

January 20, 2010

Beachwood Municipal Complex
1600 Pinewald Rd.

6:30 PM

Call to Order

Flag Salute

While we pray for the safe return of our serving men and women, we must remember that 108 servicemen and women from New Jersey have been killed in Iraq and Afghanistan

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 vets and those missing in action and 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 on January 7, 2010.

ROLL CALL MEMBERS PRESENT:

Mayor Ronald Jones

COUNCILMEMBERS:

Beverly Clayton
Gregory Feeney

Steven Komsa
Ronald Roma
Bonnie Verga

ABSENT: Katina L. Clark

A total of 10 minutes has been allocated under Borough Code 2-6.9 for the public discussion by individuals. Citizens are welcome to address the Mayor and Council on any governmental item of concern to them, whether or not it is scheduled on the agenda. Citizens must give their name and address when recognized to speak. The public is advised that these meetings are recorded and are subject to the Open Public Records Act.

Also, please turn off or put all cell phones on vibrate.

BLOCK GRANT PUBLIC HEARING #1

To Open

Motion:	Roma	Second:	Verga
Approved:	Clayton – Feeney – Komsa – Roma - Verga	Opposed:	
Abstain:		Absent:	Clark

The Clerk provided an explanation of the program and announced that the Borough would be advertising again for qualified applicants. There will be a special meeting to hold the second hearing.

No other questions from public.

To Close

Motion:	Clayton	Second:	Verga
Approved:	Clayton – Feeney – Komsa – Roma - Verga	Opposed:	
Abstain:		Absent:	Clark

BLOCK GRANT HEARING #2 will be held at a Special Meeting on Friday January 29th at 6:00 p.m.

Mayors' Appointment with Council approval

#2010- 36

LOCAL PUBLIC CONTRACTS RESOLUTION

WHEREAS, the Local Public Contracts Law N.J.S.A. 40A;11-1 et seq. requires that notice with respect to contracts for professional services awarded without competitive bids must be publicly advertised.

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

The awards stated in the within resolutions are awarded without competitive bidding as Professional Services in accordance with Local Public Contracts Law, N.J.S.A. 40A: 11-5(1)(a)

"because they are for services performed by persons authorized by law to practice a recognized profession."

The following are awarded in conformance with Ordinance #2005-26 Section 1 : “Fair and Open Process for Award of Professional Services Agreement, and pending contract review”

#2010-36A Municipal Planner Birdsall Engineering

Motion:	Second:
Approved:	Opposed:
Abstain:	Absent:

#2010-36B Conflict Prosecutor John Ducey of the firm

Motion:	Second:
Approved:	Opposed:
Abstain:	Absent:

FOLLOWING ARE MAYORS' APPOINTMENT

#2010-37 RESOLVED to appoint -

Planning Board: _____ (L.Gugger) (Mayors' Alternate)

#2010-38 RESOLVED to appoint

Recreation Commission:

_____	(Clark – Removed)	Unexpired Term (12/31/2013)
_____	(W. Knapp – Resignation)	Unexpired Term (12/31/2010)
_____	(Douglas Novaky – Resignation)	Unexpired Term (12/31/2012)
_____	(W. Xiques Jr – Resignation)	Unexpired Term (12/31/2014)

#2010-39 RESOLVED to appoint

Shade Tree Commission: Lynn Martin (J. DeSalvatore) Five Year Exp. 12/31/2014

RESOLUTIONS

#2010-40 RESOLVED by Council to approve the 2010 Certified Bills List in the amount of \$1,437,714.00

Motion:	Roma	Second:	Clayton
Approved:	Clayton – Feeney – Komsa – Roma - Verga	Opposed:	
Abstain:		Absent:	Clark

#2010-41 RESOLVED by Council to approve the minutes of the January 6, 2010 Re-organization meeting of the Governing Body of the Borough of Beachwood.

Motion:	Komsa	Second:	Clayton
Approved:	Clayton – Feeney – Komsa – Roma - Verga	Opposed:	
Abstain:		Absent:	Clark

#2010-42 RESOLVED by Council to approve the Community Center Rentals as follows:

2010 COMMUNITY CENTER			
Feb.	7	Troop 70 – Court of Honor	Rental: Waive
		c/o Vallo 1300 Spray Ave. Beachwood	Deposit: Waive
Mar.	19	Regular Republican Org. Beachwood	Rental: Waive
		c/o Roma 1009 Leeward Ave. Beachwood	Deposit: Waive
Mar.	27	Beachwood PBA	Rental: Waive
			Deposit: Waive
Apr.	18	Camaraza	Rental: \$350
		928 Seaman Ave. Beachwood	Deposit: \$500
Sept.	25	Friends of O.C. Library	Rental: Waive
		Beachwood Branch	Deposit: Waive
Oct.	02	Preyer	Rental: \$350
		953 Mizzen Ave. Beachwood	Deposit: \$500
2011 COMMUNITY CENTER			

Sept. 10	Wall	Rental:	\$350
	308 Mizzen Ave. Beachwood	Deposit:	\$500

Motion: Clayton
 Approved: Clayton – Feeney – Komsa -- Verga
 Abstain: Roma (March 19, rental)

Second: Verga
 Opposed:
 Absent: Clark

#2010-43 WHEREAS, on August 9, 2009 under Resolution #2009-257 approval was given for rental of the Community Center by Maryann Switana 22 Larboard St. Beachwood N.J. for March 27, 2010, noting all resident fees were posted; and

WHEREAS on December 29, 2009, written notice of cancellation was received subjected the applicant to a \$100 cancellation penalty.

NOW, THEREFORE, BE IT RESOLVED to authorize a refund in the amount of \$750, said refund reflecting a \$100 cancellation penalty, to Maryann Switana, 22 Larboard St. Beachwood N.J.

Motion: Verga
 Approved: Clayton – Feeney – Komsa – Roma - Verga
 Abstain:

Second: Roma
 Opposed:
 Absent: Clark

#2010-44 WHEREAS, on June 4, 2008 under Resolution #2008-224 approval was given for rental of the Community Center by John P. Thomas , 120 Mermaid Ave (P.O. Box 43) Beachwood N.J. for July 10, 2010, noting all resident fees were posted; and

WHEREAS on December 22, 2009, written notice of cancellation was received subjected the applicant to a \$100 cancellation penalty.

NOW, THEREFORE, BE IT RESOLVED to authorize a refund in the amount of \$750, said refund reflecting a \$100 cancellation penalty, to John P. Thomas , 120 Mermaid Ave (P.O. Box 43) Beachwood N.J

Motion: Roma
 Approved: Clayton – Feeney – Komsa – Roma - Verga
 Abstain:

Second: Verga
 Opposed:
 Absent: Clark

#2010-45 RESOLVED by he Governing Body of the Borough of Beachwood to authorize a refund in the amount of \$643.50 to Henkels & McCoy for Traffic Control held in escrow.

Motion: Roma
 Approved: Clayton – Feeney – Komsa – Roma - Verga
 Abstain:

Second: Clayton
 Opposed:
 Absent: Clark

#2010-46 RESOLVED to approve the Raffle Application of the Lakehurst Manchester Rotary for March 12, 2010, Beachwood Volunteer Fire Com. #1 - Feb. 12, Mar. 12, Apr. 9 (50/50)

Motion: Roma
 Approved: Clayton – Feeney – Komsa – Roma - Verga
 Abstain:

Second: Komsa
 Opposed:
 Absent: Clark

#2010-47

RESOLVED by the Governing Body of the Borough of Beachwood to approve the permanent title of Permit Clerk for Karen Kuzminski, from DOP certification dated 10/29/09.

Motion:
Approved:
Abstain:

Verga
Clayton – Feeney – Komsa – Roma - Verga

Second: Roma
Opposed:
Absent: Clark

#2010-48

RESOLVED by the Governing Body of the Borough of Beachwood to approve the following requests for Conference – Training – Seminar.

Date:	January 14	Robin Clayton (DPW)
Subject:	Stormwater Management Workshop	
Location:	Freehold	
Cost:	\$0	
Vehicle:	Yes	

Date:	January 26	Linda Felton (Court)
Subject:	Mandatory Meeting	
Location:	O.C. Court House	
Cost:	\$0	
Vehicle:	No	

Date:	February 11 to May 20 (Thursdays)	Karen Kuzminski (Building)
Subject:	Techincal Assistant Certification	
Location:	Ocean County College	
Cost:	\$400	
Vehicle:	No	

Date:	March 3 – 4 - 5	Tjthomas DiMichele (Fire Prevention)
Subject:	NJ IAAI Annual Training Conference	
Location:	Atlantic City	
Cost:	\$400	
Vehicle:	No	

Date:	March - 5	DPW - G. Silva I. Swancey
Subject:	Preparing Recycling Tonnage Reports	
Location:	Rutgers – New Brunswick	
Cost:	\$45. each	
Vehicle:	Yes	

Date:	March 22 - 25	Elizabeth Mastropasqua
Subject:	Municipal Clerks Educational Conference	
Location:	Atlantic City	
Cost:	\$0 (\$295 – exchanged for working on conference)	
Vehicle:	No	

Motion: Roma Second: Clayton
Approved: Clayton – Feeney – Komsa – Roma - Verga Opposed:
Abstain: Absent: Clark

RESOLUTION See Attorney's Letter below
#2010-49 RESOLUTION OF THE BOROUGH OF BEACHWOOD, OCEAN COUNTY, NEW JERSEY AWARDING A CONTRACT TO B&H CONTRACTING IN THE AMOUNT OF \$33,699.00 FOR THE BEACHWOOD WTP FLOW METERS

WHEREAS, the Borough of Beachwood previously advertised and received bids on January 12, 2010 at 2:00 p.m. for the Beachwood WTP Flow Meters; and

WHEREAS, at the time of place for the receipt of bids three (3) bids were received ranging from a low of \$33,699.00 to the high of \$57,000.00 for the base bid; and

WHEREAS, the Borough's Engineer has reviewed said bids and recommended the award to the low bidder for the base bid in the amount of \$33,699.00; and

WHEREAS, the Borough's Attorney has reviewed the bid submissions and found the same to be in proper form and order for said B&H Contracting, Inc.; and

WHEREAS, it is the desire of this Governing Body to act upon the award of said Contract.
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 Valley Painting, Inc. for the Beachwood WTP Flow Meters for the base bid amount of \$33,699.00 to the low bidder, B&H Contracting, Inc.
2. The award of the project is contingent to NJDEP Approval of the project.
3. 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 CFO, B&H Contracting, Inc., and the Borough Treasurer.

Motion: Roma Second: Clayton
Approved: Clayton – Feeney – Komsa – Roma - Verga Opposed:
Abstain: Absent: Clark

#2010-50 RESOLVED to AUTHORIZE A REFUND OF OVERPAYMENT OF TAXES ON BLOCK 10.15 LOT 6 TO METLIFE HOME LOANS-C/O TOTAL MORTGAGE SOLUTIONS LP IN THE AMOUNT OF \$ 1,095.10

WHEREAS, MetLife Home Loans (C/O Total Mortgage Solutions LP), inadvertently made a duplicate payment on behalf property owners, Sean & Kim Dunleavy, Block 10.15 Lot 6 in the amount of \$ 1,095.10; and,

WHEREAS, MetLife Home Loans (C/O Total Mortgage Solutions LP) is **now requesting a refund of said overpayment.**

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of Beachwood, in the County of Ocean, State of New Jersey to authorize the refund of overpayment caused by duplicate payment to MetLife Home Loans (C/O Total Mortgage Solutions LP) , in the amount of \$ 1,095.10

Motion:	Roma	Second:	Clayton
Approved:	Clayton – Feeney – Komsa – Roma - Verga	Opposed:	
Abstain:		Absent:	Clark

#2010-51 RESOLVED TO AUTHORIZE A REFUND OF REDEMPTION MONIES FROM LIEN #09-00041 TO LIEN HOLDER DAUXAN WANG IN THE AMOUNT OF \$ 602.15

WHEREAS, at the Municipal Tax Sale held on December 11, 2009, a lien was sold on Block 10.38 Lot 9, also known as 809 Mizzen Avenue for 2008 delinquent municipal charges; and,

WHEREAS, this lien, known as Tax Sale Certificate #09-00041, was sold to Dauxan Wang with a 1% interest rate; and,

WHEREAS, property owner, Angelos Kokkalis effected redemption for certificate # 09-00041 in the amount of \$602.15.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of Beachwood, in the County of Ocean, State of New Jersey to refund lien holder, Dauxan Wang for the redemption of certificate 09-00041 in the amount of \$602.15

Motion:	Roma	Second:	Verga
Approved:	Clayton – Feeney – Komsa – Roma - Verga	Opposed:	
Abstain:		Absent:	Clark

#2010-52 RESOLVED to AUTHORIZE A REFUND OF OVERPAYMENT OF TAX INSTALLMENTS TO FIRST AMERICAN REAL ESTATE TAX SERVICES IN THE AMOUNT OF \$29,068.00

WHEREAS, Mortgage servicer, First American Real Estate Services inadvertently made duplicate payments on the following Block and Lots: 1.03/6, 1.10/9, 1.11/7, 1.20/4, 1.41/9, 2.02/15, 2.03/12, 2.09/1, 2.28/2, 2.43/13, 3.03/2, 3.13/8, 3.14/10, 3.31/9, 4.30/10, 4.40/8, 4.45/13, 6.42/12, 6.46/12, 8.45/11, 9.02/7.01, 9.08/10, 9.19/4, 9.24/3, 9.26/13, 9.29/15, 9.42/9, 9.43/1, 9.44/3, 10.08/3, 10.22/9, 10.35/10, 11.03/7, 11.08/14, 11.08/8.02, 11.12/7, 11.13/1, 11.21/3; and,

WHEREAS, the said duplicate payments were received in bulk along with other valid payments, by which the Tax Office was forced to accept said payment as submitted; and,

WHEREAS, First American is now requesting the refund of the overage caused by payment duplication in the amount of \$ 29,068.00.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of Beachwood, in the County of Ocean, State of New Jersey to authorize the refund of overpayment caused by duplicate payment to mortgage servicer, First American Real Estate Services, in the amount of \$ 29,068.00

Motion:	Roma	Second:	Clayton
Approved:	Clayton – Feeney – Komsa – Roma - Verga	Opposed:	
Abstain:		Absent:	Clark

#2010-53 **RESOLVED To AUTHORIZE REFUND OF OVERPAYMENT OF TAXES ON BLOCK 4.11 LOT 7 TO OCEAN FIRST BANK, IN THE AMOUNT OF \$6,019.81**

WHEREAS, Ocean First Bank, inadvertently made a duplicate payment on behalf of property owner, Tricia Moran, Block 4.11 Lot 7, in the amount of \$ 6,019.81; and,

WHEREAS, Ocean First Bank is now requesting a refund of said overpayment.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of Beachwood, in the County of Ocean, State of New Jersey to authorize the refund of overpayment caused by duplicate payment to Ocean First Bank, in the amount of \$ 6,019.81

Motion:	Roma	Second:	Komsa
Approved:	Clayton – Feeney – Komsa – Roma - Verga	Opposed:	
Abstain:		Absent:	Clark

#2010-54 **RESOLVED TO AUTHORIZE A REFUND OF TAX SALE CERTIFICATE MONIES FOR BLOCK 11.28 LOT 4 TO LIEN HOLDER INDEPENDENT INVESTORS IN THE AMOUNT OF \$ 3817.29**

WHEREAS, at the Municipal Tax Sale held on December 11, 2009, a lien was sold on Block 11.28 Lot 4, also known as 37 Wave Street, for 2008 delinquent municipal charges; and,

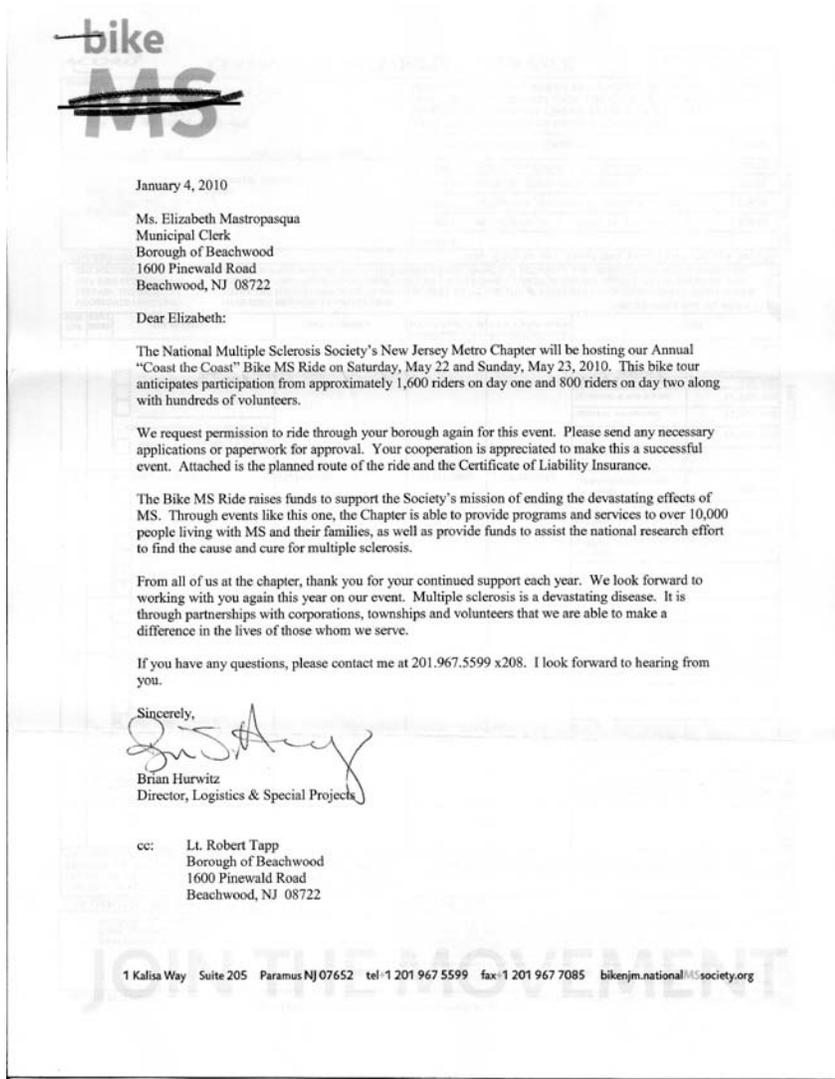
WHEREAS, the owner of this property, Cynthia Loftus, unbeknownst to the Tax Collector, was under the protection of an Automatic Stay as a result of filing a Chapter 13 Bankruptcy with the United States Bankruptcy Court on December 1, 2009; and,

WHEREAS, Independent Investors were the successful bidders on this parcel at said Tax Sale are entitled to a refund of \$3,817.29 as this parcel should not have been sold for Tax Lien as per statutory law.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of Beachwood, in the County of Ocean, State of New Jersey to authorize the refund of monies paid by Independent Investors in the amount of \$3817.29 for the purchase said Tax Sale Certificate.

Motion: Clayton
Approved: Clayton – Feeney – Komsa – Roma - Verga
Abstain:
Second: Verga
Opposed:
Absent: Clark

CORRESPONDENCE



RESOLUTION:

#2010 – 55 To Approve Request

Motion: Clayton
Approved: Clayton – Feeney – Komsa – Roma - Verga
Abstain:
Second: Verga
Opposed:
Absent: Clark

#2010-56

RESOLUTION OF THE BOROUGH OF BEACHWOOD AUTHORIZING THE ESTABLISHMENT OF A COMPETITIVE CONTRACTING PROCEDURE FOR THE ANNUAL 4th OF JULY FIREWORKS DISPLAY FOR JULY 4, 2010, 2011 & 2012

WHEREAS, the Borough of Beachwood annually holds a river front fireworks display on the 4th of July; and

WHEREAS, the Borough desires to solicit and obtain competitive contracting proposals in accordance with N.J.S.A. 40A:11-4.1; and

WHEREAS, said competitive contracting shall be administered through the Borough Clerk and the Borough Attorney; and

WHEREAS, said individuals shall prepare a request for proposals documentation to include requirements deemed appropriate necessary to allow for full and free competition among various vendors; and

WHEREAS, said proposal information shall include the methodology by which the Borough will evaluate and rank proposals received from various vendors; and

WHEREAS, said process shall be carried out in accordance with the dictates of the aforereferenced Statute and N.J.S.A. 40A:11-4.5; and

WHEREAS, upon receipt of proposals the Borough Clerk and Attorney shall evaluate said proposals with the Fireworks Committee and prepare a report recommending the award and to include a list of all potential vendors and their ranking based upon the criteria for same; and

WHEREAS, said report shall be made available to the public at least forty-eight (48) hours prior to the awarding of said contract in accordance with statutory authorization.

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 Clerk, the Borough Attorney, and the Fireworks Commissioner are authorized to establish the competitive contracting proposal for fireworks displays on July 4, 2010, July 4, 1011, and July 4, 2012 in accordance with the preamble hereof.
2. That upon recommendation and subsequent award by the governing body, a notice of that action shall be published in an official newspaper of the Borough. Said notice shall include the date or dates of said contract, the name of the vendor, and a statement that said Resolution and Contract are on file for public inspection in the office of the Borough Clerk.
3. Upon the adoption of the within Resolution the Borough Clerk is authorized to forward a duly authenticated copy of it to the Borough Administrator and the Borough Attorney.

Motion:	Clayton	Second:	Verga
Approved:	Clayton – Feeney – Komsa – Roma - Verga	Opposed:	
Abstain:		Absent:	Clark

Mr. Komsa noted that over the summer the Lifeguards had no response to calls.

Discussion of Committee's Mrs. Clark chairs (Environmental – Shade Tree – Lifeguards – Beach) and if either Mrs. Verga or Mr. Komsa can take over as Chair of these committees.

Would like to get consensus on the signing of vouchers – have Clerk advise Treasurer that vouchers (Mrs. Clark's) will be signed by Mrs. Verga and Mr. Komsa.

Mrs. Clayton at next meeting with Mrs. Clark present we need to discuss this problem and determine what's going on.

Mr. Roma introduced Mr. Scarantino (County Engineering) to present status of Double Trouble Bridge Project.

Mr. Scarantino provided a projected chronological report on the program and it's affect on the traffic pattern and the Borough residents. The County will forward information to the Borough to be posted on the web site for residents to track conditions. South bound traffic will only be entertained during the program which may last about seven (7) weeks. North bound will take alternate routes through the Borough. Questions were entertained of the public which addressed the "closing" pattern.

Bonnie Verga No report

Mr. Hiering (Municipal Attorney) Verizon specifications for equipment on towers in process and being submitted to Engineer for review.

Mr. Oris (Municipal Engineer) Moving forward on refurbishment of Locker Street Tower. Will address all "antennae" access. Looking to accept bids on refurb next month. Schedule "C" work should begin with change in weather. Mr. Roma notes that the O.C. Engineer has scheduled the 2010 Road Improvement program.

RESOLUTION

#2010-57 To award contract for Landfill Monitoring to Henderson Labs (Beachwood) \$3,500

Motion: Feeney Second: Verga
Approved: Clayton – Feeney – Komsa – Roma – Verga
Abstain: Absent: Clark

Municipal Clerk No report

OPEN TO PUBLIC DISCUSSION

Motion: Komsa Second: Verga
Approved: Clayton – Feeney – Komsa – Roma – Verga
Abstain: Absent: Clark

Miller

Windward Ave: Correction of date on Raffle Application for Fire House
Comments to Governing Body – unfortunate one member not addressing her responsibility. Doesn't understand why council must pick up her slack. She represents the town. Council needs to do something other than addressing the signing of vouchers. Get it corrected immediately.

Solowynski
Cable Ave

Mayor you didn't want me to work the Beach because of conflict with Mrs. Clark. She did not do her job at the Beach. She's not doing her job that the people elected her to do. Fire her!

LaCrosse
Forecastle Ave

The public pays her salary and I am hoping it will not be paid in the future. Comments on vacancy on Recreation and recent appointment who resigned. Asked Mayor for the names of the remainder of the appointees on the Committee.

Mr. LaCrosse questioned the term of Mr. Cohen and referenced minutes of 1/4/06 where Mr. Cohen was appointed to 5 year term. That would indicate he was still a full member.

Clerk explained that later in the year there was a correction to the term and from that point the term was corrected.

To Mr. Hierung regarding opinion of appointment from Recreation to Land Use Board. Mr. Hierung explained history and reason for change in opinion. Discussion of two types of Recreation Commissions and their membership.

Commented on the lack of filing of Financial Disclosure on the part of Recreation.

Mayor Jones

Noting that Mr. Cohen is present – and if he would like to continue his term, I have no problem with appointing him tonight. None what so ever. If he accepts.

Mr. Cohen

Accepted

RESOLVED
#2010-58

RESOLVED to appoint Mr. Charles Cohen to the Beachwood Recreation Commission to fill a vacancy expiring 12/31/2013

Sworn in by Mayor Jones

R. DiBella
Halliard Ave

To Mr. Hierung on towns with Recreation Commissioners. Discussion on differences. He pointed out the statutes reference on no more than two expiring at any one time. Clerk tried to explain. Comments on Citizen Leadership Act. Several applications filled out by one individual and all did not contain "qualifications", yet were all appointed to boards following telephone calls from Mayor who filled out the forms for them. Wants that looked into. Requested update on OPRA requests.

Clerk noted that as advised on several occasions that numerous attempts were made to secure the information.

Mr. DiBella – update on request for Recordings (Environmental)

Clerk noted that as advised on several occasions that numerous attempts were made to secure the information.

Status of request for copies of documents that were removed from the Borough and placed on private website?

Clerk noted that as advised on several occasions that numerous attempts were made to secure the information.

Status on request for information relative to Mrs. Clark's filing with Ethics Commission.

Clerk noted that as advised on several occasions that numerous attempts were made to secure the information.

There are options for Custodian to secure the records. One is to file an action in Superior Court. GRC said I am entitled to records AG said I am entitled to records.

Clerk advised Mr. DiBella as done on numerous occasions that that if Mr. DiBella is not satisfied with the responses provided to file a complaint with GRC.

Have you filed a police report on documents that disappeared from the Borough?
I am not certain that they disappeared from the Borough - I will not file a police complaint.

Do you have them?

I told you I don't have them.

I believe that the Clerk is not fulfilling her obligation in filling OPRA requests. I am asking that the Council urge her to fulfill her requirements. A year and half ago, two years ago, the Mayor signed a Juvenile Justice Commission Contract that he was not authorized to sign. How did your attorney instruct you to handle that. There was nothing ever done, it was never turned over to any agency....

Mr. Hiering – it was filed with Prosecutors Office.

Proprietary information released on web sitePower Systems ... what was done about that.

It was a public document

It was a public document for which an OPRA request was not issued.....

Clerk advised that she was not aware of how the document was obtained or how it got onto the private website.

Mayor gave out Police Officers home addresses. Did anyone look into the legality of that? Did Mr. Xiques and Mr. Novaky submit letters of resignation and do we know reasons for resignations.? (Explanations from Mr. Komsa and Mr. Roma). We had Councilwoman and husband (Planning Board member) finish their basements without permits does anyone know what fines were issued.?

Mrs. Verga – I know they haven't been fined. We are checking records to determine what happened.

I ask that you look into this – I believe that fines should have been automatic. Asked Council to look into getting his Right to Know requests. Shouldn't have to wait this long.

LaCrosse

Addressing Mayor's campaign issue – about forming an Ethics Committee. It's time. We have an ethically challenged individual on this governing body and you should put this committee in effect.

CLOSE TO PUBLIC DISCUSSION

Motion:	Roma	Second:	Komsa
Approved:	Clayton – Feeney – Komsa – Roma - Verga	Absent:	Clark
Abstain:			

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:

Terms & Condition of Employment
Contractual
Litigation

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

Motion: Roma
Approved: Clayton – Feeney – Komsa – Roma - Verga
Abstain:
Second: Clayton
Absent: Clark

Re-Open

Motion: Clayton
Approved: Clayton – Feeney – Komsa – Roma - Verga
Abstain:
Second: Roma
Absent: Clark

ACTION TAKEN AS A RESULT OF EXECUTIVE SESSION

#2010 – 59 RESOLVED by Mayor and Council, upon recommendation of the Recreation Commission, to hire Dan Leonard (1237 Spar Ave Beachwood) as Recreation Commission Secretary – annual salary \$800.

Motion: Komsa
Approved: Clayton – Feeney – Komsa – Roma - Verga
Abstain:
Second: Verga
Absent: Clark

ADJOURN

Motion: Roma
Approved: Clayton – Feeney – Komsa – Roma - Verga
Abstain:
Second: Komsa
Absent: Clark

Submitted by: E.A. Mastropasqua

Ronald W. Jones; Jr.
Mayor

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