

April 18, 2007



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 76 servicemen from New Jersey have been killed in Iraq and Afghanistan. Our war dead must always be remembered. Their Heroism deserves it's 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 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, and especially for the 33 Victims, and their families from Virginia Tech.

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 Asbury Park Press on January 4, 2007.

The notice of the Public Hearing on the Municipal Budget appeared in the Ocean County Observer on April 9, 2007.

Roll Call Members Present

Mayor Harold R. Morris

Councilmembers: Beverly Clayton
Gregory Feeney
Steven Komsa

Gerald W. LaCrosse
Thomas Miserendino
Ronald Roma

Absent: None

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 \$1,700,222.09;

NOW, THEREFORE, BE IT RESOLVED (not less than two-thirds of all members thereof affirmatively concurring) that in accordance with N.J.S. 40A:4-20:

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

	2007	SALARY & WAGES	OTHER EXPENSES	TOTAL
1	Clerk	5,000.00	5,000.00	10,000.00
2	Financial Administration	2,000.00	0.00	2,000.00
3	Social Security	0.00	40,000.00	40,000.00
4	Postage	0.00	5,000.00	5,000.00
5	Engineering	0.00	15,000.00	15,000.00
6	Planning Board	2,000.00	0.00	2,000.00
7	Police	250,000.00	20,000.00	270,000.00
8	Crossing Guard	2,000.00	0.00	2,000.00
9	Tax Assessor	2,500.00	500.00	3,000.00
10	Legal	0.00	10,000.00	10,000.00
11	Construction	5,000.00	0.00	5,000.00
12	Code Enforcement	5,000.00	750.00	5,750.00
13	General liability Insurance	0.00	60,000.00	60,000.00
14	Workers Compensation	0.00	91,148.49	91,148.49
15	Employee Group Insurance	0.00	30,000.00	30,000.00
16	Fire Prevention	2,000.00	1,000.00	3,000.00
17	Prosecutor	0.00	5,000.00	5,000.00
18	Public Works	30,000.00	0.00	30,000.00
19	Solid Waste	80,000.00	5,000.00	85,000.00
20	Recycling	5,000.00	0.00	5,000.00
21	Building & Grounds	40,000.00	10,000.00	50,000.00
22	Vehicle Maintenance	0.00	10,000.00	10,000.00
23	Street Lighting	0.00	20,000.00	20,000.00
24	Telephone	0.00	10,000.00	10,000.00
25	Natural Gas	0.00	10,000.00	10,000.00
26	Gas and Oil	0.00	30,000.00	30,000.00
27	Solid Waste Disposal Costs	0.00	200,000.00	200,000.00
28	Court	30,000.00	1,000.00	31,000.00
	Water Operating			
1	Water	100,000.00	150,000.00	250,000.00

Motion: Komsa Second: Roma
Approved: Clayton – Feeney – Komsa – LaCrosse – Miserendino – Roma
Absent: None Abstain: None

#2007-156 WHEREAS the Borough of Beachwood approved the rental of the Community for March 31, 2007 by Anne Leo 816 Spray Avenue, Beachwood, noting all resident fees were posted (\$850); and

WHEREAS, on April 1, 2007 an inspection of the facility resulted in the following charges incurred:

Clean up – (2Hrs. O/T)	\$71.32
Administrative Fee	\$75.00
Total:	\$145.32

NOW, THEREFORE, BE IT RESOLVED by Mayor and Council to authorize a refund of \$354.68,(which reflects a deduction of \$145.32) to Anne Leo, 816 Spray Avenue, Beachwood.

Motion: Miserendino Second: Komsa
Approved: Clayton – Feeney – Komsa – LaCrosse – Miserendino – Roma
Absent: None Abstain: None

#2007-157 RESOLVED by Mayor and Council to approve the application for membership into the Beachwood Volunteer Fire Company #1 Inc., of Jeffrey Huntley, 644 Seaman Avenue, Beachwood.

Motion: Miserendino Second: LaCrosse
Approved: Clayton – Feeney – Komsa – LaCrosse – Miserendino – Roma
Absent: None Abstain: None

#2007-158 WHEREAS, the month of May 2007 has been designated throughout the nation as "Older Americans' Month"; and

WHEREAS, the Borough of Beachwood desires to recognize the Retired and Senior Volunteer Program (RSVP), and various other programs administered by the Ocean County Board of Social Services to assist older Americans; and

WHEREAS, the focus of this recognition identifies the involvement of the older population in their communities through volunteer work in the health and nutrition services, in agricultural and food bank programs; in knowledge and skills programs, in economic development programs; in housing and homeless

prevention programs; in energy conservation programs; in social service programs, and in criminal justice programs; and

WHEREAS, this recognition further encourages the sharing of talents , wisdom and the lifetime experiences the older population through their involvement with others; and

WHEREAS, the Ocean County Board of Social Services sponsors the Ocean County Retired and Senior Volunteer Program, administers the Special Response Services to the Elderly Program, the Senior Housing Security and Transportation Program, and various other programs for seniors; and

WHEREAS, the Retired and Senior Volunteer Program of Ocean County endeavors to recruit senior volunteers to encourage such involvement with others and to provide volunteer services: to its ninety (90) non-profit agencies and proprietary health care facilities.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Beachwood, proclaims the month of May as “Older Americans” Month, and honors and endorses all programs in Ocean County which encourages the sharing of talents, wisdom and lifetime experiences of the older populations.

Motion:	Feeney	Second:	LaCrosse
Approved:	Clayton – Feeney – Komsa – LaCrosse – Miserendino – Roma		
Absent:	None	Abstain:	None

#2007-159 WHEREAS. the week of April 15- 21,2007 has been so proclaimed National Volunteer Week in recognition of the Retired and Senior Volunteer Program (RSVP) sponsored by the Ocean County Board of Health; and

WHEREAS, the theme of this year's recognition is "Inspired by Example"; and

WHEREAS, the recognition focuses on the outstanding contributions, service and 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; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of

against any measurable deterioration in water quality and establish 300 ft. riparian buffer zones within open spaces along the river, thereby placing limits on new, large scale development projects along its banks.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Beachwood supports upgrading the protections of the Toms River and its tributaries to the Category One designation.

BE IT FURTHER RESOLVED that the Clerk shall forward a certified copy of this resolution to the following:

- A Ocean County Board of Chosen Freeholders B. 9th, 10th and 30th Legislative Districts
- C. All Ocean County Municipalities

Motion:	LaCrosse	Second:	Roma
Approved:	Clayton – Feeney – Komsa – LaCrosse – Miserendino – Roma		
Absent:	None	Abstain:	None

#2007-161 Resolution – Deferred Compensation – Met Life

Whereas, in order to attract and retain qualified employees there exists a need to adopt and implement a DEFERRED COMPENSATION PLAN for the employees of the Borough of Beachwood (hereinafter referred to as “Employer”), which will provide said employees the ability to enhance their financial security at retirement through the accrual of tax benefits as provided by Section 457 of the Federal Internal Revenue Code; and

Whereas, there is no direct financial cost to the Employer to adopt and implement a DEFERRED COMPENSATION PLAN; and

Whereas, the Employer prepared and made available to the providers of deferred compensation services requests for proposals as described herein;

NOW, THEREFORE BE IT RESOLVED BY the Borough of Beachwood that:

A DEFERRED COMPENSATION PLAN provided by the Metropolitan Life Insurance Company, New York, NY (hereinafter “MetLife”) 62-PD-Metlife-032106) (hereinafter “PLAN”) is hereby adopted. It is acknowledged that said PLAN is substantially similar to one of which a favorable Private Letter Ruling has been previously obtaining from the Federal Internal Revenue Service except for provisions added by reason of the Small Business Job Protection Act of 1996 (United States Public Law No 107-16), and §401(a)(9) of the Internal Revenue Code and all such provisions are stated in the PLAN in terms

substantially similar to the text of those provisions in Federal Internal Revenue Code Section 457. It is further acknowledged that the use of a Private Letter Ruling is for guidance only, and acknowledges that for Internal Revenue Service purposes, the Ruling of another employer is not to be considered precedent.

The Borough of Beachwood reviewed the proposal and met with representatives of the responding provider of deferred compensation services and recommended MetLife because of its ability to (1) maintain complete records of accounts; (2) manage accounts with absolute fidelity; (3) provide advice concerning various categories of investments; and (4) provide continuing consultation to participants.

The Chief Financial Officer and/or Deputy Clerk is hereby designated as the Local Plan Administrator for the administration of the PLAN.

The Chief Financial Officer and/or Deputy Clerk are authorized to execute a SERVICE AGREEMENT with MetLife (62-SA-Metlife-032106) for the provision of administrative and investment services, and to submit all necessary documents to the Director of the Division of Local Government Services within the State Department of Community Affairs for approval.

There has been no collusion, or evidence or appearance of collusion, between any local official and a representative of MetLife in the selection of MetLife as Contractor for the administration of a SERVICE AGREEMENT pursuant to N.J.A.C. §5:37-5.7.

A certified copy of this Resolution shall be forwarded to the Director of the Division of Local Government Services within the State Department of Community Affairs.

Motion:	Roma	Second:	Miserendino
Approved:	Clayton – Feeney – Komsa – LaCrosse – Miserendino – Roma		
Absent:	None	Abstain:	None

CORRESPONDENCE

None

REPORTS

Mayor Morris Congratulated Mr. Ed Gearity on his re-election to the School Board. Recently stopped in at Alliance Dance – and amazed at the number in attendance and the great job done by the Alliance to handle the group. May need a larger place to hold event. Fireworks committee meeting held.

Beverly Clayton Fireworks program in 67th year. Due to weather Monday, will re-schedule meeting. 2007 Show expected to be bigger and better. Looking into other cost effective changes at the Community Center.

Ronald Roma Congratulated Mr. Gearity on re-election. Alliance program(s) great success. Twenty two in all just as important as teen Dance. Would like support from Governing Body on Background Investigations of Volunteers for Alliance. Road Work on going. Weather may have affected some programs by delays. Condolences to families of victims of Virginia Tech massacre.

Thomas Miserendino: Congratulated Mr. Gearity on re-election. Junior Fire Fighter Program will be implemented at Intermediate South. Noted that success of Fire Company fund raisers in part to the support from the two schools with flyers going home through the students.

Steven Komsa Condolences to the families of the victims of the killings at Virginia Tech. Congratulated Mr. Gearity. Wished speedy recovery to Governor Corzine from injuries suffered in recent motor vehicle accident. Summer Camp to begin in June. Summer Movie #1 to be scheduled with showing of “Happy Feet”.

Gerald W. LaCrosse: Flushing almost done. Congratulated Mr. Gearity on re-election. Will be meeting with Mr. Oris on proposed to Water Tank. Girls Softball opener scheduled for April 21st. 09:45 a.m.

Gregory Feeney: Congratulated Mr. Gearity. Noted that Police Department is holding “Internet Sex Crimes” seminar this night at the school.

Engineer Oris: Going to bid for drainage.

Mayor Morris: Thoughts and prayers go out to the victims of the Virginia Tech massacre, and their families.

PUBLIC DISCUSSION – TO OPEN

Motion: LaCrosse Second: Roma
Approved: Clayton – Feeney – Komsa – LaCrosse – Miserendino – Roma
Absent: None Abstain:

School Bd Rep

Ed Gearity: Thanked all for support of his re-election and the passage of the school budget. This is a great and successful relationship (between Borough and Schools).

Clark R.

Seaman Ave Commented on salary and hiring of Administrator.

Novaky

Maple St. Hope Mr. Antonides numbers (budget tax increase) work out.

Lipton

Pennant Ave. Commented on remarks made re: salaries. Noted that New Jersey’s problems are not related to individuals salaries, but health costs.

Clark; Robert

Commented on appointment to Sewerage Authority made earlier in year. Questioned salary of Administrator and how position was filled.

Jones; Ronald

Berkeley Ave Commented on salaries and fairness in answering questions posed by public.

Clark; K.

Commented on appointment to Sewerage Authority, and how vacancy on Council was filled. What are qualifications.

Clark; Robert

Questioned Mr. Roma on his qualifications for county position. Asked why Mr. Komsa was selected over Mrs. Clarke. Her Qualifications were better and her commitment to the community has been displayed. How is decision made, personal or professional.

Why Mr. Turner was appointed to Sewerage Authority , when he was more qualified for the appointment.

Clark; K.

Explanation of selection to council is owed to residents.

Roma:

Tried to explain that there are no qualifications for elected office. He noted that their questions would be best brought to the Republican Organization rather than the open public meeting forum. It is a political matter to be discussed there.

Lipton

Noted that there are no “job descriptions” for Council or Mayor.

CLOSE TO PUBLIC DISCUSSION

Motion: LaCrosse Second: Komsa
Approved: Clayton – Feeney – Komsa – LaCrosse – Miserendino – Roma
Absent: None Abstain:

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:

Personnel – Administrative

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

Motion: LaCrosse Second: Feeney
Approved: Clayton – Feeney – Komsa – LaCrosse – Miserendino – Roma
Absent: None Abstain:

RE-OPEN

Motion: Roma Second: Komsa
Approved: Clayton – Feeney – Komsa – LaCrosse – Miserendino – Roma
Absent: None Abstain:

ADJOURN

Motion: LaCrosse Second: Mierendino
Approved: Clayton – Feeney – Komsa – LaCrosse – Miserendino – Roma
Absent: None Abstain:

Submitted by: E.A. Mastropasqua

Harold R. Morris
Mayor

Attested to by: _____
Elizabeth A. Mastropasqua
Municipal Clerk