

April 1, 2009

7:00 Mayor and Council Meeting

Beachwood Municipal Complex
1600 Pinewald Rd.

Call to Order



Flag Salute

While we pray for the safe return of our serving men and women, we must remember that 104 servicemen from New Jersey have been killed in Iraq and Afghanistan.

Our war dead must always be remembered. Their Heroism deserves its glory, so too does the bravery of each who entered the unknown of conflict and gave their lives to the cause of Freedom. The greatest tribute we can give is remembering our Honored Dead. In their memory, a moment of silence and a prayer for all our disabled vets and those missing in action and the swift return of all our serving men and women.

OPENING STATEMENT: Ladies and Gentlemen, pursuant to the applicable portions of the New Jersey Open Public Meetings Act, adequate notice of this meeting has been given. The schedule for this meeting of Mayor and Council of the Borough of Beachwood is listed in the notice of meetings posted on the Bulletin Board, located in the Municipal Complex, posted on the Municipal Website and delivered to the Asbury Park Press on January 10, 2009.

ROLL CALL MEMBERS PRESENT:

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

Absent: Mayor Ronald Jones Katina L. Clark

Time 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 all cell phones and pagers.

RESOLUTION
#2009-126 RESOLVED by Mayor and Council to approve the 2009 Certified Bills List in the amount of
\$489,699.15

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

RESOLUTION

#2009- 127 RESOLVED by Mayor and Council to approve the minutes of the March 18, 2009 Meeting of Mayor and Council.

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

RESOLUTION

#2009-128 RESOLVED by Mayor and Council to approve the following rentals for the Community Center – Mayo Park

2009 Community Center				
May	23	Hardin	Rental:	\$350
		1144 Pacific Ave	Deposit:	\$500
		Beachwood		
May	24	Cassodu	Rental;	\$350
		1245 Neptune Ave.	Deposit:	\$500
		Beachwood		
June	06	Cavallo	Rental:	\$350
		625 Ship Ave	Deposit:	\$500
		Beachwood		
June	13	Levier	Rental:	\$350
		218 Neptune Ave	Deposit:	\$500
		Beachwood		
July	24	Beachwood Democratic Club	Rental:	\$WAIVE
		c/o Clark	Deposit:	\$WAIVE
		420 Tiller Ave		
		Beachwood		
August	29	Hammack	Rental:	\$350
		51 Shell St.	Deposit:	\$500
		Beachwood		
September	19	Applegate	Rental:	\$350
		508 Neptune Ave	Deposit:	\$500
		Beachwood		
October	10	Still	Rental:	\$350
		752 Cable Ave	Deposit:	\$500
		Beachwood		

October	17	Roselli	Rental:	\$350
Previously approved for		800 Seaman Ave	Deposit:	\$500
For October 3, 2009.		Beachwood		
2010 COMMUNITY CENTER				
January	23	Henninger	Rental:	\$350
Previously Approved		625 Surf Ave	Deposit:	\$500
For 10/17/09		Beachwood		
<u>MAYO PARK 2009</u>				
May	24	T. R. Volunteer Fire Co. #2	Rental:	\$ WAIVE
See Letter		45 W. Water St..	Deposit:	\$ WAIVE
below		Toms River N.J.		

03/17/2009 19:00 FAX 7324153707

TOMS RIVER FIRE CO #2

001/001

Toms River Volunteer Fire Company No. 2

45 West Water Street - Toms River, NJ 08753

To: Township of Beachwood
 From: Thomas Mauro Vice-President Toms River Vol. Fire Co. #2
 Re: Rental Mayo Park 5/24/09
 Date: 3/17/09

To: Sir, or Madam,

This letter is to follow our application for the rental of Mayo Park. We are asking for May 24th 2009 for our annual Memorial Day Picnic. We would also like to know if the rental fees would be waived for us. If you could please kindly get back to me with this information I would greatly appreciate it. Thanks again for your time with this matter.

Respectfully,



Thomas J. Mauro
 Vice-President Toms River Vol. Fire Co. #2

Motion: Komsa Second: Verga
 Question: Activities of Monday May 25th, will require Borough access to the site on Sunday May 24th. Advise the applicant (T.R. Volunteer Fire Company #2) of scheduled event and have them select a different date.
 Approved: Clayton – Feeney – Komsa – Roma - Verga
 Opposed: Absent: Clark

RESOLUTION

#2009-129 RESOLVED by Mayor and Council to approve the higher classification title of Corey Long as Equipment Operator.

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

RESOLUTION

#2009-130 RESOLVED BY MAYOR AND COUNCIL to approve the agreement between the Borough of Beachwood and CMX for Raw Water Ground Storage Tank Rehabilitation Tasks 1-3 (Design Preparation – Bid Services and Construction Services not to exceed \$34,800.00;

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

#2009-131 RESOLVED by Mayor and Council to approve the following request for Conference – Training or Seminar: (see attached documents)

Date:	April 28	M. Nancy DeFalco – Jeannette Larrison
Location:	East Manahawkin – Holiday Inn	
Subject:	Rutgers – Current Issues in Planning and Zoning	
Cost:	\$75.00 each	
Vehicle:	Yes	

Date:	May 19-20-21	Jeanette Larrison
Location:	Atlantic City	
Subject:	TCTA Spring Conference	
Cost:	\$285.00	
Vehicle:	No	

Date:	June 8 to 11	Linda Felton
Location:	Cape May	
Subject:	Court Administrators Spring Conference	
Cost:	\$225.00	
Vehicle:	No	

Motion: Roma Second: Clayton
 Question: Re: May 19 – 21 would individual be gone each of those days? Explanation from Clerk
 Approved: Clayton – Feeney – Komsa – Roma – Verga
 Opposed: Absent: Clark

RESOLUTION

#2009-132 WHEREAS, the week of April 19 —April25, 2009 has been so proclaimed National Volunteer Week in recognition of the Retired and Senior Volunteer Program (RSVP) as sponsored by the Ocean County Board of Social Services; and

WHEREAS, the recognition focuses on the outstanding contributions, service, and support of volunteers at the local, state and national levels; and

WHEREAS, the Mayor and Council of the Borough of Beachwood recognizes the support given by volunteers to the needs of the communities of Ocean County, such as increasing the capacity of agencies and organizations to provide services, increasing the ability of recipients of service to lead more productive and independent lives and

fostering the concept of service to the community.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Beachwood that they hereby proclaim the week of April 19 — April 25, 2009 as National Volunteer Week and honors all of the volunteers of Beachwood and Ocean County for their outstanding service to our community and to the communities of Ocean County; and

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Ocean County Board of Chosen Freeholders, and all County of Ocean municipalities; and

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

**RESOLUTION
#2009-133**

WHEREAS, the month of May 2009 has been designated throughout the nation as “Older Americans’ Month”; and

WHEREAS, the theme for this year’s recognition is “Living Today for a Better Tomorrow” with the focus on prevention efforts and programs that are helping older adults have better health as they age and avoid the risks of chronic disease, disability and injury; and

WHEREAS, older Americans are valuable members of our society who enhance our communities and personal lives; and

WHEREAS, our older citizens of today and tomorrow promise to be among the most active and involved older adult populations in our nation’s history; and

WHEREAS, the Mayor and Council of the Borough of Beachwood endorses and acknowledges the various programs for seniors ranging from the Ocean County Retired and Senior Volunteer Program, Services for Elderly, Safe Housing and Transportation programs and the various other programs for seniors throughout the State and the County; and

WHEREAS, it is the responsibility of all communities to work collaboratively to address older adults’ unique health and long-term care challenges; and

NOW THEREFORE BE IT RESOLVED we take time this May to honor our older adults and the professionals, family members, and citizens who care for them.

BE IT HEREBY RESOLVED by the Mayor and Council of the Borough of Beachwood that it hereby proclaims the month of May as “Older Americans’ Month” and honors and endorses all programs throughout the County of Ocean and State of New Jersey which can improve the lives of our older citizens and help pave the way for future generations; and

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

RESOLUTION

#2009-134 RESOLUTION SUPPORTING THE NJ League Of Municipalities “Support Our Troops Day”

WHEREAS, the people of this municipality support the New Jersey National Guard and Reserve in the strongest possible terms, are immensely proud of their accomplishments, and are extremely grateful for their services to this State and to the nation over the years;

WHEREAS, in the highest American tradition, the patriotic men and women of the Guard and Reserve serve voluntarily in an honorable and vital profession by responding to their community and their country in time of need,

WHEREAS, it is right and proper that we set aside time to honor these fine men and women for the sacrifices they make for every one of us,

WHEREAS, the New Jersey National Guard State Family Readiness Council is honoring them with a concert by the Blawenburg Band at the National Guard Armory in Lawrenceville on “Support Our Troops Day” on Sunday, April 19, 2009,

THEREFORE BE IT RESOLVED, that the governing body of the Borough of Beachwood, County of Ocean, hereby resolves that it honors these service members and the day of appreciation set aside for them, and

BE IT FURTHER RESOLVED, that copies of this resolution be sent to the New Jersey National Guard State Family Readiness Council, and the New Jersey League of Municipalities.

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

RESOLUTION

#2009-135 WHEREAS, on March 18, 2009 under Resolution #2009-106 approval was given for rental of the Community Center by Belkowski, 37 Cherry Street Beachwood, for July 12, 2009, noting all resident fees were posted (\$850); and

WHEREAS, on March 24, 2009, written notice of cancellation was received by the Borough subjecting the applicant to a \$100 cancellation penalty.

NOW, THEREFORE, BE IT RESOLVED, by Mayor and Council of the Borough of Beachwood to authorize a refund of \$750 to M. Belkowski, 37 Cherry St. Beachwood, for rental cancellation said refund reflecting a \$100 cancellation penalty.

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

CORRESPONDENCE:



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION

JON S. CORZINE
Governor

March 18, 2009

MARK N. MAURIELLO
Acting Commissioner

Honorable Ronald W. Jones, Jr.
Mayor - Beachwood Borough
1600 Pinewald Road
Beachwood, New Jersey 08722

Dear Mayor Jones:

I am writing to inform you that your municipality's 2009 Clean Communities entitlement is \$ 13,628.19. This information is provided to assist you as you develop your FY 2009 budget.

Twenty-one counties and five hundred fifty-nine municipalities are eligible to receive the Clean Communities funding during 2009. The amount of the entitlement is calculated based on an estimate that \$13 million in anti-litter fees will be collected through March 2009. Your town's share is based on your proportionate share of housing units and municipal road mileage. The housing unit information for the 2009 program is from the 2000 Census, as revised. The municipal road mileage amounts were provided by the New Jersey Department of Transportation.

The 2009 final payouts including the allocation schedule, road mileage schedule, grant guidelines, and the New Jersey Clean Communities Council statistical reporting forms will be posted on the Council's website, www.njclean.org by the middle of May. Please check the website for those items as well as other information concerning the Clean Communities program.

We anticipate disbursing the 2009 entitlement no later than the end of April 2009. If you have any questions please contact: E. David Barth, Director of the Division of Budget and Finance. He may be reached at (609) 292-9230 or at P.O. Box 420, Trenton, NJ 08625-0420

Sincerely yours,

Mark N. Mauriello
Acting Commissioner

New Jersey is an Equal Opportunity Employer. Printed on Recycled Paper and Recyclable

RESOLUTION

#2009-136 TO APPROVE THE FOLLOWING REQUEST:

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

March 12, 2009

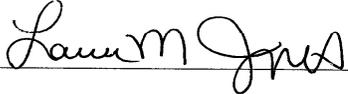
Attn: Mayor & Council
Borough of Beachwood
1600 Pinewald Rd.
Beachwood, NJ 08722

RE: Studebaker Car Show - Sunday, September 20, 2009 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 20, 2009. 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 Chapter Chapters Newsletter.

REPORTS

Mayor Jones **Absent**

Councilmembers:
Katina Clark Absent

Beverly Clayton Contract for Bid award for the Community Center Deck extension was awarded at a meeting the other day. They are going to start as soon as they can. We're going to have to work within schedules of the rentals, so hopefully he can fit this in. He said it should take no more than two weeks.

RESOLUTION
#2009-137

TO MEMORIALIZE THE AWARD for the Community Center Deck Extension in the amount of \$ 7,800.00 to Jeffrey Hahre

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

Working with Scouts. Recycling cans delivered to Soccer Field. In process of sprucing up around town. T Shirts – will be available at Memorial Day for Fireworks. Committee meeting held this p.m.

Gregory Feeney Spoke with Attorney on the Inter local Agreement with Pine Beach for First Aid Recycling check received \$8,139.99 (second 6 month check). New Robo Truck in service.

Steven Komsa Easter Egg Hunt – April 5th – 1:00 Mayo Park. Anticipating good weather. RFP's for Energy Audit were advertised.

Ronald Roma Referred to Mr. Oris

Bonnie Verga No report

Engineer Oris Water Tower project on schedule. This along with the Raw Water Tank resurfacing is funded by the EIT. Also submitted for Water Main upgrade and Drainage. Hopeful for a positive response to result in 50% of funding.

Phase IV Drainage – and Mizzen Ave Water Main – in punch list and final phases of completion.

First Aid Building framed, sheathed and 90% roofing done. Hope for Mid to End of May completion.

Municipal Attorney Verizon has expressed interest in Antenna space. Will refer them to Mr. Hiering on this.



Municipal Clerk
House – 08:00 – 12:00

Happy Easter - Breakfast with the Bunny April 4th – Fire

Easter Egg Hunt - 1:00 – Mayo Park April 5th.

PUBLIC DISCUSSION: To Open

Motion: Komsa

Second: Clayton

Approved: Clayton – Feeney – Komsa – Roma - Verga

LaCrosse

Forecastle Ave:

Again commended council on work on budget 2009. Great job. Happy with results of budget work. Was disappointed in the vote against budget, and the refusal to answer my question based on advice of her attorney. Not aware of any legal action pending to prevent her from answering.

Concerned about Mrs. Clark's presence at a meeting a while back addressing legal representation for the Land Use Board. Concerned about her presence in closed when discussed. She should have recused herself.

Reminder of April 3rd Court Session involving the Mayor and his capacity to serve. Would hope that the Borough Attorney would be present to know the outcome and advise the council.

Mr. Roma: Sure the court will advise Mr. Hiering of the outcome.

DiBella
1008 Halliard Ave

The rental of Community Center by Democratic Club is that in addition to rental dates:

Yes

Commented on statements earlier regarding minutes of Environmental Commission availability. When requested of Mrs. Clark, was advised computer crashed., minutes unavailable.

Recent issue of Rice Notice, Mrs. Clark indicated she sent letter to Ethics Board. Requested copy, Clerk requested copy of letter and to date, not made available. Asked Council to address request.

Mr. Roma: We will be discussing this.

Re: Rice Notice, dismissed. Believes the individuals involved are owed an apology for being brought here on the actions of one council person.

Terms and Condition of Employment :
Contractual - Teamsters
Litigation -

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

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

RE-OPEN

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

NO ACTION TAKEN

ADJOURN

Motion: Roma Second: Komsa
Approved: Clayton – Feeney – Komsa – Roma – Verga

Submitted by: E.A. Mastropasqua

Ronald W. Jones, Jr.
Mayor

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