

March 5, 2008

NOT OFFICIAL DOCUMENT UNTIL APPROVED BY RESOLUTION OF GOVERNING BODY

7:00
Mayor and Council Meeting
Beachwood Municipal Complex
1600 Pinewald Rd.

Call to Order

Flag Salute

While we pray for the safe return of our serving men and women, we must remember that 92 servicemen 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 Berkeley Times and Asbury Park Press on January 4, 2007.

ROLL CALL MEMBERS PRESENT:

Mayor Ronald Jones

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

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.

Absent:

MAYOR JONES INVITED EAST COAST RACING ASSOCIATION Representative Merola (Sunset Road, Beachwood) to make a presentation to Council about the use of the Ramp and Beach for their August event. They will provide insurance coverage of \$5 million dollars. They race in the River, obtain all necessary permits, and there is no cost to the municipality. Usually 20-25 participating boats. Boats will anchor in river and participants will walk to beach area.

Councilmembers expressed some concerns about conflict with Yacht Club, and parking for the event.

Mr. Merola stated ALL Boat Trailers would be parked @ Pine Beach School parking lot and drivers would be shuttled back.

It was suggested that Mr. Merola look at the Yacht Club schedule and come up with a date that doesn't conflict, and get back to council with the request.

NO CERTIFIED LIST

#2008-98 RESOLVED by Mayor and Council to approve the 2008 Certified Bills List in the amount of \$

#2008- 99 RESOLVED by Mayor and Council to approve the minutes of the February 20th 2008 meeting of Mayor and Council

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

#2008- 100 RESOLVED by Mayor and Council to approve the minutes of the February 27th 2008 meeting of Mayor and Council

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

#2008-101 RESOLVED by Mayor and Council to approve the rentals of the Community Center as follows:

March	12	Beachwood Democratic Org.	Rental:	\$WAIVE
		c/o Clark	Deposit:	\$WAIVE
		Tiller Ave		
March	23	Zeleznok	Rental:	\$350.00
		724 Ship Avenue	Deposit:	\$500.00
		Beachwood		
April	18	Cicero	Rental:	\$350.00
		1309 Seaman Ave.	Deposit:	\$500.00
		Beachwood		
May	16	Mason	Rental:	\$350.00
		43 Nautilus St.	Deposit:	\$350.00
		Beachwood		
June	15	Olsen	Rental:	\$350,00
		851 Neptune Ave	Deposit:	\$500.00
		Beachwood		
August	03	Poll	Rental:	\$700.00
		18 Brunswick Drive	Deposit:	\$700.00
		Howell		
August	10	Cooper	Rental:	\$350.00
		1109 Cable Ave	Deposit:	\$500.00
		Beachwood		

August	17	Knowles	Rental:	\$350.00
		711 Beacon Ave	Deposit:	\$500.00
		Beachwood		
August	31	Moriarity	Rental:	\$350.00
		1317 Spray Ave.	Deposit:	\$500.00
		Beachwood		
September	13	McNeil	Rental:	\$700.00
		20 Cedarcrest Drive	Deposit:	\$700.00
		Bayville N.J.		
September	20	Pendleton	Rental:	\$350.00
		229 Anchor Ave.	Deposit:	\$500.00
		Beachwood		
October	04	Petric	Rental:	\$350.00
		11128 Cable Ave.	Deposit:	\$500.00
		Beachwood		
October	18	Hinninger	Rental:	\$350.00
		23 Chestnut St.	Deposit:	\$500.00
		Beachwood		

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

#2008-102 RESOLVED by Mayor and Council to approve the Raffle License Application of Caregivers of Central for June 19, 2008.

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

#2008-103 **RESOLUTION OF THE BOROUGH OF BEACHWOOD, OCEAN COUNTY, AWARDED A CONTRACT TO ACE MANZO, INC. AND D. MANZO & SON, INC. IN THE AMOUNT OF \$104,049.71 FOR DRAINAGE IMPROVEMENTS TO MERMAID AVENUE IN ACCORDANCE WITH THE BOROUGH'S BID SPECIFICATIONS**

WHEREAS, the Borough of Beachwood previously advertised for the receipt of bids on February 22, 2008 at 2:00 p.m; and

WHEREAS, at the time and place of the receipt of bids 11 bids were received ranging from a low of \$104,049.71 to a high of \$193,560.00; and

WHEREAS, the Borough Engineers, CMX, have reviewed said bid submissions and recommended the award to the low bidder, Ace Manzo, Inc. and D. Manzo & Son, Inc. of Aberdeen, New Jersey in the amount of \$104,049.71; and

WHEREAS, the Borough Treasurer has certified that funds are available for said project; and

WHEREAS, the Contract price is well below the Borough Engineer's estimate of the cost to complete said work;

WHEREAS, the Borough Attorney has reviewed the low bid submission and approved those submissions; and

WHEREAS, it is now the desire of this Governing Body to award a Contract to the low bidder in accordance with the Borough Engineer's recommendations.

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 Ace Manzo, Inc. and D. Manzo & Son, Inc. of Aberdeen, New Jersey for drainage improvements to Mermaid Avenue in accordance with the Borough's bid specifications and for the bid price of \$104,049.71.
2. That upon adoption of the within Resolution the Clerk is authorized and directed to forward a certified copy of it to the Borough Engineers, the successful bidder and the Borough Treasurer.

Motion:	Second:
Approved:	Opposed:
Abstain:	Absent

ORDINANCE FINAL READING – PUBLIC DISCUSSION – ADOPTION

#2008-01 **ORDINANCE OF THE BOROUGH OF BEACHWOOD, OCEAN COUNTY, NEW JERSEY AMENDING ORDINANCE 2004-11 ENTITLED, " ORDINANCE OF THE BOROUGH OF BEACHWOOD, OCEAN COUNTY, NEW JERSEY AMENDING ORDINANCE 2002-21 ENTITLED "ORDINANCE OF THE BOROUGH OF BEACHWOOD, OCEAN COUNTY, NEW JERSEY AUTHORIZING THE RENOVATIN AND/OR BUILDING CONSTRUCTION OF THE GARAGE STORAGE AREA LOCATED AT MAYO PARK AND APPROPRIATING THE SUM OF \$90,000.00 THERFOR AND AUTHORIZING THE ISSUANCE OF GENERAL IMPROVEMENT BONDS OR NOTES IN THE AMOUNT OF \$32,500.00 TO FINANCE THE COST THEREOF"**

OPEN TO PUBLIC DISCUSSION THIS ORDINANCE ONLY

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

NO QUESTIONS

CLOSE TO PUBLIC DISCUSSION THIS ORDINANCE ONLY

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

DEPARTMENT OF UNIFORM CONSTRUCTION CODE ADMINISTRATION AND ENFORCEMENT, ESTABLISH FEES THEREFOR, AND PROVIDE FOR ENFORCEMENT AND PENALTIES

RESOLUTION
#2008-107

RESOLVED by Mayor and Council to approve Ordinance #2008-03 as presented on First Reading by Title only.

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

RESOLUTION
#2008-108

RESOLVED by Mayor and Council to hire Wayne Gibson 606 E. St. Johns Ave, Villas N.J. as Construction Code Official effective April 1st 2001 – Salary \$35 per hour, 21 Hours per week, Part Time, No Benefits.

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

Will be meeting with South Toms River governing body about possible interlocal agreement for Construction services.

Mr. Feeney Little League Opener April 5th – 09:00

RESOLUTION
#2008-109

RESOLVED to authorize a Roll Off for the Little League Clean Up Saturday March 8th.

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

Attorney Hiering Will be discussing with the Engineer, the feasibility of housing Antennae blades on the Water Tower.

Municipal Clerk:

RESOLUTION
#2008-110

To approve the Following for Conference Training or Seminar		
March 7 th	Elizabeth Sarantinoudis Registrar - Pt. Pleasant N.J.	\$184
April 20 -24 th	Elizabeth Mastropasqua – MCANJ Education Conf. Atlantic City - (\$270)	
	In exchange for working on Conference Committee	\$0

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

OPEN TO PUBLIC DISCUSSION

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

LaCrosse Forecastle Ave	Requested explanation on withdrawal of Ordinance #2008-02 Commented on use of Borough vehicle outside of the Borough. Commented on recent article on Promotion. Promotions are made by Council not Mayor. Commented on recent Press release. Asked if salary was considered in the proposed promotion.
Lipton Anchor Ave	Boat Races proposed are fun. Advised Mayor on inability for governing body to make decisions in Executive Session. Suggested a procedure be put in place on Press releases.
Sperber Ocean Ave	Not happy with our road conditions (February 15) in recent snow storm.
Solowinski Cable Ave	Concerned about safety issues during recent snow storm and road conditions.
Caruso Cable Ave	Snow procedures should have been known upon taking office.
Resident Unknown Address	In audible information on name and address. Council and Mayor should be working together and helping each other out.
Fitzgerald; Mr. Compass	Comments on driving conditions Feb. 15 th
LaCrosse Forecastle Ave.	Comments on February 15 th snow conditions and how Mayor learned of Procedures.
Jansen Mizzen Ave	Questioned why Mayor is not on committees. Can resolution permit that. ? Explanation from Mr. Hiering – Council decides committees. Mr. Feeney noted that in past many committees, were streamlined to 6 and each member of Council chairs a committee. Questioned if committees report to Mayor. Not required, they report at Council meetings.
Fitzgerald; Mrs. Compass Ave	In light of State cuts, way of saving money, cut out Administrators' salary. Upsetting to listen to nonsense going on here. Time to work together.
Zito Spar Ave	Time to bury the hatchet. Time to work for Beachwood. Mayor should be on all committees. When not working together the town suffers.
Brunner Seaman Ave.	Need to work together. It's about putting Beachwood first.
Byrnes	

Pinewald Rd. If Administrator addressed procedures for DPW over three years, it should mean that DPW implemented those procedures during snow.

CLOSE TO PUBLIC DISCUSSION

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

Terms & Condition of Employment - Municipal Court Judge – Board of Health
Contractual – Architect First Aid – Financial Advisor – O.C. Schedule “C”
Pending Litigation - Police

- 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 Opposed:
Abstain: Absent

RE-OPEN

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

ACTION TAKEN FROM EXECUTIVE SESSION

#2008-111 RESOLVED by Mayor and Council to name Judge Brant Collins as “Substitute Judge” for conflict case.

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

#2008-112 RESOLVED by Mayor and Council to authorize the Architect to prepare bid specifications and notice to bidders for the First Aid Building.

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

#2008-113 RESOLVED by Mayor and Council to authorize RFP's for Financial Advisor for the Borough of Beachwood.

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

Mrs. Clark proposed the following Ordinance:

ORDINANCE First Reading Title Only

#2008-04 ORDINANCE OF THE BOROUGH OF BEACHWOOD, OCEAN COUNTY, NEW JERSEY REPEALING SECTION 2-18 OF THE CODE OF THE BOROUGH ENTITLED "BOARD OF HEALTH" IN ORDER TO DISSOLVE SAID BOARD

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

#2008-114 RESOLVED by Mayor and Council to approve the agreement between the Borough of Beachwood and the County of Ocean for Schedule "C" not to exceed \$250,000.00 for the January 1, 2008 through December 31, 2008; and

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

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

TO ADJOURN

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

Submitted by: E.A. Mastropasqua

Ronald W. Jones
Mayor

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