

January 28, 2004

Beachwood Municipal Complex      WORKSHOP MEETING  
1600 Pinewald Rd.  
7:00 **PM**

Call to Order

SALUTE TO FLAG -

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 the Governing Body of the Borough of Beachwood is listed in the notice of meetings posted on the Bulletin Board located in the Municipal Complex and appearing in the Ocean County Observer and the Asbury Park Press on January 2, 2004**

Roll Call Members Present  
Mayor Harold R. Morris

Councilmembers:	Beverly Clayton	Thomas Miserendino
	Gregory Feeney	Patricia A. Moran
	Gerald W. LaCrosse	Ronald Roma

Absent:

ITEM: Mayor Morris commented on great job done by Public Works during recent storm. Has been in communication with representative of A.T & T with regard to placing an antennae on the Water Tower. Company will be reviewing site to see if it is acceptable. Mayor will meet with Mr. Hiering to look into preparing bid specs for that site.

ITEM: Mark Brady - Office Site & Solution  
Discussed proposal for Overseeing and Management of First Aid Construction Program.

Presentation on firm and what he can provide for the Borough.  
Questions from members of council were related to :  
Cost per hour (\$100) approx 120 hours not to exceed \$15,000. Mr. LaCrosse questioned the mathematics. Mr. Brady noted that the additional covers cost of copies - travel etc.

Mr. Miserendino noted that you can pick and choose the responsibility you wish him to assume. Mrs. Moran asked him to explain why the Borough needs him. Seems like a simple project and would be expensive to have this service.

The benefit would be coordination of professionals - overseeing - review of specifications. He will do "realistic engineering". Pre construction is hourly fee - construction is fixed fee. Based on percentage of cost of contract.

Questions on contractual change orders -

ITEM: FENCE ORDINANCE - Copies provided to council.

Questions on 10:5-4 "h" - need to change wording to address temporary construction of fence not to exceed 8 feet,

Hedges in front yard area utilized as fence - needs to have more detailed language.

Need to prohibit barbed wire or razor ribbon fence (10-5.3).

Questions posed to Charles Bauer regarding submittal of survey and age of same. Additionally on re-inspection.

Mr. Lipton expressed concern about Mr. Bauer being responsible with regard to re-inspection and enforcement. Council noted he issues the permit and it falls under zoning.

**COUNCIL APPROVED WITH CHANGES** and will be submitted to Attorney for final preparation.

Approved: Clayton - Feeney - LaCrosse - Miserendino - Moran - Roma

ITEM: Lipton - Road Extension

1. Comments from Mr. Klee regarding Engineering. Yet to be resolved
  - a. Curbing - not proposed by Lipton
  - b. Turn around - not proposed by Lipton
  - c. Street Lighting - not proposed by Lipton
  - d. Retaining Wall - who will maintain.
  - e. Retention wall

Mr. Roma discussed manner in which he was required to address "Road Extension" Council reviewed a map submitted by Mr. Klee addressing the area in question.

Discussion surrounded the "turn around" and concerns as it affects Fire and Emergency services as well as standard services "sanitation.

Mr. Lipton noted that others were not required to conform to the ordinance such as the Sewerage Authority when it addressed work in back end of Beachwood. Ordinance has never been followed.

Mr. LaCrosse noted that the Borough has tripled its population, and has not always followed the ordinance.

Mr. Klee will make his recommendations and submit to council.

ITEM: Mrs. Clayton - re: Block 11.44 Lots 1/2 -

Concerned regarding drainage and hopes that Planning Board will address.



ITEM: Vertical Filter Replacement - Water Utility

January 21, 2004

**OWEN,  
LITTLE  
& ASSOCIATES  
INC.**

Engineers  
Planners  
Surveyors  
GIS Specialists

**Mayor and Council Members  
Borough of Beachwood**  
1600 Pinewald Road  
Beachwood, NJ 08722

**Re: Vertical Filter Replacement  
Borough Water Facility  
BHWD00BORO4FIL**

Dear Mayor and Council Members:

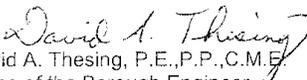
As a follow-up to our letter dated January 6, 2004 to the Contractor, we have received a response letter (copy enclosed) dated January 19, 2004 from U.S. Filter. Based on their letter, they will need to remove all media in order to perform an internal inspection. This will require the replacement of all media material.

Because the exact problem is not known, the Contractor is requiring authorization for all the cost in their letter prior to proceeding with any work. Upon performing the required inspection, then we may know the extent of the problem. If the problem can be determined to have been caused by the Contractor, then we will proceed with the Borough Attorney to utilize the maintenance bond for the cost of the work.

However, if the problem was not caused by the Contractor, then the Borough may need to pay for the required repair. Based on this, we believe the Borough may need to allocate sufficient funds for the repairs.

Lastly, we will require authorization to allow the Contractor to proceed with the work. We await your response and if you have any questions, please do not hesitate to contact this office.

Very truly yours,

  
David A. Thesing, P.E., P.P., C.M.E.  
Office of the Borough Engineer

DAT:blg

Encl.

Cc: Elizabeth Mastropasqua, RMC  
John Behrens  
William T. Hiering, Jr., Esq.

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**PUBLIC DISCUSSION  
TO OPEN**

Motion: Feeney Second: Miserendino  
Approved: Clayton - Feeney - LaCrosse - Miserendino - Moran - Roma  
Abstain: Absent:

NO COMMENTS

**TO CLOSE PUBLIC DISCUSSION**

Motion: Miserendino Second: LaCrosse  
Approved: Clayton - Feeney - LaCrosse - Miserendino - Moran - Roma  
Abstain: Absent:

**Mrs. Clayton did not attend Executive Session.**

**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 - Police Chief

Contractual - Gas Negotiations

Contractual - Hierarchy - Owen Little

Terms & Condition of Employment - Salaries - 2004

Terms & Condition of Employment - Workers Comp - Public Works

Potential Litigation - Encroachment - Waterfront

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

Motion: Feeney Second: LaCrosse  
Approved: Feeney - LaCrosse - Miserendino - Moran - Roma  
Abstain: Absent: Clayton

#### TO RE-OPEN

Motion: LaCrosse Second: Feeney  
Approved: Feeney - LaCrosse - Miserendino - Moran - Roma  
Abstain: Absent: Clayton

#### ACTION TAKEN RESULTING FROM THIS EXECUTIVE SESSION

#2004- 042 RESOLVED by Mayor and Council to approve the agreement between the Borough of Beachwood and Police Chief John Wagner for the years January 1, 2003 to and including December 31, 2006.; and

FURTHER RESOLVED that the Mayor and Clerk are authorized to execute the agreement on behalf of the Borough of Beachwood.

Motion: Miserendino Second: Roma  
Approved: Feeney – LaCrosse – Miserendino - Roma  
Abstain: Absent: Clayton  
Opposed: Moran –[ Issue of personal vehicle]

#2004-043 RESOLVED by Mayor and Council to approve the 2003 and 2004 salaries of the Collector and Clerk, which represent a 3.95% each year and a medical bank increase.

Motion: Feeney Second: Miserendino  
Approved: Feeney – LaCrosse – Miserendino – Moran – Roma  
Abstain: Absent: Clayton

#2004-044 RESOLVED by Mayor and Council to approve the 2003 salary of John Behrens Supervisor of Public Works at \$2,000 increase .

Motion: LaCrosse Second: Moran  
Approved: LaCrosse – Moran – Roma  
Opposed: Feeney – Miserendino Absent: Clayton

#2004-045 RESOLVED by Mayor and Council that the Governing Body salary for 2004 shall be increased by \$1,200.

Motion: Roma Second: Feeney  
Approved: Feeney – LaCrosse – Roma  
Opposed: Miserendino – Moran - Absent: Clayton

#2004-046 RESOLVED by Mayor and Council that the Medical Bank figure for contracts noted is \$450.

Motion: Feeney Second: LaCrosse  
Approved: Feeney – LaCrosse – Miserendino – Moran – Roma  
Abstain: Absent: Clayton

#### UNFINISHED BUSINESS

Mrs. Moran Block Grant requires application for next hearing and need to include projects to be discussed.

RESOLUTION: Recommending continuing with Housing Rehab program – with a \$75,000  
#2004-047 grant request, and an endorsement for Caregivers of Ocean County.

Motion: Moran Second: Miserendino  
Approved: Feeney – LaCrosse – Miserendino – Moran - Roma  
Abstain: Absent: Clayton

#### ADJOURN

Motion: Miserendino Second: LaCrosse  
Approved: Feeney – LaCrosse – Miserendino – Moran - Roma  
Abstain: Absent: Clayton

Submitted by: E.A. Mastropasqua

\_\_\_\_\_  
Harold R. Morris  
Mayor

Attested to by: \_\_\_\_\_  
Elizabeth A. Mastropasqua RMC/CMC  
Municipal Clerk