligations and interest thereon without limitation of rate or amount.

SECTION 6. The capital budget of the Borough of Beachwood is hereby amended to conform with the provisions of this Ordinance to the extent of any inconsistency herewith. The Resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

SECTION 7. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with notes issued pursuant to this Ordinance, and the Chief Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:3-8(a). The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at a public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this Ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

SECTION 8. This Ordinance shall take effect twenty (20) days after the first publication thereof after final adoption as provided by said Local Bond Law.

OPEN TO PUBLIC DISCUSSION THIS ORDINANCE ONLY

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

Mayor Roma explained the purpose of the Ordinance

NO PUBLIC QUESTIONS

CLOSE TO PUBLIC DISCUSSION THIS ORDINANCE ONLY

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

RESOLUTION

#2013-155 RESOLVED BY Mayor and Council to approve and adopt Ordinance #2013-01 as presented and held for public discussion.

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

CORRESPONDENCE NONE

REPORTS

Mayor	Welcomed all to meeting. Not much of a report. Received cal from Water- Emergency repair. Well #6
E. Zakar	Thanks o CMFO and Finance for keepng things in check and doing such a great job.
Clayton	No report. Waiting on Engineers report. Exec.
Feeney	Itms Exec
Komsa	Thanked CMFO and Finance for good job. Memorial Day Riverfront Craft and Parade. Softball opening day Saturday. Asked a few months ago about applying for grant under Tourism. Awarded \$1,100. October 5th. Time to train. Good reason.
LaCrosse	Spoke with Lifeguard Madanskywill be returning. Looking forward to good summer. Asked Engineer to check on Mermaid.
Clayton	Comments from Environmental / Shade Tree ...never received.
Mayor	Issue in area of lower end of Spray Ave. Need to get moving on this (406)

Engineer Oris

#2013-156 RESOLUTION OF THE BOROUGH OF BEACHWOOD, OCEAN COUNTY, NEW JERSEY AWARDING A CONTRACT FOR THE BEACHWOOD COMMUNITY CENTER STORM DAMAGE RESTORATION PROJECT TO GEORGE KOUSTAS PAINTING AND CONSTRUCTION, LLC IN THE BASE BID AMOUNT OF \$144,000.00 AND ALTERNATE BID #1 IN THE AMOUNT OF \$19,500.00, ALTERNATE BID #2 IN THE AMOUNT OF \$4,800.00, ALTERNATE BID #3 IN THE AMOUNT OF \$10,000.00, ALTERNATE BID #4 IN THE AMOUNT OF \$3,000.00, AND ALTERNATE BID #6 IN THE AMOUNT OF \$4,800.00 FOR A TOTAL BID OF \$186,100.00 IN ACCORDANCE WITH THE BOROUGH’S BID SPECIFICATIONS

WHEREAS, the Borough of Beachwood previously advertised for the receipt of bids on April 12, 2013 for the Beachwood Community Center Storm Damage Restoration project ; and

WHEREAS, at the time and place for the receipt of bids four (4) bids were received ranging from a low base bid amount of \$144,000.00, and alternate bid #1 in the amount of \$19,500.00, alternate bid #2 in the amount of \$4,800.00, alternate bid #3 in the amount of \$10,000.00, alternate bid #4 in the amount of \$3,000.00, and alternate bid #6 in the amount of \$4,800.00, to a high base bid amount of \$248,923.00, and alternate bid #1 in the amount of \$38,000.00, alternate bid #2 in the amount of \$1,600.00, alternate bid #3 in the amount of \$14,000.00, alternate bid #4 in the amount of \$7,500.00, and alternate bid #6 in the amount of 6,500.00; and

WHEREAS, the Borough Engineers have reviewed said bid submission and recommended the award to the low bidder, George Koustas Painting and Construction, LLC; and

WHEREAS, the Borough's Attorney has reviewed the three (3) lowest bids and found all to be in proper form and order; and

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

WHEREAS, it is the desire of this Governing Body to award a Contract for the Beachwood Community Center Storm Damage Restoration project.

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

1. That the Borough Council hereby award a Contract to George Koustas Painting and Construction, LLC in the base bid amount of \$144,000, and alternate bid #1 in the amount of \$19,500.00, alternate bid #2 in the amount of \$4,800.00, alternate bid #3 in the amount of \$10,000.00, alternate bid #4 in the amount of \$3,000.00, and alternate bid #6 in the amount of \$4,800.00 for a total bid of \$186,100.00 in accordance with the Borough's bid specifications

2. That upon the adoption of the within resolution, the Borough Clerk is authorized to forward a certified copy of it to the Borough Engineer, the Borough Treasurer and George Koustas Painting and Construction, LLC.

Motion: Zakar
Approved: Clayton – Feeney – Komsa – LaCrosse – Zakar

Second: Komsa
Absent: Miserendino

PUBLIC DISCUSSION- TO OPEN

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

No questions

PUBLIC DISCUSSION- TO CLOSE

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

EXECUTIVE SESSION

WHEREAS, SECTION 8 of the Open Public Meetings Act, N.J.S.A. 10:4-12 permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist.

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

1. The public shall be excluded from discussion of and action upon the hereinafter-specified subject matter.
2. The general nature of the subject matter to be discussed is as follows:

Contractual – Engineer
Terms & Condition - DPW – Municipal Clerk.

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

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

RE-OPEN

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

ACTION TAKEN FROM EXECUTIVE SESSION

RESOLUTION

#2013-160 **RESOLVED** by Mayor and Council to approve the Agreement between the Borough of Beachwood and T & M Associates for additional Inspection and Administrative Services on the Storm Damage Repairs not to exceed \$40,000.00

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

ADJOURN

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

Prepared by : E.A. Mastropasqua

Ronald F. Roma Jr.
Mayor

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