

March 05, 2003
Beachwood Municipal Complex

7:00 PM

Call to Order

Salute to the 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 delivered to the Ocean County Observer and the Asbury Park Press on January 2, 2003.

Roll Call Members Present

Mayor Harold R. Morris

Council Members:

Beverly Clayton

Gerald W. LaCrosse

Robert DiBella

Gregory Feeney

Patricia A. Moran

Absent: Thomas Miserendino

RESOLUTION:

WHEREAS, THE 2003 TEMPORARY BUDGET HAS BEEN STRUCK; AND
WHEREAS, THERE IS NOT ENOUGH FUNDS PROVIDED UNTIL THE FINAL BUDGET IS APPROVED; AND
NO ADEQUATE PROVISIONS HAVE BEEN MADE IN THE 2003 TEMPORARY APPROPRIATIONS; AND

WHEREAS, N.J.S. 40A:4-20 PROVIDES FOR THE CREATION OF ANY EMERGENCY TEMPORARY
APPROPRIATION FOR THE PURPOSE STATED HEREIN;

NOW, THEREFORE, BE IT RESOLVED BY MAYOR AND COUNCIL OF THE BOROUGH OF BEACHWOOD TO
APPROVE THE FOLLOWING AMENDMENTS TO THE TEMPORARY BUDGET IN ACCORDANCE WITH
PROVISIONS OF N.J.S.

40A:4-20:

| DEPARTMENT | FROM | TO |
|-------------------------------|-----------|------------|
| MUNICIPAL CLERK S/W | 9,500.00 | 14,000.00 |
| FINANCIAL ADM. S/W | 4,600.00 | 6,500.00 |
| REVENUE ADMN. S/W | 25,000.00 | 41,000.00 |
| TAX ASSESSMENT S/W | 5,500.00 | 7,700.00 |
| LEGAL S/W | 8,300.00 | 12,000.00 |
| ENGINEERING | 20,000.00 | 30,000.00 |
| PLANNING BOARD S/W | 1,500.00 | 2,000.00 |
| PLANNING BOARD O/E | 2,500.00 | 3,500.00 |
| UNIFORM CONSTRUCTION CODE S/W | 6,000.00 | 8,000.00 |
| CODE ENFORCEMENT/ZONING S/W | 9,000.00 | 15,000.00 |
| LIABILITY INSURANCE | 35,402.00 | 127,500.00 |
| WORKERS COMPENSATION INS | 48,526.00 | 98,000.00 |
| EMPLOYEE DENTAL | 12,000.00 | 16,000.00 |

| | | |
|----------------------------|------------|------------|
| EMPLOYEE GROUP INSURANCE | 120,000.00 | 195,000.00 |
| POLICE S/W | 300,000.00 | 450,000.00 |
| POLICE CROSSING GUARDS S/W | 8,000.00 | 12,000.00 |
| OEM S/W | 1,000.00 | 2,000.00 |
| FIRE PREVENTION S/W | 2,500.00 | 3,500.00 |
| PROSECUTOR O/E | 4,500.00 | 7,500.00 |
| STREETS & ROADS S/W | 17,000.00 | 30,000.00 |
| PUBLIC WORKS S/W | 30,000.00 | 50,000.00 |
| SOLID WASTE S/W | 60,000.00 | 90,000.00 |
| SOLID WASTE O/E | 4,000.00 | 8,000.00 |
| RECYCLING S/W | 38,000.00 | 60,000.00 |
| RECYCLING O/E | 6,000.00 | 8,000.00 |
| BUILDINGS S/W | 32,250.00 | 43,000.00 |
| BUILDINGS O/E | 10,000.00 | 30,000.00 |
| VEHICLE MAINT. S/W | 17,500.00 | 30,000.00 |
| PUBLIC HEALTH SERV. S/W | 200.00 | 400.00 |
| PARKS & PLAYGROUNDS O/E | 500.00 | 2,715.00 |
| BEACH O/E | 500.00 | 2,009.00 |
| STREET LIGHTING | 19,250.00 | 35,000.00 |
| NATURAL GAS | 5,000.00 | 15,000.00 |
| GASOLINE & OIL | 15,000.00 | 25,000.00 |
| GARBAGE & TRASH DISPOSAL | 75,000.00 | 150,000.00 |
| SOCIAL SECURITY O/E | 48,000.00 | 75,000.00 |
| MUNICIPAL COURT S/W | 22,000.00 | 35,000.00 |
| BOND INTEREST | -0- | 39,000.00 |
| GREENTRUST LOAN PROG | -0- | 9,327.48 |
| WATER S/W | 90,000.00 | 130,000.00 |
| WATER O/E | 115,000.00 | 175,000.00 |
| WATER INT. ON BONDS | -0- | 6,938.00 |
| WATER SOCIAL SECURITY | 7,000.00 | 10,000.00 |

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

#2003-076 RESOLVED by the Governing Body of the Borough of Beachwood to approve the 2003Certified Bills List in the amount of A: \$ 443,772.94

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

#2003-077 RESOLVED by Mayor and Council to approve the minutes of the February 05th Meeting of Mayor and Council.

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

#2003-078 RESOLVED by Mayor and Council to approve the minutes of the February 26th Meeting of Mayor and Council.

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

#2003-079 RESOLVED by the Governing Body to approve the following rentals of the Community Center and Mayo Park.

| COMMUNITY CENTER 2003 | | | | |
|------------------------------|----|-------------------------|----------|-------|
| April | 03 | Beachwood PBA Local 253 | Rental: | WAIVE |
| | | Robert Tapp (President) | Deposit: | WAIVE |
| May | 03 | Blaseka | Rental: | \$175 |
| | | 1400 Mermaid Ave. | Deposit: | \$300 |
| Aug | 17 | Damato | Rental: | \$175 |
| | | 829 Pacific Ave. | Deposit: | \$300 |
| Dec. | 06 | Cruz-Covert | Rental: | \$175 |
| | | 136 Capstan Ave. | Deposit: | \$300 |
| COMMUNITY CENTER 2004 | | | | |
| Sept. | 18 | Schear | Rental: | \$350 |
| | | 215 Pine Drive Bayville | Deposit: | \$500 |
| MAYO PARK RENTAL 2003 | | | | |
| June | 28 | Tassinaro | Rental: | \$125 |
| | | 940 Mermaid Ave. | Deposit: | \$175 |

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

#2003-080 RESOLVED by Mayor and Council to approve the following Conferences – Seminars – Training requests.

| | | |
|-----------|--|-----------------------------------|
| Date: | April 7 | Municipal Clerk – E. Mastropasqua |
| Location: | Brick Municipal Building | |
| Subject: | Workers Compensation Managed Care – JIF Claims Coordination Workshop | |
| Cost: | \$0 | |
| Vehicle: | No | |

| FIRE COMPANY REQUESTS | | | |
|------------------------------|-----------------|----------------------------------|-------------------|
| March 12 | Rob Moore | F.A.S.T. Awareness - | O.C. Fire Academy |
| March 15 | David Petracca | Advanced Power Point Programming | |
| March 26/27 | Michael Staples | Confined Space Awareness | “ |

| | | | |
|--------------------|-----------------|--|-------------------|
| March 27 | Jason Rosen | Ground Support Operations for Landing Zones | “ |
| | Rob Moore | | |
| | David Petrecca | | |
| | Kevin Davison | | |
| **** | Robert Risk | ** Employee (Work Day) Pending Manpower Needs / No Pay (Seasonal Employee) | |
| March 29 | Dennis Allen | Incident Safety Officer | O.C. Fire Academy |
| (Saturday) | Jason Rosen | | |
| | Kevin Davison | | |
| | Robert Risk | | |
| | Michael Staples | | |
| | Roger Hull | | |
| April 8/1/15/17/19 | Michael Staples | Instructional Techniques For Company Officers | O.C.F.A. |
| April 9 & 16 | David Petracca | Emergency Response to Terrorism | O.C.F.A. |
| | Michael Staples | | |
| April 30 | Michael Staples | Basic Pump Operations | O.C.F.A. |
| May 3-7-19-14-17 | Michael Staples | “ | “ |
| May 17 | Rob Moore | F.A.S.T. Team Operations | “ |
| May 24 | Dennis Allen | #1 SCBA Smoke House Inst. | O.C.F.A. |
| | | #2 Live Burn Instructor | |
| | Robert Risk | | |
| | Kevin Davison | | |
| June 07 | Jason Rosen | F.A.S.T. Team Operations | O.C.F.A. |
| June 14 | David Petracca | Propane Emergencies | O.C.F.A. |
| | Michael Staples | | |

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

#2003-081 WHEREAS, on September 18, 2002, under Resolution #2002-287, approval was given for rental of the Community Center on May 11, 2003 by Regina Bickler 41 Oak Street Beachwood, noting all resident fees were posted (\$475); and

WHEREAS, on February 21, 2003, the Borough received written notice of cancellation , subjecting the applicant to a \$75 cancellation fee.

NOW, THEREFORE, BE IT RESOLVED by Mayor and Council of the Borough of Beachwood, to authorize a refund in the amount of \$400 to Regina Bickler 41 Oak Street Beachwood, said refund reflecting a \$75 cancellation fee.

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

#2003-082 **RESOLUTION REQUESTING APPROVAL OF THE DIRECTOR OF THE DIVISION OF LOCAL GOVERNMENT SERVICES TO ESTABLISH A DEDICATED TRUST BY RIDER FOR SNOW REMOVAL, PURSUANT TO P.L. 2001, c.138**

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonable accurate estimates in advance; and

WHEREAS, P.L. 2001, c.138 permits municipalities to lapse unexpended balances budgeted annually for snow removal; and

WHEREAS, N.J.S.A. 40A:4-39 provides that the Director of the Division of Local Government Services may approve expenditures of monies by dedication by rider;
NOW, THEREFORE, BE IT RESOLVED, by the governing body of the Borough of Beachwood, County of Ocean, State of New Jersey as follows:

1. The Governing Body hereby requests permission of the Director of the Division of Local Government Services to pay expenditures for Snow Removal created in accordance with the provisions of P.L. 2001, c.138 as per N.J.S.A. 40A:4-39; and
2. The Municipal Clerk of the Borough of Beachwood is hereby directed to forward two (2) certified copies of this resolution to the Director of the Division of Local Government Services.

Motion: LaCrosse Second: Feeney
Question – Moran Requested Explanation from Treasurer
Approved: Clayton – LaCrosse – Feeney – LaCrosse – Moran
Absent : Miserendino

#2003-083 RESOLVED by Mayor and Council to approve the application for membership to the Beachwood Volunteer Fire Co. #1 Inc. of Patrick J. Coder 1145 Longboat Ave. Beachwood.

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

#2003-084 RESOLVED by Mayor and Council to approve the agreement between the Borough of Beachwood and the Associated Humane Societies for Animal Control Services 2003; and

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

Motion: Feeney Second: Clayton
Question – Moran - Who reviewed Agreement - Treasurer Dehnz "increase 3-1/2 %
Approved: Clayton – LaCrosse – Feeney – LaCrosse – Moran
Absent : Miserendino

#2003-085 RESOLVED by Mayor and Council to approve the permanent title of Code Enforcement Zoning Officer Charles Bauer as per NJDOP Notice.

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

ORDINANCE FINAL READING – PUBLIC DISCUSSION – ADOPTION

#2003-01

AN ORDINANCE OF THE BOROUGH OF BEACHWOOD, COUNTY OF OCEAN , STATE OF NEW JERSEY, TO EXCEED THE CCAP INDEX RATE: INDEX RATE LESS THAN 5% LIMITATION FOR THE YEAR 2003 IN ACCORDANCE WITH 2.J.S.A. 40a:4-45.14.

OEN TO PUBLIC DISCUSSION THIS ORDINANCE ONLY

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

No Questions

CLOSE TO PUBLIC DISCUSSION THIS ORDINANCE ONLY

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

RESOLUTION

#2003-086 RESOLVED by Mayor and Council of the Borough of Beachwood to approve and adopt Ordinance #2003-01 as presented and held for public discussion.

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

#2003-087 RESOLVED by Mayor and Council of the Borough of Beachwood to authorize Owen Little Associates to advertise Bids on Duel Motor Fuel.

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

CORRESPONDENCE

- a. James/Susan Rush 1500 Mermaid Ave. interested in Purchasing 40 x 100 adjoining at Block 8.46 Lot 10.

Will be put on March 19th agenda for discussion along with other letters

COUNCIL REPORTS

Clayton; Beverly Spoke on Recreation schedule. Snowman contest status.

DiBella; Robert Commented on Letter he saw on a local political website, with accolades for Beachwood Road conditions during recent snow storm.

Feeney; Gregory NJ Tonnage report 2001 received. Code Enforcement has abated 121 items. Little League Opener on April 12th.

LaCrosse; Gerald W. Running Test Well #7 – Will be holding meeting on LOSAP as relates to carrier and schedules.

Miserendino; Thomas Absent

Approved: Clayton – LaCrosse – Feeney – LaCrosse – Moran
Absent : Miserendino

ACTION TAKEN IF NECESSARY

ORDINANCE - FIRST READING TITLE ONLY

#2003-03 AN ORDINANCE OF THE BOROUGH OF BEAACHWOOD, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE CONVEYANCE OF REAL PROPERTY NO LONGER NEEDED FOR PUBLIC PURPOSES TO THE TOMS RIVER REGIONAL SCHOOLS BOARD OF EDUCATION FOR NOMINAL CONSIDERATION IN ACCORDANCE WITH N.J.S.A. 40A:12-13(b) (1)

RESOLUTION

#2003-088 RESOLVED by Mayor and Council to approve Ordinance # 2003-03 as presented on First Reading Title only.

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

ORDINANCE - FIRST READING TITLE ONLY

#2003-04 AN ORDINANCE TO VACATE ALL THE RIGHT, TITLE AND INTEREST IN AND TO THE PUBLIC PORTIONS OF NEPTUNE AVENUE, MERMAID AVENUE, LONGBOAT AVENUE, PACIFIC AVENUE AND WINDWARD AVENUE WITHIN THE BOROUGH OF BEACHWOOD, OCEAN COUNTY, NEW JERSEY.

RESOLUTION

#2003-089 RESOLVED by Mayor and Council to approve Ordinance # 2003-04 as presented on First Reading Title only.

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

ADJOURNMENT

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

Submitted by : E.A. Mastropasqua

Harold R. Morris
Mayor

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