

July 15, 2009

7:00 Mayor and Council Meeting

Beachwood Municipal Complex
1600 Pinewald Rd.

Call to Order

_SUMMER SCHEDULE
Meeting dates are - August 19 – and September 16



Flag Salute

While we pray for the safe return of our serving men and women, we must remember that 105 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, posted on the Municipal Website and delivered to the Asbury Park Press on January 10, 2009.*

ROLL CALL MEMBERS PRESENT: Mayor Ronald Jones

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

Absent:

Time 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 all cell phones and pagers.

PROMOTIONAL PROCEDURE:

#2009-223 **RESOLVED** by the Governing Body of the Borough of Beachwood to approve the promotion of Officer Glen DeMarco to Sergeant pending DOP approval.

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

RESOLUTION
#2009-224A EMERGENCY TEMPORARY RESOLUTION

WHEREAS, an emergent condition has arisen with respect to the ability of the Borough of Beachwood to continue paying its employees and vendors; and

WHEREAS, the Borough Council has not yet adopted the 2009 budget; and

WHEREAS, no adequate provision has been made in the 2009 temporary budget for the aforesaid purpose, and N.J.S. 40A:4-20 provides for the creation of an emergency temporary appropriation for the purpose above mentioned; and

WHEREAS, the total emergency temporary resolutions adopted in the year 2009 pursuant to the provisions of Chapter 96,P.L.1951 (N.J. S. 40A:4-20) including this resolution total \$ 6,565,453.87

NOW, THEREFORE, BE IT RESOLVED (not less than two-thirds of all members thereof affirmatively concurring) that in accordance with N.J.S. 40A:4-20:

1. An emergency temporary appropriation be and the same is hereby made for:

2009	SALARY& WAGES	OTHER EXPENSES	TOTAL
1 MUNICIPAL CLERK	15,000.00	10,000.00	25,000.00
2 MAYOR & COUNCIL	10,000.00	750.00	10,750.00
3 REVENUE ADMIN.(TAX COLLECTION)	15,000.00		15,000.00
4 TAX ASSESSMENT	4,000.00		4,000.00
5 FINANCIAL ADMINISTRATION	15,000.00		15,000.00
6 ADVERTISING		2,000.00	2,000.00
7 POSTAGE		1,000.00	1,000.00
8 UNIFORM CONSTRUCTION CODE	20,000.00		20,000.00
9 PLANNING BOARD	3,000.00	2,000.00	5,000.00
10 CODE ENFORCEMENT	10,000.00		10,000.00
11 EMPLOYEES GROUP HEALTH		200,000.00	200,000.00
12 POLICE	400,000.00	15,000.00	415,000.00
13 FIRE PREVENTION	2,500.00		2,500.00
14 STREETS & ROADS	5,000.00	5,000.00	10,000.00
15 PROSECUTOR SERVICES		4,000.00	4,000.00
16 SOLID WASTE	100,000.00	4,000.00	104,000.00

17	BUILDINGS AND GROUNDS	35,000.00	10,000.00	45,000.00
18	VEHICLE MAINTENANCE	20,000.00	15,000.00	35,000.00
19	RECREATION	150.00		150.00
20	PUBLIC WORKS	25,000.00	2,500.00	27,500.00
21	RECYCLING	25,000.00		25,000.00
22	ELECTRICITY		25,000.00	25,000.00
23	STREET LIGHTING		10,000.00	10,000.00
24	TELEPHONE		10,000.00	10,000.00
25	OFFICE OF EMERGENCY MGT.	1,000.00		1,000.00
26	NATURAL GAS		5,000.00	5,000.00
27	GASOLINE & OIL		25,000.00	25,000.00
29	SOCIAL SECURITY		75,000.00	75,000.00
30	COURT	25,000.00	1,000.00	26,000.00
31	ANIMAL CONTROL		3,000.00	3,000.00
32	BEACH		750.00	750.00
33	LIFEGUARDS	5,000.00	125.00	5,125.00
34	CELEBRATION OF PUBLIC EVENTS		100.00	100.00
35	GARBAGE DISPOSAL		100,000.00	100,000.00
	<u>SUB TOTAL</u>	<u>735,650.00</u>	<u>526,225.00</u>	<u>1,261,875.00</u>
--- <u>WATER UTILITY FUND</u>				
36	WATER	100,000.00	100,000.00	100,000.00
37	BOND ANTICIPATION NOTE PRINCIPAL		48,964.00	48,964.00
38	INTEREST ON NOTES		16,170.00	16,170.00
39	INTEREST ON BONDS		168,000.00	168,000.00
40	INFRASTRUCTURE LOAN		300.00	300.00
41	INFRASTRUCTURE INTEREST		500.00	500.00
42	SOCIAL SECURITY		15,000.00	15,000.00
	<u>TOTAL WATER OPERATING</u>	<u>100,000.00</u>	<u>348,934.00</u>	<u>448,934.00</u>

GRAND TOTAL **835,650.00** **875,159.00** **1,710,809.00**

2. That said emergency temporary appropriations have been provided for in the 2009 Budget under the aforementioned line items.
3. That one certified copy of this resolution be filed with the Director of Local Government Services.

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

RESOLUTION

#2009-224B RESOLVED by Mayor and Council to approve the 2009 Certified Bills List in the amount of
A: \$569,869.30 **B:\$ 494,572.17**

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

RESOLUTION

#2009- 225 RESOLVED by Mayor and Council to approve the minutes of the June 17, 2009 Meeting of Mayor and Council.

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

RESOLUTION

#2009-226 RESOLVED by Mayor and Council to approve the rentals of the Beachwood Community Center and Mayo Park as follows:

2009		Community Center	
August	09	Bellenger	Rental: \$350
		309 Pacific Ave.	Deposit: \$500
		Beachwood	
September	27	Moriarity	Rental: \$350
		1317 Spray Ave.	Deposit: \$500
		Beachwood	
October	02	Van Sant-Smith	Rental: \$350
		106 Tiller Ave.	Deposit: \$500
		Beachwood	
October	04	Beachwood Berkeley Rotary	Rental: Waive
		P.O. Box 270	Deposit: Waive
		Bayville	
October	24	Herold	Rental: \$350
		200 Pacific Ave.	Deposit: \$500
		Beachwood	

#2009-229

WHEREAS impaired drivers on our nation’s roads kill someone every 30 minutes, 50 people per day, and almost 18,000 people each year; and

WHEREAS, 26% of motor vehicle fatalities in New Jersey are alcohol related; and

WHEREAS, an enforcement crackdown is planned to combat impaired driving; and

WHEREAS, the end of summer season is traditionally a time of social gatherings which often include alcohol; and

WHEREAS, the State of New Jersey, Division of Highway Traffic Safety, has asked law enforcement agencies throughout the state to participate in the Over the Limit Under Arrest 2009 Statewide Crackdown; and

WHEREAS, the project will involve increased impaired driving enforcement from August 21 through September 7, 2009; and

WHEREAS, an increase in impaired driving enforcement and a reduction in impaired driving will save lives on our roadways:

NOW, THEREFORE, be it resolved that the Borough Council of the Borough of Beachwood declares its support for the Over the Limit Under Arrest 2009 Statewide Crackdown from August 21, 2009 through September 7, 2009 and pledges to increase awareness of the dangers of drinking and driving.

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

ORDINANCE
#2009-07

FINAL READING PUBLIC DISCUSSION AND ADOPTION

AN ORDINANCE AMENDING AN ORDINANCE ENTITLED “SALARY ORDINANCE” OF THE CODE OF THE BOROUGH OF BEACHWOOD, COUNTY OF OCEAN, STATE OF NEW JERSEY; FIXING AND DETERMINING SALARY, WAGES AND COMPENSATION TO BE PAID TO THE FOLLOWING OFFICERS AND EMPLOYEES IN THE BOROUGH OF BEACH WOOD, COUNTY OF OCEAN, STATE OF NEW JERSEY.

OPEN TO PUBLIC DISCUSSION THIS ORDINANCE ONLY

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

LaCrosse
Forecastle Ave: Did not see Mayor referenced in Ordinance.
Clerk: Noted it may have been cut off in the reproduction. Will get him a copy of same.

CLOSE TO PUBLIC DISCUSSION THIS ORDINANCE ONLY

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

RESOLUTION

#2009-230 RESOLVED by the Governing Body of the Borough of Beachwood to approve and adopt Ordinance #2009-07 as presented and held for Public Discussion

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

#2009-231 RESOLUTION OF THE BOROUGH OF BEACHWOOD, OCEAN COUNTY, NEW JERSEY AWARDDING A CONTRACT FOR ROADWAY IMPROVEMENTS TO SPRAY AVENUE AND OAK STREET TO SWIFT PAVING, INC. IN THE LOW BID AMOUNT OF \$59,893.80

WHEREAS, the Borough of Beachwood previously advertised for the receipt of bids on Wednesday, July 8, 2009 at 10:00 a.m.; and

WHEREAS, at the time of place for the receipt of bids five (5) bids were received ranging from a low of \$59,893.80 to a high of \$79,423.34; and

WHEREAS, said bid is below the engineer’s estimate for the completion of the project; and

WHEREAS, the Borough’s CFO has certified that funds are available to award the roadway improvement project; and

WHEREAS, the Borough's Engineer, has reviewed said bids and recommended the award to the low bidder, Swift Paving, Inc. of Toms River, New Jersey; and

WHEREAS, the Borough Attorney has reviewed all bid documents and found them to be acceptable; and

WHEREAS, it is the desire of the Borough Council of the Borough of Beachwood to award a Contract for said roadway improvements to Spray Avenue and Oak Street.

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 award a Contract to Swift Paving, Inc. of Toms River, New Jersey in the amount of \$59,893.80 for roadway improvements to Spray Avenue and Oak Street within the Borough.
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, Jim Oris, the Borough CFO, the Borough Treasurer and Swift Paving, Inc.

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

RESOLUTION

CORRESPONDENCE:

- a. Beachwood Yacht Club – re: Parking for their Regatta
 Mrs. Clayton explained the problem facing the Yacht Club for their annual regatta. Asked for Council authorization to speak with Commodore Hoey and come to some resolution on handling the parking.

RESOLUTION:

#2009-233 To approve the request of the Yacht Club and authorize Mrs. Clayton to discuss solution.

Motion: Clark **Second:** Roma
Approved: Clark – Clayton – Feeney – Komsa – Roma - Verga

Reports:	
Mayor	No report
Mrs. Clark	No report
Mrs. Clayton	Did walk through at First Aid with contractor. Rec'd temp. CO. Trucks and equipment inside. Nice to see them back in their home. Pine Beach is forwarding check for \$120,000 for First Aid. Requesting that the reps of First Aid be instructed in proper manner of handling expenditures. Fireworks - great show. Donations are down from last year, and will have to address surrounding communities. Thanked LaCrosse/Morris for overseeing the event for the volunteers. Thanks rec'd from Special thanks to Tom DiMichele for all his efforts in making sure things went smoothly. Working on RFP's for next program and would like to see it become a three year award. Thanked DPW for work done. Community Center Decking and flag pole done. Parking Lot complete. Electrical work repaired. Looking at quotes to bring electric to whole marina. Will be looking for quotes on front deck. Will be working with architect for that. Looking at addressing signs to be upgraded and working on an Eagle Scout project.
Greg Feeney	Congratulations to Glen DeMarco on promotion. <u>Work on soccer field requires orange fencing, will have DPW</u>
<u>RESOLUTION</u> <u>#2009-234</u> Motion: Feeney Second: Clark	<u>Work on soccer field requires orange fencing, which will be done by DPW</u>
Approved:	Clark – Clayton – Feeney – Komsa – Roma – Verga
Steven Komsa	Congratulated Officer DeMarco on well deserved appointment. . First Carousel of Music Concert went well. Second August 16 th , 7:30 – New Jersey Gold. Thanked CMX Foundation for sponsoring these events.
Ronald Roma	Fireworks great. Spectacular program. Committee did great job. Alliance Summer fun Monday nights in effect until Aug. 24. Monday is community night. Luau Saturday July 18th – Rain date Sunday 19th. Will schedule DPW for Saturday a.m. clean up to make sure everything is clean before beach opens. Alliance application in process.
Resolution – #2009-236	Submittal for Alliance Grant RESOLVED by Mayor and Council to approve and authorize the submittal of the 2010 Municipal Alliance Grant Application in the amount of \$15,000 with a 25% cash match of \$3,750.00

Municipal Clerk
Report of
Auction:

Boro #	Year/Make	Model	Vin #	Value	Min Bid	Sold To:	Amount
<u>POLICE</u>							
2006-149	1995 Dodge	Caravan	2B4GH2536SR293513	\$ 2,485.00	\$ 350.00	Silver Jersey One	\$ 350.00
2006-151	1983 Volvo	4 Dr.	YVQAX8846D1826206	\$ 1,850.00	\$ 100.00	Auto Jersey One	\$ 100.00
2007-096	Unknown Yahama	Dirt Bike	3VC9010	\$ 1,410.00	\$ 200.00	Auto Jersey One	\$ 325.00
2007-113	1992 Buick	Regal 4 Dr.	2G4WD54L8N1425666	\$ 1,255.00	\$ 150.00	Auto Jersey One	\$ 150.00
2008-017	Unknown Suzuki	ATV	AYG21315	\$ 1,130.00	\$ 150.00	Auto Jersey One	\$ 150.00
						Sub Total Sales	\$ 1,075.00
<u>PUBLIC WORKS</u>							
UNIT 7	1987 Ford	Pick Up	1FTCR10T0HUC72880	\$ 250.00	\$ 100.00	Rabstein	\$ 160.00
UNIT 8	1990 Jeep	Wagon	1J4FJ28L1LL245839	\$ 1,500.00	\$ 500.00	Ribinsky	\$ 700.00
UNIT 10	1989 International		1HTJUZRM6KH605571	\$ 2,500.00	\$ 1,500.00	A & A Auto	\$ 1,500.00
UNIT 15	1986 Ford	Refuse Packer	1FDZY80U0GVA43506	\$ 2,500.00	\$ 1,000.00	A & A Auto	\$ 2,450.00
Fire 3801	1994 Ford	Crown Victoria	2FAK071W7RX155721	\$ 1,315.00	\$ 500.00	Wainwright	\$ 550.00
Broken Latch		Roll Off Unit		\$ 250.00	\$ 50.00	A & A Auto	\$ 700.00
<u>VARIOUS EQUIPMENT</u>							
#1	Swenson	Tailgate Sander		\$ 175.00	\$ 50.00	NOT SOLD	NOT SOLD
#2	Swenson	Tailgate Sander		\$ 175.00	\$ 50.00	NOT SOLD	NOT SOLD
#3	Swenson	Tailgate Sander		\$ 175.00	\$ 50.00	NOT SOLD	NOT SOLD
	1997 Yacht Club Trailer	Homemade	HMDT097163	\$ 100.00	\$ 25.00	NOT SOLD Jersey One	NOT SOLD \$
		Western Plow	6 1/2 ' Plow	\$ 100.00	\$ 25.00	Auto	\$ 25.00
		Glenhill	10' Plow	\$ 300.00	\$ 100.00	A & A Auto	\$ 100.00
		Glenhill	Plow Cradle	\$ 100.00	\$ 25.00	NOT SOLD	NOT SOLD
		Glenhill	Plow Cradle	\$ 100.00	\$ 25.00	NOT SOLD	NOT SOLD
		Hitch	York Rake 3 Point	\$ 300.00	\$ 100.00	NOT SOLD	NOT SOLD
		Truck Bed Cap Roll Off Container	8' Pick Up - Red	\$ 50.00	\$ 10.00	NOT SOLD	NOT SOLD \$
		Eager Beaver Trailer	13'	\$ 400.00	\$ 125.00	A & A Auto	\$ 300.00
	1983	Trailer	20TL109DT0200	\$ 750.00	\$ 200.00	NOT SOLD	NOT SOLD \$
	1996	Homemade Trailer	TT09613923	\$ 50.00	\$ 15.00	Rabstein	\$ 15.00
	1997	Homemade Trailer	LCAUS0419VT274688	\$ 50.00	\$ 15.00	Rabstein	\$ 20.00
						Sub Total Sales	\$ 6,520.00
							\$
				18-Jun-09	<u>Auction</u>	Grand Total:	<u>7,595.00</u>

RESOLUTION

#2009-234

WHEREAS, in April of 2009 Water Account 4701-0 in the name of Sandra Brennan 52 Bowline St. communicated with the Borough of Beachwood regarding the outstanding balance of her account; and

WHEREAS, the history of the account showed extremely high water usage and associated charges; and

WHEREAS, the owner disputed the charges and had the meter checked by the Borough with no noted malfunction of the meter and checked by a plumber secured by the homeowner with no malfunctions noted; and

WHEREAS, at the homeowners request the meter was replaced, and the charges exceeding \$1,000 including interest were negotiated by and between the Borough and the homeowner resulting in an offer accepted to credit the account in the amount of \$400.

NOW, THEREFORE, BE IT RESOLVED to credit water account #4701-0 in the name of Brennan, 52 Bowline St., in the amount of \$400.00.

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

#2009-235

RESOLVED by Mayor and Council to approve the application for Raffle by the Beachwood Volunteer Fire Company #1 for 50/50 drawing on the following dates:

Aug. 14, 2009 – Sept. 11, 2009 – Oct. 9, 2009 – Nov. 13, 2009 – Dec. 11, 2009

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

Mrs. Clayton Reminded Mr. Komsa about Movie on the Beach August 1st. – Journey to the Center of the Earth.

PUBLIC DISCUSSION: To Open

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

Chief Cairns	Thanked council for support on promotion and resolution for Over the Limit under arrest.
Balizinski – No address given	Fireworks great thanked Mrs. Clayton. Item on agenda this evening greatly disturbed him. Statement on promotion of officer to sergeant. “In this town you can have a mental disability and become Mayor. In this town you can be a councilwoman or planning board member and not file for permits to do work on your home, and then when you are caught at it, two days later you can get permits. In this town you can be a police officer one day, do a favor for the Mayor and that month you can be promoted to Detective and then a few months later you could do another favor for the Mayor , like file false charges against somebody, throw your weight around and suddenly you can become a Sergeant. If he sticks around a little more, the new Sergeant DeMarco , if he follows the Mayor around and does some more work for him, maybe he will become Chief of Police. I’m a little aggravated. I think maybe things should be thought out before they are voted on, motioned to. I would like to know off hand who did make the motion and the second motion? <u>Mr. Roma made the Motion and Mrs. Clark seconded.</u>

	<p>Balazinski: I'm not knocking anybody who did things wholeheartedly without the knowledge of things I just spoke about. There are things that are being brought out this man is still in a court case and when it's brought out into next week what happens when I bring this to the next meeting. Is everybody going to say I'm sorry, is he going to be demoted. The further up the ladder he climbs it's only further down he has to fall if he's going to be found doing things as favors for somebody who is not even competent to be making decisions.</p>
	<p>Mr. Roma: I am not going to respond about your first two statements. As far as the police department is concerned, I am sorry that you feel that way, because there is absolutely no validity to that at all. Detective DeMarco is an outstanding policeman, he's number 1 on the Sergeants promotion list. I will not talk about other personnel. I will say we are short staffed, we have one other Sergeant out..the Department is in need of a Supervisor, he comes highly recommended. I read the police reports, I know firsthand how many arrests he's involved in I know the work that he does.</p> <p>Balazinski: Recent arrests</p> <p>Roma: Some yes, some going back I review everything, I am one of the liaisons to the department.</p> <p>Balazinski: Would they all be a certain type of arrest.</p> <p>Roma: Criminal – it's what he does, he's a police officer. Not trying to defend him, defending the integrity of our Governing Body and the Police Department. In no way do I believe that at any time anywhere that anyone in the Police Department or anybody who works for this Borough is doing favors for anyone.</p> <p>Balazinski: If you believed it, I realize that you would not have voted that way, but if it was proven to you.....(inaudible)</p> <p>Roma: The only thing that you can prove to me, that is proof to me, is I have a letter here from the Chief of Police, I know what Detective DeMarco's record is, I know he is number one on the list, and I believe wholeheartedly that we need another Sergeant and that's why I made the motion for it.</p> <p>Balazinski: After the 21st, I will bring in something to you, proving what I am saying is right. Usually I come with proof, but today I didn't come with anything is my hand. I'm telling everyone here, that Detective – Patrolman, whatever he's going to be, is not what everybody thinks he is, and the statements he made against me are false. I know that, because I am the one he made them against. This man is riding, using his reputation finding probable cause, doing the Mayors' bidding to do harm to me. I'm telling you what's going on. You don't have to believe me it will be black and white that you will believe, that's good and fine. I leave my words for everybody here to ponder."</p>
	<p>Mayor Jones: Reaching on this one. Affront to myself and to officer DeMarco, who is a fine person. Does great job. Insult to Chief who made the recommendation based on the performance of the officer. I never discussed the recommendation with the Chief.</p>
<p>LaCrosse - Forecastle Ave</p>	<p>Thanked Beverly for great fireworks display. Mr. Roma, forgot coupons will get them to him soon. Commented on the lightning damage incurred in the Water Telemetry System. Past addressed changes in phone system. Can this be done via wireless.</p>
	<p>Feeney: Have had conversations over recent months on this issue (wireless) Looking at many possibilities.</p>
	<p>LaCrosse: Love idea of Seminole logo, but why not get in touch with Tielest put their logo on one</p>

	side and let them pay for it.? June 4th Mayor addressed water quality committee any names of that committee yet.
	Mayor: DEP assigned a Mr.Callahan to work with Water Utility.
	LaCrosse: Mrs. Clark - reasons for abstentions and no votes, is there something we should no.
	Clark: Can't comment at this time
	Mr. LaCrosse: In the last couple of weeks we joined a group of select communities who have decided to put a recall election together. Five individuals got together, formed a committee, got a statement to Bette and they are all ready to go. The Mayor had an opportunity to respond to that, I am looking at your response and it is ridiculous. Read Statement of response. And posed some questions to Mayor regarding his statement. Addressing Mayors' response to recall statement.
Timoney - Seaman Ave	Four days in row, brown water. Grew up in small town with a Chief and a patrol person. Questioning why we can't just have one Chief and rest patrolmen. Mayor: It's a para military organization that needs a structure.....in audible
DiBella - Halliard Ave	Several months ago brought to council attention re: Judge Collins and official misconduct Mrs. Verga was to investigate same.... Chief Justice Rabner remanded to Monmouth County Superior Court Judge English who had a mandatory court appearance requested for Judge Collins yesterday and he forwarded it to Monmouth County Prosecutor... Mayor Spoke to Rabner's office and was advised it was not going to be addressed. Will provide information to Mr. Hierung – DiBella: Judge signed court order, and it is moving along. Re: Nancy DeFalco, is she ever in the office? Mrs. Verga: In the summer time she is basically out on the road. DiBella: She never seems to answer telephone calls. When a taxpayer wants to speak with her they should be able to speak with her. Mrs. Verga: Did you leave a number when you called DiBella: Once again, I am a Tax payer she works for me I shouldn't have to leave a message. She should answer the phone. I called there and asked Morgan if she was there, she was there, she wasn't answering the phone. Once again, I am a Tax payer she works for me I shouldn't have to leave a message. She should answer all taxpayer calls. Mrs. Clayton great job on fireworks. Best ever. There was talk of insult to Chief Cairns, although I will not talk on any promotions, I am going to comment on insult to Chief Cairns that happened as part of this governing body. The biggest insult to Chief Cairns was the false Rice Notice to his wife, where his wife had to appear here to answer a false claim that was voluntarily withdrawn. That's the biggest insult that should be looked into. Re: response to recall on what letterhead, objects to same and should be investigated. Clerk: I think it was on Borough Letterhead. When there is a response to a recall.... Clerk: I don't have an objection to response on Letter head, he is still the Mayor until such time as an election changes that.

DiBella: I have a problem with that. This does not involve the Borough of Beachwood it is a “campaign issue” and is highly inappropriate for it to have been used. Question is” is it appropriate for the response to come on Borough Letterhead”???.
Commenting on the response letter – an insult to Judge Buzynski – by using his name by making false statements. He never dismissed any charges against the Mayor.

PUBLIC DISCUSSION: To Close

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

EXECUTIVE SESSION

WHEREAS, SECTION 8 of the N.J. 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 of the subject matter to be discussed is as follows:

Pending Litigation – Terms and Condition of Employment - Contractual

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

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

RE-OPEN

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

ACTION TAKEN RESULTING FROM EXECUTIVE SESSION THIS DATE:

RESOLUTION

#2009-239 RESOLVED by Mayor and Council to approve the agreement between the Borough of Beachwood and CMX Engineering for Schedule “C” Design Engineering and Construction Assistance and Observance not to exceed \$45,000, pending the availability of funds.

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

#2009-240 RESOLVED by Mayor and Council to approve the agreement between the Borough of Beachwood and CMX Engineering for the application process of Greenhouse Gas Reduction Grant Program not to exceed **\$1,8200.00** pending the availability of funds.

Motion: Clayton **Second:** Komsa
Approved: Clark – Clayton – Feeney – Komsa –Roma - Verga

RESOLUTION

#2009-241 RESOLVED by Mayor and Council to approve the payment to N.J. Natural Gas for Phase IV Drainage In the amount of \$12,582.44 and Phase V Drainage \$2,635.21 (relocation costs)

Motion: Feeney **Second:** Clayton
Approved: Clark – Clayton – Feeney – Komsa –Roma - Verga

RESOLUTION

#2009-242 RESOLVED by Mayor and Council to approve the establishment of a “sick” day bank for Borough Employees.

Motion: Clayton **Second:** Verga
Approved: Clark – Clayton – Feeney – Komsa –Roma - Verga

ADJOURMENT

Motion: Roma **Second:** Clayton
Approved: Clark – Clayton – Feeney – Komsa –Roma - Verga

Submitted by: E.A. Mastropasqua

Ronald W. Jones ; Jr.
Mayor

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