

March 21, 2007

**FINAL – PRINTED MARCH 20, 2007 12:50 p.m.**

7:00 PM

Beachwood Municipal Complex  
1600 Pinewald Rd.

**SNOWMAN PHOTO CONTEST AWARDS**

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

Roll Call Members Present

Mayor Harold R. Morris

Council members:

Beverly Clayton

Gregory Feeney

Gerald W. LaCrosse

Steven Komsa

Thomas Miserendino

Ronald Roma

ABSENT:

SNOWMAN PHOTO CONTEST AWARDS

Mayor's Proclamation – National Library Week

WHEREAS, our nations public, academic, school and specialized libraries transform their communities; and

WHEREAS, libraries play a vital role in supporting the quality of life in their communities; and

WHEREAS, librarians are trained professionals, helping people of all ages and backgrounds find the resources they need to live, learn and work in the 21<sup>st</sup> century; and

WHEREAS, libraries are part of the American Dream – places for opportunity, education, self help and lifelong learning; and

WHEREAS, libraries bring you a world of knowledge both in person and on-line; and

WHEREAS, libraries are a key player in the national discourse on intellectual

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freedom, equity of access, and narrowing the “digital divide”; and

WHEREAS, libraries, librarians, library workers and supporters across American are celebrating National Library Week with The Campaign for America’s Libraries.

NOW, THEREFORE, Be it resolved that I, Harold R. Morris proclaim National Library Week, April 15-21, 2007. I encourage all residents to visit the Beachwood Branch of the Ocean County Library, the Ocean County Library during this week to take advantage of the wonderful library resources available and thank the library staff for making information accessible to all who walk through the library’s doors. Come see why now is the perfect time to come together @ your library.

Harold R.Morris  
Mayor

<b>ORDINANCE FIRST READING TITLE ONLY MUST BE INTRODUCED BEFORE BUDGET</b>
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#2007-04

**ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)**

**WHEREAS**, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.5 percent unless authorized by ordinance to increase it to 3.5 percent over the previous year’s final appropriations, subject to certain exceptions; and,

**WHEREAS**, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5 percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

**WHEREAS**, the Borough Council of the Borough of Beachwood in the County of Ocean finds it advisable and necessary to increase its CY 2007 budget by up to 3.5 percent over the previous year’s final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

**WHEREAS**, the Borough Council hereby determines that a one percent increase in the budget for said year, amounting to \$57,652.22 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

**WHEREAS** the Borough Council hereby determines that any amount authorized herein above that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

**NOW THEREFORE BE IT ORDAINED**, by the Borough Council of the Borough of Beachwood, in the County of Ocean, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2007 budget year, the final appropriations of the Borough of Beachwood shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by one percent, amounting to \$57,652.22, and that the CY 2007 municipal budget for the Borough of Beachwood be approved and adopted in accordance with this ordinance; and,

**BE IT FURTHER ORDAINED**, that any amount authorized herein above that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

This Ordinance shall be in force after action or inaction by the Mayor as provided by law or an override of mayoral veto by the Council, whichever is applicable. Publication will be according to law.

**RESOLUTION**

#2007-109                   RESOLVED BY Mayor and Council to approve ordinance #2007-04 as presented on First Reading Title Only.

	<b>Clayton</b>	<b>Feeney</b>	<b>Komsa</b>	<b>LaCrosse</b>	<b>Miserendino</b>	<b>Roma</b>
Motion						
Second						
Approved						
Abstain						
Opposed						
Absent						

#2007-110                   Introduction of Municipal Budget 2007

	<b>Clayton</b>	<b>Feeney</b>	<b>Komsa</b>	<b>LaCrosse</b>	<b>Miserendino</b>	<b>Roma</b>
Motion						
Second						
Approved						
Abstain						
Opposed						
Absent						

#2007-111                   **EMERGENCY TEMPORARY BUDGET 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 2007 budget; and

WHEREAS, no adequate provision has been made in the 2007 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 2007 pursuant to the provisions of Chapter 96,P.L.1951 (N.J. S. 40A:4-20) including this resolution total \$410,323.60;

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:

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

2007		SALARY & WAGES	OTHER EXPENSES	TOTAL
1	Mayor and Council	5,000.00	0.00	5,000.00
2	Financial Administration	0.00	2,000.00	2,000.00
3	Revenue Administration	15,000.00	0.00	15,000.00
4	Tax Assessor	1,000.00	0.00	1,000.00
5	Engineering	0.00	5,000.00	5,000.00
6	Planning Board	0.00	1,000.00	1,000.00
7	Police	0.00	4,000.00	4,000.00
8	Police Vehicle Acquisition	0.00	10,000.00	10,000.00
9	Public Works	0.00	1,500.00	1,500.00
10	Recreation	100.00	0.00	100.00
11	Public Health	50.00	0.00	50.00
12	Building and Grounds	0.00	10,000.00	10,000.00
13	Electricity	0.00	5,000.00	5,000.00
14	Street Lighting	0.00	3,000.00	3,000.00
15	Telephone	0.00	3,000.00	3,000.00
16	Cell Telephones	0.00	1,500.00	1,500.00
17	Natural Gas	0.00	5,000.00	5,000.00
18	Solid Waste – Garbage Disposal	0.00	36,000.00	36,000.00
19	Gas and Oil	0.00	15,000.00	15,000.00
20	Streets and Roads	0.00	2,000.00	2,000.00
	Water Utility			
21	Social Security	0.00	1,000.00	2,000.00

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

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

#2007-112                      RESOLVED by Mayor and Council to approve the 2007 Certified Bills List in the amount of \$ **175,552.96**

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

#2007-113

RESOLVED by Mayor and Council to approve the minutes of the March 7, 2007 meeting of Mayor and Council

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

#2007-114

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

	Community Center	2007	
5-May	Valvo	Rental:	\$ 350.00
	1152 Longboat Ave.	Deposit:	\$ 500.00
	Beachwood		
19-May	Humphris	Rental	\$ 700.00
	1652 Whitewater Ct.	Deposit:	\$ 700.00
	Toms River	Date Change	\$ 25.00
	Previous Approv:	5/17/2006	
7-Aug	Ocean County Library	Rental:	Waive
	Jeri Gunther	Deposit:	Waive
	Librarian		
19-Aug	Fitzgerald	Rental:	\$ 350.00
	709 Compass Ave	Deposit:	\$ 500.00
	Beachwood		
9-Sep	Bernard	Rental	\$ 350.00
	1225 Pacific Ave	Deposit:	\$ 500.00
	Beachwood		
13-Oct	Balog	Rental:	\$ 350.00
	408 Compass Ave	Deposit:	\$ 500.00
	Beachwood		
20-Oct	Applegate	Rental:	\$ 350.00
	1344 Spray Ave	Deposit:	\$ 500.00
	Beachwood		
	<b>Mayo Park</b>	<b>2007</b>	
28-Jul	Mackeown	Rental	\$ 175.00
	706 West Ashland Ave	Deposit:	\$ 250.00
	Pleasantville N.J.		

16-Jun	Murphy	Rental	\$ 75.00
	445 Compass Ave	Deposit:	\$ 75.00
	Beachwood		

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

#2007-115            WHEREAS, the Borough of Beachwood , under resolution #2006-336, approved an application for rental of the Community Center on March 4, 2007 by Richard Gunsalus, 708 Berkeley Avenue, Beachwood ; and

WHEREAS, on March 5, inspection of the facility determined that costs for clean up and re-setting amounted to \$449.46.

NOW, THEREFORE, BE IT RESOLVED by Mayor and Council to deny the refund of \$500 to Richard Gunsalus.

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

#2007-116            WHEREAS on February 1, 2007, the work hours of Bonnie Boud were increased to 40 hours with the associated pay increase; and

WHEREAS, it is now the request of Bonnie Boud to revert to a 35 hour work week, with an annual salary of \$27,527.

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

#2007-117     **RESOLUTION AUTHORIZING FINAL CHANGE ORDER NUMBER 2 TO THE CONTRACT BETWEEN THE BOROUGH OF BEACHWOOD AND JOHNSON BARAN CORP. FOR ROADWAY IMPROVEMENTS TO WINDWARD AVENUE, HALLIARD AVENUE AND ELM STREET DECREASING THE CONTRACT BY \$62,339.80 TO A FINAL ADJUSTED CONTRACT PRICE OF \$436,230.68**

**WHEREAS**, the Borough of Beachwood previously awarded a Contract to Johnson Baran Corp. for roadway improvements to Windward Avenue, Halliard Avenue and Elm Street in the amount of \$498,570.48; and

**WHEREAS**, as a result of final as built quantities the Borough Engineer has recommended a reduction of said Contract by \$62,339.80; and

**WHEREAS**, the governing body desires to approve said change order number 2 to said Contract;

**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 approves final change order number 2 to the Contract between the Borough and Johnson Baran Corp. for roadway improvements to Windward Avenue, Halliard Avenue, and Elm Street reducing the Contract by \$62,339.80 to a final adjusted Contract price of \$436,230.68 reflecting a decrease in the Contract price of 12.5%.

	<b>Clayton</b>	<b>Feeney</b>	<b>Komsa</b>	<b>LaCrosse</b>	<b>Miserendino</b>	<b>Roma</b>
Motion						
Second						
Approved						
Abstain						
Opposed						
Absent						

#2007-118     **RESOLVED** by Mayor and Council to name Jeanne Kroutil as 3<sup>rd</sup> Deputy Coordinator for Office of Emergency Management.

	<b>Clayton</b>	<b>Feeney</b>	<b>Komsa</b>	<b>LaCrosse</b>	<b>Miserendino</b>	<b>Roma</b>
Motion						
Second						
Approved						
Abstain						
Opposed						
Absent						

#2007-119     **WHEREAS**, Block 4.23 Lot 3 owned by Anne Stockton was over billed for water usage for the 1<sup>st</sup> Quarter 2007; and

**WHEREAS**, the meter reading was posted for 476 and should have been 415.

**NOW, THEREFORE, BE IT RESOLVED** by Mayor and Council to credit the account of Anne Stockton (Block 4.23 Lot 3) in the amount of \$323.30.

	<b>Clayton</b>	<b>Feeney</b>	<b>Komsa</b>	<b>LaCrosse</b>	<b>Miserendino</b>	<b>Roma</b>
Motion						
Second						
Approved						
Abstain						
Opposed						
Absent						

#2007-120            RESOLVED by Mayor and Council to approve the Raffle License Application of Ocean Mental Health for April 28, 2007.

	<b>Clayton</b>	<b>Feeney</b>	<b>Komsa</b>	<b>LaCrosse</b>	<b>Miserendino</b>	<b>Roma</b>
Motion						
Second						
Approved						
Abstain						
Opposed						
Absent						

ORDINANCE        FIRST READING TITLE ONLY

#2007-03            AN ORDINANCE AMENDING AN ORDINANCE ENTITLED “SALARY ORDINANCE” OF THE CODE OF THE BOROUGH OF BEACHWOOD, COUNTY OF OCEAN, STATE OF NEW JERSEY, FIXING AND DETERMINING SALARY, WAGES AND COMPENSATION TO BE PAID TO THE FOLLOWING OFFICERS AND EMPLOYEES IN THE BOROUGH OF BEACHWOOD, COUNTY OF OCEAN, STATE OF NEW JERSEY.

RESOLUTION

#2007-122           RESOLVED BY Mayor and Council to approve ordinance #2007-03 as presented on First Reading Title Only.

	<b>Clayton</b>	<b>Feeney</b>	<b>Komsa</b>	<b>LaCrosse</b>	<b>Miserendino</b>	<b>Roma</b>
Motion						
Second						
Approved						
Abstain						
Opposed						
Absent						

#2007-123           RESOLVED BY Mayor and Council to approve the 2007 salaries as follows:

<b>NAME</b>	<b>SALARY</b>
ADAMS, JOHN	\$3,364.00
ADAMS, TODD E.	\$26,674.00
AMORESANO, CRAIG	\$29,897.00
BEHRENS, JOHN	\$78,173.00
BERNARD, ANTHONY	\$26,674.00
BOSLEY, EDWARD	\$34,339.00
BOUD, BONNIE	\$29,390.00

BOUD, BONNIE	DEP. TAX SEARCH OFFICER	\$1,500.00	
BOUD, BONNIE	DEP. ASSESSMENT SEARCH OFFICER	\$1,500.00	
BOUD, BONNIE	DEP. REGISTRAR	\$500.00	
BROSEN, STEPHEN		\$43,968.00	
BROWN, LIZANNE		\$673.00	
BROWN, MARYANN T.		\$9.38	per hour
CAIRNS, MARY F.	CROSSING GUARD	\$11.62	per hour
CAIRNS, MARY F.	POLICE CLASS II	\$8.06	per hour
CAIRNS, WILLIAM J.	POLICE CHIEF	\$91,633.00	
CAIRNS, WILLIAM J.	OEM COORDINATOR	\$2,002.00	
CAMPBELL, MICHAEL W.		\$18,000.00	
CLAYTON JR., TERRYLEE		\$28,422.00	
CLAYTON, BEVERLY D.		\$6,412.00	
CLAYTON, JEFFREY R.		\$26,674.00	
CLAYTON, TINJA ROBIN		\$24,822.00	
COSTANZO-ROSELLI, STACIE A.		\$69,909.00	
DEMORATO, JAMES G.		\$37,501.00	
DEFALCO, MARIA N,		\$48,554.00	
DEHNZ, CHRISTINE	TREASURER	\$68,735.00	
DEHNZ, CHRISTINE	TAX COLLECTOR	\$8,358.00	
DEMARCO, FRANCIS		\$41,816.00	
DEMARCO, GLEN A.		\$69,909.00	
DIMICHELE, THOMAS J.		\$3,873.00	
FEENEY, GREGORY		\$6,412.00	
FELTON, LINDA L.		\$35,403.00	
FERGUSON, MARILYN H.		\$9.23	per hour
FINN, PATRICIA A.	SENIOR CASHIER	\$27,252.00	
FINN , PATRICIA A.	DEP. TAX SEARCH	\$1,500.00	
FISHER, RENEE J.		\$25,781.00	
FRIES, CAROLYN		\$11.57	per hour
FROBERG, JASON M.		\$76,900.00	
GADEVAIA, MIKE		\$44,094.00	
HALL, RAYMOND C.	TAX ASSESSOR AIDE	\$20.00	per hour
HALL, RAYMOND C.	REVAL	\$25.00	per hour
HALUCHA, KENNETH		\$82,475.00	
HARRIS, BRUCE L.		\$82,475.00	
HARRIS, ERIC B.		\$62,662.00	
HARTMAN, DEREK		\$69,909.00	
<u>NAME</u>		<u>SALARY</u>	
HUBER III, PAUL.P		\$72,006.00	
KARACZ, GERALD		\$26,673.00	
KELLY, JOHN P.	FIRE PREVENTION INSPECTOR	\$4,132.00	
KELLY, JOHN P.	P/T CODE ENFORC. INSPECTOR	\$3,381.00	

KESSLER, ALBERT L.		\$10.67	per hour
KESSLER, DAVID		\$42,927.00	
KOMSA, STEVEN A.		\$6,412.00	
KROUTIL, JEANNE M.		\$1,002.00	
LACROSSE, GERALD		\$6,749.00	
LABIANCA, CHRISTINA F.		\$757.00	
LACALANDRA, MARINO		\$12.22	per hour
LACEY, JAMES F.		\$119,558.00	
LANGAN, SEAN J.		\$69,909.00	
LARRISON, JEANETTE		\$37,102.00	
LEMORE, DONNA		\$31,890.00	
LETA, JAMES V.		\$9.23	per hour
LYNCH, MICHAEL		\$11.75	per hour
MACK, ROBERT M.		\$55,293.00	
MARTOCCI, DEBORAH L.		\$7.86	per hour
MASTROPASQUA, ELIZABETH		\$90,917.00	
MAUDER, JOHN		\$50.00	per hour
MCKENNA, PATRICIA J.		\$9.38	per hour
MCLAIN, TIM M.		\$12.22	per hour
MEISSNER, JR., KEITH F.		\$56,066.00	
MELILLO, FRANCIS L.		\$44,521.00	
MELILLO, FRANCIS L.		\$1,127.00	
MINIALGA, CHARLES N.		\$77,226.00	
MISERENDINO, THOMAS		\$6,412.00	
MOORE, JAMES W.		\$26,674.00	
MORRIS, HAROLD R.		\$7,252.00	
MURRAY, DAMIAN		\$25,175.00	
MUSSARI, DEREK R.		\$44,521.00	
O'CONNOR , ADAM P.		\$69,909.00	
OLDHAM, WILLIAM		\$77,226.00	
PETROSKI, GLEN		\$27,648.00	
RANKIN, DEANA J.		\$9.23	per hour
ROCHE, DAVID B.		\$30,785.00	
ROMA JR., RONALD F.		\$6,412.00	
RUSSELL, JOHN D.		\$29,897.00	
SARANTINOUDIS, ELIZABETH	TREASURER	\$54,413.00	
SARANTINOUDIS, ELIZABETH	REGISTRAR	\$500.00	
SCARPA, LAURA		\$22,797.00	
SCHENA, PHILIP A.		\$9.88	per hour
SCHIEL, CLIFFORD L.		\$44,480.00	
SEIDLER, MARK		\$33,049.00	
SIEGEL, DENISE M.		\$18,289.00	

SILVA, GABRIEL T.		\$44,480.00	
SONNENFELD, ALFRED H.		\$9.38	per hour
STARMER, LANCE P.		\$26,674.00	
SULLIVAN, PATRICK M.		\$9.88	per hour
SWANCEY, IRENE M.		\$24,378.00	
TAPP, ROBERT L.		\$84,590.00	
TURNER, DIANE L.		\$29,734.00	
VANDER PLOEG, RICHARD		\$26,674.00	
VIVENZIO, JOSEPH		\$3,873.00	
WAGNER, JOHN		\$1,170.00	
WAGNER, THERESA		\$9.38	per hour
WAINWRIGHT, LORI M.		\$24,283.00	
WALKER, MICHAEL R.		\$26,674.00	
WUTZER, JAMES		\$26,673.00	
ZYCKOWSKI, WLLIAM G.		\$10.92	per hour

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

**#2007-124 RESOLUTION OF THE BOROUGH OF BEACHWOOD, OCEAN COUNTY, NEW JERSEY, CALLING UPON GOVERNOR JON CORZINE AND BOTH HOUSES OF THE NEW JERSEY LEGISLATURE TO SWIFTY ADOPT CHILD PROTECTION PROPOSALS SPONSORED BY THE 9<sup>TH</sup> DISTRICT DELEGATION OF SENATOR LEONARD CONNORS, JR. AND ASSEMBLYMEN CHRISTOPHER J. CONNORS AND BRIAN E. RUMPF**

**WHEREAS**, Senator Leonard T. Connors, Jr., Assemblyman Christopher J. Connors and Assemblyman Brian E. Rumpf have worked closely with Beachwood Mayor Harold R. Morris in order to propose legislation vital to the protection of children throughout the State from convicted and repeat sex offenders; and

**WHEREAS**, said legislation would require that convicted sex offenders not reside within 500 feet of a school, playground or day care center (A-639); and

**WHEREAS**, A-646 would require that the potential to re-offend or “tiering” be determined prior to their release from prison; and

**WHEREAS**, A-644 would establish mandatory terms of imprisonment for sexual assaults committed against minors; and

**WHEREAS**, it is the belief of this Mayor and Borough Council that the swift adoption of these protective measures is essential to protect children throughout our State from convicted sex offenders who should not live in the immediate areas of schools, playgrounds, day care centers; whose propensity for re-offending should be determined prior to the release from prison and should remain in custody as a result of sexual assaults against minors based on mandatory prison sentences; and

**WHEREAS**, this governing body further calls upon the New Jersey Governor and Legislature to immediately implement these laws to protect the life and safety of our children.

**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. The governing body calls upon both Houses of the New Jersey Legislature and Governor Jon Corzine to immediately enact A-639, A-646, and A-644 in order to help protect the lives of minors throughout the State of New Jersey from repeat sexual predators. This governing body further calls upon all members of the general public to sign the petition entitled “Sexual Offender Legislation” endorsing the immediate adoption of A-639, A-646, and A-644.
2. Upon adoption of the within Resolution the Clerk is authorized to forward a copy of same to Governor Jon Corzine, Senator Leonard T. Connors and Assemblymen Christopher J. Connors and Brian E. Rumpf and all members of the New Jersey Legislature, as well as all the interested parties.

	<b>Clayton</b>	<b>Feeney</b>	<b>Komsa</b>	<b>LaCrosse</b>	<b>Miserendino</b>	<b>Roma</b>
Motion						
Second						
Approved						
Abstain						
Opposed						
Absent						

#2007-125      **AUTHORIZE TAX/WATER CREDIT OF \$1120.80 TO BE PAID FROM  
GENERAL TRUST, REDEMPTION TAX TITLE LIEN ACCOUNT TO CURRENT  
FUND AND WATER UTILITY FUND.**

WHEREAS, a redemption of Lien #04-005 for Block 2.34, Lot 8 was made on February 6, 2007 and excess funds of \$1120.80 were included as the lienholder has previously received monies from the bankruptcy court towards the lien, and;

WHEREAS, the Tax Collector wishes to apply the excess funds to delinquent Water and Tax amounts for 2006 and 2007 since the funds from the title company to bring the account up to date were deficient.

WHEREAS, the credit exists in the General Trust, Redemption Tax Title Lien account and needs to be paid over to the Current Fund and Water Utility accounts on behalf of Block 2.34, Lot 8 in the amount of \$1120.80.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Beachwood, County of Ocean, and the State of New Jersey as follows:

1. The Tax Collector is authorized to have the funds in the amount of \$1120.80 paid out of the General Trust account to the Current Fund and Water Utility account to resolve 2006 Tax and Water delinquencies with any remaining balances to be applied to 2007 balance at the Collector's discretion.

	<b>Clayton</b>	<b>Feeney</b>	<b>Komsa</b>	<b>LaCrosse</b>	<b>Miserendino</b>	<b>Roma</b>
Motion						
Second						
Approved						
Abstain						
Opposed						
Absent						

#2007-126      **AUTHORIZE TAX COLLECTOR TO RE-BILL \$62.14 ON BLOCK 11.34, LOT 3  
FOR ERRONEOUS TAX ADJUSTMENT FOR 2006.**

WHEREAS, a tax adjustment was made against Block 11.34, Lot 4 to remove taxes according to an appeal for 2005 and the 2006 preliminary taxes were removed accordingly in the amount of \$62.14, and;

WHEREAS, in 2006 there were no taxes on block 11.34, Lot 4 on the 2006 tax list and the credits issued to the 2006 preliminary became artificial credits that were subsequently transferred to Lot 3, and;

WHEREAS, transferring the artificial credit has resulted in a deficiency of \$62.14 on Lot 3 which needs to be re-billed and collected.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Beachwood, County of Ocean, and the State of New Jersey as follows:

1. The Tax Collector is authorized to reverse the erroneous adjustment of \$62.14 against 2006 on Block 11.34, Lot 3 and re-bill the account for the third quarter of 2006 and give a twenty-five day period from the date is mailed to allow for no interest to be charged. If the amount is not paid within the twenty-five days than interest will revert back to the third quarter of 2006.

	<b>Clayton</b>	<b>Feeney</b>	<b>Komsa</b>	<b>LaCrosse</b>	<b>Miserendino</b>	<b>Roma</b>
Motion						
Second						
Approved						
Abstain						
Opposed						
Absent						

#2007-126      **AUTHORIZE CANCELLATION OF OLD ARREARS ACCOUNTS ON BLOCK 2.39, LOT 12 (1991) AND BLOCK 4.44, LOT 9 (1998)**

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WHEREAS, two (2) old arrears accounts for Water balances exist on a Tax Collector's records on Block 2.39, Lot 12 for 1991 in the amount of \$40.00 and on Block 4.44, Lot 9 for 1998 in the amount of \$58.54, and;

WHEREAS, the arrears accounts no longer exist on the auditor's reports, and were mostly likely paid in full years ago and need to be removed from the Collector's records.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Beachwood, County of Ocean, and the State of New Jersey as follows:

1. The Tax Collector is hereby authorized to cancel the arrears Water balances on Block 2.39, Lot 12 for 1991 in the amount of \$40.00 and on Block 4.44, Lot 9 for 1998 in the amount of \$58.54.

	<b>Clayton</b>	<b>Feeney</b>	<b>Komsa</b>	<b>LaCrosse</b>	<b>Miserendino</b>	<b>Roma</b>
Motion						
Second						
Approved						
Abstain						
Opposed						
Absent						

**CORRESPONDENCE**

- a. Beachwood Pine Beach Girls Softball League  
Re: Use of Fields 1 and 2 for the 2007 Season.
- b. Studebaker Drivers Club  
Re: Annual request to use the Beachwood Beach Parking Lot (Sept. 22)

**REPORTS**

Mayor Morris

**Councilmembers**

Beverly Clayton

Gregory Feeney

Steven Komsa

Gerald LaCrosse

Thomas Miserendino

Ronald Roma

Administrator Lacey

Municipal Attorney

Municipal Engineer

Clerk Mastropasqua:

**PUBLIC DISCUSSION TO OPEN**

	<b>Clayton</b>	<b>Feeney</b>	<b>Komsa</b>	<b>LaCrosse</b>	<b>Miserendino</b>	<b>Roma</b>
Motion						
Second						
Approved						
Abstain						
Opposed						
Absent						

**PUBLIC DISCUSSION TO CLOSE**

	<b>Clayton</b>	<b>Feeney</b>	<b>Komsa</b>	<b>LaCrosse</b>	<b>Miserendino</b>	<b>Roma</b>
Motion						
Second						
Approved						
Abstain						
Opposed						
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:

- Contractual - -
- Personnel -
- Litigation -

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

	<b>Clayton</b>	<b>Feeney</b>	<b>Komsa</b>	<b>LaCrosse</b>	<b>Miserendino</b>	<b>Roma</b>
Motion						
Second						
Approved						
Abstain						
Opposed						
Absent						

**TO RE-OPEN**

	<b>Clayton</b>	<b>Feeney</b>	<b>Komsa</b>	<b>LaCrosse</b>	<b>Miserendino</b>	<b>Roma</b>
Motion						
Second						
Approved						
Abstain						
Opposed						
Absent						

**ACTION TAKEN RESULTING FROM EXECUTIVE SESSION**

	<b>Clayton</b>	<b>Feeney</b>	<b>Komsa</b>	<b>LaCrosse</b>	<b>Miserendino</b>	<b>Roma</b>
Motion						
Second						
Approved						
Abstain						
Opposed						
Absent						

TO ADJOURN

	<b>Clayton</b>	<b>Feeney</b>	<b>Komsa</b>	<b>LaCrosse</b>	<b>Miserendino</b>	<b>Roma</b>
Motion						
Second						
Approved						
Abstain						
Opposed						
Absent						