

March 3, 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

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

Absent: Mayor Harold R. Morris

INTRODUCTION OF MUNICIPAL BUDGET 2004

**2004 Municipal Budget of the Borough of Beachwood, County of Ocean for the fiscal year
2004.**

Revenue and Appropriation Summaries

Summary of Revenues	Anticipated	
	2004	2003
1. Surplus	889,000.00	889,000.00
2. Total Miscellaneous Revenue	1,516,133.26	1,473,497.51
3. Receipts from Delinquent Taxes	280,000.00	280,000.00
a) Local Tax for Municipal Purpose	3,828,559.90	3,508,396.63
b) Addition to Local District School Tax	.00	.00
Total Amount to be Raised for Support of Municipal Budget	3,828,559.90	3,508,396.63
Total General Revenues	6,513,693.16	6,150,894.14

Summary of Appropriations	2004 Budget	Final 2003 Budget
1. Operating Expenses: Salaries and Wages	2,656,737.00	2,475,124.00
Other Expenses	2,557,613.48	2,372,702.81
2. Deferred Charges and Other Appropriations	213,217.00	195,127.00
3. Capital Improvements	128,000.00	181,800.00
14. Debt Service (Include for School Purposes)	403,970.48	389,677.48
5. Reserve for Uncollected Taxes	554,155.20	536,462.85
Total General Appropriations	6,513,693.16	6,150,894.14
Total Number of Employees		

2004 Dedicated Water Utility Budget		
Summary of Revenues	Anticipated	
	2004	2003
1. Surplus	323,000.00	323,000.00
2. Miscellaneous Revenues	963,000.00	963,000.00
3. Deficit (General Budget)	.00	.00
Total Revenues	1,286,000.00	1,286,000.00
Summary of Appropriations	2004 Budget	Final 2003 Budget
1. Operating Expenses: Salaries and Wages	370,000.00	362,000.00
Other Expenses	479,000.00	479,000.00
2. Capital Improvements	48,600.00	45,700.00
3. Debt Service	354,200.00	365,100.00
14. Deferred Charges and Other Expenditures	34,200.00	34,200.00
5. Surplus (General Budget)	.00	.00
Total Appropriations	1,286,000.00	1,286,000.00
Total Number of Employees		

Balance of Outstanding Debt			
		General	Utility
			"
Interest		130,044.74	122,217.76
Principal		273,925.74	231,982.24
Outstanding Balance		5,337,323.62	3,126,954.91

Notice is hereby given that the budget and tax resolution was approved by the governing body of the Borough of Beachwood, County of Ocean on March 3, 2004.

A hearing on the budget and tax resolution will be held at the Municipal Building, on April 7, 2004 at 7:00 p.m. at which time and place objections to the Budget and Tax Resolution for the year 2004 may be presented by taxpayers or other interested persons.

RESOLUTION

#2004 – 90

TO APPROVE INTRODUCTION OF BUDGET

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

#2004- 91

RESOLVED by Mayor and Council to approve the 2004 Certified Bills List in the amount of A: \$ 116,652.63 B: \$136,951.59

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

#2004-92

RESOLVED by Mayor and Council to approve the minutes of the January 28, 2004 meeting of Mayor and Council. (This was tabled February 18, 2004, because council did not receive copies of corrections)

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

#2004-93

RESOLVED by Mayor and Council to approve the minutes from the February 10, 2004 – Budget Meeting of Mayor and Council.

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

#2004- 94

RESOLVED by Mayor and Council to approve the following requests for Conference Training – Seminar

Date:	March 2	Fire Company	David Petrecca
Location:	O.C. Fire Academy		
Subject:	Weapons of Mass Destruction		
Cost:	\$0		
Vehicle:	No		
Date:	March 04	Fire Company	D. Petrecca – H. Kopenhafer – D. Golini
Location:	O.C. Fire Academy		
Subject:	F.A.S.T. Team Awareness		
Cost:	\$0		
Vehicle:	No		
Date:	March 22-23-24	Fire Company	J. Rosen
Location:	O.C. Fire Academy		

Subject:	Fire Ground Survival		
Cost:	\$0		
Vehicle:	No		
Date:	March 29	Police Dept.	William Oldham
Location:	Holmdel N.J.		
Subject:	SRO Basic		
Cost:	\$425		
Vehicle:	Yes		
Date:	March 31	Fire Company	D. Petrecca - K. Davison
Location:	O.C. Fire Academy		
Subject:	Sexual Harassment Issues in the Emergency Services		
Cost:	\$0		
Vehicle:	No		
Date:	April 1 – 2	Administrative -	E. Mastropasqua
Location:	Atlantic City		
Subject:	MCANJ Annual Spring Conference		
Cost:	\$244		
Vehicle:	No		
Date:	April 2-3-16-17	Fire Company -	R. Hull
Location:	O.C. Fire Academy		
Subject:	Instructional Techniques for Company Officers		
Cost:	\$0		
Vehicle:	No		
Date:	April – 15	Police -	William Oldham
Location:	Holmdel – PNC Center		
Subject:	Advanced SRO		
Cost:	\$295		
Vehicle:	Yes		
Date:	April – 14-17-21-24-28	Fire Company -	M. Staples
Location:	O.C. Fire Academy		
Subject:	Basic Pump Operations		
Cost:	\$0		
Vehicle:	No		
Date:	April – 17 & 24	Fire Company -	H. Kopenhafer - J. Rosen
Location:	O.C. Fire Academy		
Subject:	Advanced Extracation		
Cost:	\$0		

July	15	Pop Warner
August	19	Pop Warner

Motion: Feeney Second: Moran
 Question: Roma : Re: Non resident rental fee
 Approved: Clayton – Feeney – LaCrosse – Miserendino – Moran - Roma
 Abstain: Absent:

#2004-05 FINAL READING AND ADOPTION

AN ORDINANCE OF THE BOROUGH OF BEACHWOOD, OCEAN COUNTY, NEW JERSEY AMENDING CHAPTER XV ENTITLED “WATER” AS IT APPLIES TO WATER RATES AND CHARGES

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

SECTION 1. Section 15-1.9 of the Code of the Borough of Beachwood entitled “Rates and Charges” is hereby amended to delete Subsection “a” and to insert in its place and stead the following:

Size of Meter (inches)	2004 Minimum Charge (quarterly payment)	2005 Minimum Charge (quarterly payment)	2006 Minimum Charge (quarterly payment)
Up to 1"	\$28.35	\$31.20	\$34.35
1½ "	67.10	73.80	81.20
2"	79.20	87.10	95.80
3"	121.00	133.10	146.40
4"	161.70	177.85	195.65
6"	268.40	295.24	324.80

SECTION 2. Section 15-1.9 of the Code of the Borough of Beachwood entitled “Rates and Charges” is hereby amended to delete Subsection “b” and to insert in its place and stead the following:

“b. A minimum charge as stated in Paragraph a. of this subsection shall be the charge for consumption or use of the first seven thousand (7,000) gallons or less per quarterly period. Thereafter, the additional charge shall be \$3.96 for the year 2004; \$4.36 for the year 2005 and \$4.80 for the year 2006 for every one thousand (1,000) gallons used over and above the 7,000 gallon minimum.”

SECTION 3. This Ordinance repeals any inconsistent ordinance or ordinances or part or parts thereof.

SECTION 4. This Ordinance shall take effect immediately upon its final passage and publication as required by law and is applicable to the next quarterly billing period after final adoption of the within ordinance..

OPEN TO PUBLIC DISCUSSION THIS ORDINANCE ONLY

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

No Questions from the public in attendance

CLOSE TO PUBLIC DISCUSSION THIS ORDINANCE ONLY

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

#2004-98 RESOLVED by Mayor and Council to approve and adopt Ordinance #2004-05 as presented and held for public discussion.

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

ORDINANCE

FIRST READING TITLE ONLY

#2004-06

AN ORDINANCE OF THE BOROUGH OF BEACHWOOD, OCEAN COUNTY, NEW JERSEY IMPLEMENTING AN ORDINANCE TO REGULATE THE CONSTRUCTION OF FENCES WITHIN THE BOROUGH TO REPEAL INCONSISTENT ORDINANCES AND ESTABLISH PENALTIES FOR VIOLATION THEREOF

#2004-98 RESOLVED by Mayor and Council to approve Ordinance #2004-06 as presented on First Reading Title Only.

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

CORRESPONDENCE

A. Ocean County Library
Re: National Library Week

PROCLAMATION

WHEREAS, our nation’s public, academic and school libraries strive to provide all people with books, computers, video and audio tapes, DVD’s and other resources to enrich their lives; and

WHEREAS, libraries protect the right of all Americans to read, learn and connect to information representing all points of view; and

WHEREAS, libraries are vital to building a nation of readers and creating a lifelong love of reading among our children and youth; and

WHEREAS, millions of Americans rely on libraries for their only access to computers and the Internet, allowing them to connect to our global society; and

WHEREAS, librarians provide the essential support and education needed by people of all ages in their search for knowledge, information and entertainment; and

WHEREAS, libraries and library supporters nationwide are celebrating **NATIONAL LIBRARY WEEK** with the theme

DISCOVER THE SPIRIT OF YOUR COMMUNITY @ YOUR LIBRARY

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Beachwood, the week of April 18TH -24th, 2004. Be proclaimed National Library Week in the Borough of Beachwood and urge all children and adults to visit their library and DISCOVER THE SPIRIT OF YOUR COMMUNITY @ YOUR LIBRARY

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

Presentation of Proclamation made to Emily Holman from the Library. Mrs. Holman spoke about upcoming programs being put together by the Library.

B. Ocean County Freeholders
Re: National Volunteers Week
National Older Americans Month

PROCLAMATION NATIONAL VOLUNTEER WEEK

WHEREAS, the week of April 20TH – 26TH , 2002 has been proclaimed National Volunteer Week in recognition of the many individuals who give of their time and services to the health, safety and welfare of their community and its residents and

WHEREAS, THE THESE OF National Volunteer Week is

“Inspired by Example”

And

WHEREAS, the recognition focuses on the outstanding contributions, service and support given by volunteers to the needs of the communities of Ocean County and the Borough of Beachwood, such as increasing the capacity of agencies and organizations to provide services, increasing the ability of recipients of service to lead more productive and independent lives and fostering the concept of service to the community;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Beachwood that it hereby proclaims the week of April 18th to April 24th

NATIONAL VOLUNTEER WEEK

And honors all of the Volunteers of Ocean County for their outstanding services to the communities of Ocean County, and in particular those volunteers serving the Borough of Beachwood, such as those services provided by local volunteers of First Aid, Fire, and Emergency Management. Scouts, Little League – Soccer and all our Municipal Boards. This governing body urges all of its residents, to join in supporting our local volunteers and expressing our thanks for service to the community.

PROCLAMATION

WHEREAS, it is the desire of the Mayor and Council of the Borough of Beachwood to join with County agencies in recognizing the year the month of May 2002 as the a month in celebration of Older Americans; and

WHEREAS, this years theme is **“Aging Well, Living Well”** ; and

WHEREAS, the Borough of Beachwood desires to recognize the Senior organizations of this community as well as other local and county wide programs that aid and assist older Americans; and

WHEREAS, the focus of this recognition identifies the involvement of our older population in their communities through volunteer work in health and nutrition services; in agricultural and food bank programs; in social service programs and many other programs through out the County of Ocean; and

WHEREAS, this recognition further encourages the sharing of talents, wisdom, and the lifetime experiences of the older population of our community through their involvement with others; and

WHEREAS, there exists within the Borough of Beachwood the Beachwood Senior Men and Women’s organization, which brings together in fun and friendship the older population of this community and county.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Beachwood that the month of May 2002 be declared

Older Americans' Month

and urge all of the residents of this community and Ocean County to express their thanks for the sharing of talents, wisdom and lifetime experiences of our older population.

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

COUNCIL REPORTS

Mayor Morris Absent

Beverly Clayton Fireworks Committee beginning meetings this month. Calendar 2005 is starting, and we are sending memo's out to all departments for items to include.
March 10, deadline for Snow Man Contest. April 4th – Easter Egg Hunt.

Gregory Feeney Commented on the recent fire on Mermaid Avenue, thanked Fire Company For response and saving cat. Seeking their support for the Little League . Opening Day.
Court looking for approval to increase current change fund to \$100 each for three workers. Will be approved at next meeting.
Working on specifications for 2 trucks (sanitation) hope to have very soon.
Sent letter to Freeholder Lacey on Storm water regulations and help they may be able to give the Borough. We are awaiting a response.

Gerald W. LaCrosse All water projects moving forward. Looking into amending ordinance addressing re-connection resulting from turn off. Cost after hours to do the turn on - is not compensated by charge to re-connect. Recommending changes in fee.

Thomas Miserendino Re: Storm water Management – advised today that trucks cannot be washed down without special filtration system.

Mrs. Moran asked if it was possible that the Railroad Avenue site with appropriate storm drainage would be a collection for Storm water, perhaps in connection with the wash down of vehicles. Mr. Thesing noted that the requirements for “wash down” would not be acceptable for that area.

Mr. Feeney commented on the requirements to comply with the new regulations, and we should begin doing what we have to now.

Zoning and Code Enforcement report.

**PUBLIC DISCUSSION
TO OPEN**

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

Schiffermiller
Windward Ave

Questions on status of Fire House project finish date.

Moran: If meter set – 2 more weeks.

Question on JCPL refusal to put line in per contract – is contractor at fault or Architectural specifications at fault. ?

Thesing: JCPL decision to locate.

Question : Purpose of roads being marked.
relates to Phase I / Phase II of storm piping.

Thesing:

Question: If Council addressed the visit to Oyster Creek.

Feeney: Have been advised they would like to schedule a senior VP to handle the tour. Waiting to hear from them.

Question: Water Interconnect – Was not the new well to address>

LaCrosse: The Interconnect is a mandate of DEP – and we are addressing.

Question: Does the Borough give merit/incentive raises or bonus etc.

Moran: No

Question: Are professionals enrolled in PERS

Heiring: Yes -

Eckert
Spray Ave

Two years ago – Spray and Oak drainage problem was to have been addressed.
Not done as of yet.

Roma: Asked Mr. Thesing to address – “Collecting data. This area is in the plan and is scheduled to be addressed.

Moran: Mr. Miserendino and Mr. Roma have been going over the list and prioritizing . Phase I the County will address. Phase II the Borough has put money in budget to address.

Roma: Borough is looking at \$500,000 of work to be done.

TO CLOSE PUBLIC DISCUSSION

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

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 – First Aid Building
Contractual - Attorney – Engineer “Gas Negotiations”
Contractual - Engineer – Water
Contractual - Engineer - Landfill
Contractual - COAH – Surenian
Terms & Condition of Employment – DPW – Out of Title Pay
Terms & Condition of Employment – DOP correspondence
Contractual - Solid Waste
Contractual - Thomas – B2

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

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

TO RE-OPEN

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

ACTION TAKEN RESULTING FROM EXECUTIVE SESSION

RESOLUTION:

#2004-100 To approve the agreement between Owen Little Associates Inc. and the Borough of Beachwood for CAFRA submittal on First Aid Building - not to exceed \$14,500.00; and

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

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

#2004-101 To approve the agreement between Owen Little Associates Inc. and the Borough of Beachwood for Waterfront Encroachment Survey - not to exceed \$1,800.00; and

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

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

#2004-102 RESOLVED by Mayor and Council to authorize the Engineer to address Water Allocation Modifications with DEP. (\$0)

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

#2004-103 RESOLVED by Mayor and Council to authorize COAH Attorney Jeffrey Surenian to file an Extension of Protection of Judgment of Repose due to expire June 29, 2004.

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

#2004-104 RESOLVED by Mayor and Council to approve the agreement between the Borough of Beachwood and Police Captain William Walsh for the year 2004 as per signed agreement prepared by Attorney.

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

#2004-105 RESOLVED by Mayor and Council to approve the agreement between the Borough of Beachwood and the Tax Collector / Municipal Clerk as follows:

3.95% for years 2003-2004-2005 Medical Bank 03' - \$425 04' - \$445 - 05' - \$460
All other language remains the same..

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

ADJOURN

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

Submitted by: E.A. Mastropasqua

Harold R. Morris
Mayor

Attested to by: _____
Elizabeth A. Mastropasqua
Municipal Clerk