

**March 17, 2010                      6:30    Budget Workshop – Advertised March 6<sup>th</sup>, 2010.**

**Absent:                      Mayor Jones – Mrs. Clark – Mrs. Clayton**

Budget meeting	
Mr. Roma	Thanked those in attendance. Commented on Governors budget address. Thanks to efforts of our Finance department Beachwood is in decent shape. Not facing any lay offs or furloughs.
Mr. Mauder	All departments were reasonable in their requests. No increases were made to any department with exception of minor few of perhaps \$100.
David Petracca	Fire Company will be looking for "Knock Box Rapid Key Entry System" funds. - Council in agreement. Beachwood will be piggy backing into an already operating system.
Sal Murante	No request for funds
John Behrens	Managed to get "salter" looking for - Garbage Truck and Mason Truck - Bucket Truck
Mr. Feeney	Did we look into the "Recycling" aspect with State.
Mr. Roma	Amount of "Blue" robo cans left.
Mr. Behrens	Robo trucks not good for recycling .... does not digest cardboard well.
Mr. Roma	Status of Police Vehicles in budget
Mr. Mauder	It's in the budget (one car)
Chief Cairns	Discussion of camera's in car.... can trade in old units and get some money for new units. Kept budget requests down this year but needs to express need for "in car camera". Current cameras now 10 years old.
Mr. Roma	Will do our best to find the \$60,000 to address this item.
Mr. Mauder	Still no word on discretionary aid numbers. Will need another finance meeting before we introduce.
Mr. Feeney	Thanked Mr. Mauder and Liz for hard work and the fiscal responsibility shown in preparing budgets.
Mr. Roma	Thanked those attending for their interest in hard work.

Beachwood Municipal Complex  
1600 Pinewald Rd.

**7:00 PM Regular Meeting**

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:**

**Beverly Clayton  
Gregory Feeney**

**Steven Komsa  
Ronald Roma  
Bonnie Verga**

**ABSENT: Katina L. Clark**

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.

**Beverly Adkins has a presentation to make to Council of piece of Cornerstone of old Municipal Building. Presented as we approach our 93<sup>rd</sup> of Incorporation March 22, 1917.**

**Special Presentation Snowman Contest Awards – Recreation Commission. Seen here are 1<sup>st</sup> – 2<sup>nd</sup> – 3<sup>rd</sup> Place winners.**



RECESS

Motion: Komsa

Second: Roma

Approved: Clayton – Feeney – Komsa – Roma - Verga  
 Abstain:

Absent: Clark

**RE-OPEN**

Motion: Clayton  
 Approved: Clayton – Feeney – Komsa – Roma - Verga  
 Abstain:

Second: Verga  
 Absent: Clark

**#2010- 112** Mayor’s Appointment to fill vacancy on Recreation (William Knapp) appoint Jean Rhea – Term Expires 12/31/2010

**#2010-113** RESOLVED by Council to approve the 2010 Certified Bills List in the amount of \$264,225.08

Motion: Clayton  
 Approved: Clayton – Feeney – Komsa – Roma - Verga  
 Abstain:

Second: Verga  
 Absent: Clark

**#2010-114** RESOLVED by Council to approve the minutes of the March 03, 2010 meeting of Mayor and Council.

Motion: Clayton  
 Approved: Clayton – Feeney – Komsa – Roma - Verga  
 Abstain:

Second: Feeney  
 Absent: Clark

**#2010-115** RESOLVED by Council to approve the Community Center Rentals as follows:

<b><u>2010 COMMUNITY CENTER</u></b>					
April	11	Rotunno	140 Longboat Ave., Beachwood	Rental: \$350	Deposit: \$500
May	22	Ande	66 Rosewood Dr. T.R.N.J.	Rental: \$700	Deposit: \$700
May.	23	Liscombe	1328 Neptune Ave. Beachwood	Rental: \$350	Deposit: \$500
June	13	Beachwood Historical Alliance c/o Weber-Beachwood		Rental: \$WAIVE	Deposit: \$WAIVE
June	25	Jones	212 Atlantic City Blvd, Beachwood	Rental: \$350	Deposit: \$500
July	25	Rosetti	1513 Neptune Ave., Beachwood	Rental: \$350	Deposit: \$500
August	08	LeGrand	1209 Anchor Ave. Beachwood	Rental: \$350	Deposit: \$500
August	22	Ross	1553 Neptune Ave., Beachwood	Rental: \$350	Deposit: \$500
August	27	Chesnaky	379 First Ave., Manasquan N.J.	Rental: \$700	Deposit: \$700
<b><u>2010 MAYO PARK</u></b>					
May	15	McNeil	444 Beacon Ave., Beachwood	Rental: \$150	Deposit: \$150
May	22	Anderson	9 Virgin Islands Dr. T.R.N.J.	Rental: \$150	Deposit: \$75

Sept.	12	St. Paul Lutheran Church – Cable Avenue Beachwood	Rental: \$WAIVE	Deposit: \$WAIVE
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Motion: Roma Second: Verga  
 Approved: Clayton – Feeney – Komsa – Roma - Verga  
 Abstain: Absent: Clark

#2010-116 WHEREAS on December 2, 2009 under Resolution #2009-360 approval was given for rental of the Community Center on April 11, 2010 by Daria Cassidy, 1245 Neptune Ave , Beachwood noting all resident fees were posted (\$850); and

WHEREAS, on March 5, 2010, written notice of cancellation was received subjecting the applicant to a \$125 cancellation fee.

NOW, THEREFORE, BE IT RESOLVED by Mayor and Council of the Borough of Beachwood to authorize a refund in the amount of \$725 to Daria Cassidy, 1245 Neptune Ave, Beachwood, said refund reflecting a \$125 cancellation fee.

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

#2010-117 RESOLVED to approve the following Conference – Training – Seminar

<b><u>IIF TRAINING CLASSES -</u></b>				
Date:	March 17		Swancey – T. Clayton – J. Moore – T. Adams – T.J. Wrockledge	
Location:	Pine Beach		Subject: Fire Safety & Fire Extinguisher	
Date:	March 23		F. DeMarco – C. Schiel	
Location:	Brick		Subject: Playground Safety	
Date:	March 26		F. DeMarco – C. Schiel	
Location:	Toms River		Subject: Management of Special Events	
Date:	March 29	A.M.	T. Adams – S. Brosen – A. Bernard – J. Clayton – T.L.Clayton	
			J. DeMorato – F. DeMarco – M. Gadevaia – J. Karacz – D. Kessler	
		P.M.	J. Moore – G. Petroski – D. Roche – C. Schiel – M. Seidler – G Silva	
			L. Starmer – R. VanderPloeg – M. Walker – T.J. Wrockledge	
Location:	Beachwood		Subject: Hazmat – RTK	
Date:	April 08		J. Karacz – L. Starmer – A. Bernard – T.L. Clayton – J. Triolo	
Location:	Lacey Twp.		Defensive Driving	
Date:	March 17		Public Works – Clifford Schiel	
Location:	Hightstown Fire Station		– Hightstown NJ	
Subject:	In Depth Training on the “Ground Water Rule”			
Cost:	\$0			
Vehicle:	Yes			



shall be issued as "General Improvement Bonds, Series 2010A", in the aggregate principal amount of \$9,818,000 (the "Series A Bonds"), and are authorized to be sold in accordance with the terms of this Resolution.

The average period of usefulness for the general improvements financed by the Series A Bonds is 14.3093 years.

**Section 2.** Water Utility Improvement Bonds, Series 2010B, Authorization of Sale. The principal amount of Water Utility improvement bonds authorized to be issued pursuant to the Bond Ordinances described in Appendix A-2 hereto shall be issued as "Water Utility Improvement Bonds, Series 2010B", in the aggregate principal amount of \$2,560,000 (the "Series B Bonds"), and are authorized to be sold in accordance with the terms of this Resolution.

The average period of usefulness for the water utility improvements financed by the Series B Bonds is 19.2381 years.

**Section 3.** Public Sale of Bonds. The Series A Bonds and the Series B Bonds (collectively, the "Bonds") shall be issued and sold on a combined basis at a public sale upon electronic bids, in accordance with Section 9 hereof and the provisions of the Local Bond Law, constituting Chapter 169 of the Laws of 1960 of the State of New Jersey, as amended and supplemented.

**Section 4.** Description of the Bonds. The Bonds shall be dated the date of delivery, shall be in book-entry only form, shall bear interest at the rate or rates specified by the successful bidder therefor in accordance with the Notice of Sale hereinafter provided for, said interest to be payable on October 1 and April 1, commencing on October 1, 2010 and shall mature (unless aggregated into term bonds pursuant to Section 11 hereof), on April 1 in the following years and amounts:

GENERAL IMPROVEMENT BONDS, SERIES 2010A

<u>Year</u>	<u>Principal Amount</u>
2011	\$ 580,000
2012	595,000
2013	605,000
2014	615,000
2015	635,000
2016	650,000
2017	675,000
2018	695,000
2019	720,000
2020	750,000
2021	775,000

2022	810,000
2023	840,000
2024	873,000

WATER UTILITY IMPROVEMENT BONDS, SERIES 2010B

<u>Year</u>	<u>Principal Amount</u>
2011	\$100,000
2012	105,000
2013	105,000
2014	105,000
2015	110,000
2016	115,000

<u>Year</u>	<u>Principal Amount</u>
2017	\$115,000
2018	120,000
2019	125,000
2020	130,000
2021	135,000
2022	140,000
2023	145,000
2024	150,000
2025	160,000
2026	165,000
2027	170,000
2028	180,000
2029	185,000

The Bonds shall contain such other terms and conditions as are specified in the Notice of Sale, approved in Section 6 hereof (the "Notice of Sale"), and in the form of the Bonds, approved in Section 13 hereof.

**Section 5. Redemption.**

(A) The Bonds of each series maturing prior to April 1, 2021 are not subject to redemption prior to their stated maturity. The Bonds of each series maturing on or after April 1, 2021 are subject to redemption, at the option of the Borough, prior to their stated maturity and upon notice as hereinafter provided, at any time on or after April 1, 2020, in whole or part from such maturities as the Borough shall determine and by lot within a single maturity, at the redemption price of 100% of the principal amount to be redeemed together with unpaid interest accrued to the redemption date.

(B) In the event the winning bidder elects to aggregate consecutive principal maturities of any series of Bonds into one or more term bonds of such series, then each such term bond shall be subject to mandatory sinking fund redemption prior to maturity, in part, on the dates and in the amounts specified in the Notice of Sale for such aggregated consecutive principal maturities (other than the final such maturity), at a redemption price equal to 100% of the principal amount to be redeemed, plus accrued interest thereon to the date fixed for redemption.

(C) Any Bond subject to redemption as aforesaid may be called in part, provided that the portion not called for redemption shall be in the principal amount of \$1,000 or any integral multiple thereof. If less than all of the Bonds of a particular series and maturity are to be redeemed, Bonds of that series and maturity shall be selected by the Chief Financial Officer (or, if appointed pursuant to Section 15 hereof, the Paying Agent) by lot.

When any Bonds are to be redeemed, the Chief Financial Officer (or, if appointed by Section 15 hereof, the Paying Agent) shall give notice of the redemption of the Bonds by mailing by first class mail in a sealed envelope with postage prepaid to the registered owners of any Bonds or portions thereof which are to be redeemed not less than thirty (30) days, nor more than sixty (60) days prior to the date fixed for redemption. Such mailing shall be to the owners of such Bonds at their respective addresses as they last appear on the registration books of the Borough. Notice of redemption having been given as aforesaid, the Bonds, or portions thereof so to be redeemed, shall, on the date fixed for redemption, become due and payable at the redemption price specified therein plus accrued interest to the redemption date and, upon presentation and surrender thereof at the place specified in such notice, such Bonds, or portions thereof, shall be paid at the redemption price, plus accrued interest to the redemption date. On and after the redemption date (unless the Borough shall default in the payment of the redemption price and accrued interest), such Bonds shall no longer be considered as outstanding.

During any period in which The Depository Trust Company (or any successor thereto) shall act as securities depository for the Bonds of any series, the notices referred to above shall be given only to such depository and not to the beneficial owners of the Bonds of such series. Any failure of such depository to advise any of its participants or any failure of any participant to notify any beneficial owner of any notice of redemption shall not affect the validity of the redemption proceedings.

**Section 6. Approval of Notice of Sale.** The Notice of Sale containing other terms and provisions of the Bonds and setting forth the conditions of the sale thereof, all of which are hereby approved, shall be substantially in the form attached to this Resolution as Appendix B and made a part hereof.

**Section 7. Approval of Summary Notice of Sale.** The Summary Notice of Sale containing other terms and provisions of the Bonds and setting forth the conditions of the sale thereof, all of which are hereby approved, shall be substantially in the form attached to this Resolution as Appendix C made a part hereof.

**Section 8. Publication of Notice of Sale and Summary Notice of Sale.** The Notice of Sale substantially in the form attached to this Resolution shall be published at least once in The Asbury Park Press, a newspaper circulating in the Borough, and the Summary Notice of Sale substantially in the form attached to this Resolution shall be published at least once in The Bond Buyer, and/or such other nationally recognized local government bond marketing publication or

electronic information service carrying municipal bond notices and devoted primarily to the subject of state and municipal bonds. The advertisement of said Notice of Sale and Summary Notice of Sale in each such medium shall be published not less than seven (7) days prior to the sale date for the Bonds. The Borough Clerk, the Chief Financial Officer and such other appropriate officials are hereby authorized and directed to publish the Notice of Sale and Summary Notice of Sale as aforesaid.

**Section 9.** Designation of Chief Financial Officer to Award Bonds. Electronic proposals for the purchase of the Bonds shall be received by the Chief Financial Officer on such date as shall be determined by the Chief Financial Officer and set forth in the Notice of Sale and the Summary Notice of Sale, or such later date as may be established by the Chief Financial Officer in accordance with Section 10 hereof. Electronic proposals will be received through the "PARITY Electronic Bid System" (PARITY) in accordance with the terms and conditions set forth in the Notice of Sale authorized herein. Such proposals shall be received and announced in accordance with the Notice of Sale authorized herein. The Borough Council hereby designates the Chief Financial Officer to sell and award the Bonds in accordance with this Resolution and the Notice of Sale. The Chief Financial Officer is hereby directed to report, in writing, to the Borough at its first meeting after the sale of the Bonds as to the principal amount, interest rate and maturities of the Bonds sold, the price obtained and the name of the purchaser.

**Section 10.** Postponement of Sale. The Chief Financial Officer is hereby delegated the authority (if the Chief Financial Officer deems it to be in the best interests of the Borough) (i) to postpone from time to time the sale of the Bonds from the date specified in the Notice of Sale (or, in the case of a rescheduled sale, from such rescheduled date), in each case upon not less than 24 hours' notice (to the extent practicable), and (ii) to reschedule such sale upon not less than 48 hours' notice. Notice of any such postponement and rescheduling shall be given in the manner specified in the Notice of Sale. In the event of any such postponement and rescheduling, the Chief Financial Officer may (and shall, if required by the Local Bond Law) cause a revised Notice of Sale and a revised Summary Notice of Sale to be prepared and published.

**Section 11.** Term Bond Option. As provided in the Notice of Sale, bidders may aggregate consecutive principal maturities of any series of Bonds for which such bidder bid the same interest rate into one or more term bonds of such series. The Chief Financial Officer is hereby delegated the authority (if the Chief Financial Officer deems it to be in the best interests of the Borough) to include such option in any revised Notice of Sale prepared pursuant to Section 10 hereof. In the event the winning bidder elects such option, the provisions of Section 5(B) hereof shall be applicable thereto, and the Paying Agent appointed under Section 15 hereof shall, from time to time and, without further direction by the Borough, give all notices of mandatory sinking fund redemption as may be required under Section 5 hereof in connection therewith.

**Section 12.** Authorization for Official Statement. The proper Borough officials and advisors are hereby authorized to prepare and distribute to the prospective purchasers (including through internet web posting or other electronic dissemination) of the Bonds a Preliminary Official Statement and a final Official Statement containing information relating to the Borough, its financial condition and the terms of the Bonds and other material facts customarily included in official statements for general obligation bonds in the State of New Jersey. The Chief Financial Officer is hereby authorized to deem final the Preliminary Official Statement for purposes of Rule 15c2-12 of the Securities and Exchange Commission.

**Section 13.** Approval of Form of Bonds. The form of the Bonds, substantially as set forth in Appendix D attached hereto and made a part hereof, is hereby approved. The Bonds shall be executed in the name of the Borough by the manual or facsimile signature of the Mayor and the Chief Financial Officer and the seal of the Borough, or a facsimile impression thereof, shall be affixed to the Bonds and attested by the manual signature of the Borough Clerk.

**Section 14.** Appointment of Securities Depository. The Depository Trust Company, New York, New York ("DTC"), shall act as securities depository for the Bonds. The ownership of one fully registered bond for each maturity of each series of Bonds, each in the aggregate principal amount of such maturity, will be registered in the name of Cede & Co., as nominee for DTC.

Pursuant to the book-entry only system, any person for whom a DTC Participant acquires an interest in the Bonds (the "Beneficial Owner") will not receive certificated Bonds and will not be the registered owner thereof. Ownership interests in the Bonds may be purchased by or through DTC Participants. Each DTC Participant will receive a credit balance in the records of DTC in the amount of such DTC Participant's interest in the Bonds, which will be confirmed in accordance with DTC's standard procedures. Receipt by the Beneficial Owners (through any DTC Participant) of timely payment of principal, premium, if any, and interest on the Bonds, is subject to DTC making such payment to DTC Participants and such DTC Participants making payment to Beneficial Owners. Neither the Borough nor the Paying Agent will have any direct responsibility or obligation to such DTC Participants or the persons for whom they act as nominees for any failure of DTC to act or make any payment with respect to the Bonds.

The appropriate officers of the Borough are hereby authorized to execute a Letter of Representation to DTC and such other documents as may be necessary or desirable in connection with DTC's services as securities depository.

DTC may determine to discontinue providing its services with respect to the Bonds of any series at any time by giving notice to the Borough and discharging its responsibilities with respect thereto under applicable law. Under such circumstances, the Borough shall designate a successor securities depository or deliver certificates to the beneficial owners of the Bonds.

**Section 15.** Appointment of Paying Agent and Bond Registrar. The Chief Financial Officer is hereby delegated the authority to appoint any bank, trust company or national banking association having the power to accept and administer trusts to serve as Paying Agent and Bond Registrar for the Bonds. The Paying Agent and Bond Registrar shall signify its acceptance of the duties imposed upon it by this Resolution by a written certificate delivered to the Borough prior to the delivery of the Bonds.

**Section 16.** Tax Covenant. The Borough hereby covenants with the holders from time to time of the Bonds that it will make no investment or other use of the proceeds of such Bonds or take any further action (or refrain from taking such action) which would cause such Bonds to be "arbitrage bonds" within the meaning of the Internal Revenue Code of 1986, as amended, or under any similar statutory provision or any rule or regulation promulgated thereunder (the "Code"), or would cause interest on such Bonds not to be excludable from gross income for federal income tax purposes, and that it will comply with the requirements of the Code and said regulations throughout the term of such Bonds.

**Section 17.** Pledge of Borough. The full faith and credit of the Borough is hereby pledged for the payment of the principal, redemption premium, if any, and interest on the Bonds. The Bonds shall be direct obligations of the Borough, and the Borough shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Borough for the payment of the principal of and interest on the Bonds without limitation as to rate or amount.

**Section 17.** Continuing Disclosure. The form of the Continuing Disclosure Certificate in substantially the form attached hereto as Appendix E is hereby approved, and the execution of the Continuing Disclosure Certificate by the Chief Financial Officer of the Borough is hereby authorized. The Borough hereby covenants and agrees that it will comply with and carry out all of the provisions of the Continuing Disclosure Certificate executed by the Borough and dated the date of issuance and delivery of the Bonds, as originally executed and as it may be amended from time to time in accordance with the terms thereof. Notwithstanding any other provision of this Resolution, failure of the Borough to comply with the Continuing Disclosure Certificate shall not be considered a default on the Bonds; however, any

Bondholder may take such actions as may be necessary and appropriate, including seeking specific performance by court order, to cause the Borough to comply with its obligations under this Section.

**Section 18.** Further Action. The proper officers of the Borough are hereby authorized and directed to take all such action as may be necessary to affect the issuance and delivery of the Bonds.

**Section 19.** Effective Date. This Resolution shall take effect immediately.

Motion: Roma Second: Verga  
 Question: Mayor Jones – to CMFO Mauder regarding the bonds.  
 Approved: Clayton – Feeney – Komsa – Roma - Verga  
 Abstain: Absent: Clark

#2010-119 EMERGENCY TEMPORARY RESOLUTION

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 2010 budget; and

WHEREAS, no adequate provision has been made in the 2010 temporary budget for the aforesaid purpose, and N.J.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 2010 pursuant to the provisions of Chapter 96,P.L.1951 (N.J. S. 40A:4-20) including this resolution total \$ 3,724,541.31

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:

		SALARY	OTHER	
	2010	& WAGES	EXPENSES	TOTAL
1	MUNICIPAL CLERK	7,000.00		7,000.00
2	MAYOR & COUNCIL	10,000.00		10,000.00
3	REVENUE ADMIN.(TAX COLLECTION)	6,000.00		6,000.00
4	TAX ASSESSMENT	5,000.00		5,000.00
5	POSTAGE		3,500.00	3,500.00
6	FINANCIAL ADMINISTRATION	6,000.00		6,000.00
7	ENGINEERING		5,000.00	5,000.00
8	PLANNING BOARD	2,500.00	2,000.00	4,500.00

9	UNIFORM CONSTRUCTION CODE	25,000.00	750.00	25,750.00
10	CODE ENFORCEMENT/ZONING	5,000.00		5,000.00
11	EMPLOYEES GROUP HEALTH		250,000.00	250,000.00
12	POLICE	200,000.00		200,000.00
13	CROSSING GUARDS	5,000.00		5,000.00
14	OFFICE OF EMERGENCY MGT.	250.00	350.00	600.00
15	FIRE PREVENTION	3,000.00		3,000.00
16	MUNICIPAL PROSECUTOR		4,000.00	4,000.00
17	STREETS AND ROADS	5,000.00	3,000.00	8,000.00
18	SNOW REMOVAL		7,500.00	7,500.00
19	PUBLIC WORKS		2,000.00	2,000.00
20	SOLID WASTE	40,000.00	5,000.00	45,000.00
21	RECYCLING	25,000.00		25,000.00
22	BUILDINGS AND GROUNDS	20,000.00		20,000.00
23	VEHICLE MAINTENANCE	20,000.00		20,000.00
24	ENVIRONMENTAL COMMISSION		100.00	100.00
25	PARKS OTHER		500.00	500.00
28	BEACH OTHER		1,000.00	1,000.00
29	ELECTRICITY		20,000.00	20,000.00
30	STREET LIGHTING		20,000.00	20,000.00
31	TELEPHONE		10,000.00	10,000.00
32	CELL TELEPHONES		2,000.00	2,000.00
33	NATURAL GAS		5,000.00	5,000.00
34	GAS AND OIL		35,000.00	35,000.00
35	GARBAGE AND TRASH REMOVAL		100,000.00	100,000.00
36	SOCIAL SECURITY		25,000.00	25,000.00
37	MUNICIPAL COURT	25,000.00	2,000.00	27,000.00
	SUB-TOTAL	409,750.00	503,700.00	913,450.00

WATER UTILITY FUNDS

38	SALARY AND WAGES	50,000.00	50,000.00
39	OTHER EXPENSES	100,000.00	100,000.00
	SUB-TOTAL	50,000.00	150,000.00
	WATER OUTLAY		
40	OTHER EXPENSES	20,000.00	20,000.00
	<u>GRAND TOTAL</u>	459,750.00	1,083,450.00

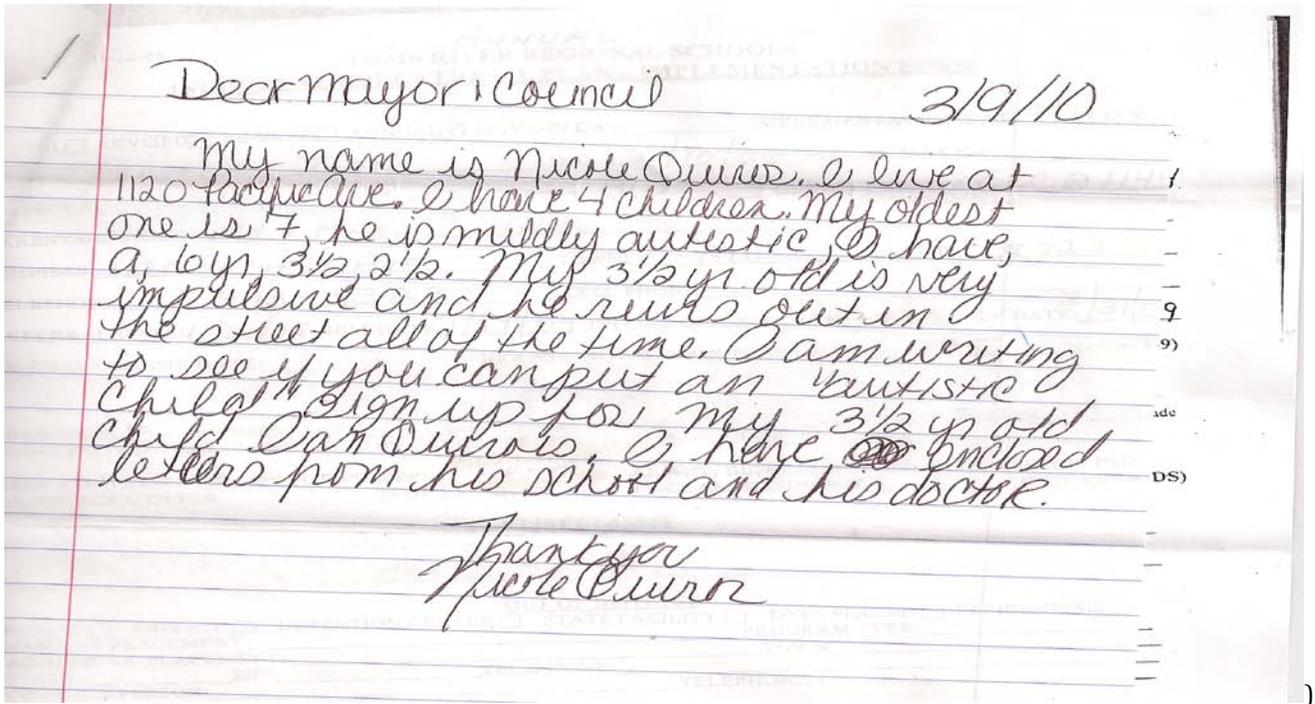
2. That said emergency temporary appropriations have been provided for in the 2010 Budget under the aforementioned line items.
3. That one certified copy of this resolution be filed with the Director of Local Government Services.

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

**CORRESPONDENCE**

**a. Nicole Quiros - 1120 Pacific Avenue**

**Re: Autistic Child "Traffic" Sign**



IF APPROVED BY COUNCIL:

RESOLUTION:

#2010-118 RESOLVED by Mayor and Council to submit the request Traffic Safety for a sign at the location in question.

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

b. Lacey Trail-Rail

Document from Lacey Rail-Trail Environmental Committee. Includes logo with text 'On A Path for a Greener Future', contact info for PO Box 118 Lanoka Harbor, NJ 08734, and a letter dated March 2, 2010. The letter is addressed to Mayor Ronald Jones of Beachwood, NJ, and discusses the Barneget Branch Trail. It includes signatures of Helen Henderson and Donna Bahrle. A handwritten note says 'Please advise if this resolution will be ok to put on 3/17 agenda'. Website: www.laceyrailtrail.org

Mr. Roma advised he would have to abstain on discussion of this matter since the security of this area falls under his employment responsibilities.

RESOLUTION

#2010-119      *“Resolution Opposing the Proposed Road that would Destroy Portions of the Barnegat Branch Trail”*

WHEREAS, the Township of Lacey has proposed to build a road that would destroy the natural, aesthetic, and recreational resources of portions of the Barnegat Branch Trail, and

WHEREAS, the New Jersey Department of Environmental Protection (NJDEP) has reviewed the proposed road, and has determined that the proposed road would violate the standards and protections of the Coastal Area Facilities Review Act (CAFRA) and the regulations promulgated there under, and

WHEREAS, in the course of denying the CAFRA permit application for the road, the NJDEP determined that the traffic congestion relief offered by the road does not justify the significant loss of open space, natural, and recreational resources that the proposed road would cause, and

WHEREAS, the NJDEP earlier denied a permit application for a similar proposed road, similarly finding that the proposed road would violate the standards and protections of CAFRA, and  
WHEREAS, the Township of Lacey has sought an Office of Administrative Law (OAL) hearing to reverse the NJDEP’s decision, and

WHEREAS, construction of the road would require the taking of private property and other interference with the use and enjoyment of homes and properties of area taxpayers, and

WHEREAS, the loss of the section of the trail that would be destroyed by Lacey’s proposed road would permanently diminish the broader County-wide initiative to improve and enhance the Barnegat Branch Trail,

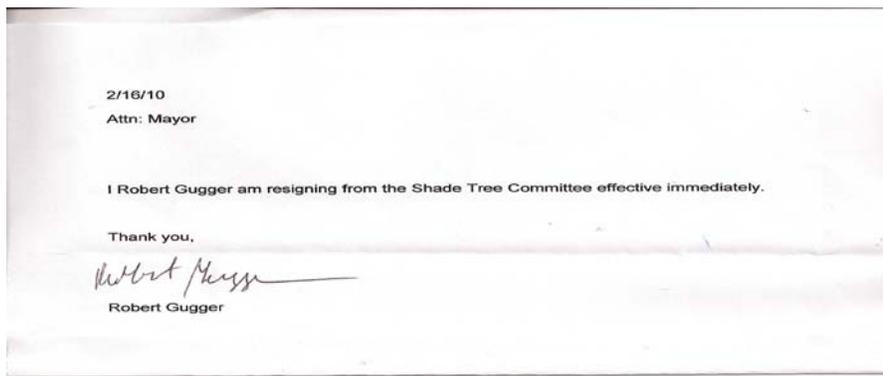
NOW THEREFORE BE IT RESOLVED by Mayor and Council of the Township of Beachwood in the County of Ocean in the State of New Jersey, that the Township of Beachwood OPPOSES the Township of Lacey’s proposed construction of a road that would destroy resources of the Barnegat Branch Trail, and SUPPORTS the NJDEP’s decision that the road would violate the standards and protections of CAFRA.

AND BE IT FURTHER RESOLVED that the Clerk should provide a certified copy of this resolution for filing with the Clerk of the Office of Administrative Law.

TO TABLE – Mrs. Clayton. Feels this put Lacey Township in a bind.

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

c. Letter of Resignation – Shade Tree Committee (Received 3/11/10 via mail)



d. Studebaker Club – Use of Beach

March 3, 2010

Attn: Mayor & Council  
Borough of Beachwood  
1600 Pinewald Road  
Beachwood, NJ 08722

RE: Studebaker Car Show-Sunday, September 19, 2010 at the Beachwood Beach Parking Lot

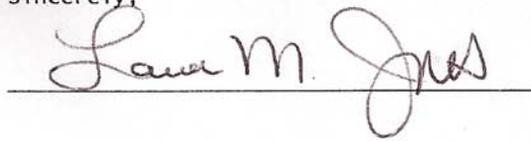
Dear Mayor & Council,

Ed & I are writing you again this year to ask if we may have our Annual Studebaker Car Show at the Beachwood Beach Parking Lot on Sunday, September 19, 2010.

We expect to have about 50 cars & sell some food & drinks. This spot has been a big hit with the Studebaker members in the past years and with the public who drop by.

As usual we will give the Borough of Beachwood a donation of \$100.00 for the use of the Parking Lot as a thank you.

Sincerely,



Ed & Laura Jones  
1316 Pacific Ave.  
Beachwood, NJ 08722  
732-240-6758

Ed-Vice President of the Garden State Chapter of the Studebaker Drivers Club  
Laura-Past Editor of the Garden State Chapters Newsletter

RESOLUTION

#2010-120 RESOLVED by Mayor and Council to allow the Garden State Chapter of the Studebaker Drivers Club to utilize the Beach parking lot on Sunday September 19, 2010 for their annual Car Show.

Motion: Roma

Second: Clayton

Approved: Clayton - Feeney - Komsa - Roma - Verga

Absent: Clark

Abstain:

**#2010-121 RESOLUTION OF THE BOROUGH OF BEACHWOOD, OCEAN COUNTY, NEW JERSEY APPROVING CHANGE ORDER NO. 1 TO THE CONTRACT BETWEEN THE BOROUGH AND MASTER WIRE MANUFACTURING CO., INC. INCREASING THE CONTRACT BY \$1,800.00 TO AN ADJUSTED CONTRACT PRICE OF \$44,300.00**

**WHEREAS**, the Borough of Beachwood previously awarded a contract to Master Wire Manufacturing Co., Inc. in the amount of \$42,500.00 for the replacement of chain link fencing at various recreational facilities within the Borough of Beachwood; and

**WHEREAS**, it has become necessary to include in said project the repair of three (3) backstop areas at Birch Field and Mayo Park; and

**WHEREAS**, Change Order No. 1 has been submitted to the Borough Supervisor of Public Works who has recommended that the Council approve the same in the amount of \$1,800.00 as set forth in the attached Schedule A; and

**WHEREAS**, it is now the desire of this Governing Body to act upon said recommendation; and

**WHEREAS**, the Borough Chief Financial Officer has certified that said funds are available for said project.

**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 hereby approves Change Order No. 1 to the Contract between the Borough and Master Wire Manufacturing Co., Inc. increasing the Contract by \$1,800.00 for the repair of three (3) backstop areas at Mayo Park and Birch Field as set forth in Schedule A attached hereto and increasing the adjusted Contract price to \$44,300.00.

2. That upon the adoption of the within resolution, the Clerk is authorized to forward a duly-authenticated copy of it to the Borough Treasurer, the Borough Engineer, the Beachwood Public Works Supervisor, John Behrens, and Master Wire Manufacturing Co., Inc.

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

**REPORTS:**

Mayor	<p>Happy St. Patricks Day - Apologize for missing budget workshop. Mayor Jones Statement – Beachwood Borough Council Meeting, March 17, 2010</p> <p>My report tonight is less a report and more a commentary and analysis of the economic dilemma facing citizens across the state and some issues facing Beachwood.</p> <p>As we are all aware, Governor [Chris] Christie presented his address on the budget. I was honored</p>
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to be a guest of the governor in the historic chambers of the New Jersey General Assembly. Yes, I am a Democrat. But, I proudly share a birthday and first name with President Ronald Reagan and consider myself a fiscal conservative. And I believe some of the dynamics of Reaganomics have merit in the current economic climate. I actually saw some similarities to proposals put forth by Governor Christie and suggestions I have made as mayor.

The Governor issued Executive Order 15, which calls for the elimination and mergers of agencies and commissions of the state. This sounds like a great idea since the size of state government has grown dramatically over the past thirty years and some agencies have budgets without any meaningful purpose.

Did anyone call him crazy?

No, quite frankly he was praised for taking such a bold step to rein in spending. He's fortunate not to be the mayor of Beachwood.

Recently, our engineer stated in a memo to Council President [Ronald] Roma concerning the Environmental Resource Inventory that the borough is almost completely built out. This would lead a reasonable person to conclude that the infrastructure in place will probably not change much in years to come.

I am putting forth again my own "Executive Order 15" in examining the merits and savings of abolishing the Sewerage Authority. I believe there is absolutely no tangible economic calculation that would support its continued operation.

What would President Reagan do?

I can confidently state abolish the authority and either merge it into the normal operations of the borough or run it in a regional partnership with other local sewerage authorities. This creative action is the new game plan of governmental subdivisions across the state and one I encourage even though I have been criticized.

I also support the governor's plan to privatize some state operations and would suggest this governing body consider this concept regarding the Beachwood Water Department. In fact, if we privatize the value of the system less debt would realize between \$1.5 to \$7 million for the citizens of Beachwood. It is this kind of innovative thought that will become the hallmark of the Christie governorship.

Wow - imagine that, this type of suggestion by a Democrat?

Getting back to the ERI. I listened to comments that the \$18,000 price tag is too much. It has been confirmed by the engineer the borough could receive 50 percent reimbursement from the state, reducing the cost to \$9,000. Is this too much?

Hardly. This council spent about \$9,000 to paint an emblem on our new water tower. That money could have been used for an ERI. This is the kind of unwarranted expenditures the governor is targeting. I support him. Can we live within the 2.5% constitutional cap? It will be a challenge, but tough times demand tough measures. The tools the governor is offering to reduce health care costs and provide an equitable field of play concerning collective bargaining will go a long way

towards containing our operating costs.

Within the next two days I will be present at the quarterly meeting of the New Jersey Conference of Mayors, where I serve on the board of directors, and the legislative committee of the New Jersey State League of Municipalities, where I serve on the general Legislation Committee. At these meetings we will be engaging in candid and constructive conversations relative to the budget and will be developing ideas for submission to the legislature on how to fine tune the governor's budget suggestion to further the cause of meaningful property tax relief.

I also want to address comments from citizens concerning why I fail to respond to certain questions from certain citizens. My silence is very difficult because I want to be open and fair in my position as mayor. Unfortunately, I have pending litigation with these individuals that forces me, under the advice of my attorneys, to refrain from responding. In some instances, questions from other parties may impact these judicial matters and complicate the legal process. Please bear with me until all matters are properly disposed of.

I want to make it clear I support our volunteers and anything stated to the contrary is a political falsehood. But, let me make it clear there are laws in this state I am duty bound to enforce. In fact, currently the boroughs of Beachwood and Pine Beach are in violation of NJSA 27.5(F)-27. This law specifically requires any squad, whether volunteer or private, to be authorized by ordinance and certified each year by the borough. This is not Jones' Law; it's required under the Highway Safety Act. Failure to comply could put our boroughs in a precarious position should someone press litigation against the borough or squad.

I am sure some will say I am the evil mayor. But, I have a job to do just like Governor Christie has a job to do. I have been accused of filing fictitious claims of criminal acts against entities and individuals within Beachwood. It's ironic that these same indictments have been lodged against Governor Christie in his former constitutional position as New Jersey's attorney general. Look, ladies and gentlemen, there are legal acts called nonfeasance and malfeasance and as such, an attorney general, state senator, police officer, councilman or mayor are required to report what are potential violations fo the law or face prosecution themselves. Is it a popular position to take? Most times not. Is it the right thing to do? It is always appropriate.

I didn't come into this position to join a clique or coffee klatch. I was bestowed this honor to insure the integrity of the system and protect the interest of the citizens. And whether my colleagues think I am an okay guy is less important to me than accountability and adherence to those laws, both state and local, that I am duty bound to enforce.

I conclude by saying I have endured personal attacks on my family, friends and myself. I have incurred personal legal bills nearing \$70,000 and even my health has suffered. But I will not bend or relent. I will stand strong, tall, proud and will continue to participate in the process to the best of my ability even though all my ex-officio rights have been denied. Of course, I will always encourage open and frank discussions with all members of this governing body, all our employees and appointees and most important the residents of our great borough. I am determined, in the words of Ronald Reagan, to stay the course in my ethical and moral commitments. Thank you.

Mrs. Clayton

Storm on Saturday. DPW, Fire, First Aid, Police all to be commended for their hard work. Damages being addressed. Company working at Marina to address lighting. Deck almost complete at Community Center. Eagle Scout Andrew Brown to address "bat house" at beach. Working on other

	Eagle Projects. Signs damaged by vandalism. Commended Todd Adams for art work for upcoming events. Happy Saint Patricks Day.
Mrs. Clark	Absent
Mr. Feeney	Snowman contest Awards - Insurance Award - Recycling Grant \$6,000. Commended DPW for hard work during storm.
Mr. Komsa	Happy St. Pats Day. Congratulated all participating in Snowman Contest. Commended Recreation on hard work. Egg Hunt Contest. Spoke with County Recreation on Concert on Beach.... waiting on funding.
Mr. Roma	Remind all April Alliance Dance picks up. April 2. Recreation did outstanding job on Snowman Contest. Budget workshop thanked CMFO and Treasurer and Auditor for outstanding job done on the preparation of budget. We are in reasonably OK shape. We are not looking at layoff or furlough. Projects will have to slow down a bit. But we will not waiver from our plans just address them a bit differently. CMX apparently going out of business although we have not had any official word of same. Our Engineer has verbally advised of proposed change, he is present and will continue .
Mrs. Verga	Happy St. Pats Day. Spring is Saturday. Thanked ..... Mr. Knapp for his hard work during recent storms.
Mr. Oris	Storm damage. Had call from resident and inspected the area in question.
Mr. Hiering	Verizon moving along.

Municipal Clerk: Schedule of items for sale at auction.

#2010-122

Item #	Year	Make	Model	Vin #	Mileage	Keys	Blue Book	Min. Bid
2007-108	2001	Dodge	Neon 4 Door	1B3AS46C71D144096	112,572	YES	\$ 2,240.00	\$ 300.00
2009-026	1996	Saturn	4 Dr.	1G8ZH528XTZ229614	134,454	YES	\$ 2,080.00	\$ 250.00
2008-028	1996	Mitsubishi	Eclipse 2 Dr.	4A3AK34Y2TE350296	172,035	YES	\$ 3,825.00	\$ 350.00
2009-031	1998	Nissan	4 Dr.	1N4DL01D3WC222605	230,228	YES	\$ 3,785.00	\$ 350.00
2009-035	1995	Ford	2 Dr.	1FALP4044SF284936	91,800	YES	\$ 3,105.00	\$ 350.00
2009-052	1998	Honda	CRX 2 Dr.	JHMED8352JS007889	114,248	YES	\$ 3,105.00	\$ 350.00
2009-063	1993	Jeep	Wagon	1J4GZ58S2PC692689	221,468	YES	\$ 2,450.00	\$ 250.00
2009-065	1993	Honda	Prelude 2 Dr.	JHMBB2251PC012334	260,896	YES	\$ 3,910.00	\$ 350.00
2009-066	1997	Ford	Taurus 4 Dr.	1FALP52UXVA295539	133,560	NO	\$ 3,850.00	\$ 350.00
2009-078	2001	Hyundai	Accent 4 Dr.	KMHCG45C11U180002	100,444	YES	\$ 3,405.00	\$ 350.00
2009-098	2002	Chevy	Suburban	3GNFK16Z02G264017		YES	\$ 8,085.00	\$ 1,000.00
2010-002	1995	Toyota	4 Runner	JT3VN39W5S0180213	206,056	YES	\$ 2,475.00	\$ 250.00
2008-020				BOAT TRAILER				\$ 100.00
Photocopier		Copy Star	CS-1530	Auto Feed	56,856			\$ 150.00
Photocopier		Copy Star	CS-2030	Auto Feed	351,694			\$ 75.00
Assorted	Office	Furniture	Bundle					\$ 300.00

Motion: Roma  
Approved: Clayton - Feeney - Komsa - Roma - Verga  
Abstain:

Second: Clayton  
Absent: Clark

#2010-123

Approve the refund of \$690.00 for payment of Boat Slip #53 to Christopher Dalbora relinquishing slip.

Motion: Clayton

Second: Roma

Approved: Clayton – Feeney – Komsa – Roma - Verga

Absent: Clark

Abstain:

Reminder to Public to complete their Census forms and return them as soon as possible.

OPEN TO PUBLIC DISCUSSION

Motion: Roma

Second: Clayton

Approved: Clayton – Feeney – Komsa – Roma - Verga

Absent: Clark

Abstain:

Don Woods	Did it really cost \$9,000 for logo on water tower.?
Mr. Roma	Roughly about \$7,000. Sometimes for the community to feel like the community you have to do certain things. Landscaping or making the students in school ..... Parents and students have expressed thier pride in same. It promotes community spirit.
Mrs. Clayton	When this came up the entire governing body was in favor.
Mr. Woods	Hopes the governing body works on issues of tax increases.
Mr. Roma	Perhaps the state may want to take a look at the work here
Mr. LaCrosse – Forecastle Av	To Mr. Oris, hope that all works well for him. Addressed issue of operations of the state. Borough comes up with good budget, don't get help from state because running things right. ? Executive Order 15.... you issue Executive Orders....
Mr. Roma	Asked Mayor to enlighten residents
Mayor	An analagy
Mr. LaCrosse	Absence of Mrs. Clark - excused (No) Community Center rentals
DiBella 1008 Halliard Ave	Governor Christie quite a man. Mayor made comparison of himself to Governor. Did Miss Rhea complete CLA forms. (no) Appointment should not be made until forms are filed. Concerned that residents file forms and are over looked. March 8th meeting (LUB) cancelled by Chair Person. Bumped in to Environmental Commission Chair Person Moorman. She was scheduled to speak with LUB on the ERI. She indicated she was with Mayor earlier but he had to leave to go to court. Question on Recreation Commission. What is and ERI ?
Mayor	I cannot answer .... my attorney advise me that pending litigation...should not answer.
DiBella	Mayor making personal attacks on residents. Contract with people of Beachwood, signed by Mayor when running for office. Pt. 4 - stop nepotism....qualified people passed over for those without experience. Giving 72 Hours to correct appointments. Believe Mayor owes apology to Governor and Ronald Regan
DiBella ; Linda	Budget - Money Mayor taking from State for Mental Disability should be turned back to state. ( Now stating not disabled). Money from council should be turned back not doing job. Mrs. Clark - money should be stopped she's not doing her job.
Timoney; Seaman Ave	What is meant by abolishing Sewerage Authority.
Mayor	Explained
Timoney	Status of jobs of employees if the Sewerage Authority would be dissolved.

	Mayor: Unsure at this time.
Helen Henderson	Lacey Rail Trail .... Offering point of view of their issue. Would like council to consider a presentation of their concerns at a future meeting.

CLOSE TO PUBLIC DISCUSSION

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

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 –  
 Contractual -

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

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

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

NO ACTION TAKEN AS A RESULT OF EXECUTIVE SESSION

ADJOURN

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

Submitted by: E.A. Mastropasqua

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

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