

February 04, 2004

Beachwood Municipal Complex
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 (7:20)
	Gregory Feeney	Patricia A. Moran
		Ronald Roma

Absent: Gerald W. LaCrosse

Special Presentation -Katina Clark - Scouts made presentation to Governing Body of certificate of appreciation for assistance and a check in the amount of \$100.

Katina Clark - Presentation of certificate of appreciation on behalf of Pop Warner to Borough for sponsorship and assistance.

Katina Clark - Presentation of certificate of appreciation on behalf of Girls Softball.

Special Presentation - Mayor Russell K. Corby

Joint Environmental Commission Proposed to the River Communities.
He presented an outline on the way to establish and some guidelines.
There will be future discussions set up. Mayor and Council expressed their appreciation to Mayor Corby for his presentation.

OPEN TO PUBLIC DISCUSSION ON BLOCK GRANT 2004 HEARING #

Motion: Feeney Second: Moran
Approved: Clayton - Feeney - Moran - Roma

Mrs. Moran explained the process of the Block Grant. She noted that we held our first meeting on January 21st and with the exception of the Care Givers of Ocean County there was no public participation. In the past the Borough has submitted for Handicapped Access to various sites. Additionally in the past we have addressed funds for Housing Rehabilitation, a program that was very successful for the Borough. It provided financial assistance to 19 homeowners so that they could address problems with their homes which they could not have otherwise afforded. This program seems the best way to go for the Borough..

She went on to explain how the residents were accepted into the program and serviced through the Borough's representative Housing Services Inc. She noted that even though our list of qualified residents may have been exhausted, the County maintains a list of residents. We may choose to draw our applicants from the County list.

Sandi Bell from Care Givers of Central Ocean County was present and offered her appreciation to the Borough for endorsing their application.

Proposed Projects:	Housing Rehabilitation	\$75,000.
	Caregivers Ocean County	\$40,000

No other public comment.

CLOSE TO PUBLIC DISCUSSION ON BLOCK GRANT 2004 HEARING #2

Motion: Feeney Second: Roma
Approved: Clayton - Feeney - Moran - Roma

RESOLUTION
#2004-048

RESOLVED by Mayor and Council of the Borough of Beachwood to approve the submission of the following projects for Funding Year 2004 Ocean County Economic Development Grant:

Priority #1	Housing Rehabilitation	\$75,000.00
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And

BE IT FURTHER RESOLVED to endorse the application for funding submitted by

Central Ocean Caregivers	\$40,000.00
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Motion: Roma Second: Moran
Approved: Clayton - Feeney - Moran - Roma
Abstain: Absent: LaCrosse - Miserendino

#2004-49 RESOLVED by Mayor and Council to approve the 2004 Certified Bills List in the amount of \$ 927,598.90

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

#2004-50 RESOLVED by Mayor and Council to approve the minutes of the January 21, 2004 meeting of Mayor and Council

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

TABLED - Clerk noted on the minutes that Mrs. Clayton was present for approval of resolutions from Executive Session, when in fact Mrs. Clayton excused herself from attendance at Executive Session.

#2004-51 RESOLVED by Mayor and Council to approve the minutes of the January 2004 meeting of Mayor and Council

A discussion developed with regard to the release of minutes to other than Council, prior to the approval of same by the Governing Body. The Clerk was instructed that the minutes will not be released until such time as they receive the approval of Council.

#2004- 52 RESOLVED by Mayor and Council to approve the following requests for Conference Training - Seminar

Correcting date: Previously approved 12/03/03 #347		
Date:	E. Mastropasqua January 27 (April 6 corrected date)	
Location:	Holmdel	
Subject:	Fair Labor Standards - N.J. League Municipalities	
Cost:	\$85	
Vehicle:	No	
Correcting dates - Previously approved 1/21/04		
Date:	June 24-25-26 (21-22-23-24 correct dates)	John Wagner
Location:	Atlantic City	
Subject:	NJ State Chiefs Annual Training Conference	
Cost:	\$230	
Vehicle:	Yes	

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

#2004-53 RESOLVED by Mayor and Council to approve the following rentals:

Feb	20	Apanel	Rental:	\$350
		25 Spruce Street	Deposit:	\$500
April	30	Girl Scout Troop 231	Rental:	WAIVE
		% Tina Clark	Deposit:	WAIVE
		420 Tiller Ave		
May	08	Sarno	Rental:	\$350
		1128 Seaman Ave.	Deposit:	\$500
Sept.	11	Zyckowski	Rental:	\$350
		1145 Windward Ave.	Deposit:	\$500
Nov.	05	Kelly	Rental:	\$350
		209 Capstan Ave.	Deposit:	\$500
Nov.	06	Monda	Rental:	\$350
		516 Forepeak Ave	Deposit:	\$500
Nov.	27	Zavatsky	Rental:	\$350
		816 Ship Ave.	Deposit:	\$500
Dec.	17	Municipal Alliance	Rental:	WAIVE
		G. Roma Coordinator	Deposit:	WAIVE
		Youth Dance		

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

#2004-54 RESOLVED by Mayor and Council to hire Deanna Hammack 51 Shell Street Beachwood as Secretary to the Recreation Commission at an annual salary of \$700.00

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

#2004-55 RESOLVED by Mayor and Council to approve the agreement between the Borough of Beachwood and ABB Inc. Warminster Pa for Service Contract

for the Instrumentation Equipment at the Water Utility for the year 2004 in the amount of \$2,225.00 per quarter.

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

#2004-56 RESOLVED by Mayor and Council to approve the 2004 Municipal Alliance Agreement and Grant between the Borough of Beachwood Municipal Alliance and the Ocean County Board of Health.

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

RQUESTED BY COUNCIL MEETING JANUARY 21, 2004

#2004-57 **RESOLUTION OF THE BOROUGH OF BEACHWOOD, OCEAN COUNTY, NEW JERSEY SUPPORTING THE CONCEPT OF AN AUTOMOBILE MUSEUM WITHIN THE BOROUGH**

WHEREAS, the Vintage Automobile Museum of New Jersey is a non-profit museum applying for federal grants to purchase property and/or build a museum building within Ocean County and potentially within the Borough of Beachwood; and

WHEREAS, said non-profit organization has requested the Borough to indicate its support for the concept of the creation of an antique automobile museum within Ocean County and in particular within the Borough of Beachwood; and

WHEREAS, it is the belief of this governing body that such a facility would be a tremendous asset to Borough residents and to all Ocean County residents allowing them the opportunity to share in the history of antique automobiles.

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 supports the concept of the creation of an antique automobile museum within the Borough of Beachwood.
2. That upon the adoption of the within resolution, the Clerk is authorized to forward a duly-authenticated copy to Vintage Automobile Museum of New Jersey c/o Ann Stabile, P.O. Box 234, Beachwood, New Jersey.

There was some discussion surrounding this resolution. It was originally motioned and seconded – discussion took place – motions were withdrawn for additional discussion. Questions surrounding property in question. Mr. Hiering noted that this resolution was passed through several other communities with same language. Council re-considered the question.

Mr. Miserendino took his seat at 7:20 p.m.

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

ORDINANCE FIRST READING TITLE ONLY

#2004-04 AN ORDINANCE OF THE BOROUGH OF BEACHWOOD, OCEAN COUNTY, NEW JERSEY AMENDING ORDINANCE 2003-10 ENTITLED "AN ORDINANCE OF THE BOROUGH OF BEACHWOOD, OCEAN COUNTY, NEW JERSEY AUTHORIZING VARIOUS PUBLIC ROAD AND DRAINAGE IMPROVEMENTS, LANDFILL CLOSURE, THE CONSTRUCTION OF A FIRST AID BUILDING, THE ACQUISITION OF A FIRE TRUCK, A UTILITY BODY PICKUP TRUCK, A TANDEM AXLE BODY ROLL-OFF TRUCK AND A TANDEM AXLE GARBAGE TRUCK AND OTHER MISCELLANEOUS IMPROVEMENTS ALL IN AND FOR THE BOROUGH OF BEACHWOOD AND APPROPRIATING THE SUM OF \$2,070,000.00 THEREFOR AND AUTHORIZING THE ISSUANCE OF GENERAL IMPROVEMENT BONDS OR NOTES IN THE AMOUNT OF \$1,966,500.00 TO FINANCE THE COST THEREOF"

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

ORDINANCE FINAL READING – PUBLIC HEARING - ADOPTION
2004-02 **AN ORDINANCE OF THE BOROUGH OF BEACHWOOD, OCEAN COUNTY, NEW JERSEY AMENDING CHAPTER 9 (RECREATIONAL FACILITIES) IN ORDER TO ESTABLISH A FEE FOR THE RESCHEDULING OF ANY RENTAL OF THE COMMUNITY CENTER**

OPEN TO PUBLIC DISCUSSION THIS ORDINANCE ONLY

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

No Questions

CLOSE DISCUSSION THIS ORDINANCE ONLY

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

RESOLUTION

#2004-60 RESOLVED by Mayor and Council to approve and adopt Ordinance #2004-02 as presented and held for Public Discussion.

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

ORDINANCE FIRST READING – PUBLIC HEARING AND ADOPTION
#2004-03 AN ORDINANCE OF THE BOROUGH OF BEACHWOOD, OCEAN COUNTY, NEW JERSEY AMENDING CHAPTER 2 ENTITLED “ADMINISTRATION” AS IT AFFECTS FEES FOR COPIES OF VARIOUS MUNICIPAL RECORDS

OPEN TO PUBLIC DISCUSSION THIS ORDINANCE ONLY

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

No Questions

CLOSE DISCUSSION THIS ORDINANCE ONLY

Motion: Miserendino Second: Moran
Approved: Clayton – Feeney – Miserendino – Moran - Roma

Absent: LaCrosse

#2004-61 RESOLVED by Mayor and Council to approve and adopt Ordinance #2004-03 as presented and held for public discussion.

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

ENGINEER ITEMS:

#2004-62 RESOLVED by Mayor and Council to approve the agreement between the Borough of Beachwood and Owen Little & Assoc. Inc. for re-bid of Well House #7 not to exceed \$3,200.00.

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

#2004-63 RESOLVED by Mayor and Council to close out the following Engineering DOT projects:

1996 Road Improvement - Earle Asphalt and Roc Z Contractors.

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

ENGINEERING TO DISCUSS and ADDRESS

a. Authorization to investigate:

Not needed at this time	Smart Growth Grant
Approved	DEP Municipal Stormwater Regs (EPA Phase II)
Approved	N.J. Environmental Infrastructure Finance Program
Approved	FY 05' DOT Road Program
Approved	FY 05' DOT Bikeway
Approved	Dredging Boat Slips - DEP Grant.

b. Bulkhead - Phase I Seeding - Mr. Hering has been in contact with

Approved: Contractor - no movement - will need authorization to utilize retainer to seek quotes and do work.

#2004-64 Proposed by Municipal Clerk
RESOLVED by Mayor and Council to approve the refund of \$680 to Eileen Tufaro 428 Forepeak Ave. which reflects money paid for Boat Slip #7 which the Borough received, January 30, 2004. The Tufaro's were not applicable for this slip .

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

CORRESPONDENCE None

COUNCIL REPORTS

Mayor Morris Thanked Scouts - Raiders - Softball. Public Works did a good job during recent snow. February 24th will be attending "Smart Growth Meeting" at Ocean County. Route 9 Corridor Study meeting held today, looking into Admiral Avenue Traffic Light concerns and Mizzen Ave.

Beverly Clayton Welcomed Lori Cottrell to Recreation Commission and new Secretary. February 9, Kids Bingo. Snow Man Contest ends March 10.

Gregory Feeney Thanked Girl Scouts - Toms River Raiders and Girls Softball for presentations to the Borough and their dedication to the community and our children. JIF meetings are beginning.

Gerald W. LaCrosse Absent

Thomas Miserendino Commented on JIF schedule. Report from First Aid addressing 2004 Line Officers. First Aid report 2003, included 2 defib. Saves. Referred to Attorney correspondence on Haz Mat resolution. Attorney notes his experience is Berkeley is not agreeable to changes.

Patricia A. Moran Planning spring time projects. Welcomed Scout Kyle Bird who will be undertaking an "Eagle Scout" project to earn his rank.

Ronald Roma Alliance is in process of addressing RFT 2004-2006. February 13th next dance for teens. February 27th Senior day at Beachwood Elementary School. March 26th Hot Dog and Movie for K-3 grade

children "Finding Nemo" Ferrari's Pizza has been sponsoring dances and donating pizzas.

Roads were slippery/icy. Salted and sanded at intersections only, will be looking into purchasing salt hoppers for trucks to assist in increasing the area of clean up. DOT Rt. 9 traffic light meeting to be scheduled. Will also be attending Ocean County Engineering Meeting on Roads 2004.

Municipal Attorney No report

Municipal Engineer Plan and application for Landfill soil erosion done. Will have some plans for next meeting. 2004 DOT now require us to modify the plan. Applied for discretionary monies, but have learned they may not be available this year. County is still actively looking for fill.

Treasurer No report

Municipal Clerk:

#2004-65 RESOLVED by Mayor and Council to approve the following financial institutes for investment purposes and for Bond Anticipation Notes.

Kearney Federal	Wachovia	Commerce
Ocean 1 st .	Bank of New York	Shore Community
New Millennium	Amboy National	Cenlar Federal
S & I Savings	Freehold S/L	Manasquan Savings Bank
PNC Bank	Provident	Penn Federal
Sovereign	Sun National	United Jersey
World S/B	Investors S/B	

Treasurer advises the following not included in the foregoing as establishments for Bond Anticipation Notes:

Powell Capital - Wachovia Bank - First Union National - Fleet Bank - Ryan Beck & Co. - PNC Capital Markets - Valley National Bank - CIBC World Markets - Commerce Capital - Trust Company of NJ - First Albany - J.B. Hanauer - Trust Co. of N.J. - Hudson United Bank - Fleet Securities - Bank of New York - TGH Securities - Provident Savings - Sovereign Securities - Quick & Reilly - Penn Federal - Commerce Bank -

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

**PUBLIC DISCUSSION
TO OPEN**

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

Schiffermiller
Windward Ave:

Re: Rental for Community Center by TR Advisory - what purpose?
Supervisory Staff gathering.

Water Treatment repairs - concerned as to who will make final determination as to who is ultimately responsible for repairs. Fire House rehab status ?

Mrs. Moran noted we are waiting on electrician for work to be done and a punch list of items to address. Delays due to "heating".

School site - "Vo Tech" has found soil contamination. A DEP web site report shows 6 Active on site contaminated areas in Beachwood. One is the school site (2001). Three monitoring wells are on site. Should be looking out for the best interest of children.

Lipton
Pennant Ave.

Would hope that Mr. Schiffermiller would provide more information and not just blanket statements.

With regard to presentation by Mayor Corby - has concerns about establishment of Environmental Commission . Would hope that any meetings that are held would be taped. The briefing presented appears to establish a "Joint Condemnation Commission.

Offered comments on resolution for Antique Auto Museum which seems inconsistent.

Tina Clark
Troop 231

Thanked the Governing Body for their support of the Troop. Are planning a Community Event for April 30.

TO CLOSE PUBLIC DISCUSSION

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

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:

Potential Litigation - Belkowski Road Extension
Contractual - Engineer - various projects
Contractual - Professional Services
Contractual - Police Captain
Contractual - Clerk/Collector
Contractual - Supervisor Public Works
Contractual - First Aid - Office & Site Solutions
Contractual - COAH - Surenian -
Terms & Condition of Employment - Communication from Planning Board

Secretary

Terms & Condition of Employment - Various salaries - update and clarification

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

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

TO RE-OPEN

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

UNFINISHED BUSINESS

#2004- 066 RESOLVED by Mayor and Council to approve the application for
membership to the Beachwood Volunteer Fire Company #1 of Torin Barnes 225 Capstan Avenue. Beachwood

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

#2004-067

A RESOLUTION OF THE BOROUGH OF BEACHWOOD COUNTY OF OCEAN STATE OF NEW JERSEY APPOINTING GREGORY FEENEY AS THE FUND COMMISSIONER TO THE OCEAN COUNTY MUNICIPAL JOINT INSURANCE FUND

WHEREAS, the Borough of Beachwood has authorized its participation in the Ocean County Municipal Joint Insurance Fund; and

WHEREAS, it is necessary for the Borough to appoint a Fund Commissioner to the Ocean County Municipal Joint Insurance Fund; and

WHEREAS, it is the desire of the governing body to appoint Gregory Feeney as the Fund Commissioner to the Ocean County Municipal Joint Insurance Fund.

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

1. That Councilman Gregory Feeney is hereby appointed as the Fund Commissioner for the Borough of Beachwood to the Ocean County Municipal Joint Insurance Fund.
2. That a certified copy of this resolution be forwarded to the Administrator for the Ocean County Municipal Joint Insurance Fund.

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

#2004-068

RESOLVED by Mayor and Council to correct Resolution #2004-01 award for Professional Services by the removal of T Thomas - Planner.

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

ADJOURN

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

Submitted by: E.A. Mastropasqua

Harold R. Morris
Mayor

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