

February 1, 2006  
Beachwood Municipal Complex  
1600 Pinewald Rd.

7:00 PM

Call to Order

SALUTE TO FLAG

**A MOMENT OF SILENCE IN MEMORY OF THE MEN & WOMEN IN MILITARY SERVICE WHO  
HAVE GIVEN THEIR LIVES FOR FREEDOM and FOR THOSE SERVING AROUND THE WORLD,  
MAY THEY HAVE A SAFE RETURN HOME, ESPECIALLY THOSE FROM OUR MUNICIPAL FAMILY**

*JOHNATHAN FEENEY AND JAMES RYAN LACEY.*

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 Ocean County Observer and the Asbury Park Press on January 1, 2006

Roll Call Members Present

Mayor Harold R. Morris

Council members:

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

ABSENT:

#2006-52      RESOLVED by Mayor and Council to approve the 2006 Certified Bills List in the amount of \$

	Clayton	Feeney	LaCrosse	Miserendino	Moran	Roma
Motion						
Second						
Approved						
Abstain						
Opposed						
Absent						

#2006-53 RESOLVED by Mayor and Council to approve the minutes of the January 25<sup>th</sup> meeting of Mayor and Council

	Clayton	Feeney	LaCrosse	Miserendino	Moran	Roma
Motion						
Second						
Approved						
Abstain						
Opposed						
Absent						

#2006-54 RESOLVED by Mayor and Council to approve the minutes of the February 1<sup>st</sup> meeting of Mayor and Council

	Clayton	Feeney	LaCrosse	Miserendino	Moran	Roma
Motion						
Second						
Approved						
Abstain						
Opposed						
Absent						

#2006-55 RESOLVED by Mayor and Council to approve the Community Center rentals as follows:

2006 Community Center					
April	16	Tartaglia	Rental:	\$350	
		1213 Cable Ave.	Deposit:	\$500	
June	05 or 08	Barnegat Bay Estuary	Rental:	WAIVE	
See Attached Letter		c/o Jeanine Cava	Deposit:	WAIVE	
		O.C. College			
July	09	Coleman	Rental:	\$350	
		833 Spar Ave.	Deposit:	\$500	
Dec.	02	Romans	Rental:	\$350	
		517 Halliard Ave.	Deposit:	\$500	

	Clayton	Feeney	LaCrosse	Miserendino	Moran	Roma
Motion						
Second						
Approved						
Abstain						
Opposed						
Absent						



## *Barnegat Bay National Estuary Program*

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February 10, 2006

Municipal Clerk  
Elizabeth Mastropasqua  
Borough of Beachwood  
1600 Pinewald Road  
Beachwood, NJ 08722

Re: Reservation of Meeting Room- Beachwood Community Center  
June 5 and 8, 2006

Dear Ms. Mastropasqua:

The Barnegat Bay National Estuary Program (BBNEP) wishes to reserve a meeting room at the Borough of Beachwood Community Center on Monday, June 5, 2006 and Thursday, June 8, 2006. As discussed, we will actually only need the meeting room for one of these dates, but cannot be certain of which at this point in time.

The purpose of this reservation is the annual meeting of the BBNEP Policy Committee to approve our FY06-07 Work Plan and Budget. BBNEP Policy Committee members include NJ Department of Environmental Protection Commissioner and the United States Environmental Protection Agency Region II Administrator whose availability needs to be secured well in advance. I am currently waiting on word from these two individuals of their availability on either of these dates. As soon as I hear from them, I will give you notice of which of these two dates we will ultimately need. At this time, however, I would like to reserve both dates for the full day to be safe.

Pursuant to our telephone conversation on February 9, 2006 you confirmed that the meeting rooms were available on these dates. Thank you for your consideration. If any additional information is necessary, you may contact me at 732.255.0472, x 4.

Sincerely,

  
Jeanine Cava  
Program Associate

Ocean County College - College Drive - P.O. Box 2001 - Toms River, NJ 08754-2001  
Phone 732.255.0472 - Fax 732.255.0473 - www.bbep.org

February 15, 2006  
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#2006-56      RESOLVED by Mayor and Council to approve the following requests for Conference Training Seminar.

Date:	February 10 (DPW) Gerald Karacz
Location:	Ocean Gate
Subject:	JIF - PPE (Personal Protective Equipment "Initial Training"
Cost:	\$0
Vehicle:	Yes

Date:	March 07 (DPW) C. Amoresano - R. Mack - D. Roche
Location:	Brick
Subject:	JIF - Hazard Communication - Right To Know
Cost:	\$0
Vehicle:	Yes

Date:	March 08 (DPW) F. DeMarco - C. Schiel
Location:	Dover Twp
Subject:	JIF - Chain Saw & Chipper Safety
Cost:	\$0
Vehicle:	Yes

Date:	March 09 (Admin) E. Mastropasqua
Location:	Toms River
Subject:	Ocean County Clerk Carl Block - Election Meeting
Cost:	\$0
Vehicle:	No

Date:	April 06 (DPW) Gerald Karacz
Location:	Dover Twp
Subject:	JIF - Hazard Communication- Right To Know "Initial Training"
Cost:	\$0
Vehicle:	Yes

Date:	April 26 (DPW) F. DeMarco - C. Schiel
Location:	Lakewood
Subject:	JIF - Ladder Safety
Cost:	\$0
Vehicle:	Yes

Date:	April 4 - 6 - 8 Fire Company - Kevin Davison
Location:	Ocean County Fire Academy
Subject:	Emergency Vehicle Operations Course
Cost:	\$0
Vehicle:	Yes

Date:	March 13 - 20 - 27 - Fire Company - James Smith
Location:	Ocean County Fire Academy
Subject:	Incident Management System Level 200
Cost:	\$0
Vehicle:	Yes

Date:	April 5-8-12-15-19	Fire Company - J.Smith / H. Kopenhafer
Location:	Ocean County Fire Academy	
Subject:	Basic Pump School	
Cost:	\$0	
Vehicle:	Yes	
Date:	May 3-10-7-14	Fire Company - J.Smith - R. Risk - D.Allen
Location:	Ocean County Fire Academy	
Subject:	Incident Management System Level 300	
Cost:	\$0	
Vehicle:	Yes	

Date:	May 16-18-20	Fire Company - K. Davison - H. Kopenhafer
Location:	Ocean County Fire Academy	
Subject:	Baic Truck Operation	
Cost:	\$0	
Vehicle:	Yes	

	Clayton	Feeney	LaCrosse	Miserendino	Moran	Roma
Motion						
Second						
Approved						
Abstain						
Opposed						
Absent						

RESOLUTION - Per Mr. Lacey with regard to Landfill  
#2006-57

WHEREAS, the Borough of Beachwood desires to comply with the New Jersey Department of Environmental Protection's Order to formally close the Borough Landfill designated as Facility No. 133799 (Lot 2 Block 8.44)(hereinafter the "Facility") in conformance with the Solid Waste Management Act; and

WHEREAS, the Borough of Beachwood filed a Closure and Post-Closure Plan ( hereinafter the "Plan") with the New Jersey Department of Environmental Protection for review and approval, and expects that approval shortly; and

WHEREAS, the Plan will not be granted approval until the Borough of Beachwood provides financial assurances for Closure and Post Closure care; and

WHEREAS, the Borough of Beachwood is fully responsible for the continued maintenance and care of the entire Facility;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Beachwood, County of Ocean, State of New Jersey, that the Borough shall, until the end of the Post-Closure period, in addition to all reporting required in the Approved Plan, shall annually provide written evidence to the NJDEP that it has dedicated the funding required by the Plan as follows:

By March 31<sup>st</sup> of each year, provide written documentation that the Borough's introduced annual budget includes an appropriation of necessary funding, and further written documentation by May 15<sup>th</sup> of each year, that its budget as adopted includes the appropriation; and

The Borough shall also provide yearly certifications to the NJDEP specifically indicating that all Closure and Post-Closure activities required by the Plan have been completed in accordance with the Plan; and

The Borough of Beachwood shall take whatever actions as necessary to fully maintain the Facility as required

	Clayton	Feeney	LaCrosse	Miserendino	Moran	Roma
Motion		X				
Second						X
Approved		X	X	X		X
Abstain						
Opposed						
Absent	X				X	

**#2006-42** RESOLVED by Mayor and Council to approve the Raffle License Application of the Lakehurst Manchester Rotary - March 31, 2006.

	Clayton	Feeney	LaCrosse	Miserendino	Moran	Roma
Motion			X			
Second						X
Approved		X	X	X		X
Abstain						
Opposed						
Absent	X				X	

**#2006-43** Changes in appointments - 2006  
RESOLVED to appoint the following as Prosecutor(s) in the Municipal Court.

Prosecutor(s) Steven A. Zabarsky  
 Prosecutor Alt: Douglas W. Joes, Jr.  
 Prosecutor Alt: James L. Fennessy  
 Prosecutor Alt: Robert A. Grietz

	Clayton	Feeney	LaCrosse	Miserendino	Moran	Roma
Motion						X
Second				X		
Approved		X	X	X		X
Abstain						
Opposed						
Absent	X					X

#2006-44           RESOLVED to appoint the following for 2006: Done after Executive Session (Mr. Roma left during the Executive Session)

OEM Coordinator:                                 John A. Wagner  
Deputy Coordinator:                               Frank Melillo  
Police Special Class II                         Patrick Sullivan

	Clayton	Feeney	LaCrosse	Miserendino	Moran	Roma
Motion				X		
Second		X				
Approved		X	X	X		
Abstain						
Opposed						
Absent	X				X	X

#2006-45           WHEREAS, N.J.S.A. 40A:5-21 authorizes the establishment of a Petty Cash Fund; and

WHEREAS, it is the desire of the Mayor and Council of the Borough of Beachwood, County of Ocean that the Petty Cash Fund for the Financial Administration be increased from \$50.00 to \$100.00, with a re-imbursement from the petty cash fund not to exceed \$25.00

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Beachwood, County of Ocean, hereby authorizes such action and two copies of this Resolution will be filed with the Division of Local Government Services, New Jersey Department of Community Affairs for approval.

	Clayton	Feeney	LaCrosse	Miserendino	Moran	Roma
Motion				X		
Second						X

Approved		X	X	X		X
Abstain						
Opposed						
Absent	X				X	

#2006-46 WHEREAS, it is the desire of the Mayor and Council of the Borough of Beachwood, County of Ocean, that any and all petty cash funds for the Beachwood Public Assistance be rescinded.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Beachwood, County of Ocean, hereby authorizes such action and two copies of this resolution be filed with the Division of Local Government Services, New Jersey Department of Community Affairs for approval.

	Clayton	Feeney	LaCrosse	Miserendino	Moran	Roma
Motion				X		
Second						X
Approved		X	X	X		X
Abstain						
Opposed						
Absent	X				X	

#2006-47 RESOLVED by Mayor and Council to approve the application for membership in the Beachwood Volunteer Fire Company #1 Inc. of Gregory L. Pancza, 486 Barnegat Blvd. Beachwood N.J.

	Clayton	Feeney	LaCrosse	Miserendino	Moran	Roma
Motion			X			
Second		X				
Approved		X	X	X		X
Abstain						
Opposed						
Absent	X				X	

**ORDINANCE**

**2006-01 FINAL READING - PUBLIC HEARING - ADOPTON  
AN ORDINANCE OF THE BOROUGH OF BEACHWOOD, OCEAN COUNTY NEW JERSEY FURTHER AMENDING CHAPTER XV ENTITLED "WATER" AS IT APPLIES TO WATER RATES AND CHARGES**

**OPEN TO PUBLIC DISCUSSION THIS ORDINANCE ONLY**

	Clayton	Feeney	LaCrosse	Miserendino	Moran	Roma
Motion						X
Second				X		
Approved		X	X	X		X
Abstain						

Opposed						
Absent	X				X	

Lipton  
Pennant Ave: When raising fees there is a formula you must use.

Mr. Hiering: Not when only raising rates.

Novaky  
Maple St. Do not feel that this is a large increase. Water looking better and if it does improve wouldn't mind paying the increase.

**CLOSE TO PUBLIC DISCUSSION THIS ORDINANCE ONLY**

	Clayton	Feeney	LaCrosse	Miserendino	Moran	Roma
Motion						X
Second				X		
Approved		X	X	X		X
Abstain						
Opposed						
Absent	X				X	

RESOLUTION  
#2006-48 RESOLVED by Mayor and Council to approve and adopt Ordinance #2006-01 as presented and held for discussion.

	Clayton	Feeney	LaCrosse	Miserendino	Moran	Roma
Motion			X			
Second		X				
Approved		X	X	X		X
Abstain						
Opposed						
Absent	X				X	

CORRESPONDENCE  
None

**COUNCIL REPORTS**

Mayor Morris Good to have Mr. LaCrosse back. Questioned how his Granddaughter was.  
Feeling good about the way things are going in the Borough. Water is on the right path. Roads are moving along nicely. Administrator doing a great

job on behalf of the Borough.

Beverly Clayton Absent

Gregory Feeney Welcomed Mr. LaCrosse back from recent illness. Weather has been good for Borough, no need to plow or salt etc. Also good for the germination process at the Landfill.

Gerald W. LaCrosse Meeting with Verizon on telemetry for Water for alarms. Well #7 looking good. A few months away from Water Allocation Permit increase.

Thomas Miserendino No report

Patricia A. Moran Absent

Ronald Roma Working with Mr. Lacey and Mr. Oris on road priorities.

Administrator Lacey: No report

Municipal Attorney Offered the following ordinances for introduction.

ORDINANCE FIRST READING TITLE ONLY  
 2006-02 AN ORDINANCE OF THE BOROUGH OF BEACHWOOD, OCEAN COUNTY, NEW JERSEY ESTABLISHING THE POSITION OF PART-TIME HOUSING INSPECTOR

RESOLUTION:  
 #2006-49 RESOLVED by Mayor and Council to approve Ordinance #2006-02 as presented on First Reading by Title Only.

	Clayton	Feeney	LaCrosse	Miserendino	Moran	Roma
Motion		X				
Second						X
Approved		X	X	X		X
Abstain						
Opposed						
Absent	X				X	

ORDINANCE FIRST READING TITLE ONLY  
 #2006-03 AN ORDINANCE OF THE BOROUGH OF BEACHWOOD, OCEAN COUNTY, NEW JERSEY AMENDING ORDINANCE 2005-24 ENTITLED "AN ORDINANCE OF THE BOROUGH OF BEACHWOOD, OCEAN COUNTY, NEW JERSEY ESTABLISHING A RENTAL PERMIT AND FEE THEREFOR IN CONNECTION WITH THE RENTAL OF DWELLING UNITS WITHIN THE BOROUGH"

RESOLUTION:  
 #2006-50 RESOLVED by Mayor and Council to approve Ordinance #2006-03 as presented on First Reading by Title Only.

	Clayton	Feeney	LaCrosse	Miserendino	Moran	Roma
Motion						X
Second		X				
Approved		X	X	X		X
Abstain						
Opposed						
Absent	X				X	

ORDINANCE FIRST READING TITLE ONLY.  
 2006-04 **AN ORDINANCE OF THE BOROUGH OF BEACHWOOD, OCEAN COUNTY, NEW JERSEY ESTABLISHING A CONTINUED CERTIFICATE OF OCCUPANCY PERMIT AND FEES THEREFOR AND PROVIDING FOR PENALTIES FOR VIOLATION THEREOF**

RESOLUTION:  
 #2006-51 RESOLVED by Mayor and Council to approve Ordinance #2006-04 as presented on First Reading by Title Only.

	Clayton	Feeney	LaCrosse	Miserendino	Moran	Roma
Motion						X
Second			X			
Approved		X	X	X		X
Abstain						
Opposed						
Absent	X				X	

Engineer Jim Oriss Received e-mail on funding money available from Barnegat Bay Estuary for Water Quality.  
 Treasurer No report  
 Clerk No report

**PUBLIC DISCUSSION  
 TO OPEN**

	Clayton	Feeney	LaCrosse	Miserendino	Moran	Roma
Motion						X
Second				X		
Approved		X	X	X		X
Abstain						
Opposed						
Absent	X				X	

Lipton Pennant Ave Commented on Engineers' statement regarding funding availability from Barnegat Bay Estuary.  
 Novaky Maple St. Commented on recent article about discretionary aid and

how made available.

**PUBLIC DISCUSSION  
TO CLOSE**

	<b>Clayton</b>	<b>Feeney</b>	<b>LaCrosse</b>	<b>Miserendino</b>	<b>Moran</b>	<b>Roma</b>
Motion						X
Second		X				
Approved		X	X	X		X
Abstain						
Opposed						
Absent	X				X	

**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:
  - Litigation - Lattimer
  - Contractual - Police
  - Terms and Condition of Employment - various departments.
3. It is anticipated that the subject matter discussed may be made public in (90) days.

	<b>Clayton</b>	<b>Feeney</b>	<b>LaCrosse</b>	<b>Miserendino</b>	<b>Moran</b>	<b>Roma</b>
Motion				X		
Second		X				
Approved		X	X	X		X
Abstain						
Opposed						
Absent	X				X	

Mr. Roma was not present for the Executive Session

**TO RE-OPEN**

	<b>Clayton</b>	<b>Feeney</b>	<b>LaCrosse</b>	<b>Miserendino</b>	<b>Moran</b>	<b>Roma</b>
Motion				X		
Second			X			
Approved		X	X	X		
Abstain						
Opposed						
Absent	X				X	X

ACTION TAKEN RESULTING FROM THIS MEETING

RESOLUTION

#2006-51 RESOLVED by Mayor and Council to correct Resolution #2006-35 enacted January 25, 2006 to reflect an effective date of January 1, 2007.

	Clayton	Feeney	LaCrosse	Miserendino	Moran	Roma
Motion				X		
Second		X				
Approved		X	X	X		
Abstain						
Opposed						
Absent	X				X	X

TO ADJOURN

	Clayton	Feeney	LaCrosse	Miserendino	Moran	Roma
Motion			X			
Second				x		
Approved		X	X	X		
Abstain						
Opposed						
Absent	X				X	X

Prepared by: E.A. Mastropasqua

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

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