

March 07,2007

6:00 PM

Beachwood Municipal Complex 1600 Pinewald Rd.

Call to Order

SALUTE TO FLAG

While we pray for the safe return of our serving men and women, we must remember that 76 (Marine Cpl. Thomas Saba) 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 a REMEMBRANCE of OUR HONORED DEAD. In their memory, a moment of silence and a prayer for 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 Ocean County Observer and the Asbury Park Press on January 4, 2007.

The notice for this budget session was submitted to the Press and Observer on February 23rd.,2007

Roll Call Members Present

Mayor Harold R Morris

Council members:

Beverly Clayton
Gregory Feeney

Steven Komsa
Thomas Miserendino
Ronald Roma

ABSENT: Gerald W. LaCrosse

BUDGET WORKSHOP:

Mr. Antonides - commented on proposed increase of 6.21%. Proposed Tax Rate would be \$1.205. These numbers are based on 2006 Ratables.

CMFO Mauder: Discussed departmental requests.

Roma: Questions on computer replacement requests and needing written confirmation that they need to be replaced.

Questioned monies made this year through impounds and tickets.

Questioned Chief if another system can be used other than CPI.

Chief: Computer can not be updated. Revenue is up. System is user friendly.

Feeney: Commented on the need for additional patrolmen. Budget at this time does not allow for this.

Clayton: ?What other towns use this system.

Mauder: Could be considered Capital Improvement.

Fire Company: Maintaining operating budget. Requesting new 4 wheel drive vehicle:

Mayor: Recommend giving First Aid old SUV and allow Fire Company to purchase new one.

Emergency Management Matching Grants discussed

Municipal Alliance - Matching Grants discussed

Assessor: Remains the same

Zoning/Code Enforcement: Increasing budget and old police car to be considered for use. Discussion regarding money set aside to create our own building department.

Public Works: Streets and roads discussed. Snow removal budget.

Administrator Lacey requested dump truck (surplus) Dixie Chopper..

Mr. Miserendino suggested F350.

Novaky
Maple St Questioned Tax Rate for Upcoming year.

Mr. Antonides explained process.

Continuation of Regular Meeting

Mayor Morris Swore in newest Police Officer Adam Griesmer

#2007-91 RESOLVED by Mayor and Council to approve the 2007 Certified Bills List in the amount of \$578,736.38

	Clayton	Feeney	Komsa	LaCrosse	Miserendino	Roma
Motion		X				
Second			X			
Approved	X	X	X		X	X
Abstain						
Opposed						
Absent				X		

#2007-92 RESOLVED by Mayor and Council to approve the minutes of the February 21, 2007 meeting of Mayor and Council

	Clayton	Feenev	Komsa	LaCrosse	Miserendino	Roma
Motion			X			
Second		X				
Approved	X	X	X		X	X
Abstain						
Opposed						
Absent				X		

RESOLVED by Mayor and Council to approve the Community Center rentals as follows:

2007 Community Center Rental				
Aug.	17	Butigieg	Rental:	\$350
		1001 Longboat Ave.	Deposit:	\$500
		Beachwood		
May	07	Hintzo	Rental:	\$700
		291 Westbrook Dr.	Holiday Fee:	\$150
		Toms River N.J.	Deposit:	\$500
July	20	Bock	Rental:	\$350
		344 Tiller Ave	Deposit:	\$500
		Beachwood		
Aug	24	Behr	Rental:	\$350
		828 Anchor Ave	Deposit:	\$500
		Beachwood		
Sept.	15	Beachwood Soccer c/o Kelshaw	Rental:	Waive
		1013 Neptune Ave.	Deposit:	Waive
		Beachwood		
MAYO PARK 2007				
Aug.	04	Sibiga	Rental:	\$125
		1528 Berkeley Ave.	Deposit:	\$175
		Beachwood		

	Clayton	Feenev	Komsa	LaCrosse	Miserendino	Roma
Motion						X
Second					X	
Approved	X	X	X		X	X
Abstain						
Opposed						
Absent				X		

#2007-94 WHEREAS, the Beachwood Community Center was approved for rental by David Flores 267 Ensign Avenue for Feb. 18,2007, noting all resident fees were posted; and

WHEREAS, following inspection, it was determined to withhold the refund of \$500 and to advise the applicant of outstanding charges of \$163.39 were incurred over and above the deposit, requesting reimbursement of same by correspondence from the Municipal Clerk dated February 26,2007.

NOW, THEREFORE, BE IT RESOLVED to have the record reflect that Mr. David Flores forfeited his deposit of \$500 and reimbursed the Borough the overage charges of\$163.39 (check #233)

	Clavton	Feenev	Komsa	LaCrosse	Miserendino	Roma
Motion					X	
Second						X
Approved	X	X	X		X	X
Abstain						
Opposed						
Absent				X		

#2007-95 WHEREAS, on March 15, 2006 under Resolution #2006-95 approval was given for rental of the Community Center by Kelly Kopenhafer (452 Halliard Avenue, Beachwood) for May 19, 2007, noting all resident fees were posted; and

WHEREAS, on February 28, 2007, written notice of intent to cancel was received, subjecting the applicant to a cancellation fee of \$100.

NOW, THEREFORE, BE IT RESOLVED to authorize a refund in the amount of \$750 to Kelly Kopenhafer, said refund reflecting cancellation fee of \$1 00.

	Clavton	Feenev	Komsa	LaCrosse	Miserendino	Roma
Motion					X	
Second						X
Approved	X	X	X		X	X
Abstain						
Opposed						
Absent				X		

#2007-96 WHEREAS, on September 20, 2006 under Resolution #2006-305 approval was given for rental of the Community Center by Carol Caracciolo (95 Oak Street Beachwood) for June 29, 2007, noting all resident fees were posted; and

WHEREAS, on February 26, 2007, written notice of intent to cancel was received, subjecting the applicant to a cancellation fee of \$100.

NOW, THEREFORE, BE IT RESOLVED to authorize a refund in the amount of \$750 to Carol Caracciolo, said refund reflecting cancellation fee of \$100.

	Clayton	Feeney	Komsa	LaCrosse	Miserendino	Roma
Motion						X
Second					X	
Approved	X	X	X		X	X
Abstain						
Opposed						
Absent				X		

#2007-97

WHEREAS, on January 17, 2007 under Resolution #2007-32 approval was given for rental of the Community Center by Peter Chiappano (45 River Avenue Toms River NJ) for June 28, 2008, noting all non-resident fees were posted; and

WHEREAS, on February 23, 2007, written notice of intent to cancel was received, subjecting the applicant to a cancellation fee of \$100.

NOW, THEREFORE, BE IT RESOLVED to authorize a refund in the amount of \$1,300 to Peter Chiappano, said refund reflecting cancellation fee of \$100.

	Clayton	Feeney	Komsa	LaCrosse	Miserendino	Roma
Motion		X				
Second	X					
Approved	X	X	X		X	X
Abstain						
Opposed						
Absent				X		

#2007-98

RESOLVED by Mayor and Council to approve the increase in salary of \$2,500 for Donna LeMore for assumption of additional duties in the Finance Department effective February 1st., 2007.

	Clayton	Feeney	Komsa	LaCrosse	Miserendino	Roma
Motion		X				
Second					X	
Approved	X	X	X		X	X
Abstain						
Opposed						
Absent				X		

CORRESPONDENCE

- a. Letter of Resignation (CMFO) John Adams (Effective 2/26/07)

RESOLUTION

#2007-99 RESOLVED by Mayor and Council to name John Mander as CMFO effective February 27, 2006.

	Clayton	Feeney	Komsa	LaCrosse	Miserendino	Roma
Motion					X	
Second						X
Approved	X	X	X		X	X
Abstain						
Opposed						
Absent				X		

WHEREAS, an emergent condition has arisen with respect to the ability of the Borough of Beachwood to continue paying its employees and vendors; and

WHEREAS, the Borough Council has not yet adopted the 2007 budget; and

WHEREAS, no adequate provision has been made in the 2007 temporary budget for the aforesaid purpose, and NJ .S. 40A:4-20 provides for the creation of an emergency temporary appropriation for the purpose above mentioned; and

WHEREAS, the total emergency temporary resolutions adopted in the year 2007 pursuant to the provisions of Chapter 96,P .L.1951 (N.J. S. 40A:4-20) including this resolution total \$284,173.60;

NOW, THEREFORE, BE IT RESOLVED (not less than two-thirds of all members thereof affirmatively concurring) that in accordance with N.J.S. 40A:4-20:

1. An emergency temporary appropriation be and the same is hereby made for:

2007		SALARY/WAGES	OTHER EXP.	Total
1	Financial Administration	15,000.00	2,000.00	17,000.00
2	Revenue Administration - Tax Collection	15,000.00	2,000.00	17,000.00
3	Insurance - Liability		3,500.00	3,500.00
4	Insurance Employees Group Health		100,000.00	100,000.00
5	Other Public Works Functions		1,000.00	1,000.00
6	Solid Waste Collection		4,000.00	4,000.00
7	PERS		35,516.00	35,516.00
8	PFRS		120,157.60	120,157.60
8	Borough Clerk	5,000.00	1,000.00	6,000.00
9	Tax Assessment	2,000.00		2,000.00
10	Planning Board	1,000.00		1,000.00
11	Code Enforcement / Zoning	8,000.00		8,000.00
12	Police	150,000.00		150,000.00
13	Police – Crossing Guards	5,000.00		5,000.00
14	Office Emergency Management	1,000.00		1,000.00
15	Fire Prevention	1,000.00		1,000.00
16	Other Public Works Functions	15,000.00		15,000.00
17	Solid Waste Collection	20,000.00		20,000.00
18	Recycling	15,000.00		15,000.00
19	Building and Grounds	12,000.00		12,000.00
20	Vehicle Maintenance	5,000.00		5,000.00
21	Social Security		10,000.00	10,000.00

2. That said emergency temporary appropriations have been provided for in the 2007 budget under the aforementioned line items.
3. That one certified copy of this resolution be filed with the Director of Local Government Services.

	Clayton	Feeney	Komsa	LaCrosse	Miserendino	Roma
Motion						X
Second		X				
Approved	X	X	X		X	X
Abstain						
Opposed						
Absent				X		

#2007-101 RESOLVED by Mayor and Council to authorize Liz Sarantinoudis as an official signature on all checks of the Borough of Beachwood.

	Clayton	Feeney	Komsa	LaCrosse	Miserendino	Roma
Motion		X				
Second			X			
Approved	X	X	X		X	X
Abstain						
Opposed						
Absent				X		

#2007-102 Resolution Supporting the *Click It or Ticket* Mobilization of May 21- June 3, 2007

Whereas, there 773 motor vehicle fatalities in New Jersey in 2006; and

Whereas, a large percentage of the motor vehicle occupants killed in traffic crashes were not wearing a safety belt; and

Whereas, use of a safety belt remains the most effective way to avoid death or serious injury in a motor vehicle crash; and

Whereas, the National Highway Traffic Safety Administration estimates that 135,000 lives were saved by safety belt usage nationally between 1975-2000; and

Whereas, the State of New Jersey will participate in the nationwide *Click It or Ticket safety* belt mobilization from May 21 - June 3,2007 in an effort to raise awareness and increase safety belt usage through a combination of enforcement and education; and

Whereas, the Division of Highway Traffic Safety has set a goal of increasing the safety belt usage rate in the state from the current level of 90% to 92%; and

Whereas, a further increase in safety belt usage in New Jersey will save lives on our roadways;

Therefore, be is resolved that the Mayor and Council of the Borough of Beachwood hereby declares it's support for the *Click It or Ticket safety* belt mobilization both locally and nationally from May 21 - June 3, 2007 and pledges to increase awareness of the mobilization and the benefits of safety belt use,

	Clayton	Feeney	Komsa	LaCrosse	Miserendino	Roma
Motion		X				
Second	X					
Approved	X	X	X		X	X
Abstain						
Opposed					X	
Absent				X		

- b. Toms River Intermediate South - Request to use Birch & Surf fields. Approved with following conditions: Clean up and maintain field. No keys provided. Must bring their own equipment. Provide game schedules and times dates of use of field. Certificate of Insurance.**
- c. Lacey Strikers - Over 30 Mens Soccer Team - Use of Fields March 18th Must contact school and Hold Harmless for School and Borough.**

REPORTS

Mayor Morris Thanked Liz and Finance Department for job well done on the budget. Thanked Clerk for job done with the petitions addressing Megan's law.

Councilmembers

Beverly Clayton Community Center closed from March 11 for refurb.

Gregory Feeney Requested the following:

#2007-103 RESOLVED BY Mayor and Council to allow the Beachwood Republican Organization to use the Beachwood Municipal Complex Parking Lot for a bus trip – April 22nd .

	Clayton	Feeney	Komsa	LaCrosse	Miserendino	Roma
Motion						X
Second					X	
Approved	X	X	X			X
Abstain						
Opposed						
Absent				X		

Steven Komsa Snowman photo contest deadline was today. Awards will be March 21st meeting. April 15th Easter Egg Hunt. Thanked all for their support to his efforts in the Polar Bear Plunge Feb. 24th.

Gerald LaCrosse Absent

Thomas Miserendino Fire Department will hold Breakfast with the Bunny on April 1st. Complaints received about equipment. Inspection done and all okay.

Ronald Roma Volley Ball big success. Dance March 9th needs volunteers. Addressed complaint about roads not being plowed.

Administrator Lacey Closed Session

Attorney M. McKenna: No report

Municipal Engineer March 9th recycling grant due. CDBG grant \$50,000.

Clerk Mastropasqua: Absent.

PUBLIC DISCUSSION TO OPEN

	Clayton	Feeney	Komsa	LaCrosse	Miserendino	Roma
Motion						X
Second					X	
Approved	X	X	X		X	X
Abstain						
Opposed						
Absent				X		

Chief Cairns: Thanked all for support with "Click It or Ticket" Commented on \$40,000 grant.

Prince; Tom: Mentioned past problems with school use of town fields, namely Pine Beach.

PUBLIC DISCUSSION TO CLOSE

	Clayton	Feeney	Komsa	LaCrosse	Miserendino	Roma
Motion						X
Second		X				
Approved	X	X	X		X	X
Abstain						
Opposed						
Absent				X		

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 - Personnel - Litigation

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

	Clayton	Feeney	Komsa	LaCrosse	Miserendino	Roma
Motion		X				
Second			X			
Approved	X	X	X		X	X
Abstain						
Opposed						
Absent				X		

TO RE-OPEN

	Clayton	Feeney	Komsa	LaCrosse	Miserendino	Roma
Motion						X
Second		X				
Approved	X	X	X		X	X
Abstain						
Opposed						
Absent				X		

ACTION TAKEN AS A RESULT OF EXECUTIVE SESSION THIS DATE.

#2007-104 RESOLVED by Mayor and Council to hire Leslie Kirchgessner as Cashier effective March 12, 2007, at a salary of \$12.05 per hour. Ninety Day working test period pending DOP approval.

	Clayton	Feeney	Komsa	LaCrosse	Miserendino	Roma
Motion						X
Second		X				
Approved	X	X	X		X	X
Abstain						
Opposed						
Absent				X		

#2007-105 RESOLVED by Mayor and Council to approve the agreement between the Borough of Beachwood and Schoor DePalma for B2 Wetlands delineation not to exceed \$11,950.

	Clayton	Feeney	Komsa	LaCrosse	Miserendino	Roma
Motion		X				
Second						X
Approved	X	X	X		X	X
Abstain						
Opposed						
Absent				X		

#2007-106

RESOLVED by Mayor and Council to approve all the Professional Service Agreements 2007, and authorize the Mayor and Clerk to execute on behalf of the Borough of Beachwood.

Municipal Attorney
Municipal Auditor
Municipal Prosecutor
Municipal Bond Counsel
Municipal Engineer:

Wm. T. Hering Firm (Hourly Rate)
W.E. Antonides
Citta Holzapfel et als.
Gluck Walrath
Schoor DePalma
Annual Contract: \$21,000
Telemetry Study: \$3,750
T2W2 Water : \$5,900 Apr. 06-07
\$10,000 Apr. 07-08 Budget
Hypo chlorite \$3,000 Additional
Gilmore & Monahan
Brian Rumpf
Daina Vicari
David Lonski (\$125 p.h.)

COAH Attorney
Public Defender
Public Defender (Conflict)
Ordinance Attorney

	Clayton	Feeney	Komsa	LaCrosse	Miserendino	Roma
Motion						X
Second					X	
Approved	X	X	X		X	X
Abstain						
Opposed						
Absent				X		

#2007-107

Resolved by Mayor and Council to authorize the Administrator to advertise for Public Works Mechanic.

	Clayton	Feeney	Komsa	LaCrosse	Miserendino	Roma
Motion						X
Second		X				
Approved	X	X	X		X	X
Abstain						
Opposed						
Absent				X		

#2007-108

Resolved by Mayor and Council to authorize the feasibility study of the demolition of the Mayo Park Building.

	Clayton	Feeney	Komsa	LaCrosse	Miserendino	Roma
Motion						X
Second			X			
Approved	X	X	X		X	X
Abstain						
Opposed						
Absent				X		

TO ADJOURN

	Clayton	Feeney	Komsa	LaCrosse	Miserendino	Roma
Motion						X
Second			X			
Approved	X	X	X		X	X
Abstain						
Opposed						
Absent				X		

Prepared from notes taken by Jeanette Larrison (Deputy Municipal Clerk)

Harold R. Morris Mayor

Attested to by: _____
Elizabeth A. Mastropasqua Municipal Clerk