

April 7, 2010

Beachwood Municipal Complex
1600 Pinewald Rd.

7:00 PM

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:

COUNCILMEMBERS:

**Beverly Clayton
Gregory Feeney**

**Steven Komsa
Ronald Roma
Bonnie Verga**

ABSENT: Mayor Ronald W. Jones, Jr. 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.

#2010-123 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 \$ 3,738,741.31

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:

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

_____ 2010		SALARY & WAGES	OTHER EXPENSES	TOTAL
1	BUILDINGS AND GROUNDS		10,000.00	10,000.00
2	MUNICIPAL PROSECUTOR		4,000.00	4,000.00
3	RECREATION	200.00		200.00
	GRAND TOTAL	200.00	14,000.00	14,200.00

That said emergency temporary appropriations have been provided for in the 2010 Budget under the aforementioned line items.

That one certified copy of this resolution be filed with the Director of Local Government Services.

Voice vote please!

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

#2010-124 RESOLVED by Council to approve the 2010 Certified Bills List in the amount of **\$816,910.01**

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

#2010-125 RESOLVED by Council to approve the minutes of the March 17, 2010 meeting of Mayor and Council.

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

#2010-126 RESOLVED by Council to approve the Community Center Rentals as follows:

2010 COMMUNITY CENTER				
May 30	Bellenger	309 Pacific Ave., Beachwood	Rental: \$350	Deposit: \$500
2010	Mayo Park			
Change of date from May 15 to				
July 10	McNeill	444 Beacon Ave	Rental: \$125	Deposit: \$175

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

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of Beachwood, in the County of Ocean, State of New Jersey to refund lien holder, Soheha for the redemption of certificate 09-00024 in the amount of \$ 212.62

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

#2010-131 Resolution Approving a Disabled Veteran Exemption Block 3.29 Lot 2

WHEREAS, The Department of Veteran Affairs determined that Thomas D Miserendino at 1045 Seaman Avenue, Block 3.29 Lot 2 to have a service connected disability that is totally disabling; and

WHEREAS, Mr. Miserendino has made application to the Borough as a totally disabled veteran, which has been approved by the Tax Assessor as of March 8, 2010.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Beachwood, in the County of Ocean, State of New Jersey to direct the Tax Collector to cancel remaining taxes for 2010 and to process any refund due as a result of the cancellation. Furthermore, the parcel shall be exempted on the 2010 tax list.

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

CORRESPONDENCE

INTEROFFICE MEMORANDUM

TO: ELIZABETH MASTROPASQUA, MUNICIPAL CLERK,
FROM: JOHN W. BEHRENS, PUBLIC WORKS SUPERVISOR
SUBJECT: SERVICE FOR FIRE PROTECTION
DATE: 3/29/2010

There has been considerable interest in the installation of Fire Protection services. At this time the Borough currently maintains its largest service as a 2” inch. With interest in a 4” inch service, the Borough must add to the Borough of Beachwood ordinance book a cost amount for such installation. The figure my department has arrived at after considering the materials and extra time needed to complete, is \$3,000.00

To Authorize Attorney to prepare appropriate amendment to ordinance for fees:

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



John B. Lapatchka, CSP, ARM
Vice President
Public Sector Director

Risk Control

C : 856-904-9181
F : 856-552-4749
jlapatchka@connerstrong.com
401 Route 73 North
P.O. Box 177
Marlton, NJ 08053
connerstrong.com

March 26, 2010

John Behrens, Director Public Works
Borough of Beachwood
1200 Beachwood Boulevard
Beachwood, NJ 08722

Re: CDL Drug Testing Program Contract Extended through September 30, 2010

Dear Mr. Behrens:

The JIF Executive Safety Committee is forming a comprehensive occupational health monitoring program to provide the members with an opportunity to obtain not only the required CDL Drug and Alcohol Testing but also additional services such as Post Offer, Pre-Employment and DOT Physicals along with Return to Work and Independent Medical examinations. Supplementary medical services like audiometric testing, respirator examinations, pulmonary and respiratory fit testing and HAZMAT physicals will also be available for a fee. This is a full Request for Proposal (RFP) process and will require between 90-120 days to complete.

Corresponding to the comprehensive occupational health monitoring program, Conner Strong Risk Control will extend coordination of the CDL Drug Testing Program Agreement dated January 1, 2009 ("Agreement") from March 31, 2010, through September 30, 2010. All other terms and conditions of the Agreement remain in full force and effect.

As previously indicated Valley Health System will continue servicing JIF members at the "2009 rates" until September 30, 2010, as this JIF seeks alternative plans.

Conner Strong Risk Control will continue to maintain all CDL driver lists and prepare all reports relevant to monitoring the program through September 30, 2010. In addition, you should refer all regulatory questions including, but not limited to, drug and alcohol, post-accident return to duty, random testing, reasonable suspicion, driving under the influence of alcohol, leaving the scene of an accident, certain felonies, and serious traffic violation questions and invoice concerns to Conner Strong Risk Control.

BRIDGETON DOVER MARLTON PARSIPPANY PHILADELPHIA SADDLEBROOK TOMS RIVER WILMINGTON

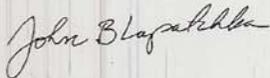
CDL Drug Testing Program Contract Extended through September 30, 2010
Page 2

For your convenience, the contact information for Conner Strong Risk Control is:

Toni Hart
Conner Strong Risk Control
40 Lake Center Executive Park
401 Route 73 North
Marlton, NJ 08053
Tele #: 856-552-4744
Fax #: 856-552-4745

Please execute this letter below and return to Toni Hart as soon as possible. Thank you for your cooperation.

Very truly yours,



John B. Lapatchka, CSP, ARM, CPSI
Vice President, Public Sector Director

JBL/adh

Cc: Michael Avalone, RM
Paul Quinn, SC

By execution of this letter, I hereby agree on behalf of Borough of Beachwood to extend the Agreement referenced above until September 30, 2010.

Print Name/Title

Sign Name/Title

RESOLUTION

#2010-132

RESOLVED by Mayor and Council to authorize the Municipal Clerk to execute the Agreement for Extension of the CDL Drug Testing Program through Connor Strong Risk Control (Valley Health System).

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

REPORTS:

Mayor Jones ABSENT

Councilmembers:

Katina Clark ABSENT

Ronald Roma Read National Library Week Proclamation

**RESOLUTION
#2010-133**

**RESOLUTION OF THE BOROUGH OF BEACHWOOD, OCEAN COUNTY, NEW JERSEY
AMENDING THE AWARD OF RESOLUTION FOR PROFESSIONAL ENGINEERING SERVICES
FOR THE YEAR OF 2010 TO NAME JAMES ORIS PREVIOUSLY OF CMX, INC. WHO HAVE
CLOSED THEIR BUSINESS OPERATIONS TO JAMES ORIS OF T & M ASSOCIATES UNDER THE
SAME TERMS AND CONDITIONS**

WHEREAS, the Borough of Beachwood previously awarded a Professional Engineering Contract to CMX, Inc. with the designated engineer of James Oris for the year of 2010; and

WHEREAS, the "New Jersey Local Unit Pay to Play" Law, N.J. S.A. 19:44A-20.4 et seq, require that the resolution authorizing the award of a contract for "Professional Services" and the Contract itself must be made available for public inspection; and

WHEREAS, N.J.S.A. 19:44A-20.4, et seq., requires that the Resolution authorizing the award of a Contract for "Professional Services" and the Contract itself must be available for public inspection; and

WHEREAS, N.J.S.A. 19:44A-20.5, et seq., provides the procedure for soliciting proposals through a "Fair and open process"; and

WHEREAS, the Borough previously awarded a Contract to CMX, Inc. with James Oris as the designated engineer pursuant to that "Fair and Open process"; and

WHEREAS, CMX, Inc. ceased to function as of March 12, 2010; and

WHEREAS, the Borough desires to amend their prior award Resolution to continue to designate the services of James Oris of T & M Associates for the balance of said 2010 year and under all of the same terms and conditions including any and all compensation schedules; and

WHEREAS, the Mayor and Council have considered said circumstances and deem it in the best interest of the Borough to continue said appointment of James Oris and the firm of T & M Associates; and

WHEREAS, Howard C. Birdsall of Birdsall Services Group notified the Borough by letter dated March 24, 2010 that they had acquired certain assets of CMX, Inc. including certain Beachwood projects; and

WHEREAS, the Borough of Beachwood is not bound by that agreement and will only consider the payment of said prior billings before March 12, 2010 after CMX, Inc. delivers a formal assignment to the Borough; and

WHEREAS, the Borough requires that all files and in all formats shall be turned over to the Borough of Beachwood as the result of shutting down of business operations by CMX, Inc.; and

WHEREAS, it is now the desire of this Governing Body to act upon the aforesaid modification of its Professional Engineering Contract award for the year 2010.

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 names James Oris previously of CMX, Inc. and now of T & M Associates to be named as Borough Engineer for the Borough of Beachwood for the year of 2010 under the same terms and conditions of the Contract with CMX, Inc., including any and all compensation schedules.
2. That upon proper written assignment of all outstanding vouchers incurred prior to said March 12, 2010 by CMX, Inc. and the proper voucher submission by Birdsall Services Group and/or Birdsall Engineering, the Borough shall consider the payment of said sums in accordance with that request.
3. The Borough requests that any and all files and in any and all media format be delivered to the Borough by CMX, Inc. and also by Birdsall Services Group and/or Birdsall Engineering (as to those files designated in the letter of Howard Birdsall dated March 24, 2010).
4. This Resolution shall be effective nunc pro tunc to March 15, 2010.
5. That upon the adoption of the within Resolution the Clerk is authorized and directed to publish a Notice of Contract Award and make the same available for public inspection at the Borough Offices. Said Clerk is additionally authorized to forward duly authenticated copies of the within Resolution to James Oris of T & M Associates, Howard Birdsall, Birdsall Services Group, Bret Bero of CMX, Inc., the Borough CFO, and the Borough Treasurer.

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

Community Center clean up looks great. Thank you extended to Mrs. Clayton.

Beverly Clayton Recent storm damages (sink holes) T Dock behind Com. Center. Repairs will have to be addressed and there is sufficient money in the Com. Center Trust. Deck done, did a great job. Much stronger deck which should last at least 30 years. Beach erosion has also taken it's toll as a result of the recent storms. Asking Mr. Oris to research possible grants for sand replenishment. Fireworks program in process. Lost some of our major financial supporters. We will continue to have program, but we will have to tighten our belts and do the best we can.
First Aid done from our end all with the hard work of our Engineer and Mr. Murante (who was there nearly every day)

Gregory Feeney Three issues for Executive Session. Problems with residents leaving Bulk Trash out days in advance of scheduled pick up. Code Enforcement will be addressing. Calendar advises schedule which assists residents. Will be following up on this matter.

Steven Komsa Recreation Easter Egg Hunt a great success. Memorial Day Craft Show under way. Community Center looks terrific.

Bonnie Verga Presented quarterly report for Construction Department which includes South Toms River and Island Heights. Revenue for 1st. quarter 11,931 (Beachwood) - \$3,382. (So. Toms River) \$2,704 (Island Hts.) 126 Permits. Off to slow start but should pick up. Reminder to address site triangles as weather gets warmer.

Mr. Hiering No report

Mr. Oris Thanked Governing Body for continued support and faith in appointment.

RESOLUTION
#2010-134

RESOLUTION OF THE BOROUGH OF BEACHWOOD, OCEAN COUNTY, AWARDING A CONTRACT TO BRAGATON CONSTRUCTION, INC. FOR THE REHABILITATION OF 300,000 GALLON ELEVATED WATER STORAGE TANK IN THE BASE BID AMOUNT OF \$383,000.00 IN ACCORDANCE WITH THE BOROUGH'S BID SPECIFICATIONS

WHEREAS, the Borough of Beachwood previously advertised for the receipt of bids for the rehabilitation of 300,000 gallon elevated water storage tank; and

WHEREAS, at the time and place of the receipt of bids there were seven (7) bids submitted for both the base and the base bid plus alternate#1-4; and

WHEREAS, the bids range from a base bid amount of \$383,000.00 to a base bid amount of \$885,900.00; and

WHEREAS, the base bid plus alternate bid amounts range from a low of \$401,000.00 to a high of \$912,400.00; and

WHEREAS, the **Borough Engineers, T&M Associates**, have recommended the award of the low base bid to Bragaton Construction, Inc. of Linden, New Jersey in the amount of \$383,000.00; and

WHEREAS, the Borough Treasurer has certified that funds are available to complete said rehabilitation of 300,000 gallon elevated water storage tank project; and

WHEREAS, the Borough Attorney has reviewed the low bid submission and approved those submissions; and

WHEREAS, it is now the desire of this Governing Body to award a Contract to the low bidder for the 300,000 gallon elevated water storage tank 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 of the Borough of Beachwood hereby awards a Contract to Bragaton Construction, Inc. of Linden, New Jersey for the base bid amount of \$383,000.00 for the rehabilitation of 300,000 gallon elevated water storage tank and in accordance with the Borough's specifications.
2. This contract award is contingent upon NJDEP approval.

3. That upon adoption of the within Resolution the Clerk is authorized and directed to forward a certified copy of it to the Borough Administrator, the Borough Engineers, Bragaton Construction, Inc. and any other interest party.

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

#2010-135 **RESOLUTION OF THE BOROUGH OF BEACHWOOD, OCEAN COUNTY, NEW JERSEY APPROVING CHANGE ORDER #1 TO THE CONTRACT BETWEEN THE BOROUGH AND S & G PAVING, INC. FOR RAILROAD AVENUE DRAINAGE – PHASE IV PROJECT DECREASING THE PRICE BY \$4,048.60 TO A REVISED CONTRACT AMOUNT OF \$265,288.52**

WHEREAS, the Borough of Beachwood previously awarded a contract to S&G Paving, Inc. of Monroe Township, New Jersey in the original amount of \$269,337.12; and

WHEREAS, as a result of a required change adjusting the contract quantities for work completed on Railroad Avenue Drainage – Phase IV project, the Borough Engineer has recommended the approval of Change Order #1 decreasing the contract by \$4,048.60 ; and

WHEREAS, said explanation is more fully set forth in attached Schedule A being a letter from **T&M Associates** to the Borough of Beachwood dated April 1, 2010; and

WHEREAS, said Change Order is attached hereto as Schedule B dated March 31, 2010; and

WHEREAS, it is now the desire of this Governing Body to act upon the Engineer's recommendation.

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 the Change Order #1 to the contract between the Borough of Beachwood and S & G Paving, Inc. decreasing the contract amount by \$4,048.60 to provide for a decreased contract amount of \$265,288.52.
2. That upon adoption of the within Resolution the Clerk is authorized and directed to forward a certified copy of it to the Borough Administrator, the Borough Engineers, the Borough Treasurer and S & G Paving, Inc.

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

#2010-136 **RESOLVED** by Mayor and Council to approve the proposal for Raw Water Ground Storage Tank Rehabilitation in the amount of \$7,000.00 to Mumford-Bjorkman Associates, New Castle Delaware.

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

#2010-137 **RESOLUTION OF THE BOROUGH OF BEACHWOOD, OCEAN COUNTY, NEW JERSEY APPROVING FINAL CHANGE ORDER #1 TO THE CONTRACT BETWEEN THE BOROUGH AND GAVAN GENERAL CONTRACTING, INC. IN CONNECTION WITH THE CONSTRUCTION OF THE BEACHWOOD FIRST AID BUILDING**

WHEREAS, the Borough of Beachwood previously awarded a contract to Gavan General Contracting, Inc. for the construction of the Beachwood First Aid Building in the amount of \$666,387.00; and

WHEREAS, as a result of final quantities and adjustments to the Contract Final Change Order #1 calls for the reduction of the price by \$1,957.37; and

WHEREAS, the Borough Engineer, James M. Oris, P.E., has recommended the approval of said Change Order by correspondence dated April 1, 2010; and

WHEREAS, it is now the desire of this Governing Body to act upon the Engineer's recommendation and approve Final Change Order #1.

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 approves Final Change Order #1 to the contract between the Borough of Beachwood and Gavan General Contracting, Inc. for the construction of the Beachwood First Aid Building decreasing the contract by \$1,957.37 to a final adjusted contract price of \$664,429.63.

2. That upon adoption of the within Resolution the Clerk is authorized and directed to forward a certified copy of it to the Borough Engineer, the Borough Treasurer and Gavan General Contracting, Inc. and the Borough CFO.

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

Mrs. Clayton asked Council to authorize the Engineer to move forward on seeking grants out of “Shore Protection” Council approved.

Municipal Clerk:
#2010-138 Employee Changes: Renee Fisher - 30 hours to 35 Hrs. Move to Administration as Account Clerk Principal. (April 5)
Lesley Kirchgessner (Violations Clerk) Municipal Court Part Time to Full Time (April 5)

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

#2010-139 To authorize Morgan Blevins use of Borough Vehicle for Land Use classes in Hillsborough (April 9 – 16 – 23)

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

#2010-140 To authorize the disposal of Confiscated Bicycles not considered eligible for auction.

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

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Borough of Beachwood
Environmental Commission
1600 Pinewald Rd.
Beachwood, NJ 08722

April 5, 2010

2010 APR 5 PM 7 16

Borough of Beachwood
Mayor and Council
1600 Pinewald Rd.
Beachwood, NJ 08722

Ladies and Gentlemen:

I am writing to request that Cherry Ann Gordon be removed from the Environmental Commission due to lack of attendance at any meetings. Thankyou.

Sincerely,



Jayne A. Moormann
Chairperson

Clerk will address correspondence to Mrs. Gordon to determine status of attendance.

OPEN TO PUBLIC DISCUSSION

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

D. Lipton
Anchor Ave

Pays a lot of taxes. Notes a lot of financial pressure on towns these days as not seen before. Mrs. Claytons reference to Yacht Club - flowery talk needs to end. There are several slips at the dock used by Yacht Club. There is no agreement with them that they should be entitled to those slips every year. They need to give back. They should pay for special use and we should not be paying for repairs for something that is there for their exclusive use. They aren't even a waterfront. They should be paying for the use of the area. A paper street is in front of their facility. There is a recorded riparian grant in the name of the Borough that will permit a boardwalk across that area and they would not longer have exclusive rights to that area. Made this information to the Borough in written form years ago.

R. Miller
Barnegat Blvd.

Re: Shore Vineyard Church. Thanked Mrs. Clayton and Chief Cairns for their assistance. Brought this matter to the attention of the Pastor of the Church over two years ago. Now out of control. The facility is used seven days a week and several times a day for alcoholic anonymous and narcotics anonymous counseling. Disturbing the neighborhood calm. Affecting parking conditions. Were formally known as "Safe Harbor" and located on Route 9. Three years ago facility sold. They have moved their services from (Commercial) neighborhood to (Residential) neighborhood. Operating as a business. They will not acknowledge funding being received from government agencies. Affecting the value of the property surrounding them. Something needs to be done about it. Hoping the Attorney can address. They are providing a commercial service not a church service. Good Friday evening at 9 the noise they were making prompted me to go and shut their doors. They were still loudly playing music after 10 p.m. They are operating as a counseling service.

Mrs. Verga : noted that Code Enforcement has been made aware of the problems, and has attempted to address.

Mr. Hiering: May want to look into the "zoning" issues. Other concerns about getting involved in the issue of receiving federal assistance.

Mr. Roma: Then the correct steps to take at this point is the Code Enforcement Officer looking into things first. To Chief Cairns if there is any issue with illegal parking. (Chief has addressed similar concerns to Pastor Conover as it relates to cooperating with the neighborhood).

Mrs. Clayton: They have to understand they need to be neighborhood friendly. Mr. Miller has contacted surrounding churches and they have similar meetings but only once a week not every day several times a day.

Mr. Miller: Additional concern of neighbors is the free parking provided to Church at the Beach, when everyone has to obtain a parking permit.

D. Leonard
Spar Ave

Also has concerns that Girl Scouts have meetings there and this is a concern with the element attending these sessions.

Mr. Feeney; That's a responsibility of the Scouting organization.

D. Lipton
Anchor

Is there a written agreement for someone to use that Triangle area. (No)
Lack of cooperation by Church could be addressed by not allowing use of Borough property for parking.

S. Murante
Tiller Ave

Mayor has indicated First Aid has to certify their equipment.

Mr. Hiering: We were provided information and will be addressing in resolution at next meeting.

Mr. Murante expressed thanks to Mrs. Clayton and Mr. Oris for their help on First Aid.

D. Lipton
Anchor

The Church was before the Borough years ago to address another issue of this nature.

Felmly
Cable Ave

Spoke with Mr. Oris about storm sewer over flow during heavy rains. Was advised by (CMX) that it may be sand bagged at that area. Vehicle accidents incurred as result of water build up. Wanted to thank Mr. Oris for his patience in addressing my concerns. He listened to my concerns with much patience.

Mr. Oris: Provided explanation to problem and noted that the County is looking into what can be done to alleviate the problem.

Mr. Roma: Last time we talked to County they were planning on putting in a series of catch basins in the area.

LaCrosse
Forecastle Ave

Follow up on Lipton statement about residents being called upon in the future to address heavier financial burdens. One of the issues of "advertising" which we are forced to spend thousands of dollars for. Believes Borough should be able to save money and use the "Web Site" for all their legal notices. Suggested resolution that could be passed along to our legislators to see what they could do to assist the municipalities in saving money.

Council President Roma asked the Clerk if we could address correspondence on this issue.

Clerk noted that there may be issues that cannot be removed from the responsibility of publishing in the newspapers. Liens – Sale notices etc.

R. DiBella
Halliard Ave

What type of convention was Mr. Jones attending? Clerk: only know what was addressed in e-mail. Regarding issue of notice to board member on attendance. Expressed concerns that the individual has health issues. Board does not have a go to person to notify in absence. No paid secretary. We don't know if messages were left with council liaison and ignored. Would hope courtesy would be given to her personal situation. She's a very concerned individual.

E-mailed members of Governing Body about problem re: Land Use Board issues. I wanted to advise you of some things that are going on. March 8th meeting cancelled at last minute. I showed up as did others and the notice was on the door. Reason "Lack of Agenda", however bills were scheduled for payment so there were items for the agenda. The Chair of the Environmental Commission was also present to speak before the Board so there was an agenda. On March 22nd, the same thing. Spoke with secretary and was advised Chairman cancelled. This is contrary to Judge Grasso ruling. Why it should concern council, the towns credit rating is affected if bills are not paid. Concerned the affect will have on firms. It violates state law, and the spirit of Judge Grasso's ruling. Ironic that the current Chairman filed suit against the Board for similar situation which Judge Grasso ruled on. Last meeting held was February 22nd, 2010. When questioning agenda item of appointing Planner for Master Planner, secretary advised, that the Chairman (Clark) told her that Mayor Jones told him they were not doing the master plan because there was no money provided for it. Find that funny since Mayor didn't find it in himself to show up for the Budget meeting. Master Plan is necessary and overdue. Board needs to meet. When I had to put request in writing, as advised by the secretary, I was a bit put off. Want to know why the Chairman cancelled and what is the legal ruling on a "lack of agenda". I posed question to Board Attorney, who refused to answer the question but indicated it would be on the next agenda. I would ask that this council intercede and get the definition and the statute that gives the Chairman the authority to cancel the meeting and also that you try to fund the Master Plan.

Heard on WOBN about Mayor's need for a Citizens Advisory Committee on Traffic Safety. Police are the experts in this. Would need DOT approval and the issue that prompt was not a traffic safety issue but a criminal pursuit.

Also heard radio report on Mayor's proposal for eliminating the Sewerage Authority which will not be a money saving issue. I advised Mayor 2 ½ years ago it was not feasible.

Recreation Commission – How is attendance. Are there seats left to be filled. Has the CLA form been received. (Very recently filed). Law states form should be on file before appointment.

Mr. Hering: noted that the Clerk has addressed this issue with the Mayor.

Mr. DiBella: Appointment is not valid and Council President can make appointment at this time and recommends Mrs. Timoney.

Issue in past of candidate Jones taking issue with people who don't pay taxes that it leads to other things and you should be suspicious of that person because it leads to corruption. Mr. Jones lifestyle and current situation that he is living a lifestyle way above his means, and taking his own words you may want to initiate an investigation.

Council President Roma: Read a release from Standard and Poors addressing the Borough's Global Credit Report giving an A+ rating. Thanks to the hard work of the Finance Office Mr. Mauder and Liz and the Finance Committee for this achievement. Borough's fiscal responsibility addresses the budget in balance in spite of loss of state revenue. Outlook is strong in spite of anticipated losses of state aid. Good job done by everyone. Thanks to residents for allowing us to do the job we are doing.

D. Lipton: Give credit to Mr. DiBella for getting involved and paying attention to issues. You have a unique situation here in Beachwood with Mayor under recall and being allowed to make public statements about whatever nonsense. Its not fair to have Mr. DiBella come here to relate what's going on. Would hope that when the Board does have meetings representative will do best to attend.

Mr. Roma The members present tonight, have given me the courtesy of calling me and letting me know what's going on. We did have the information addressed by Mr. DiBella and are aware things.

D. Leonard Spar Ave Will address actions of Commission as it relates to accepting or rejecting excuses for absence.

CLOSE TO PUBLIC DISCUSSION

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

Clerk: Advised public of Beach Clean Up April 24 and the Girls Softball Opening April 24.

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 – PBA Negotiations – Filling Vacancies in Public Works
 Contractual - Delta Dental

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

ACTION TAKEN AS A RESULT OF EXECUTIVE SESSION

#2010-141 RESOLVED by Mayor and Council to approve the Two Year Agreement with Delta Dental at a Fixed Rate for both years.

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

ADJOURN

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

Prepared by : E.A. Mastropasqua

 Ronald W. Jones, Jr.
 Mayor

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