

May 21, 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

Gerald W. LaCrosse
Thomas Miserendino
Patricia A. Moran

Absent: Gregory Feeney

**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.**

RESOLUTION

#2003-150

WHEREAS, THE 2003 TEMPORARY BUDGET HAS BEEN STRUCK; AND
WHEREAS, THERE IS NOT ENOUGH FUNDS PROVIDED UNTIL THE
FINAL BUDGET IS APPROVED; AND NO ADEQUATE PROVISIONS HAVE
BEEN MADE IN THE 2003 TEMPORARY APPROPRIATIONS; AND

WHEREAS, N.J.S. 40A:4-20 PROVIDES FOR THE CREATION OF ANY
EMERGENCY TEMPORARY APPROPRIATION FOR THE PURPOSE
STATED HEREIN;

NOW, THEREFORE, BE IT RESOLVED BY MAYOR AND COUNCIL OF THE
BOROUGH OF BEACHWOOD TO APPROVE THE FOLLOWING
AMENDMENTS TO THE TEMPORARY BUDGET IN ACCORDANCE WITH
PROVISIONS OF N.J.S. 40A:4-20:

Department	From	To
Mayor & Council S/W	15,800.	18,000.
Municipal Clerk S/W	18,500.	22,000.
Clerk-Advertising	3,000.	4,000.
Financial Administration S/W	8,000.	10,000.
Revenue Administration S/W	52,000.	60,000.
Tax Assessor S/W	10,000.	13,000.
Legal O/E	20,000.	25,000.
Planning Board S/W	2,000.	3,000.
Police S/W	600,000.	700,000.

Fire Co O/E	10,000.	15,000.
Municipal Prosecutor O/E	8,500.	10,000.
Public Works S/W	68,000.	80,000.
Public Works O/E	3,000.	3,500.
Solid Waste Collection S/W	120,000.	145,000.
Vehicle Maintenance S/W	37,000.	42,000.
Vehicle Maintenance O/E	25,000.	35,000.
Lifeguards S/W	-0-	5,000.
Lifeguards O/E	-0-	475.
Electricity O/E	23,000.	35,000.
Telephone O/E	10,000.	15,000.
Natural Gas O/E	15,000.	17,000.
Gasoline & Oil O/E	35,000.	40,000.
Garbage & Trash Disposal O/E	215,000.	250,000.
Social Security O/E	90,000.	100,000.
Water S/W	160,000.	200,000.
Water Supply Rehab Loan	-0-	41,000.

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

#2003-151 RESOLVED by the Governing Body of the Borough of Beachwood to approve the 2003 Certified Bills List in the amount of A: \$1,569,196.06

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

#2003-152 RESOLVED by Mayor and Council to approve the Minutes of the May 7th Meeting of Mayor and Council

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

#2003-153 RESOLVED by the Governing Body to approve the following rentals of the Community Center and Mayo Park.

MAYO PARK 2003				
May	24	Markle	Rental:	\$ 75
		500 Compass Ave Beachwood	Deposit:	\$ 75
June	29	Ridge	Rental:	\$125
		925 Ship Ave	Deposit:	\$175
Aug.	17	Rotondella	Rental:	\$125
		620 Capstan Ave.	Deposit:	\$175

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

#2003-154 WHEREAS on May 7, 2003, under Resolution #2003-144 approval was given for rental of the Community Center on November 1, 2003 by Donna Cantelmo-Kolb, 409 Beach Avenue, Beachwood noting that all resident fees were posted (\$850.00); and

WHEREAS on May 16, 2003, the Borough received written notice of cancellation, subjecting the applicant to a \$100 cancellation fee;

NOW, THEREFORE, BE IT RESOLVED to authorize a refund in the amount of \$750.00 to Donna Cantelmo-Kolb, 409 Beach Avenue, Beachwood, said refund reflecting a \$100 cancellation fee.

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

#2003-155 WHEREAS on February 3, 2003, under Resolution #2003-040 approval was given for rental of the Community Center on August 1, 2003 by Mary Bowden 214 Beachwood Blvd, Beachwood noting that all resident fees were posted (\$475.00); and

WHEREAS on May 12, 2003, the Borough received written notice of cancellation, subjecting the applicant to a \$75.00 cancellation fee;

NOW, THEREFORE, BE IT RESOLVED to authorize a refund in the amount of \$400.00 to Mary Bowden, 214 Beachwood Blvd, Beachwood, said refund reflecting a \$75.00 cancellation fee.

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

#2003-156 WHEREAS, on October 23, 2002 under Resolution #2002-335 approval was given for rental of Mayo Park by Renee Gonnella 38 Elm Street Beachwood, noting all resident fees were posted (\$150.00); and

WHEREAS, on May 12, 2003, written notice of cancellation was received, subjecting the applicant to a \$75 cancellation fee.

NOW, THEREFORE, BE IT RESOLVED to authorize a refund in the amount of \$75.00 to Renee Gonnella, 38 Elm St. Beachwood, said refund reflecting a \$75 cancellation fee.

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

#2003-157 RESOLVED by Mayor and Council to approve the permanent title – following DOP Certification – of Truck Driver - for James Moore and John Russell. (Currently received Drivers salary). Just a title change.

NO VOTE TAKEN:

#2003-158 RESOLVED by Mayor and Council to approve the Out of Classification pay for James Wutzer – working as Equipment Operator \$12.25 per hour. (Based on memo 5/14 from J. Zuromski.)

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

#2003-159 RESOLVED by Mayor and Council to hire Lance Starmer as Full Time Laborer from Seasonal Laborer. Salary \$10.32 per hour. Effective May 23, 2003. (Based on memo 5/14 from J. Zuromski)

Remanded to Workshop 5/28

#2003-160 WHEREAS, The Recreation Trust Account has an old un-identified outstanding check; and

WHEREAS, it is the desire of the Governing Body to cancel said check;

NOW, THEREFORE BE IT RESOLVED by Mayor and Council to cancel the old outstanding check in the amount of \$60.00

Motion: LaCrosse Second: Moran
Question: DiBella – How old was check?
Approved: Clayton – DiBella – LaCrosse – Miserendino - Moran
Absent:

#2003-161 RESOLVED by Mayor and Council to approve the Raffle License Application of the Leukemia & Lymphoma Society for the July 17th. 4th. Annual Volvo Leukemia Cup Junior Regatta.

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

#2003-162 RESOLVED by Mayor and Council to approve the Interlocal Service Agreement between the Borough of Beachwood and the County of Ocean for the Ocean County Prosecutor's "FAST" team; and

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

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

#2003-163 RESOLVED by Mayor and Council to authorize the advertisement of bids for Diesel and Gasoline Service.

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

Absent: Feeney

WITHDRAWN

#2003-164 RESOLVED by Mayor and Council to approve the agreement between the Borough of Beachwood and Owen Little Associates for Storm Drainage Investigation (aka 1044 Seaman Ave) not to exceed \$2,200.00

WITHDRAWN

#2003-165 RESOLVED by Mayor and Council to **award/reject** the Tower Lease Bid from AT & T received April 30, 2003

ORDINANCE FINAL READING – PUBLIC DISCUSSION AND ADOPTION

#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

OPEN TO PUBLIC DISCUSSION THIS ORDINANCE ONLY

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

Schiffermiller
Windward Ave: Is this the property of the school location?

Mayor: No – Landfill area new site of recycling area

Byrnes
Pinewald Rd. Location of Wetlands or Green Acres

Mayor: No – and proceeded to describe location.

CLOSE TO PUBLIC DISCUSSION THIS ORDINANCE ONLY

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

RESOLUTION

#2003-166 RESOLVED by Mayor and Council to approve and adopt Ordinance #2003-07 as presented and held for public discussion.

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

CORRESPONDENCE:

- a. O.C. Soil Conservation District
Thanks for use of Community Center April 30
- b. O.C. Mental Health Board
Thanks for use of Community Center May 2
- c. O.C. Board Health
Announcement of Flu Program for Beachwood
- d. Beachwood Recreation Commission
Resolution noting salary for Counselors in Training - \$1.25

RESOLUTION: RESOLVED by Mayor and Council of the Borough of Beachwood to
#2003-167 Approve and Accept Recommendation. (See attached resolution)

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

- e. Scout Troop 70
Seeking permission for Camp Out at Mayo Park to address Rope Bridge for parade.

RESOLUTION To approve the request of Scout Troop 70 for overnight campout – May
#2003-168 25th.

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

- f. Mr. & Mrs. James Rush
Re: inability to participate in 5/21 Land Sale and requesting property be held for next sale.

COUNCIL REPORTS

Clayton; Beverly Memorial Day Activities on schedule. Contemplating erecting Public Information Center – (Sign). Congratulations to Courtney Zahn. Nice Welcome Home Rally planned by friends and neighbors. Investigating N.J. Scholarship program for young boy who came to Mothers Aide during epilepsy attack. Blood Drive November 6 – Flu Clinic November 7.

DiBella; Robert Road projects moving along smoothly. Drainage issues yet to be addressed.

Feeney; Gregory Absent

LaCrosse; Gerald W. Comment on notice sent out for nominees for Citizen of Year. LOSAP Status from Fire Company. They have narrowed down their selection for a provider. Filtration project moving along nicely. Reviewing Engineers recommendation on Raw Water Tank.

Miserendino; Thomas Code Enforcement Report and Zoning Report. Engineer will be going out to bid for Diesel and Gasoline (June 20th) Memorial Day Services at 10:00 for Fire Company and parade following at 11:00.

Moran; Patricia Fire House rehab set to begin shortly. Permits in place. Demolition of building scheduled for 5/22. Revetment sheets delivered and work will begin shortly. Plantings with Scouts have been accomplished. Hoping for completion of Mayo Park Path by June.

Mayor Morris Advised that mulch is being made available at Mayo Park. Re-location of re-cycling compound should be completed by June. JCPL upgrade should be finished soon. Congratulated Courtney Zahn.

Municipal Attorney No report

Municipal Engineer; Not present

Treasurer / Collector Absent

OPEN TO PUBLIC DISCUSSION

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

Byrnes
Pinewald Rd. Commended DPW on job well done with removal of trees (destroyed during Forest Fire in June 2002) from his property. Suggested tapping into pipe on Cable Ave to relieve water build up and avoid stagnation problems. Asked if there has been any discussion on B2 property.

Mayor: Notes still working on B2 property.

Schiffmiller
Windward Ave Discussed Agreement between Borough and TR Bd. Ed for Soccer Fields. Concerned about time available for general access, noting the Borough's need for fields.

Who is constructing "Cell Tower"?

Mayor: Omnipoint (T Mobile)

Attorney: Provided explanation of construction and leasing of space.

Schiffmiller: Has letter to Legislators on Megans Law been done yet. ?

Mayor: Not yet, waiting to meet with J. Holzapfel (instrumental in creation of Megans Law) for appropriate wording.

Schiffmiller: Comments on Oyster Creek problems.

Gruver

Seaman Ave: To Mr. DiBella on Resolution #164 – work to be done?

DiBella: Resolution removed from agenda today.

Schiffermiller
Windward Ave: Vacation of streets at Landfill area – will landfill be completely capped.
Mayor: Yes

CLOSE TO PUBLIC DISCUSSION

Motion: DiBella Second: Miserendino
Approved: Clayton – DiBella – LaCrosse – Miserendino - Moran
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:
Contractual – COAH program Planner and Attorney
Contractual - Engineer (Water project)
Terms & Condition of Employment - DPW (Workers Compensation) - Police (Insurance)
3. It is anticipated that the subject matter discussed may be made public in (90) days.

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

Re-Open

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

NO ACTION FROM EXECUTIVE SESSION THIS DATE

ADJOURNMENT

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

Submitted by: E.A. Mastropasqua

Harold R. Morris
Mayor

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

WHEREAS the Beachwood Recreation Summer Camp Program has engaged 15 Counselors in training, aged 13-16, and

WHEREAS the first general objective of Counselors in Training is to learn how to provide a safe enjoyable recreation experience for local residents between the ages of 5 and 12 years old by taking part in camp experience and

WHEREAS the second general objective of Counselors in Training is to learn how to provide opportunities for creative expression, and

WHEREAS the third general objective of Counselors in Training is to learn how to provide a positive role model for campers, and

WHEREAS the fourth general objective of Counselors in Training is to learn how allow skill development and introduce campers to new activities, and

WHEREAS the fifth general objective of Counselors in Training is to learn how to develop team work and a sense of community, and

WHEREAS the Beachwood Recreation Commission believes the Counselors in Training should be compensated for their training period, at the rate of \$1.25 per hour, and

WHEREAS the Beachwood Recreation Commission has passed a Resolution in support of compensation of \$1.25 per hour for Counselors in Training for the year 2003, and

NOW THEREFORE, the Recreation Commission of the Borough of Beachwood respectfully requests Mayor and Council to support and adopt this Resolution.

I, the undersigned, duly appointed Chairperson of the Beachwood Recreation Commission, certify the within to be a true copy of a resolution adopted by the Commission on the 27th day of March 2003.



Robin Clayton, Chairperson