

**March 03, 2010**

Beachwood Municipal Complex  
1600 Pinewald Rd.

**7:00 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 W. Jones, Jr.

COUNCILMEMBERS:	Katina L. Clark	Steven Komsa
	Beverly Clayton	Ronald Roma
	Gregory Feeney	Bonnie Verga

ABSENT: None

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.

**Special Presentation** by Mayor Jones to Alexia Leonard who spearheaded Girl Scout "Cookies" for our Troops. Donations have been coming in from all over the Country. Mayor Jones presented a certificate of appreciation.



**#2010- 97** Mayor’s appointment - Frank Zito as Mayors Alternate to Land Use Board. Term ending 12/31/2010

**#2010-98** Mayor’s Appointment to fill vacancy on Recreation (William Knapp)

**#2010-99** RESOLVED by Council to approve the 2010 Certified Bills List in the amount of \$ 728,877.84

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

**#2010-100** RESOLVED by Council to approve the minutes of the February 17, 2010 meeting of Mayor and Council.

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

**#2010-101** RESOLVED by Council to approve the Community Center Rentals as follows:

<b><u>2010 COMMUNITY CENTER</u></b>						
April	03	Berlinski	213 Ship Ave	Beachwood	Rental: \$350	Deposit: \$500
May.	15	Vieira	82 Elm St.	Beachwood	Rental: \$350	Deposit: \$500
June	27	Besante	39 Maple Ave.,	Beachwood	Rental: \$350	Deposit: \$500
July	10	Charlie	100 Nautilus St.,	Beachwood	Rental: \$350	Deposit: \$500
<b><u>2010 MAYO PARK</u></b>						
June	19	Beachwood PBA	c/o Ptlmn Adam O’Connor		Rental: WAIVE	Deposit: WAIVE

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

**#2010-102** RESOLVED to approve the one (1) day Liquor License of the Beachwood PBA for March 27<sup>th</sup> – Community Center Fund Raising Event. License has been issued by ABC.

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

#2010-103 WHEREAS on April 15, 2009 under Resolution #2009-142 approval was given for rental of the Community Center on May 22, 2010 by Diane Spillane 500 Beacon Avenue , Beachwood noting all resident fees were posted (\$850); and

WHEREAS, on February 16, 2010, written notice of cancellation was received subjecting the applicant to a \$100 cancellation fee.

NOW, THEREFORE, BE IT RESOLVED by Mayor and Council of the Borough of Beachwood to authorize a refund in the amount of \$750 to Diane Spillane 500 Beacon Avenue , Beachwood, said refund reflecting a \$100 cancellation fee.

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

#2010-104 WHEREAS on July 15, 2009 under Resolution #2009-226 approval was given for rental of the Community Center on May 23, 2010 by Carole Worth 432 Pacific Avenue , Beachwood noting all resident fees were posted (\$850); and

WHEREAS, on February 04, 2010, written notice of cancellation was received subjecting the applicant to a \$100 cancellation fee.

NOW, THEREFORE, BE IT RESOLVED by Mayor and Council of the Borough of Beachwood to authorize a refund in the amount of \$750 to Carole Worth 432 Pacific Avenue , Beachwood, said refund reflecting a \$100 cancellation fee.

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

**#2010-105** RESOLUTION OF THE BOROUGH OF BEACHWOOD. COUNTY OF OCEANS NEW JERSEY AUTHORIZING THE ADVERTISEMENT AND RECEIPT OF BIDS FOR ROADWAY IMPROVEMENTS FOR PORTION OF WINDWARD AVENUE AND A PORTION OF MAPLE STREET IN ACCORDANCE WITH THE 2009 NJDOT LOCAL AID PROJECT

WHEREAS, the Borough of Beachwood previously applied to the New Jersey Department of Transportation for roadway funding; and

WHEREAS, the Borough has received approval pursuant to the **2009** NJDOT Local Aid Project to improve a portion of Windward Avenue from Oak Street to Maple Street and a portion of Maple Street from Windward Avenue to Long Boat Avenue; and

WHEREAS, it is now the desire of this Governing Body to authorize the Borough Engineers, CMX, to advertise for the receipt of bids on March **31, 2010** at **10:00** a.m. or such other acceptable date complying with the Local Public Contracts Law.

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 of the Borough of Beachwood hereby authorizes Borough Engineers, CMX, to advertise and receive bids for roadway improvements to Windward Avenue (from Oak Street to Maple Street) and Maple Street (from Windward Avenue to Long Boat Avenue) pursuant to the 2009 NJDOT Local Aid Project.

2. That upon the adoption of the within Resolution the Clerk is authorized to forward a certified copy of it to the Borough Engineer, CMX, the Borough Attorney and the Borough of Beachwood Department of Public Works.

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

#2010-106 **RESOLUTION OF THE BOROUGH OF BEACHWOOD, OCEAN COUNTY, NEW JERSEY AWARDING A CONTRACT TO SCHAEFER PYROTECHNICS FOR JULY 4, 2010, JULY 4, 2011 AND JULY 4, 2012 IN THE AMOUNT OF \$23,000.00 FOR EACH YEAR IN ACCORDANCE WITH THE BOROUGH SPECIFICATIONS AND BASED UPON COMPETITIVE CONTRACTING REQUIREMENTS**

**WHEREAS**, the Borough of Beachwood previously advertised for the receipt of proposals pursuant to Competitive Contracting requirements for the 2010, 2011 and 2012 fireworks displays; and

**WHEREAS**, at the time and place of the receipt of proposals two (2) were received; and

**WHEREAS**, a proposal was submitted by Grucci cannot be considered since the proposal was not accompanied by the required and mandatory Bid Bond and Surety Consent; and

**WHEREAS**, the low bidder, Schaefer Pyrotechnics, Inc., provided for the manually fired display for the sum of \$23,000.00 for 2010, 2011, and 2012; and

**WHEREAS**, Schaefer Pyrotechnics, Inc. supplied a "custom designed display" reflecting the proper shell counts; and

**WHEREAS**, said proposal also provided the names of the lead pyrotechnic and assistants and supplied the name of four (4) Towns and a County located in New Jersey as references; and

**WHEREAS**, said proposals were submitted to the Beachwood Fireworks Committee; and

**WHEREAS**, said Committee has submitted a report and recommendation as attached hereto and made a part hereof as Schedule "A"; and

**WHEREAS**, said recommendation is for the award to Schaefer Pyrotechnics, Inc. in accordance with their bid submission; and

**WHEREAS**, it is now the desire of this Governing Body to act upon the recommendation of the Fireworks Committee.

**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 of the Borough of Beachwood hereby awards a Contract to Schaefer Pyrotechnics, Inc. for the 2010, 2011, and 2012 4<sup>th</sup> of July fireworks for the sum of \$23,000.00 per year.
2. That upon adoption of the within Resolution the Clerk is authorized and directed to forward a certified copy of it to the Borough Treasurer, the Fireworks Committee and Schaefer Pyrotechnics, Inc.
3. That upon the adoption of the within Resolution the Borough shall advertise a Notice of Contract Award in an official newspaper of the Borough of Beachwood.

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



#2010-109 RESOLVED to approve the following Conference – Training – Seminar

Date:	March 11	Registrar(s) E. Sarantinoudis – B. Boud
Location:	Pt. Pleasant	
Subject:	Re-Certification Program	
Cost:	\$184 per person	
Vehicle:	No	

Date:	March 26 – April 1 – April 9	Land Use – Morgan Blevins
Location:	Evesham Twp.	
Subject:	Intro to Planning/Zoning Administration	
Cost:	\$567	
Vehicle:	No	

Date:	April 13 & 15	Fire Company – Harley Kopenhaffer
Location:	O.C. Fire Academy	
Subject:	Art of Reading Smoke	
Cost:	\$0	
Vehicle:	Yes	

Date:	April 27 to 30	Mayor Ronald W. Jones; Jr.
Location:	Atlantic City – Borgata	
Subject:	N.J. Conference of Mayors’ Annual Conference	
Cost:	\$210	
Vehicle:	No	

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

**CORRESPONDENCE**

a. DPW – Solicited quotes for Service of Water Treatment Plant – three in – Essex Engineering – ABB Instrumental and Allied Control Systems (Lowest Quote \$7,044.00)

RESOLUTION: Recommending Award to: Allied Control Systems - \$7,044.00  
#2010-110

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

b. Rotary Youth Leaders Academy  
Re: Use of Community Center – “Fundraiser” with request to waive fees.

#2010-111 RESOLVED to approve request to waive fees for RYLA event –

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

OPEN TO PUBLIC DISCUSSION

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

**REPORTS:**  
[7:25:33 PM](#)

Mayor Jones: No official report. Was present at Governors meeting. Not to expect State Aid or at least reduced State Aid. Commended his boldness and courage to take bull by the horns. Step in the right direction.

Councilmembers:  
Katina Clark Environmental Beach Clean Up 4/17

Beverly Clayton Happy snow is disappearing. Proud of Alexia Leonards efforts. March 5th - is the 7th year of war on terrorism. Thankful we have the service men and women we have.

Gregory Feeney Congratulated Alexia. Son Jonathan served two tours. Single Source is expected soon. DPW did a great job all winter. Now addressing pot holes. Council will be receiving letter (April 10) opening day for Little League extending invitation to Council to attend.

Steve Komsa Great job Alexia Leonard. March 10 - Snowman contest ends. Marh 17th - awards for contest. Egg hunt 3/28 1:00 p.m

Ronald Roma Remind all no Alliance dance this month. Community Center being renovated. Return 2nd Friday April. Finance Committee met and doing best to keep budget as tight as we can. We are not talking furloughs or lay offs like other municipalities. CMFO and Treasurer doing excellent job in keeping budget tight. Department Head 6:30 on March 17th. All have been working conservatively to keep things in line. Met at County on Roads for Schedule "C" program. Gave County list of items not completed last year and hope to have it done this year. County will assist in addressing the Bike path via our grant. Receiving calls from Environmental Chairman addressing securing funds for an ERI. Met with her in October and have talked to her several time. She is under impression that we need to do this. It is very expensive and tax dollars will have to pay. Engineer has assured the information is available via other means and we should not have to expend the funds.

Mrs. Clark : Asked if we could discuss this on March 17 so that the Commission members can be present.

Mr. Roma: Will also discuss tonight and on 3/17

Mr. Oris. Streets have been platted and homes have been built little developable land. Open areas have been addressed. The data you would put into an ERI study is available on line. The Board Engineer can compile the information for the Land Use Board and can combine with your Master Plan. (Have explained this to Chairman of Commission) Other programs would be better addressed and would be beneficial immediately. I advised that if she wanted tdo proceed with an ERI - that there is information available on Line (ANJEC). Commission could do the work themselves and save the Borough money, by taking advantage of On line services and free GIS programs.

Mr. Roma: Environmental Chairman is under impression that this is mandated by law??

Mr. Oris : It is not mandated by law. Within Land Use Law there are portions that address ERI as part of the Master Plan. You do not need a stand alone document.

Mayor 50% of the amount is refundable to the Borough.

Mr. Oris Believes it is a 50% match. Competitive program. Many municipalities have to apply 3 or 4 times.

Mr. Roma: With little or no land available they would probably put us on the bottom of the list. The Pinelands area and County property would not come into play in this

Bonnie Verga Smoke detectors should be checked routinely and change batteries.

Mr. Oris Contractor (Tank Refurb) amended schedule. Working on Sundays trying to get ahead of schedule.

Mr. Hiering Nothing No report

[7:45:54 PM](#)

Public Discussion

Lipton - Pennant Ave Interesting issue of the ERI. Would like to see the Commission come here and explain what they are going to use the money for.

Mr. Roma In her defense .... she is not familiar with all the rules and regulations. Just wanted to make sure that the entire governing body is on board.

Lipton There is no obligation by statute to do this. We shouldn't be paying professionals to address something we do not need to do.

Mayor If you read the ANJAEC manual that is released it says that it's required.

Lipton Disagrees

LaCrosse - Forecastle Ave Congratulated Mrs. Clayton - three year agreement on Fireworks. Schaeffer puts on a good show. Alexia doing a great job. To know that it's going nationwide ... lots of credit to family. Bridge (Jakes) branch. One way traffic. How long

Roma A month or two. Time constraints that they must address.

LaCrosse Traffic going to Route 9 is horrendous during peak hours. Would like to have some assistance to address the peak problems.

Roma Only a short period of time when there is a delay.

LaCrosse Concerned about any danger of someone going through a light. Presence of controlled traffic my urge caution on the part of drivers. Issue of signing of vouchers (Mrs. Clark)

Mrs. Clark It is resolved.

D. Raymond - Seaman Av Storm drainage problem.

Mr. Roma DPW has been going around town addressing issue of residents pumping water out into street , which is not allowed

Raymond Does the borough consider using "organic fertilizer"?

Mrs. Clayton Will be discussing

R.DiBella - Halliard Ave Read in Atlantic City Press - about Wildwood, who's Mayor is a Police Officer on LOA to serve as Mayor. People took to court because "conflicts". Court ruled could move forward with stipulations. Governing Body appealed to Appellate Court who over ruled lower court. Decision is relative to our Mayor on disability because he cannot mentally process. Suggest that Borough look into the decision as it relates to Beachwood. Questions: on Zito (CLA) OPRA requests - Environmental contribution to community. What has Shade Tree done to benefit community. ?? various ?? Campaign flyer 2007 addressed these issues. Various comparisons of issues of Mayor Jones to New York State issues of Governor Patterson.

J. Miller - Mermaid Ave Road conditions many intersections in bad shape.

Mr. Roma These are issues that are going to impact the finances of the Borough. We will address immediate emergent issues as soon as we can. Will be looking to the County to assist via schedule "C".

Mr. Miller School bus stop (sign) keeps leaning. Has reported it several times. "Mermaid & Elm" No sign on corner of "Ensign & Locker" To Mrs. Clayton - lights at boardwalk.

Mrs. Clayton We are going to have it checked again.

Resident - Barnegat Blvd. Little League would like breakdown of responsibility of Little League vs. Borough.

Mrs. Clayton Having meeting with little league 11th. March.

Mandica - Ship Ave ? Little League - any lease agreement???? on Mayo Park.

CLOSE TO PUBLIC DISCUSSION

Motion: Roma Second: Clayton  
Approved: Clark - Clayton - Feeney - Komsa - Roma - Verga

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 - DPW

Contractual - PBA

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

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

Re-Open

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

NO ACTION TAKEN AS A RESULT OF EXECUTIVE SESSION

ADJOURN

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

Submitted by: E.A. Mastropasqua

\_\_\_\_\_  
Ronald W. Jones; Jr.  
Mayor

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