

#2003-093

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

COMMUNITY CENTER 2003				
Oct	12	Duffe	Rental:	\$175
		86 Cedar Street	Deposit:	\$300
COMMUNITY CENTER 2004				
May	29	Wurmbrand	Rental:	\$175
		138 Seaman Ave.	Deposit:	\$300
June	04	Ferreira	Rental:	\$175
		1553 Pacific Ave.	Deposit:	\$300
July	10	Heald	Rental:	\$350
		128 Jersey City Ave.	Deposit:	\$500
		Lavallette		
MAYO PARK RENTAL 2003				
May	25	McGuire	Rental:	\$125
		341 Ship Ave.	Deposit:	\$175
June	15	Taylor	Rental:	\$ 50
		224 Spray Ave.	Deposit:	\$100
August	31	Taylor	Rental:	\$ 50
		224 Spray Ave	Deposit:	\$100

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

#2003-094 RESOLVED by Mayor and Council to approve the following Conferences – Seminars – Training requests.

Date:	March 21	Municipal Court Administrator Linda Felton
Location:	Berkeley Municipal Court	
Subject:	Exception Reports	
Cost:	\$0	
Vehicle:	No	

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

Absent:

#2003-095

RESOLVED by Mayor and Council to approve the following Personnel Matters:

To Hire

Renee Fisher – Beachwood – as Municipal Court Clerical – Effective March 24, 2003

Salary \$16,200.00 Pending DOP Approval.

Deanna J. Rankin – 7 Starboard Ave. Beachwood – Police Crossing Guard - \$5.75 PH

To approve Permanent Title per DOP of Equipment Operator – for Craig Amoresano (DPW). No salary change involved.

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

#2003-096

**RESOLVED by Mayor and Council to approve the Bus Trip Request of the Beachwood Senior Women for: April 9th. – Renault Winery
May 7th. - Smithville Village**

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

#2003-097

WHEREAS, subsequent to recent snow storm placing weight on the roof over the Borough's meeting and court room causing structural damage to the truss system and leaks to the roof, it became necessary to have said repairs made on an emergent basis; and

WHEREAS, the amount of said repairs is well under the required amount for public bidding but would have normally required additional quotes if there was enough time to obtain them; and

WHEREAS, said work had to be done on an emergent basis in order to protect the roof system from far greater damages; and

WHEREAS, the Borough immediately contracted the services of Champion Siding Company, who completed the repairs necessary to the structural components of the truss system; and

WHEREAS, funds were available in the temporary budget to make said payment for the required repairs;

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council, Borough of Beachwood, as follows;

1. That Champion Siding Company be paid the sum of \$4957.00 for said repairs plus an additional sum of \$500.00 for replacement sheetrock.

2. Upon adoption of the within Resolution, the Clerk is authorized and directed to forward a certified copy to the Treasurer and Champion Siding Company.

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

#2003-098 RESOLVED by Mayor and Council to approve change order #3 in the amount of \$628.00 – under Contract BWT-1 (Ultra Contractors & Electric) for Stainless Steel Stems Refinite Water Conditioning Co. Inc. approved by John S. Truhan Consulting Engineer and reviewed by David Thesing Project Manager; and

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

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

RECREATION PRESENTED “SNOWMAN CONTEST AWARDS”

RECESS

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

RE-OPEN

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

Mayor Morris addressed those present as a result of receipt of letter from Police Department. Chief Wagner noted that this was not an item for general discussion, and invited those in receipt of letter to join him and the Mayor in another area. Municipal Attorney Hering addressed the procedures involved in handling this matter.

Council President Clayton took over the meeting at the request of the Mayor.

ORDINANCE FINAL READING AND ADOPTION

#2003-02 AN ORDINANCE OF THE BOROUGH OF BEACHWOOD, OCEAN COUNTY, NEW JERSEY AMENDING CHAPTER 9 ENTITLED “RECREATIONAL FACILITIES” AS IT APPLIES TO FEES FOR THE RENTAL OF THE COMMUNITY CENTER AND MAYO PARK.

OPEN TO PUBLIC DISCUSSION THIS ORDINANCE ONLY

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

No Questions

CLOSE TO PUBLIC DISCUSSION THIS ORDINANCE ONLY

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

Municipal Attorney Hiering noted that Section 1, addressing Mayo Park, was to be deleted. Approval should reflect deletion of Section 1.

RESOLUTION

#2003-099 RESOLVED by Mayor and Council to approve and adopt Ordinance #2003-02 with deletion of Section 1 and as presented and held for public discussion

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

ORDINANCE - FINAL READING AND ADOPTION

#2003-03 AN ORDINANCE OF THE BOROUGH OF BEACHWOOD, 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)

OPEN TO PUBLIC DISCUSSION THIS ORDINANCE ONLY

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

NO QUESTIONS

CLOSE TO PUBLIC DISCUSSION THIS ORDINANCE ONLY

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

RESOLUTION

#2003-0100 RESOLVED by Mayor and Council to approve and adopt Ordinance #2003-03 as presented and held for public discussion

Motion: Miserendino Second: Feeney
Question: LaCrosse - What is "nominal". Mr. Hiering explained
Approved: Clayton – DiBella – Feeney – LaCrosse – Miserendino - Moran
Absent:

#2003-0101 RESOLVED by Mayor and Council to authorize the Mayor and Clerk to execute the agreement between the Borough of Beachwood and the Toms River Board of Education for the conveyance of property, with regard to the need to construct a new Intermediate School South.

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

ORDINANCE - FINAL READING AND ADOPTION

#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.

OPEN TO PUBLIC DISCUSSION THIS ORDINANCE ONLY

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

CLOSE TO PUBLIC DISCUSSION THIS ORDINANCE ONLY

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

RESOLUTION

#2003-101 RESOLVED by Mayor and Council to approve and adopt Ordinance #2003-04 as presented and held for public discussion

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

RESOLUTION

#2003-102 RESOLUTION OF THE BOROUGH OF BEACHWOOD, OCEAN COUNTY, NEW JERSEY AWARDING A CONTRACT TO C. J. HESSE, INC. IN THE AMOUNT OF \$153,716.00 FOR THE 2002 ROAD RECONSTRUCTION PROJECT KNOWN AS MERMAID AND SEAMAN AVENUES

WHEREAS, the Borough of Beachwood previously authorized and received four bids for its 2002 Road Reconstruction Project of Mermaid and Seaman Avenues; and

WHEREAS, the low bid submitted was that of C. J. Hesse, Inc. in the amount of \$153,716.00 for the base bid; and

WHEREAS, said bidder has submitted the required bid documentation and the same has been approved by both the Borough Attorney and the Borough Engineer; and

WHEREAS, funds are available for said project and the same has been certified to by the Borough’s Treasurer; and

WHEREAS, it is now the desire of this governing body to award a contract to C. J. Hesse, Inc., Belford, New Jersey for said 2002 Road Reconstruction Project; and

WHEREAS, the Award of Contract is contingent on the approval of the contractor by the New Jersey Department of Transportation.

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 formally awards a contract to C. J. Hesse, 171 Palmer Street, Belford, New Jersey in the amount of \$153,716.00 for the Borough’s 2002 Road Reconstruction Project of Mermaid and Seaman Avenues.
2. That the Award of Contract is contingent upon approval of the contractor by the New Jersey Department of Transportation.
3. That upon the adoption of the within resolution, the Clerk is authorized and directed to forward a certified copy of it to Borough Engineers, Owen Little & Associates and C. J. Hesse, Inc.

Motion: Miserendino **Second:** LaCrosse
Second: Clayton – DiBella – Feeney – LaCrosse – Miserendino - Moran

ITEMS REMANDED FOR DISCUSSION - by Mayor and/or Council members

- a. Beach Badge Fees –
2003 \$8 2004 \$10
Parking Decals \$5 Residents Non Residents \$10

RESOLUTION

#2003-103 To approve fee changes for Beach Badges and Parking Decals

Motion: Feeney **Second:** LaCrosse
Approved: Clayton – DiBella - Feeney – LaCrosse – Moran
Opposed: Miserendino

- b. Ocean County Mosquito Extermination Commission
Agreement for aerial spraying if necessary

RESOLUTION

#2003-104 RESOLVED by Mayor and Council to approve the agreement between the Borough of Beachwood and the O.C. Mosquito Extermination Commission to conduct aerial control if needed within the Borough of Beachwood.

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

COUNCIL REPORTS

- Clayton; Beverly Jakes Branch Pitch In – Clean up program. Discussed First Aid building status
Fireworks contract has been drawn and some changes addressed.
- DiBella; Robert Working on road projects with County. Asked all to keep in their prayers our men and
women fighting and our President.
- Feeney; Gregory Presented Collector’s annual report. Small fire in sanitation truck, fire company
responded and was out quickly. All okay at this time. Allilance dance being held on
April 11th. Little League opener April 12th 9:00 a.m. – Recreation Easter Egg Hunt
April 13th at park.
- LaCrosse; Gerald W. Small problem with repairs at Water Filtration. Pipes not level. One sections needs to
be cut and replaced with “T”. Contractor will be checking how to address repairs on
Friday. Flushing of new water well (test) completed.

RESOLUTION

#2003-105 RESOLVED by Mayor and Council to authorize repairs by A.C. Schultes as required for pipe.

Motion: LaCrosse **Second:** Feeney
Approved: Clayton – DiBella – Feeney – LaCrosse – Miserendino - Moran

Miserendino; Thomas Fire in sanitation truck was handled quickly and successfully. Code Enforcement
report to date. Discussed problem with local merchant involving storage.

Moran; Patricia Block Grant resulted in \$40,000 grant for addressing Handicapped Bathroom facility changes at Fire House. Bulkhead Revetment should be starting soon. Drainage at Harpoon property to be corrected. Mayo Park as built received from Engineer and will be meeting with County. Meeting held on March 18th at County on future of Route 9. Spoke with DOT rep on Mizzen Ave and Surf Avenue problems.

Mayor Morris No report – in attendance at meeting with public on Police letter.

Attorney Hiering: No report

Engineer; Thesing: Not present.

OPEN TO PUBLIC DISCUSSION

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

Resident
1020 Halliard Ave Loose pit bulls. Made 6 police calls in one week. Has gotten no help from Police.

Clayton: Note will be sent to Chief regarding Enforcement of Animal Control.

Schiffermiller
813 Windward Ave Upset that only certain area of people were advised of neighborhood problem All residents should know.

Lipton
Mermaid Ave: ?Insurance on Truck” addressing fire. Comments on conveyance of property by Borough to School Board.

Gruver
Seaman Ave: Upset over raising cost of beach badges. It appears to have been done without doing a study. These are hard times and to raise cost at this time not fair.

Council members Clayton – DiBella and Moran addressed costs of operating beach and those costs exceeding revenue.

Gruver Have you considered any backlash.

Feeney: Discussions held and reactions to same. There are costs involved in keeping it at its best.

CLOSE TO PUBLIC DISCUSSION

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

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 - Police - Captain
 Contractual – Engineer - Landfill
 Animal Control
 Professional Service
 Landsale
3. It is anticipated that the subject matter discussed may be made public in (90) days.

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

Re-Open

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

ACTION TAKEN IF NECESSARY

#2002-106 RESOLUTION OF THE BOROUGH OF BEACHWOOD, OCEAN COUNTY, NEW JERSEY AUTHORIZING THE EXECUTION OF A USE AGREEMENT BETWEEN THE BOROUGH OF BEACHWOOD AND THE TOMS RIVER REGIONAL BOARD OF EDUCATION CONCERNING THE USE OF BLOCK 8.61, BLOCK 8.62 AND BLOCK 8.63 COMPRISING THE BOROUGH SOCCER FIELDS, PENDING LANGUAGE REVIEW.

Motion: LaCrosse Second: Clayton
Approved: Clayton – DiBella – LaCrosse - Miserendino
Opposed: Feeney - Moran

ADJOURNMENT

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

Submitted by: Elizabeth A. Mastropasqua

Harold R. Morris; Mayor

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