

June 21, 2006
Beachwood Municipal Complex
1600 Pinewald Rd.

7:00 PM

Call to Order

SALUTE TO FLAG

While we pray for the safe return of our serving men and women, we must remember that 65 Servicemen have been killed, from New Jersey in Iraq and Afghanistan. Our war dead shall 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 a REMEMBRANCE of OUR HONORED DEAD. In their memory, a moment of silence.

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 the Asbury Park Press on January 1, 2006

This meeting is dedicated to the memory of former Mayor Gil Jacobus who passed away on June 12, 2006 - He served as Councilman from 1951 - 1956 and Mayor from 1956 - 1958 and 1963-1966.

Roll Call Members Present

Mayor Harold R. Morris

Council members:

Beverly Clayton

Gregory Feeney

Gerald W. LaCrosse

Patricia A. Moran

Ronald Roma

ABSENT: - Thomas Miserendino

MAYOR APPOINTMENTS TO RECREATION COMMISSION:

Rachel Wilson - 608 Spar Ave (Confirmed attendance)

Sworn in by Mayor Morris

#2006-208 RESOLVED by Mayor and Council to approve the 2006 Certified Bills List in the amount of \$247,126.18

	Clayton	Feeney	LaCrosse	Miserendino	Moran	Roma
Motion		X				
Second					X	
Approved	X	X	X		X	X
Abstain						
Opposed						
Absent				X		

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#2006-209 RESOLVED by Mayor and Council to approve the minutes of the June 7, 2006, meeting of Mayor and Council

	Clayton	Feeney	LaCrosse	Miserendino	Moran	Roma
Motion		X				
Second	X					
Approved	X	X			X	X
Abstain			X			
Opposed						
Absent				X		

2006-210 RESOLVED by Mayor and Council to approve the Community Center rentals as follows:

<u>Mayo Park</u>		<u>2006</u>	
July	09	Ellam	Rental: 125.00
		500 Ship Ave.	Deposit: 175.00

	Clayton	Feeney	LaCrosse	Miserendino	Moran	Roma
Motion					X	
Second	X					
Approved	X	X		X	X	X
Abstain						
Opposed						
Absent			X			

#2006- 211

A RESOLUTION of the Borough of Beachwood, Ocean County New Jersey, to terminate participation under the New Jersey State Health Benefits Program (which Includes Prescription Drug Program and/or Dental Plan coverage).

BE IT RESOLVED that; Effective September 1, 2006

1. The Mayor and Council of the Borough of Beachwood, Ocean County, New Jersey

hereby resolves to terminate its participation in the program (Including Prescription Drug and/or Dental Plan) thereby canceling coverage provided by the New Jersey State Health Benefits Program (N.J.S.A. 52:14-17.25 at seq.) for all its active and retired employees.

2. We shall notify all active employees of the date of their termination of coverage under the program.

3- We understand that the Division of Pensions and Benefits will notify retired employees of the cancellation of their coverage.

4. We understand that all COBRA participants will be notified by the Division of Pensions and Benefits and advised to contact our office concerning s possible alternative health, prescription drug, and dental Insurance program.

5. We understand that this resolution shall take effect the first of the month following a 50-day period beginning with the receipt of the resolution by the State Health Benefits Commission.

	Clayton	Feeney	LaCrosse	Miserendino	Moran	Roma
Motion		X				
Second						X
Approved	X	X	X		X	X
Abstain						
Opposed						
Absent				X		

#2006-212 RESOLVED by Mayor and Council to approve the Raffle License application of the Leukemia Lymphoma Society - July 21, 2006.

	Clayton	Feeney	LaCrosse	Miserendino	Moran	Roma
Motion					X	
Second	X					
Approved	X	X	X		X	X
Abstain						
Opposed						
Absent				X		

#2006-213 **RESOLUTION OF THE BOROUGH OF BEACHWOOD, OCEAN COUNTY, NEW JERSEY AUTHORIZING THE REDUCTION OF PERFORMANCE GUARANTEE FOR CRANBERRY ROAD, LLC**

WHEREAS, the developer of Cranberry Road, LLC a/k/a Wind River Builders previously posted Performance Bond No. 1012347 in the amount of \$273,700.00 issued by Lexon Insurance Company and thereafter increased by Rider to \$358,300.00; and

WHEREAS, said developer has requested a reduction of performance guarantee; and

WHEREAS, said developer has additionally asked that the performance guarantee cover his obligation for Maple and Locust Streets as well as Cranberry Road for the purpose of submission of one performance guarantee; and

WHEREAS, the Borough Engineer has prepared an estimate dated May 23, 2006 on a combined basis; and

WHEREAS, Schoor DePalma Engineers and Consultants acting as Borough Engineers have indicated that the Borough should receive a new performance guarantee in the amount of \$248,325.00 equaling 120% of the outstanding items on the revised performance guarantee; and

WHEREAS, it is now the desire of this governing body to act upon the engineer's recommendation.

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 of the Borough of Beachwood hereby formally authorizes the reduction and consolidation of the previous performance guarantee to be in the amount of \$248,325.00 either by Irrevocable Letter of Credit or by performance bond acceptable to the Borough in the amount of \$223,492.50 representing 90% of the improvements and a 10% cash guarantee in the amount of \$24,832.50. Said replacement guarantee shall cover Maple Street, Cranberry Road and Locust Street in accordance with Borough Engineer, James M. Oris's estimate dated May 23, 2006.
2. That the aforesaid replacement performance guarantee shall be received and approved by the Borough prior to the release of the existing Bond No. 1012437 issued by Lexon Insurance Company in the amount of \$358,300.00.
3. That upon the adoption of the within resolution, the Clerk is authorized and directed to forward a certified copy of it to Borough Engineer, James Oris and Cranberry Road, LLC.

	Clayton	Feeney	LaCrosse	Miserendino	Moran	Roma
Motion			X			
Second		X				
Approved	X	X	X		X	X
Abstain						
Opposed						
Absent				X		

#2006-214 RESOLVED by Mayor and Council to approve the following request for Conference - Training - Seminar.

Date:	June 28	M. Nancy DeFalco
Location:	Ocean City N.J.	
Subject:	Current Issues in Planning/Zoning. DEP Impact on Local Planning	
Cost:	\$60	
Vehicle:	No	

	Clayton	Feeney	LaCrosse	Miserendino	Moran	Roma
Motion	X					
Second		X				
Approved	X	X	X		X	X
Abstain						
Opposed						
Absent				X		

#2006-215 RESOLVED by Mayor and Council to authorize the submission of an application for NJDOT Municipal Aid – Fiscal Year 2007 in the amount of \$154,803.00 for the following project;

Nautilus St. from Windward to Neptune Ave.

And

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

	Clayton	Feeney	LaCrosse	Miserendino	Moran	Roma
Motion						X
Second			X			
Approved	X	X	X		X	X
Abstain						
Opposed						
Absent				X		

CORRESPONDENCE:

MICHAEL F. OLSKI
TRACY D. OLSKI
220 CHELSEA AVENUE
BAYVILLE, NEW JERSEY 08721

*For discussion
6/21*

June 14, 2006

Ms. Betty Mastropasqua
Beachwood Public Works
Beachwood, New Jersey 08722
Via Facsimile (732) 349-8390

Re: Eagle's Point Gazebo
DOL: June 10, 2006

Dear Ms. Mastropasqua:

Rosamarie Olivadotti and her fiancé, Matthew Therien, reserved grounds at Eagle's Point on June 10, 2006 from 3:30 pm until 5:30 pm, for the purpose posing for their wedding photographs. I was a member of the bridal party. Mrs. Olivadotti-Therien has requested that I tend to this matter as she is on her honeymoon.

When we arrived on June 10, 2006 at approximately 3:45 p.m., the photographer had arranged the bridal party for the photographs. All of a sudden and without warning, the sprinkler system turned on and literally soaked the entire bridal party. Due to the sprinkler system, we were unable to obtain any photographs as the sprinklers remained on the entire time and we needed to go to the reception facility at Martell's Waters Edge.

As discussed with you and Cliff on June 13, 2006, you advised that due to an internal malfunction the sprinkler system went on. While we understand that this was a problem, the fact remains that an entire bridal party was soaked and it is our position that you are responsible to reimburse Ms. Olivadotti-Therien for the total cost of the flowers used to decorate the gazebo since she was unable to utilize the gazebo for her photographs. The reservation for the gazebo was made over a year ago and it was your responsibility to make sure the sprinkler system was turned off.

Mrs. Olivadotti-Therien paid Dayton Floral & Gifts the sum of \$315.00 to decorate the gazebo for the wedding photographs. Inasmuch as she was unable to utilize the gazebo for the photographs, she demands reimbursement of the \$315.00. A copy of the invoice is attached for your review.

We look forward to hearing from you in the near future.

Very truly yours,

Tracy D. Olski
Tracy D. Olski

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Wedding 6-10-2006



Decorate Beachwood Gazebo
 No pins, tacks, glue or staples.

1 large garland	\$50.00
3 mixed sprays	\$50.00 each
Tulle & lilies for around the garland	\$40.00
Labor	\$75.00
Total for gazebo	\$315.00

**RESOLUTION
 #2006-216**

TO APPROVE REIMBURSEMENT OF \$315 FOR THE COST OF FLOWERS FOR GAZEBO RENTAL DATED JUNE 10TH DUE TO SPRINKLER SYSTEM MALFUNCTION.

	Clayton	Feeney	LaCrosse	Miserendino	Moran	Roma
Motion					X	
Second			X			
Approved	X	X	X		X	X
Abstain						
Opposed						
Absent				X		

RESOLUTION
#2006-217

RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF BEACHWOOD AUTHORIZING AN AGREEMENT WITH WIND RIVER DEVELOPERS COVERING INSTALLATION COSTS OF WATER LATERALS FOR CERTAIN PROPERTIES AFFECTED BY THE CONSTRUCTION OF CERTAIN PORTIONS OF LOCUST ROAD

WHEREAS, Wjnd River Developers is constructing 4 homes to be known as Cranberry Hill; and

WHEREAS, the Borough and the developer wish to enter into an agreement concerning water connection fees and lateral installation; and

WHEREAS, the developer will install the laterals to each of the 4 properties it will be constructing and the Borough will install the water meter and remote reader; and

WHEREAS, the developer in consideration of its installation of the laterals will pay a connection fee for each of the 4 homes of \$600.00 rather than the normal \$1,200.00 fee.

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 Mayor and Clerk are authorized to execute the attached agreement with Wind River Developers concerning the development of 4 homes to be known as Cranberry Hill and located on Locust Road. Said Agreement is attached hereto and made a part hereof as Schedule A.
2. That the terms of the preamble hereof are hereby confined,
3. That in addition, and based upon the Developer paying the consideration of \$600.00 for each connection fee to each of the 4 homes, the Borough will install at its own expense a water meter and remote reader.
4. That upon the adoption of the within resolution. the Mayor and Clerk are authorized to execute the agreement.
5. That upon adoption. the Clerk is authorized and directed to forward a certified copy of it along with said executed agreement to the Borough Administrator, the Borough Water Department and Wind River Developers.

	Clayton	Feeney	LaCrosse	Miserendino	Moran	Roma
Motion			X			
Second						X
Approved	X		X		X	X
Abstain						
Opposed		X				
Absent				X		

#2006-218 RESOLVED by Mayor and Council to hire the following as Counselors for the Recreation Summer Camp 2006.

Director:	Melissa Petric Morrison – Pine Beach	7 Weeks	\$425.00 pwk
Park Leader	Christine Brown – Beachwood		\$ 7.15 ph
Arts/Crafts	Charlene Clayton – Beachwood		\$ 7.15 ph
Counselor	Taylor Brown - Beachwood		\$ 6.15 ph
	Danielle Ernst - Beachwood		\$ 6.15 ph
	Katie Felton - Ocean Gate		\$ 6.15 ph
	Laura Krohn – Beachwood		\$ 6.15 ph
	Susan Morales – Beachwood		\$ 6.15 ph
	Susan Rush – Beachwood		\$ 6.15 ph

	Clayton	Feeney	LaCrosse	Miserendino	Moran	Roma
Motion						X
Second	X					
Approved			X		X	X
Abstain	X					
Opposed		X				
Absent				X		

#2006-219 RESOLVED to appoint the following as Counselors In Training for the 2006 Summer Recreation Program

Matt Busardo	Andrew Clayton	Cicholas Conway
Ben Crowley	John Ernst	Hillary Fries
Nick Larrison	Jordan Lindsay	Kelly Lorenzo
JJ Merrell	Lindsey O'Connor	Matt Sakolsky
Brett Young		

	Clayton	Feeney	LaCrosse	Miserendino	Moran	Roma
Motion						X
Second	X					
Approved			X		X	X
Abstain	X					
Opposed		X				
Absent				X		

ORDINANCE
#2006-12

FIRST READING TITLE ONLY

AN ORDINANCE OF THE BOROUGH OF BEACHWOOD, OCEAN COUNTY, NEW JERSEY AUTHORIZING ROAD RECONSTRUCTION INCLUDING DRAINAGE IMPROVEMENTS, OVERLAYING AND OTHER MISCELLANEOUS ROAD IMPROVEMENTS TO PORTIONS OF ELM STREET, LONGBOAT AVENUE, BIRCH STREET, OCEAN AVENUE, SPRAY AVENUE AND NAUTILUS AVENUE AND RAILROAD AVENUE DRAINAGE PHASE 3 IMPROVEMENTS APPROPRIATING THE SUM OF \$1,700,000.00 THEREFOR AND AUTHORIZING THE ISSUANCE OF GENERAL IMPROVEMENT BONDS OR NOTES IN THE AMOUNT OF \$1,615,000.00 TO FINANCE THE COST THEREOF

RESOLUTION OF THE BOROUGH OF BEACHWOOD, OCEAN COUNTY, NEW JERSEY AWARDING A CONTRACT TO FORTE BUILDERS, LLC FOR PHASE 2 OF THE RAILROAD AVENUE DRAINAGE PROJECT FOR THE BID AMOUNT OF \$334,331.50

WHEREAS, the Borough of Beachwood previously authorized the receipt of bids on June 15, 2006; and
WHEREAS, at the time and place for the receipt of bids, 8 bids were submitted ranging from a low of \$334,331.50 to a high of \$737,737.00; and
WHEREAS, funds have previously been appropriated for said project and the same has been certified to by the Borough Treasurer; and
WHEREAS, Borough Engineer, Schoor DePalma Engineers and Consultants, have recommended the award to the low bidder and the award amount is below the engineer’s estimate; and
WHEREAS, it is now the desire of this governing body to award a contract for the Railroad Avenue Drainage Phase II Project.
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 of the Borough of Beachwood hereby formally awards a contract to Forte Builders, LLC of Bayville, New Jersey for the Railroad Avenue Drainage-Phase II Project for the bid amount of \$334,331.50 all in accordance with the Borough’s bid specifications.
- 2. That upon the adoption of the within resolution, the Clerk is authorized and directed to forward a certified copy of it to Borough Engineer, James M. Oris and Forte Builders, LLC.

	Clayton	Feeney	LaCrosse	Miserendino	Moran	Roma
Motion						X
Second			X			
Approved	X	X	X		X	X
Abstain						
Opposed						
Absent				X		

Treasurer Dehnz: Re: Gasoline Bids – Date June 16, 2006 – None Received – Requesting

RESOLUTION #2006-221 RESOLVED by Mayor and Council to authorize re-advertising of Notice to Bidders for Gasoline

	Clayton	Feeney	LaCrosse	Miserendino	Moran	Roma
Motion			X			
Second						X
Approved	X	X	X		X	X
Abstain						
Opposed						
Absent				X		

Clerk Mastropasqua Absent

PUBLIC DISCUSSION TO OPEN

	Clayton	Feeney	LaCrosse	Miserendino	Moran	Roma
Motion						X
Second			X			
Approved	X	X	X		X	X
Abstain						
Opposed						
Absent				X		

Novaky

Maple St.

Well #7 - ? In Piney Point? Yes
Water had yellow color couple of weeks ago?
Change of season could cause discoloration.
Why was paving cut off at Elm Street ?
More work to be done before paving is complete.

PUBLIC DISCUSSION TO CLOSE

	Clayton	Feeney	LaCrosse	Miserendino	Moran	Roma
Motion					X	
Second	X					
Approved	X	X	X		X	X
Abstain						
Opposed						
Absent				X		

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 - Public Works - Administrative
Contractual - Police PBA - Administrative
Terms and Condition of Employment - Public Works

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

	Clayton	Feeney	LaCrosse	Miserendino	Moran	Roma
Motion						X
Second	X					
Approved	X	X	X		X	X
Abstain						
Opposed						
Absent				X		

TO RE-OPEN

	Clayton	Feeney	LaCrosse	Miserendino	Moran	Roma
Motion		X				
Second			X			
Approved	X	X	X		X	X
Abstain						
Opposed						
Absent				X		

Action Taken from Executive Session

#2006-222 RESOLVED by Mayor and Council to approve 2006 salaries as follows:

Effective Jan. 1, 2006 Robin Clayton - Promotion to Clerk Typist \$23,879.
 Work Hours (Effect. 7/1/06) 35 p. week (down from 40)
 includes Stormwater Management Responsibilities.
 Jan. 1, 2006 Irene Swancey - \$23,452.
 Work Hours (Effect. 7/1/06) 35 p. week (down from 40)
 no salary change.
 Jan 1, 2006 Lori Wainwright - \$23,360.
 35 Hours p. week no change
 Jan. 1 to June 14 Suzanne Cimirro \$22,807.
 June 15 Jeanette Larrison - promotion to Sec. Bd./Com. \$22,807.
 Work Hours (Effect 6/15/06) 35 p. week (up from 30)

	Clayton	Feeney	LaCrosse	Miserendino	Moran	Roma
Motion						X
Second			X			
Approved		X	X		X	X
Abstain	X					
Opposed						
Absent				X		

#2006-223 RESOLVED by Mayor and Council to approve a salary increase of \$3,000 retroactive to Jan. 1, 2006 for Elizabeth Sarantinoudis -

	Clayton	Feeney	LaCrosse	Miserendino	Moran	Roma
Motion	X					
Second						X
Approved	X		X			X
Abstain						
Opposed		X			X	
Absent				X		

#2006-224 RESOLVED by Mayor and Council to hire "Seasonal" employee Michael Lynch - 733 Neptune Ave Beachwood - Salary \$11.75 p.h.

	Clayton	Feeney	LaCrosse	Miserendino	Moran	Roma
Motion						X
Second			X			
Approved	X	X	X		X	X
Abstain						
Opposed						
Absent				X		

To Adjourn

	Clayton	Feeney	LaCrosse	Miserendino	Moran	Roma
Motion						X
Second			X			
Approved	X	X	X		X	X
Abstain						
Opposed						
Absent				X		

Minutes taken by Christine R. Dehnz

Harold R. Morris
Mayor

Attested to by: _____
Elizabeth A. Mastropasqua
Municipal Clerk