

**April 30, 2008**

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 94 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 and delivered to the Berkeley Times and Asbury Park Press on April 18, 2008.

ROLL CALL MEMBERS PRESENT:

Mayor Ronald Jones

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

Absent:

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.

Clerk had 5 minute recess to check recording system:

#2008-168 RESOLVED by Mayor and Council to approve the 2008 Certified Bills List in the amount of \$1,158,190.24

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

#2008-169

RESOLVED by Mayor and Council to approve the following requests for Conference – Training – or Seminar.

Date:	May 5 <sup>th</sup> to 9 <sup>th</sup>	M. Nancy DeFalco – Jeanne Kroutil (OEM) W. Cairns (PD) R. Tapp (PD)
Location:	Atlantic City	
Subject:	NJ Emergency Preparedness Training Conference	
Cost:	\$75 @	
Vehicle:	YES	

Date:	May 9 <sup>th</sup>	Bonnie Boud ( Deputy Registrar)
Location:	Pt. Pleasant	
Subject:	Issuing Certified Copies	
Cost:	\$99	
Vehicle:	No	

Date:	May 20 - 21	Jeanette Larrison - Tax Collector
Location:	Atlantic City	
Subject:	Annual Tax Collectors Conference	
Cost:	\$265	
Vehicle:	No	

Date:	June 06	Jeanette Larrison - M. Nancy DeFalco
Location:	Rutgers – New Brunswick Campus	
Subject:	Current Issues in Planning & Zoning	
Cost:	\$120 @	
Vehicle:	Yes (Larrison) No (DeFalco)	

Date:	June 23 to 25	Ptlmn. D. Mussari
Location:	Gloucester Police Academy	
Subject:	Drill Instructor	
Cost:	\$60	
Vehicle:	Yes	

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

#2008-170 RESOLVED by Mayor and Council to approve the request of the Studebaker Club for use of the Parking Lot at the Beach for their annual car show to be held on the 5<sup>th</sup> day of October 2008.

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

#2008-171 RESOLVED by Mayor and Council to authorize the Ocean County Mosquito Extermination Commission and the State Mosquito Commission to apply pesticides from aircraft to control mosquitoes over the Borough of Beachwood; and

BE IT RESOLVED that the Mayor is authorized to execute on behalf of the Borough.

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

#2008-172 RESOLVED by Mayor and Council to approve the request of the Municipal Prosecutor to remove the name of Douglas W. Jones Jr. as Alternate Prosecutor and in his place to appoint Coleen M. Dolcy Esq and Bonnie Peterson Esq.

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

Mr. Komsa Offered comments on Wind Turbine Public Information System and addressed the next step the Borough Should take.

RESOLUTION:

#2008-173 Mr. Komsa – to authorize Rowan College to install an “Anonometer” on Municipal Property located at Recycling Center for the purpose of Collecting Wind Date.

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

#2008=174 Mrs. Clayton – to authorize the Municipal Attorney to prepare the appropriate Ordinance for the First Aid Building.

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

COAH UPDATES - Peter VanDenKooy – Birdsall Engineering

Peter VanDenKooy COAH update Revised Third Round Regulations - and Applicability to the Borough, enacted December 2007 with a comment period to end March 22, 2008. Date of adoption of revised regulations anticipated about Mayo or June. Unit requirement has changed. Would require new housing elementas and fair share plan. Municipalities would also have to adopt New "development fee ordinances - growth share ordinances - spending plans. Borough could again submit a revised vacant land adjustment.

Roma Only way this would affect us is f we decide to develop the property along Pinewald Rd.

VanDenKooy Significant changes (third round portion) age restricted use. Rental Bonuses would apply - Special needs use would apply. Borough is in Region 4 (RCA) cost of transferring RCA for Region 4

increased from \$35,000 to \$70,000. Previous obligations went from 123 down to three. Borough could report that there is no available "vacant" land.

Clerk Question on numbers of Re-hab from 2004

Roma Can we sell credits

Van Den Kooy Might be able to sell some and receive RCA monies. Borough would fall as a court town - and a deadline would be one year after COAH regulations imposed on state level. The Borough has a 17 unit cred applied as of court .

### COAH Questions

Schiffermiller Would understand better with information (documentation) available.

### OPEN TO PUBLIC DISCUSSION

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

Schiffermiller 813 Re: February 6th closed session minutes. Re: advertising for Administrator. Correcting via minutes  
Windward as of Feb 20th .. Borough advertised for Interviews. Decision to memorialize later.

Balazinski - 1008 Thanked S. Komsa for informative meeting on Wind Turbines. Weeks back, comments at meeting,  
Halliard addressed council. Could not respond at last meeting. Will respond now. When searched - asked that individual come forward to explain. No one stepped forward. Why did Mayor sit quietly and not respond

Mayor On advise of Attorney will not respond. Legal matter pending.

Balazinski - 1008 Are you on Mental Disability Pension?  
Halliard

Mayor On advise of Attorney.....

Balazinski Comments on process of selection as candidate..

Mayor Not to be answered here

Balazinski Victory celebration - payment for same. Thanked Mrs. Clark for paying bill and removing embarrassment. To Chief pay attention to your right .. because he fears for his life after this question. Did you take any gifts or money in exchange for a promise of employment with the Borough.

Mayor No - absolutely not.

Jensan - 1228 Mizzen Re: Administrator -being filled. Concern, when taxes are increasing, and cost of Administrator. All residents experiencing increases. We do not need at this time to fill this position, when we are losing state aid. Please re-consider. Wait to see if the market changes. You do not have to fill this position at this time. We have never spoken about this in an open meeting.

Schiffermiller Over years, when issues impact residents financially, the Borough has had questionnaire in tax bills... why don't you do that at this time to see if the residents want to spend the money.

Merola -752 Sunset Rd. **Comments regarding Mrs. Clark – “she misused council position by going to Little League Executive Board and suggesting that her husband (Merola) had a criminal record.”**

DiBella -1008 Halliard Understanding that law provides can speak on any issue of interest. Thanked Mr. Komsa on Wind Turbine meeting. Employees Saw three underaged girls in office shredding documents...

Mayor Point person of Juvenile Conference - one of individuals was under his supervision. No documents shredded.

DiBella Who made you point person. Approved by council

Mayor Appointed by J. Perlmutter

Mrs. Clayton Would like letter from Ms. Perlmutter on Mayor's appointment.

Chief Site coordinator is decided upon by the Borough, and on-site supervisor.

Mayor Would anyone want to serve.

Mr. Feeney Lots of things that fall into play in a matter like this.

DiBella Cannot let things just happen and approved by one person. Must be a decision of the council. Issue of Insurance Liability.

Mayor Didn't think it had to be discussed with Council.

DiBella Would have had some problems with the Clerk absent not sure they should have been there. Need ordinance to address visitors in the Borough. They should have to sign in at the Borough (all visitors). should not be oming in the side door.?

Bucca1513 Neptune If planning board member using authority - against builders. Grounds for removal.

DiBella Responded to Balazinski on taking money - if anyone has knowledge - should they go to prosecutor.?

Jansen Re: Lipton - denial of sub-division. Does that mean he can not do anything with the property until he appeals.

Mayor can clear

Jansen Can he move forward and build one house -

Clayton If he chooses to build one house on big lot, he can do that if he backs off the court issue.

Schiffermiller Believes its 40 x 100 back to back - combined app.

Balazinski Why was he censored, about non borough business when others were permitted.

Gugger - Addressing Mrs. Merola's statement - She (Mrs. Gugger) is the person who made the statement to Little League.

Chief Cairns Complaint from Mr. Behrens - pick up metal - "dumpster divers" picking up illegally. Will be having officers enforce.

Feeney Urge residents to report violators.

Chief It's becoming an issue and affects tax payers of town.

DiBella J. Perlmutter - any relationship with her prior to this incident. Remembers a Perlmutter dealing with him prior to being Mayor.

LcCrosse - 708 Question earlier - on advertising for Admin. Congratulated Mr. Komsa on Wind Turbine session.  
Forecastle Question earlier - re: Admin advertising, Can this town operate without it...

Council Required by Law

LaCrosse Borough will need CPWM. Re: Administrator, cost of salary vs amount of money saved during employment. People do not know this and they should know it. Was originally against, but after seeing what he did, impressed with his work, and glad it was done. Heard there was shredding of documents taking place. It concerns him, that there was shredding of documents Gets nervous about someone shredding documents. If Borough documents - big problem. Things said earlier this evening which should have been gavelled, but should have been leveled. Re: request for legal counsel, conflict with originally named attorney, he also has conflict.

Mr. Feeney                    Checking to see if he is eligible for coverage by the Borough.

Byrnes-1075  
Pinewald Rd                    Pays for city water - drinks bottled water. Even with praise for all water projects.

Zito - 432 Spar Ave            Thanks for the informative program on Wind Turbines. Gave attendees insight and that it could be feasible. Needs to be looked into further. Re: Administrator - personally opposes. With all the cuts from state and those yet to come, do we want to spend x thousands of dollars at this time.

Feeney                            Unfortunately can't be done in public sector.

Zito                                Uncomfortable with "shredding". It may be advantageous. Documents should be reviewed.

**CLOSE TO PUBLIC DISCUSSION**

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

NO EXECUTIVE SESSION

**ADJOURN**

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

Prepared by: E.A. Mastropasqua

\_\_\_\_\_  
Ronald W. Jones, Jr.  
Mayor

Attested to by: \_\_\_\_\_  
Elizabeth A. Mastropasqua  
Municipal Clerk