

#2011-152 RESOLVED by Mayor and Council to approve the 2011 Certified Bills List in the amount of **\$2,018,836.94**

Motion: Clayton Second: Roma
 Approved: Clayton - Komsa – LaCrosse – Roma - Zakar Absent: Feeney

#2011-153 RESOLVED by the Governing Body of the Borough of Beachwood to approve the minutes of the April 07, 2011 meeting of Mayor and Council.

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

#2011-154 RESOLVED by the Governing Body of the Borough of Beachwood to approve the Professional Services Agreement for Municipal Planner and COAH Planner from Remington Vernick and Vena; and

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

Motion: Clayton Second: Komsa
 Approved: Clayton - Komsa – LaCrosse – Roma - Zakar Absent: Feeney

#2011-155 RESOLVED by the Governing Body of the Borough of Beachwood to approve the Collective Bargaining Agreement (2011-2013) Teamsters Local Union No. 469; and

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

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

#2011-156 RESOLVED by the Governing Body to approve the following requests for Rentals

| <u>2011 COMMUNITY CENTER</u> | | | | |
|-------------------------------------|----|---|----------|---------|
| Apr | 30 | Beachwood Soccer – “Warriors” c/o Mandica | Rental: | \$WAIVE |
| | | 249 Ship Ave., Beachwood | Deposit: | \$WAIVE |
| Aug | 14 | Babinski | Rental: | \$350 |
| | | 725 Longboat Ave. Beachwood | Deposit: | \$500 |
| Aug. | 21 | Fox | Rental: | \$350 |
| | | 46 Bowline St., Beachwood | Deposit: | \$500 |
| Oct. | 08 | Camaraza | Rental: | \$350 |
| | | 18 Nautilus St., Beachwood | Deposit: | \$500 |
| <u>2011 MAYO PARK</u> | | | | |
| Apr | 23 | Christiansen | Rental: | \$125 |
| | | 528 Forepeak Ave. Beachwood | Deposit: | \$175 |
| June | 11 | Beachwood DPW / Cory Long | Rental: | \$WAIVE |

| | | | |
|---------|----------------------------|----------|----------|
| | 1150 Beachwood Blvd. | Rental: | \$WAIIVE |
| June 12 | Shore Vineyard Church | Rental: | \$150 |
| | 320 Compass Ave. Beachwood | Deposit: | \$175 |

Motion: Roma
 Approved: Clayton - Komsa – LaCrosse – Roma - Zakar
 Second: Clayton
 Absent: Feeney

#2011-157 RESOLVED by Mayor and Council to approve the requests for Conference – Training – Seminar

| | | |
|-----------|---------------------------------------|--|
| Date: | April 28 | Public Works - G. Silva – R. VanderPloeg – C. Schiel – J. DeMorato |
| Subject: | Partners in Safety – N.J. Natural Gas | |
| Location: | Lakewood | |
| Cost: | \$0 | |
| Vehicle: | No | |

| | | |
|-----------|--|---|
| Date: | May 02 to 05 | Police - Chief Cairns – Lt. Tapp - J. Kroutil (OEM) |
| Subject: | N.J. Emergency Preparedness Conference | |
| Location: | Tropicana – Atlantic City | |
| Cost: | \$100 @ | |
| Vehicle: | Yes | |

| | | |
|-----------|---|----------------------|
| Date: | May 17 to 20 | Police - Lt. R. Tapp |
| Subject: | Profile of Child Predator – Facebook and Ethics for Law Enforcement Professionals | |
| Location: | Wildwood | |
| Cost: | \$250 | |
| Vehicle: | Yes | |

| | | |
|-----------|---|--------------------------|
| Date: | June 20 to 23 | Police – Chief W. Cairns |
| Subject: | N.J. State Assoc. Chiefs Police Training Conference | |
| Location: | Taj Mahal – Atlantic City | |
| Cost: | \$285 | |
| Vehicle: | Yes | |

| | | |
|-----------|--|--|
| Date: | June 21 | Police – Lt. R. Tapp – Sgt. G. DeMarco |
| Subject: | “Evil Lurking” - Into the Mind of a Violent Offender | |
| Location: | Convention – Atlantic City | |
| Cost: | \$50 | |
| Vehicle: | Yes | |

| | | |
|-----------|--|--|
| Date: | June 22 | Police Lt. R. Tapp - Det. W. Oldham – Det. S. Langan |
| Subject: | “Inside the LAKEWOOD , WASHINGTON POLICE SHOOTINGS – A Chief’s Perspective | |
| Location: | Convention Center - Atlantic City | |
| Cost: | \$50 | |
| Vehicle: | Yes | |

Motion: Roma
 Approved: Clayton - Komsa – LaCrosse – Roma - Zakar
 Second: LaCrosse
 Absent: Feeney

SECTION 3. Section 9-4.4 of the Code of the Borough of Beachwood entitled, "Use of River Front Gazebo" is hereby deleted and in its place instead the following shall be inserted:

"9-4.4. Use of River Front Gazebo

a. Purpose. The purpose of the within sub-section is to establish a fifty dollar (\$50.00) fee in order to regulate the use of the Borough's River Front Gazebo for a scheduled event. This regulation is necessary in order to ensure that individuals can schedule and use the facility at a fixed time and date.

b. Fee. There is hereby established a fifty dollar (\$50.00) event fee for scheduling a wedding or wedding photo session at the River Front Gazebo. The individual scheduling the event shall pay a fifty dollar (\$50.00) fee, shall fill out the required application to include the individual's name, the event planned, and the date and time which will be limited to three (3) hours for the event.

SECTION 4. This Ordinance repeals any inconsistent ordinance or ordinances or part or parts thereof.

SECTION 5. This Ordinance shall take effect immediately upon its final passage and publication as required by law.

**RESOLUTION
#2011-159**

RESOLVED by the Governing Body of the Borough of Beachwood to approve Ordinance #2011-02 as presented on First Reading by Title Only.

Motion: Clayton Second: Roma
Approved: Clayton – Komsa – LaCrosse – Roma – Zakar Absent: Feeney

**ORDINANCE FINAL READING PUBLIC DISCUSSION AND ADOPTION
#2011-01**

CALENDAR YEAR 2011

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 2.0 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 2011 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 and half percent increase in the budget for said year, amounting to \$102,429.24 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 2011 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 and half percent, amounting to \$102,429.24, and that

the CY 2011 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.

OPEN TO PUBLIC DISCUSSION – THIS ORDINANCE ONLY

Motion: Komsa Second: LaCrosse
Approved: Clayton – Komsa – LaCrosse – Roma – Zakar Absent: Feeney

Mr. LaCrosse requested clarification on “banking” purpose. CMFO Mauder responded.

Mrs. J. Maxwell

Beach Ave Questioned amount and requested clarification from Mr. Mauder.

CLOSE TO PUBLIC DISCUSSION – THIS ORDINANCE ONLY

Motion: Komsa Second: Roma
Approved: Clayton – Komsa – LaCrosse – Roma – Zakar Absent: Feeney

RESOLUTION

#2011-160 **RESOLVED** by the Governing Body of the Borough of Beachwood to approve and adopt Ordinance #2011-01 as Presented and held for public discussion.

Motion: LaCrosse Second: Zakar
Approved: Clayton – Komsa – LaCrosse – Roma – Zakar Absent: Feeney

CORRESPONDENCE

- a. Pack 70 – Beach – May 19 – “Bon Fire” graduation

Dear Beachwood Mayor and Council,

Cub Scout Pack 70 is having our annual bon fire on the beach and graduation on May 19, 2011. We are requesting permission to use Beachwood Beach from 6pm – 9pm. We will obtain the proper fire permits to have the bon fire.

Thank You,



Francine Babcock

Pack 70 Committee Chair

732-557-1557

Approved pending proper permits as well as clean up requirements:

Motion: Clayton Second: Zakar
Approved: Clayton – Komsa – LaCrosse – Roma – Zakar Absent: Feeney

b) Slip rentor – requesting refund

332 Beach Avenue
Beachwood, NJ

April 1, 2011

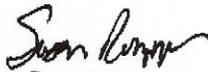
The Honorable Mayor and Council
Borough of Beachwood
1600 Pinewald Road
Beachwood, NJ 08722

Dear Mayor and Council:

Due to the death of my husband, John P. Rizzo, we would like to cancel any future use of boat slip #74 that we currently hold at the municipal boat slips, and request a refund for upcoming season that we pre-paid in January 2011.

We greatly appreciate your assistance in this matter. If further information is needed, please feel free to contact me at 732-341-2484.

Sincerely,


Susan Rizzo

RESOLUTION

#2011-161

RESOLVED to approve refund of boat slip rental #74 fees to Susan Rizzo

Motion:

Roma

Second:

LaCrosse

Approved:

Clayton – Komsa – LaCrosse – Roma – Zakar

Absent:

Feeney

c) Resident (J. Cena) requesting waiver of License Late Fee

4-5-11



RM1 James R. Cena USN (Ret.)
924 Beachwood Blvd.
Beachwood, NJ 08722

DEAR MAYOR + COUNCIL

THIS LETTER IS A REQUEST FOR A WAIVER OF LATE FEES ON MY DOG'S LICENSE EXPIRATION... REASON AS FOLLOWS. ON DEC 27 I FELL AND DISLOCATED MY SHOULDER AND HAD TO UNDERGO THERAPY FOR WHICH I NEEDED TO BE DRIVEN BACK + FORTH THEN INTENSIVE SURGERY ON 3-4-11, WITH NO ACTIVITY AND OUT OF WORK THIS WHOLE TIME MAKES IT EXTREMELY DIFFICULT TO MANAGE CONCENTRATION WHILE UNDER MEDICAL CARE AND MEDICATION. AS ATTACHED I HAVE FURNISHED A COPY OF THE LICENSE EXPIRATION AND COPY OF THE MEDICAL CLAIM TO THE STATE WITH ALL THE DATES DESCRIBED.

UNDER THE ASSUMPTION OF YOUR WAIVER I WILL AWAIT YOUR NOTIFICATION AND ONCE AGAIN RETURN TO MAKE THE ORIGINAL LICENSE PYMT.

THANK YOU FOR YOUR CONSIDERATION

SINCERELY
JAMES R. CENA

RESOLUTION
#2011-162

RESOLVED to approve waiver of license late fee for James R. Cena

Motion: Roma
Approved: Clayton - Komsa - LaCrosse - Roma - Zakar

Second: LaCrosse
Absent: Feeney

d) Shore Vineyard Church – Use of Beach



P.O. Box 281
320 Compass Ave
Beachwood, NJ 08722
Phone: 732-244-3888
Fax: 732-244-3181
Web: www.shorevineyard.com

April 8, 2011

4/20 agenda

Beachwood Municipal

Shore Vineyard Church would like to perform a baptism at Beachwood Beach the morning of June 12, 2011. Please advise that we will be permitted to go ahead with this event. Thank you.

Sincerely,

Nancy Jankowski
Nancy Jankowski

Administrator

732-865-1566

RESOLUTION

#2011-163 RESOLVED to approve the request for Beach use June 12, 2011 by Shore Vineyard pending receipt of Insurance Documents.

Motion: Clayton

Second: Roma

Approved: Clayton – Komsa – LaCrosse – Roma – Zakar

Absent: Feeney

e) Pine Beach 5K Run



April 8, 2011

Hon. Mayor Ronald Jones
Borough of Beachwood
1600 Pinewald Rd.
Beachwood, NJ 08722

Dear Mayor Jones:

The Borough of Pine Beach is sponsoring a 5K Race on Sunday, June 26th and certain roads within the Borough will be closed to vehicular traffic from 9:00 AM to 10:00 AM. These roads connect to Beachwood roads, and we would appreciate your consideration in allowing the connecting portion to be closed during the race time. The enclosed map shows the route and streets involved.

Thank you very much for any consideration you can give this request

Sincerely,

Charlene A. Carney
Municipal Clerk

Copy: Beachwood Police

599 PENNSYLVANIA AVENUE, P.O. BOX 425 • PINE BEACH, NEW JERSEY 08741-0425 • (732) 349-6425 • FAX (732) 240-0533
WWW.PINEBEACHBOROUGH.US

RESOLUTION
#2011-164

RESOLVED to approve the request of Pine Beach with regard to closure of connecting roads for their 5K run on June 26th.

Motion: Roma
Approved: Clayton – Komsa – LaCrosse – Roma – Zakar

Second: Komsa
Absent: Feeney

f) Environmental Commission

Borough of Beachwood
Environmental Commission
1600 Pinewald Road
Beachwood, NJ 08722

April 4, 2011

Borough of Beachwood
Mayor and Council
1600 Pinewald Road
Beachwood, NJ 08722

Ladies and Gentlemen,

I am writing to advise you that Dina Jones has not been present for any meetings in 2011, nor have I been able to get a response by e-mail or phone. Please remove her from our Commission so someone else may apply. Thankyou.

Sincerely,



Jayne A. Moormann
Chairperson

Council instructed the Clerk to send a letter to the member to determine status.

g) Resident seeking Tax Exemption back dated and Assessors response

March 25, 2011

Borough of Beachwood
1600 Pinewald Road
Beachwood, New Jersey 08722

Attn: Council President and members of Council

Dear Council;

I am writing this letter to clarify my property tax obligation to the Borough.

As you are all aware I am a 100% disable veteran and as such my property tax obligation is waived by State statue. The following dates being provided are the sequence of events of the process that took place from January 2010 to present.

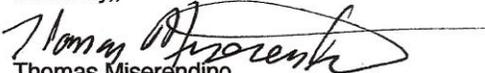
- On January 5, 2010 received letter from the Veterans Affairs granting total disability effective March 27, 2008.
- On January 25, 2010 went to the Borough of Beachwood's tax assessor's office to complete necessary paper work for exemption. (note: this was the first Monday night the office was open due to holidays).
- Completed all paper work and provide proper documentation for exemption to the tax assessor on January 25, 2010.
- Went to Florida the that week for 6 weeks, when I returned to Beachwood in March 2010, received telephone message from tax assessor stating that I was given incorrect forms to complete and to return to office to redo forms.
- Arrived in office the first Monday evening upon my return: March 8, 2010. Redid paper work and was told that due to no fault of mine the effective date will be when I first applied - January 25, 2010.
- The Council approved the date as March 8, 2010.

The date of approval should be January 25, 2010 due to the error by the tax assessor's office in providing the incorrect forms when I first applied.

I respectfully request that Council by resolution correct the effective date of the total disability property tax exemption to January 25, 2010.

Council is aware that they may approve the date for exemption effective back to the date of the disability, March 27, 2008 or any date up to the date of filing. I am only asking that the date be adjusted to the date of my filing, January 25, 2010.

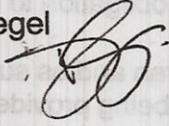
Sincerely,,


 Thomas Miserendino
 1045 Seaman Ave
 Beachwood, N.J.
 Block 3.29 Lot 2

3/30/2011
Council
I have sent a copy of
this to our Assessor
for a "resolution" to
confirm this matter
B

**BOROUGH OF BEACHWOOD
MEMORANDUM**

To: Council President and Members of Council

From: Denise M Siegel
Assessor 

Date: April 4, 2011

Re: Block 3.29 Lot 2

I was copied a letter you received from Mr. Thomas Miserendino regarding his disabled veteran status.

The application is dated January 25th. This office would have seen it for the first time the following Monday which was January 31.

The staff in the collector's office did give him the incorrect form to file for the exemption. Upon reviewing the application it was noted he had been given the incorrect form. This office IMMEDIATELY called him to request he come in and sign the correct form so it could be deemed filed. Whether this office spoke to him that day or left him a voice message will need to be verified with my field person Ray who made the telephone call.

I believe this office also sent a correct form to his residence.

After a few weeks I realized we still did not have the corrected form and we did call again; at that time we were informed he was now in Florida and would not be back for some time.

Legally I did as I felt proper under the circumstances. If he was questioning the status, he could have filed an appeal. If the council wants to accept January 25th as his official filing date, the exemption would become effective February 1st.

As far as back dating his status to 2008, a decision was made by previous council members that this would set a precedent the Borough could not afford. It is not uncommon for the Veterans Administration to back date disabled status as much as 10 years prior. It usually has something to do with the initial medical findings and the progression of whatever the claim may entail.

RESOLUTION
#2011-165

RESOLVED to approve the request to back date exemption on Bock 3.29 Lot 2 (Thomas Miserendino) disabled verteran , to February 1, 2010.

Motion: Roma
Approved: Clayton – Komsa – LaCrosse – Roma – Zakar

Second: LaCrosse
Absent: Feeny

REPORTS

| | |
|------------------------|--|
| Council President Roma | Considering this will be the 10th Anniversary of Sept. 11th would like Borough to hold a candle light vigil – memorial celebration. Borough will begin pulling together. Wished all Happy Easter and Happy Passover |
| Councilwoman Clayton | Sponsor letters sent out for Fireworks. Fireworks Committee meeting will be set up. Letter re: NJ Gas - to residents regarding moratorium on roads. All resolved. Happy Holidays |
| Councilman LaCrosse | On behalf of our Volunteers - April 25th - will be speaking with Pine Beach - re: LOSAP referendum on their ballot. Hope it will go well. Board vacancies - there are 2 regular positions needing to be filled and two alternates as well. Hope filled a.s.a.p. April 30th Beach Sweep - schools notified and hope that many will show up... Asking use of equipment from DPW. |
| Councilwoman Clayton | Urged caution in the area for all involved, Advised area contains poison ivy |
| Councilman LaCrosse | Environmental Com asking for funds to do ERI ... (Engineer) advised previously that this entails a significant expense. Life guards are being contemplated... and looking at required training. Clerk advised that names of Lifeguards should be made known to address required JIF seasonal training. |
| Councilman Komsa | Thanked Recreation for hard work on Egg Hunt. Thanked First Aid - Police for participation. 10,000 eggs were purchased from firm who stuffs eggs and proceeds go to aid veterans. Memorial Day Craft Show - May 30 - Mayo Park. Announced that he has been Appointed to County's Exploited and Missing Children Org |
| Councilman Zakar | Appointed to as Fund Commissioner to O.C. Municipal Joint Insurance Fund. Will be looking at ways to reduce losses. Was invited to be keynote speaker at Fire Academy. Commended all the volunteers and their value to all our communities. Departments doing well. |
| Council President Roma | Commented on recent article on Councilman LaCrosse's nephew - chief warrant officer currently in action. Call was received that German soldiers were being attacked by taliban , he assembled a crew went in on rescue with Black Hawk back up and all safe. Will be receiving US Silver Star for his actions and German version of Medal of Honor. |
| CMFO John Mauder | No report |
| Engineer J. Oris | Update on tank logo - should be completed by end of next week. Spray and Birch project - finding PVC pipe is becoming more and more scares...production (Japan) problematic. Will be looking into alternative product. Well #5 should be proceeding within next 2 weeks. |

Offered following
RESOLUTION
#2011-166

RESOLUTION OF THE BOROUGH OF BEACHWOOD, OCEAN COUNTY, NEW JERSEY AWARDING A CONTRACT FOR DRAINAGE INSTALLATION - OAK STREET AND MIZZEN AVENUE TO S & G PAVING, INC. IN THE AMOUNT OF \$16,424.00

WHEREAS, the Borough of Beachwood previously solicited quotes for drainage installation on Oak Street and Mizzen Avenue; and

WHEREAS, the Borough Engineer has revised said quotations to eliminate items 6 and 7 from the scope of work thereby reducing the low quotation to \$16,424.00; and

WHEREAS, three (3) quotes were received from three (3) companies with the lowest being from S & G Paving, Inc. with or without the deletion of items 6 and 7; and

WHEREAS, the Borough Engineer has recommended the award to the low revised quote of S & G Paving, Inc.; and

WHEREAS, it is now the desire of this Governing Body to act upon the engineer's recommendation and award the quote for Drainage Installation on Oak Street and Mizzen Avenue to S & G Paving, Inc. in the amount of \$16,424.00.

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 hereby awards a Contract to S & G Paving, Inc. for the low revised quote amount of \$16,424.00.

2. That upon the adoption of the within resolution, the Borough Clerk is authorized to forward a certified copy of it to the Borough Engineer, the Borough Treasurer, the Borough CFO, and S & G Paving, Inc.

Motion: Roma Second: Zakar
Approved: Clayton – Komsa – LaCrosse – Roma - Zakar Absent: Feeney

Attorney Mike McKenna No legal report... but advised council of his involvement with TRSHS Diamond Club and that he likes to help out when he can . Thanked for use of Community Center used 4/2 and assured Council he was first to arrive and last to leave to make sure that the room was treated well.

Municipal Clerk No Report

OPEN TO PUBLIC DISCUSSION

Motion: Roma Second: LaCrosse
Approved: Clayton – Komsa – LaCrosse – Roma - Zakar Absent: Feeney

7:42 PM

R. DiBella
1008 Halliard Ave Did Mayor say why he wasn't going to be here today ? [Clerk] Something about his Son
What about Mr. Feeney [Clerk] Employment issues

Read something in the papers today (APP) and would like to know the take of this Governing Body, which is kind of , being there was a request by the Environmental Committee to remove volunteer who has missed some meetings. So what is the take of this Governing Body on removing officials, like what happened in Stafford Township, are you all familiar with that, did you read it today?

Mr. Roma: If I can , and I might have the facts wrong, if I do, I'm sure somebody will correct me. I believe, in Stafford, in that situation the person, indicated on legal documents, that he moving to a residence outside of the community. I'm only getting this from what I read in the paper, and last night the Council, because of that documentation, voted to remove him. What ever legal battles ensue, I am not sure of.

Mr. DiBella – That's how I interpreted it too. Going forward on that, that was the reason they removed him, because he couldn't serve the public living in another community. But there are also other ways, according to statutorily, missing a certain amount of meetings, what is the council's feelings on attendance.

Mr. Roma – posed question to Legal Counsel.

DiBella – Just want to know Council's take on this issue if it ever came to our Community would Council have courage to do same thing. Last year you passed an ordinance, according to the statute you couldn't make it any less but you made it stronger, was that for boards or elected officials.

Mr. Roma - Believe it was for boards.

Mr. LaCrosse explained his understanding of passing an ordinance that could be stricter than state requirements.

Mr. DiBella asked council to look at it's ordinance to determine if it affected elected officials:

See ordinance below:

ORDINANCE #2009-16

ORDINANCE OF THE BOROUGH OF BEACHWOOD, OCEAN COUNTY, NEW JERSEY AMENDING CHAPTER II, "ADMINISTRATION", TO ESTABLISH AN ABSENTEE POLICY FOR THOSE APPOINTED TO VARIOUS BOARDS, COMMISSIONS, COMMITTEES OR AUTHORITY ESTABLISHED WITHIN THE BOROUGH

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

Section 1. Chapter II of the Code of the Borough of Beachwood is hereby supplemented by the inclusion of the following:

"Section 2-41. Absentee Policy Established For Members of Any Board, Commission, Committee or Authority Established within the Borough of Beachwood.

Section 2-41.1. Purpose. The purpose of the within Ordinance is to adopt a policy establishing a lower absentee threshold than that established in N.J.S.A. 40A:9-12.1. It is the belief of the Governing Body that the hereinafter established absentee policy will help the various **Boards, Commissions, Committees, and Authority** to better function and perform their duties.

Section 2-41.2. Absentee Policy Established. In the event that a Member of a Board, Committee, Commission or Authority established within the Borough of Beachwood fails to attend and participate at meetings of such Body for a period of six (6) consecutive weeks, or three (3) consecutive meetings, whichever shall be of a longer duration, without being excused, the Secretary or Acting Secretary of said Body shall notify the Governing Body in writing of that determination. Said Board, Committee, Commission or Authority may refuse to excuse said absences only with respect to those failures to attend or participate which are not due to legitimate illness.

Section 2-41.3. The Governing Body upon being presented with the above determination by the Board, Committee, Commission or Authority shall deem said position vacant and proceed to fill said appointment for the unexpired term in accordance with the appropriate Statute.

Section 2. This Ordinance repeals any inconsistent ordinance or ordinances or part or parts thereof.

Section 3. This Ordinance shall take effect immediately upon its final passage and publication as required by law.

PUBLIC DISCUSSION Continued

J. Hipple

Beachwood First Aid 369 straight calls before having to call for a back up. Three (3) new people coming on. April 30th 9:00 a CPR class at the Squad Building. 9:00 a.m. and Spaghetti Dinner at 5:00 at the Fire Building. Cadets holding "Flower Sale" Currently 4 Cadets. Can start at age 14 through 18.

CLOSE TO PUBLIC DISCUSSION

Motion: Zakar Second: Komsa
Approved: Clayton – Komsa – LaCrosse – Roma - Zakar Absent: Feeney

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 - Public Works
Contractual - Teamsters (Status report)

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

Motion: Roma Second: LaCrosse
Approved: Clayton – Komsa – LaCrosse – Roma - Zakar Absent: Feeney

RE-OPEN

Motion: Roma Second: Zakar
Approved: Clayton – Komsa – LaCrosse – Roma - Zakar Absent: Feeney

ACTION TAKEN AS A RESULT OF EXECUTIVE SESSION

#2011-167 RESOLVED to approve the agreement between the Borough of Beachwood and T & M Associates for Professional Engineering Services / Water Plant Operator Assistance not to exceed \$4,000

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

ADJOURN

Motion: LaCrosse Second: Roma
Approved: Clayton – Komsa – LaCrosse – Roma - Zakar Absent: Feeney

Prepared by: E.A. Mastropasqua

Ronald W. Jones, Jr.
Mayor

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