

May 07, 2003  
Beachwood Municipal Complex

**7:00 PM**

Call to Order

**Salute to the Flag**

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 the Governing Body 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 the Asbury Park Press on January 2, 2003.

Roll Call Members Present  
Mayor Harold R. Morris

Council Members:

Beverly Clayton  
Robert DiBella  
Gregory Feeney

Gerald W. LaCrosse  
Thomas Miserendino  
Patricia A. Moran

Absent:

**Moment of Silence as each in our own way honor of our men and women in military action.  
and offer a silent prayer for peace.**

Ernest Harkness – Vice President of Site Management at Oyster Creek appeared at the request of Mayor Morris to address recent articles on security at the Plant. He answered some public questions. Mayor Morris and Council thanked him for his appearance.

Question and comments as follows:

Councilmember Moran - Re: No fly zone over plant  
Councilmember DiBella - Commended Mr. Harkness on forthrightness with public.  
Mr. Schiffermiller - Warning system down – what corrections made to problem.  
Mr. Gruver - Status of Water controls (Coast Guard etc)

**7:20 P.M.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 – Police

Potential Litigation - Police

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

Motion: Feeney Second: Miserendino  
Approved: Clayton – DiBella – Feeney – LaCrosse – Miserendino - Moran  
Re-Open  
Motion: Miserendino Second: LaCrosse  
Approved: Clayton – DiBella – Feeney – LaCrosse – Miserendino - Moran

PUBLIC HEARING ON 2003 MUNICIPAL BUDGET

**BOROUGH OF BEACHWOOD**

**2003 MUNICIPAL BUDGET  
of the Borough of Beachwood,  
County of Ocean for the  
Fiscal year 2003.  
Revenue and Appropriation  
Summaries**

<b>Summary of Revenues</b>		<b>Anticipated</b>	
	<b>2003</b>	<b>2002</b>	<b>Final</b>
1. Surplus.....	889,000.00	1,063,000.00	
2. Total Miscellaneous Revenues.....	1,417,456.08	1,462,482.58	
3. Receipts from Delinquent Taxes.....	280,000.00	300,000.00	
4. a) Local Tax for Municipal Purposes.....	3,508,396.63	3,226,971.41	
b) Addition to Local District School Tax.....	0.00	0.00	
Tot. Amt. to be Raised by Taxes for Sup. Muni. Bud.....	3,508,396.63	3,226,971.41	
<b>Total General Revenues.....</b>	<b>6,094,852.71</b>	<b>6,052,453.99</b>	
<b>Summary of Appropriations</b>		<b>2003 Budget</b>	<b>2002 Budget</b>
1. Operating Expenses:			
Salaries & Wages.....	2,518,024.00	2,431,519.20	
Other Expenses.....	2,276,561.38	2,144,906.60	
2. Deferred Charges & Other Appropriations.....	195,127.00	182,692.00	
3. Capital Improvements.....	179,000.00	329,000.00	
4. Debt Service (Include for School Purposes).....	389,677.48	443,102.48	
5. Reserve for Uncollected Taxes.....	536,462.85	521,233.71	
<b>Total General Appropriations.....</b>	<b>6,094,852.71</b>	<b>6,052,453.99</b>	
<b>Total Number of Employees.....</b>			
<b>2003 Dedicated Water Utility Budget</b>		<b>Anticipated</b>	
	<b>2003</b>	<b>2002</b>	<b>Final</b>
1. Surplus.....	323,000.00	406,000.00	
2. Miscellaneous Revenues.....	963,000.00	967,000.00	
3. Deficit (General Budget).....	0.00	0.00	
<b>Total Revenues.....</b>	<b>1,286,000.00</b>	<b>1,373,000.00</b>	
<b>Summary of Appropriations</b>		<b>2003 Budget</b>	<b>2002 Budget</b>
1. Operating Expenses:			
Salaries & Wages.....	362,000.00	352,000.00	
Other Expenses.....	479,000.00	479,000.00	
2. Capital Improvements.....	45,700.00	45,700.00	
3. Debt Service.....	365,100.00	462,100.00	
4. Deferred Charges & Other Expenditures.....	34,200.00	34,200.00	
5. Surplus (General Budget).....	0.00	0.00	
<b>Total Appropriations.....</b>	<b>1,286,000.00</b>	<b>1,373,000.00</b>	
<b>Total Number of Employees.....</b>			
<b>Balance of Outstanding Debt</b>			
	<b>General</b>	<b>Utility</b>	<b>Water</b>
Interest.....	129,690.21	132,573.67	
Principal.....	259,987.27	232,526.33	
<b>Outstanding Balance.....</b>	<b>3,250,810.89</b>	<b>1,859,481.24</b>	

Notice is hereby given that the budget and tax resolution was approved by the governing body of the Borough of Beachwood, County of Ocean on March 11, 2003.

A hearing on the budget and tax resolution will be held at the Municipal Building, on May 7, 2003 at 7:00 P.M. at which time and place objections to the Budget and Tax Resolution for the year 2003 may be presented by taxpayers or other interested persons.

Copies of the Budget are available in the office of Elizabeth A. Mastropasqua, Municipal Clerk, at the Municipal Building, 1600 Pinewald Road, Beachwood, NJ 08722, 732-286-6000, during the hours of 9:00 a.m. to 4:00 p.m.

(\$60.45) 41342

Open to Public Discussion on Budget Only  
 Motion: DiBella Second: Feeney  
 Approved: Clayton – DiBella – Feeney – LaCrosse – Miserendino – Moran

W .E. Antonides: First time in years the budget has not been reviewed by the State.  
 Municipalities requesting Extraordinary Aid will not get reviewed until Aid approved.

Schiffmiller  
 Windward Ave. What is the theory behind the State's decision to do this.



<u>COMMUNITY CENTER 2005</u>				
May	22	Beachwood Repub. Org.	Rental:	\$WAIVE
		P.O. Box 252 – Beachwood	Deposit:	\$WAIVE
<u>MAYO PARK 2003</u>				
May	18	ARC Group Home	Rental:	\$WAIVE
		Anchor Ave	Deposit:	\$WAIVE
May	21	Brownie Troop 427	Rental:	\$WAIVE
		%Laurie Wainwright 309 Beach Ave.	Deposit:	\$WAIVE
June	08	GS Troop 231	Rental:	\$WAIVE
		% Tina Clark 420 Tiller Ave.	Deposit:	\$WAIVE
June	22	GS Red Cedar Service Unit (Girl Scout Day)	Rental:	\$WAIVE
		% Tina Clark 420 Tiller Ave.		
July	12	Seubert	Rental:	\$75
		1209 Longboat Ave.	Deposit:	\$75
Aug.	23	TR South Pop Warner	Rental:	\$WAIVE
		% Tina Clark 420 Tiller Ave.	Deposit:	\$WAIVE
Sept.	13	Rutkowski	Rental:	\$75
		700 Beacon Ave.	Deposit:	\$75
Sept.	21	Beachwood Repub. Org.	Rental:	\$WAIVE
		P.O. Box 252	Deposit:	\$WAIVE
<u>MAYO PARK 2004</u>				
Sept.	19	Beachwood Repub. Org.	Rental:	\$WAIVE
		P.O. Box 252	Deposit:	\$WAIVE
<u>MAYO PARK 2005</u>				
Sept.	18	Beachwood Repub. Org.	Rental:	\$WAIVE
		P.O. Box 252	Deposit:	\$WAIVE

Motion: Clayton Second: Moran  
Approved: Clayton – DiBella – Feeney – LaCrosse – Miserendino - Moran  
Absent:

#2003-145 RESOLVED by Mayor and Council to approve the following Conferences – Seminars – Training requests.

Date:	May 05	Joe Vivenzio – Thomas DiMichele (request rec'd 5/1) Fire Prev.
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2. That the Borough Mayor and Clerk are additionally authorized to execute a Deed of Dedication of a 5' right-of-way easement along Pinewald Road to the County of Ocean as described in Schedule B attached hereto and made a part hereof.
3. Upon adoption of the within Resolution, the Clerk is authorized and directed to forward a certified copy along with the Deed of Dedication to the County of Ocean.

Motion: LaCrosse Second: Moran  
 Approved: Clayton – DiBella – Feeney – LaCrosse – Miserendino - Moran

#2003-148 WHEREAS, on March 19, 2003 under Resolution #2003-095 Permanent Title Change of Equipment Operator was approved for Craig Amoresano, without noting the annual salary.

NOW, THEREFORE, be it resolved to correct the Resolution to read the annual salary of \$25,484.00

Motion: LaCrosse Second: Moran  
 Approved: Clayton – DiBella – Feeney – LaCrosse – Miserendino - Moran

ORDINANCE FIRST READING TITLE ONLY

**#2003-07 AN ORDINANCE TO VACATE ALL THE RIGHT, TITLE AND INTEREST IN AND TO THE PUBLIC PORTIONS OF HICKORY STREET, SYCAMORE STREET, MERMAID AVENUE, NEPTUNE AVENUE, OCEAN AVENUE, CABLE AVENUE, ANCHOR AVENUE AND SPAR AVENUE WITHIN THE BOROUGH OF BEACHWOOD, OCEAN COUNTY, NEW JERSEY**

RESOLUTION

#2003-149 RESOLVED by Mayor and Council to approve Ordinance #2003-07 as presented On First Reading Title Only

Motion: LaCrosse Second: Feeney  
 Approved: Clayton – DiBella – Feeney – LaCrosse – Miserendino - Moran  
 Absent:

CORRESPONDENCE:

None

COUNCIL REPORTS

- |                  |  |
|------------------|--|
| Clayton; Beverly | Memorial Day picnic on schedule. Summer Recreation program is preparing for sign ups.  |
| DiBella; Robert  | Public Works hard at work addressing drainage at Poplar St. 2002 Road Project (Mermaid Ave) has begun. Recommending the Governing Body look into the purchase of a Street Sweeper. Commented on article concerning Commerce Bank Contributions. Has never received or taken loans or contributions. Hopes fellow council members can say the same. |
| Feeney; Gregory  | Noted to Mr. DiBella that the 2002 Road project has made many people happy. Has been asked to sit on the O.C. JIF Claims review board.   |

Municipal Alliance holding Senior Health Day on May 9 at the Community Center during the morning and a Youth Dance in the evening. Monday July 6 at 9:00 p.m. the Alliance will be holding a Summer Fun Night with Volleyball.

Thanked Mrs. Clayton for researching language on "Smoke Free Recreation Sites."

Little League Opening Game went well as did Girl's Softball.

LaCrosse; Gerald W. Offered comments on the success of Courtney Zahn's appearance on CBS "Star Search" Urged everyone to watch and cast vote.

Horizontal Filtration In. Some work yet to be done but should be up and running soon. Our required testing all done. State will be conducting final test May 8.

Miserendino; Thomas Code Enforcement/ Zoning Reports for April. JIF holding early return to work seminar from 1:00 – 3:00 p.m. May 28.

Memorial Day Parade follows Fire Company services. Kick off is 11:00 a.m..

Smoke detectors will be available for distribution as needed. Anyone with non-working detector can contact Fire Company for replacement.

Moran; Patricia Working on Buildings and Grounds projects and scheduling Scout planting projects. Long list of other projects to address, and it's growing daily.

Question to Mr. Zuromski on the speakers and sound system for the Memorial Day Program.

Mayor Morris

Attorney McKenna: No report

Engineer; Thesing: 2004 Bikeway application being submitted. Also working on 2004 Road Project . Review Letter on well #7 in and being addressed. Bulkhead Revetment moving along.

Mrs. Moran & Mrs. Clayton questioned "revetment" sheets and how placed.

Mrs. Moran Question on status of Fire House rehab. (Waiting on Mr. Harper)

Mr. DiBella To Treasurer – what is procedure for employee to add non-biological child to health coverage. (Form to be filled out etc.)

To Mr. Hierung - Has firm represented any member of Governing Body personally? (WTH – a few years back)

OPEN TO PUBLIC DISCUSSION

Motion: DiBella Second: LaCrosse  
Approved: Clayton – DiBella – Feeney – LaCrosse – Miserendino - Moran  
Absent:

Gruver  
941 Seaman Ave

To Mr. LaCrosse re “Wet Cap System”

GWL: Collar around pipe, then cut opening.

Gruver: Is it reliable and does it have same life span?

GWL: Yes – very strong.

Gruver: What is target date?

GWL: Hoped for this month, but it looks like 4-6 weeks.

Gruver: Comment on Commerce issue. Can we review if there is any liability on the part of members of council?

Feeney: Commerce supports various sports.

Gruver: New Street Sweeper or more frequent cleaning is good idea. Commented on mess on his street (Vacant Lot)

Miserendino: Will have Code Enforcement Officer review problem.

Mayor: County does sweep 4 times a year via Schedule “C”.

Clayton: Snow conditions added to sand problem.

Gruver: To Mr. DiBella , requesting addressing undersized lots (Plan. Bd) .

DiBella: Two (2) came before Planning Board. Had Tax Assessor present . Motion made to deny application – then some members addressed financial impact to defend. Final result to approve the application.

Moran: Commented on referendum defeated years ago to purchase undersized lot.

Mayor: Attorney for Planning Board explained results of denial to board members.

Moran: Commented on “Court Approved” building plan.

DiBella: Suggested that we shouldn’t be taking a defeatist attitude.

Schiffermiller  
813 Windward Ave:

Would be shocked if Governing Body selected bank for other than interest rate.

Re: Police Transfer from one municipality to Beachwood. Not fair to applicants paying fee (\$25) for exam application. Some spending large amount of money for preparation for taking test.

Feeney: Noted that when you go on-line and search for opening – there's notation of lateral transfer ability.

Schiffermiller: Not fair to vet on list to by-pass.  
School property – work going on. Concerned about Landfill proximity to new school. Concerned about current site of (Winton/Citta) property. Before putting school there should make sure environmentally sound. Talked about final reports on "Cancer Cluster – Toms River". Borough of Beachwood had higher cluster rate at time than Dover Township.

DiBella: Sent letter to Supt of Schools to address concerns expressed.

Mayor Morris: Comments on Landfill were brought to Council a few months ago. Tests came back, as noted, and all is okay.

Miserendino: Phase I and II studies were required before work done. Environmental Impact study was required when receiving state funds.

Schiffermiller: Addressed parking concerns. Noted that students will be coming from an area in Toms River as well as Beachwood, Pine Beach and South Toms River.

Councilman DiBella: Commented on response to question on security at DPW.

Bruno  
Tiller Ave: Was involved with the Planning Board/ Zoning Board during the issue of 40 x 100 lots in early days. If it's a losing effort, than it's better to let go.

Byrnes  
1075 Pinewald Rd. Anchor & Pinewald Rd. Asphalt degrading.

Commented on water problem discovered upon return from vacation. Asked if pipes flushed out over time.

LaCrosse: Have eight year phase replacement of pipes, which should correct problems with rusty water.

Byrnes: ? Commented on Plans for property near Nursery School.

#### CLOSE TO PUBLIC DISCUSSION

Motion: Moran Second: Miserendino  
Approved: Clayton – DiBella – Feeney – LaCrosse – Miserendino - Moran  
Absent:

EXECUTIVE SESSION

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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:  
 Contractual- Engineer (Storm Drainage) Architect (First Aid Building) Cell Tower Lease  
 Potential Litigation – (Waterfront Encroachment)  
 Terms & Condition of Employment - Personnel other than Bargaining Units
3. It is anticipated that the subject matter discussed may be made public in (90) days.

Motion: Feeney Second: LaCrosse  
 Approved: Clayton – DiBella – Feeney – LaCrosse – Miserendino - Moran  
 Absent:

**Re-Open**  
 Motion: DiBella Second: Feeney  
 Approved: Clayton – DiBella – Feeney – LaCrosse – Miserendino - Moran  
 Absent:

Tax Collector : Commented on schedules for Tax Sale

Councilwoman Clayton: Noted that Council members contributed \$35 for Memorial Day Trophies

Councilman Feeney: Little League will be serving lunch to employees at Public Works. They will relinquish a break so as to have a full hour for eating.

NO ACTION TAKEN RESULTING FROM EXECUTIVE SESSION THIS DATE

ADJOURNMENT

Motion: LaCrosse Second: Miserendino  
 Approved: Clayton – DiBella – Feeney – LaCrosse – Miserendino - Moran

Submitted by: E.A. Mastropasqua

\_\_\_\_\_  
 Harold R. Morris  
 Mayor

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