

August 20, 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 102 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 January 4, 2008.

ROLL CALL MEMBERS PRESENT: **Mayor Ronald Jones**

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

Absent: None

A 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.

Swearing in of Officers Altman and Apel

Special Police Presentations

August 20, 2008

Page 1

RECESS:

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

RE-OPEN

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

RESOLUTION

#2008-306 RESOLVED by Mayor and Council to approve the 2008 Certified Bills List in the amount of \$2,974,037,23

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

RESOLUTION

#2008-307 RESOLVED by Mayor and Council to approve the minutes of the July 16th Regular Meeting of Mayor and Council

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

RESOLUTION

#2008-308 RESOLVED by Mayor and Council to approve the minutes of the July 23rd Workshop Meeting of Mayor and Council.

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

RESOLUTION

#2008-309 RESOLVED by Mayor and Council to approve the minutes of the July 30th Budget Adoption Meeting of Mayor and Council.

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

RESOLUTION

#2008-310 RESOLVED by Mayor and Council to approve the following rentals for the Community Center - Mayo Park

2008		Community Center	
August	25	Scout Troop 70	Rental: \$WAIVE
		c/o J. Vallo	Deposit: \$WAIVE
		1300 Spray Ave	
		Beachwood	

September	06	Clark	Rental:	\$350
		48 Poplar St.	Deposit:	\$500
		Beachwood		
September	27	Belesky	Rental:	\$350
		848 Cable Ave	Deposit:	\$500
		Beachwood		
October	18	Shunk	Rental:	\$350
		30 Bowline St.	Deposit:	\$500
		Beachwood		
December	13	Belkowski	Rental:	\$350
		37 Cherry St.	Deposit:	\$500
		Beachwood		
<u>2009 Community Center</u>				
February	07	Beachwood Elem. PTO	Rental:	\$WAIVE
		901 Berkeley Ave.	Deposit:	\$WAIVE
		Beachwood		
March	28	Bonner	Rental:	\$350
		1408 Longboat Ave.	Deposit:	\$500
		Beachwood		
May	31	James Merrell (Eagle Scout)	Rental:	\$WAIVE
Court of Honor		300 Surf Ave	Deposit:	\$WAIVE
		Beachwood		
September	19	Ridge	Rental:	\$350
		136 Halliard Ave.	Deposit:	\$500
		Beachwood		
<u>2010 Community Center</u>				
June	19	Kroeper	Rental:	\$350
		408 Ship Ave	Deposit:	\$500
		Beachwood		
August	14	Beaver	Rental:	\$350
		1309 Mizzen Ave	Deposit:	\$500
		Beachwood		
<u>MAYO PARK 2008</u>				
September	13	Rayhon	Rental:	\$125
		235 Ocean Ave.	Deposit:	\$175
		Beachwood		

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

**HIERING, GANNON AND MCKENNA
COUNSELLORS AT LAW
29 HADLEY AVENUE
TOMS RIVER, NEW JERSEY 08753**

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August 7, 2008

Mayor & Council
Borough of Beachwood
c/o Elizabeth A. Mastropasqua, Clerk
1600 Pinewald Road
Beachwood, New Jersey 08722

VIA E-MAIL

Re: Proposed Water Tower

Dear Mayor & Council:

This letter acknowledges receipt of a copy of the three (3) bid submissions for the proposed 500,000 gallon water tower received on July 31, 2008 at 2:00 p.m. The low bidder was Caldwell Tanks, Inc. of Louisville, Kentucky with the base bid of \$1,667,000.00 and the total contract amount including alternate number 1 of \$1,689,500.00.

As to the low bidder, Caldwell Tanks, Inc., I have reviewed all submissions including the initial checklist and the following documents:

The Power of Attorney to sign bid documents executed on behalf of the corporate bidder, the Bid Bond issued by Great American Insurance Company, the Consent of Surety also issued by Great American, along with the Power of Attorney appointing Tammy L. Masterson as Attorney-In-Fact for the Surety. I have reviewed the Subcontractor List, Acknowledgement of Change to the Bid Documents, Bidder Qualification and form of Insurance Certificate which included coverage beyond the required limits. Also, the contractor submitted an Equipment Certification and Corporate Resolution. There were Public Works Registration Forms and Business Registration Certificates for the contractor and subcontractors. There was also the required Equal Opportunity Employment form which completed the required documents.

I have also reviewed the bids and bid submissions of both the second and third low bidders and find that they are in proper form and order as is the low bidder, Caldwell Tanks' documents. Upon recommendation of our Borough Engineer I will prepare the appropriate award Resolution.

**RESOLUTION OF THE BOROUGH OF BEACHWOOD, OCEAN COUNTY, NEW JERSEY
AWARDING A CONTRACT TO CALDWELL TANKS, INC. IN THE AMOUNT OF
\$1,689,500.00 FOR A NEW .5 MG WATER TANK FOR THE BASE BID AMOUNT
WITH ALTERNATE NUMBER 1 AND IN ACCORDANCE WITH THE BOROUGH'S BID
SPECIFICATIONS**

WHEREAS, the Borough of Beachwood previously advertised for the receipt of bids on July 31, 2008 at 2:00 p.m.; and

WHEREAS, at the time of place for the receipt of bids three (3) bids were received ranging from a low base bid amount with alternate number 1 of \$1,689,500.00 to the high bid amount of \$1,859,400.00; and

WHEREAS, the Borough's Consulting Engineer, CMX, have reviewed the bid submission and have recommended the award of the Contract to the low bidder, Caldwell Tanks, Inc.; and

WHEREAS, the Borough Attorney has reviewed the bid submissions and found the same to be in proper form and order; and

WHEREAS, the project will be conducted in accordance with the New Jersey Environmental Infrastructure Trust who have indicated that the bid price is acceptable to them as funding organization; and

WHEREAS, it is the desire of this Governing Body to award the Contract for said new 500,000 gallon water tank.

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 a Contract be and is hereby awarded to Caldwell Tanks, Inc. for the proposed .5 MG Water Tank for the low bid amount with alternate number 1 of \$1,689,500.00, all in accordance with the Borough's bid specifications.

2. The within award of Contract is specifically contingent upon prior approval of the New Jersey Department of Environmental Protection.

3. That upon the adoption of the within resolution, the Borough Clerk is authorized to forward a certified copy of it to the low bidder, Caldwell Tanks, Inc., as well as Borough Engineer, James M. Oris, and Borough CFO, John Mauder, and Treasurer, Liz Sarantinoudis.

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

The following resolution was previously enacted, but DOT requires reference to streets addressed.

RESOLUTION

#2008-312 RESOLVED by Mayor and Council authorize the Engineer to submit a request to the N.J.D.O.T. for modification to the FY 2007 Municipal Aid Program Application in the amount of \$16,527.00 This modification addresses work required as follows:

Mill and overlay 1-1/2" on Pacific Avenue from Nautilus St. to Oak St.

And requires no funding from the Borough.

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

RESOLUTION

#2008-313 RESOLVED by Mayor and Council to approve the Professional Service Agreement between the Borough of Beachwood and CMX Engineering for services on Railroad Drainage Phase V (Windward Avenue and Maple Street) Project #050092900 not to exceed \$80,000.00;and

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

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

RESOLUTION

#2008-314 RESOLVED by Mayor and Council to approve the Professional Service Agreement between the Borough of Beachwood and CMX Engineering for services on Water Main Replacement - Mizzen Avenue Project #08013300 not to exceed \$31,500.00;and

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

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

RESOLUTION

#2008-315 RESOLVED by Mayor and Council to approve the Professional Service Agreement between the Borough of Beachwood and CMX Engineering for services on 2008 Roadway & Drainage Improvements 2008 NJDOT Municipal Aid Project #080358400 not to exceed \$32,000.00;and

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

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

RESOLUTION

#2008-316 WHEREAS, Block 9.08 Lot 12.01, Account #3394-0 owned by Edward Osolinec Jr., was visually read incorrectly for the 3rd quarter of 20008; and

WHEREAS, it was read and posted as 402 and should have been 332.

NOW, THEREFORE, BE IT RESOLVED, by Mayor and Council to credit the account in the amount of \$349.65

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

RESOLUTION

#2008-317 WHEREAS, on July 23rd 2008, under Resolution #2008-305 the Borough hired w seasonal laborers at a salary of \$12.21 per hour; and

WHEREAS, the payroll information was incorrect.

NOW, THEREFORE, BE IT RESOLVED to correct the resolution to reflect an hourly salary of \$12.22 per hour.

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

RESOLUTION

#2008-318 RESOLVED by Mayor and Council to appoint Geraldine Delnero as a Substitute Crossing at the hourly rate of \$9.23 per hour.

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

RESOLUTION

#2008-319 RESOLVED by Mayor and Council to approve the application for membership in the Beachwood Volunteer Fire Company #1 Inc of Michael D. Staples, 117 Ensign Avenue, Beachwood

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

RESOLUTION

#2008-320 RESOLVED by Mayor and Council to authorize Notice to Bidders for the 2009 Refuse Packer.

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

RESOLUTION

#2008-321 RESOLVED by Mayor and Council to authorize the Clerk to advertise the solicitation of Professional Service Contracts for 2009.

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

ORDINANCE PROPOSED FOR FIRST READING TITLE ONLY - BY MRS. CLARK

#2008-16 AN ORDINANCE OF THE BOROUGH OF BEACHWOOD, OCEAN COUNTY, NEW JERSEY PROHIBITING THE SMOKING OF TOBACCO PRODUCTS WITHIN ANY BOROUGH OWNED BUILDING AND UPON CERTAIN PUBLIC BEACH AND PARK AREAS WITHIN THE BOROUGH AND PROVIDING FOR VIOLATIONS AND PENALTIES THEREFORE

RESOLUTION

#2008-322 RESOLVED by Mayor and Council to approve Ordinance #2008-19 as presented on First Reading by Title Only.

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

ORDINANCE - PROPOSED FOR FIRST READING TITLE ONLY - BY MR. KOMSA

#2008-20 AN ORDINANCE OF THE BOROUGH OF BEACHWOOD, OCEAN COUNTY, NEW JERSEY PROVIDING GENERAL PROVISIONS FOR SMALL MUNICIPAL WIND ENERGY SYSTEMS WITHIN THE BOROUGH

RESOLUTION

#2008-323 RESOLVED by Mayor and Council to approve Ordinance #2008-20 as presented on First Reading by Title Only.

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

ORDINANCE - PROPOSED FOR FIRST READING TITLE ONLY - BY MRS. CLAYTON

#2008-19 AN ORDINANCE OF THE BOROUGH OF BEACHWOOD, OCEAN COUNTY, NEW JERSEY AUTHORIZING THE BOROUGH'S LEASING OF THE BEACHWOOD VOLUNTEER FIRST AID SQUAD PROPERTY KNOWN AS BLOCK 4.26, LOT 14 FOR A NOMINAL CONSIDERATION AND FURTHER AUTHORIZING THE SUBLEASE OF SAID BLOCK 4.26, LOT 14 TO THE BEACHWOOD VOLUNTEER FIRST AID SQUAD FOR NOMINAL CONSIDERATION WITH BOTH THE LEASE AND SUBLEASE HAVING A FIFTY (50) YEAR TERM

RESOLUTION

#2008-324 RESOLVED by Mayor and Council to approve Ordinance #2008-21 as presented on First Reading by Title Only.

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

Mr. Hiering noted that this ordinance is essentially similar to the ordinance we did with the Fire Company.

ORDINANCES - FINAL READING - PUBLIC DISCUSSION - ADOPTION

#2008-15 ORDINANCE OF THE BOROUGH OF BEACHWOOD, OCEAN COUNTY, NEW JERSEY PROVIDING FOR THE ACQUISITION OF ONE NEW GARBAGE TRUCK PACKER BODY AND RELATED EQUIPMENT, A NEW DUMP TRUCK AND RELATED EQUIPMENT, AS WELL AS EQUIPMENT FOR BOTH THE POLICE DEPARTMENT AND FIRE DEPARTMENT APPROPRIATING THE SUM OF \$300,000.00 THEREFOR AND AUTHORIZING THE ISSUANCE OF GENERAL IMPROVEMENT BONDS AND NOTES IN THE AMOUNT OF \$285,000.00 IN GENERAL IMPROVEMENT BONDS OR NOTES TO FINANCE THE COSTS THEREOF

OPEN TO PUBLIC DISCUSSION ON THIS ORDINANCE ONLY

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

No Questions

CLOSE TO PUBLIC DISCUSSION ON THIS ORDINANCE ONLY

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

Abstain:

Absent:

RESOLUTION

#2008-325 RESOLVED by Mayor and Council to approve and adopt Ordinance #2008-15 as presented and held for public discussion

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

RESOLUTION

#2008-326 RESOLVED by Mayor and Council to approve the Executive Session Minutes from January 2008 to and Including June 2008.

TO TABLE

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

RESOLUTION

#2008-327 WHEREAS, as a result of discussion during Executive Session held June 18th, 2008, it is hereby resolved by Mayor and Council to expand the hours of employment of Wayne Gibson, Construction Official from 21 to 24, retroactive to July 1, 2008.

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

CORRESPONDENCE

- a. Boy Scout Troop 70
Re: Use of Beach - September 23 for Annual Event.

RESOLUTION

#2008-328 RESOLVED by Mayor and Council to approve the request of Troop 70 for use of the Beach, September 23, 2008, pending all permits obtained from Fire and Clean Up.

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

Table with 2 columns: Speaker, Content. Rows include Reports, Mayor, Hiering, Mayor.

involves hearsay, inuendos, that are circulating through out the community and that I think are dividing the municipality. I say this as a parent, as a father and as an elected official. I Want to clear the air to allow us to move on, to make Beachwood a better Community. When elected, knew that things would be different when officials were on site in district 6. At the polling place there was an investigator who made report to State Police. Following was contacted by Capt. Clark N.J.State Police and advised of concern for safety, and at my request upon contacting the O.C. Prosecutor, they were activating the Allenwood State Police Barracks. Since that time things have not gone well.

My personal life has been through blogs, hearsay and falsehoods. Mainly due to the fact that I have a son who is autistic, grossly autistic. I say this as a father, it hurts that I would have to release this information to the public, but I think it is the right thing to do. I have a son who is 24 years of age. When he was 11, not 16, not 19, not 20, when he was 11, he may have been involved in an incident. He was experiencing at the time, tremendous mental problems in the year 2000, when he was 16 years of age. During an interview with a psychotherapist, he indicated that he may have been involved in an event with another minor who was either 4 or 5 years younger than him. There was no sex, no intercourse, nothing. This is what he told his doctor, but under the law it's wrong. When I found out about it, did I turn my back, NO. I have a report from the O.C. Prosecutors Office dated November 9, 2000, 2p.m. It states the referrant Ronald Jones, contacted the Ocean County Prosecutors Office and spoke with senior investigator Peter Mills. The rest of the report states what my son had said, what the allegations are and that I did the right thing, I didn't hide it.

Secondly on January 1, 2001, while I was working with the Brick Town Police, I made a police report that I had received information from my son (before that) that he was sexually assaulted by a member of my family and a family friend. That police report was submitted to the Brick Town Police and sent to the Detective bureau. The Detective bureau was notified by the Ocean County Prosecutor's office, not to investigate the complaint.

In September of 2000, I went through a very very difficult divorce. I am sure there are people in this room who went through divorce. It is not the easiest thing. It takes a strong family

The reason I am bringing this information public, because and individual has taken it upon themselves to break into his personal files that were held in a filing cabinet at my previous place of business and extracted reports from the NJ Div. of Pensions where I had gone out on a disability from the police dept. In that report it indicates that I went out on stress, anxiety, obesity, and a --- --of things related to the family situation at the time. I don't know to many people that could not see it difficult to work in their job, especially one that is stressful, where I had to oversee the actions of police officers, insure their safety, fire personnel and their safety, first aiders and their safety, knowing that my son was sexually assaulted by a member of my family.

In October of 2001, my son was coming home from a treatment center, when he was taken to the Ocean County Juvenile detention center, where Mr. Roma worked at one time. During his initial incarceration there, he was the victim of sexual contact by a Juvenile Detention Officer. I made a complaint to the Dover Township Police. That complaint was referred to Mike Malichiefski, who is a detective. He advised me that he had received a call from the Ocean County Prosecutors' office not to investigate the complaint. Sometime after that, my son was released from the Juvenile Justice System and he was living with me. During those years I found out that my son is autistic. He has a condition known as aspergers syndrome. There are a lot of people you may know who have had it. Thomas Jefferson, Ernest Hemingway, and Thomas Edison to name a few. Were they criminals, I don't think so. Were they different, absolutely. Did they contribute to our society, yes they did.

I have a report...this is very difficult for me...as a parent to release this information, because first and foremost, I care for the people of Beachwood and because my respect for them, is I have to release this information.

In March 2004 my son had a girlfriend. Same age. He's autistic, she has a diminished capacity to, they had a relationship, and then she makes an allegation. I don't know if people understand how the system works in the State of New Jersey. If you are convicted in the State of New Jersey, do you know how long you stay in the County Jail. One year. One year. Do you know how long my autistic son stayed in the Ocean County Jail waiting to go to trial. Three years. Three years. We are concerned about the terrorists in Guantonimo Bay, whether they have racket ball and a clean shower. An autistic child is allowed to stay in the Ocean County Jail for three years, where he was beaten on several occasions and received improper medical attention. I have a report from a psychiatrist who visited my son on two occasions who said that he was not receiving proper care in the Ocean County Jail and that he should have been transferred to another facility.

Lastly, concerning my son, who I love very much even though he is quite different, is a report from Dr. Singer at Avenel, I didn't make this report up, this is a professionals report. He states: "During the present examination, no deviant or unusual sexual practices or interests were elicited. Mr. Jones experienced a sexual offender behavior within the context of things he understood to be consensual in nature. He described observing the victims ambivalence which turned into consent into Mr. Jones "finiology" Individuals with aspergers, as well as with bi-polar often have difficulty accurately tracking social cues. Regardless there is insufficient psychological evidence generated to support the finding of sexual impulsivity for statutory purposes. It is recommended that Mr. Jones actively pursue seeking psychiatric treatment for the numerous disorders. It is recommended that the court not sentence Mr. Jones under prevue of N.J. Sex Offenders Act. My son was.

I also have a report from the Department of Corrections that states this case does not fall within the prevue of the..... statutes, which happens to be the same thing.

My son has since then been released. He is compliant under the law, he wears a monitoring device and he isunaudible... unfortunately he has not been successful.

Does he visit me here in Beachwood, absolutely. Does he live here in Beachwood, absolutely not and that can be confirmed by the parole board, since he wears a tracker. Would I allow my son to do anything that would harm any child, or any adult that lives in Beachwood, I have already proven myself. Anyone who says anything differently should be ashamed of themselves. I've had it with people driving past my house. Photographing my son and my family, and making inuendos on the so called blog. Its wrong, this is still America, and let me say for the record, as I have said before, when it comes to the law, when it comes to Megans' Law, when it comes to registration, when it comes to the ordinance, Bette will back me up, I am the only Mayor that came forth and supported it. Not one member of the Legislative Committee of the N.J. League of Municipalities supported that bill except Ron Jones and it affected my family the most. I am not a hypocrite.

Secondly , the internet is a good thing, the internet is a bad thing. Sometimes people don't check things out. There is a rumor around town that I was arrested. The reasoning for that is because when you run these little \$10 searches, it comes out that I have amounts due the public defender's office, which surprises me, I ran my own background. I have letter from N.J. State Public Defender (August 8th) (read letter) no record that the office ever represented him in a criminal matter. I have never been arrested.

Then it says that I owe child support. It's interesting because this lien is in Brick where my father lives. It's interesting. I checked, it's going to be removed. What it was, when I was paying my ex-wife directly for child maintenance, when it got over from the court, probation actually picked it up and charged it even though I was paying it, so in essence it was a mistake and is being removed.

Then, some people were mad at me because in my campaign I mentioned that I wanted to abolish the Sewerage Authority. Did I want to do it because I don't like Beverly. I don't think so. She does a fine job over there. But as the Mayor, I'm looking at the duties of the Mayor, it says that the Mayor enforces statutes of the State of New Jersey and the Ordinances of the Borough. I come to Borough Ordinance #2-14.6 "No member, officer or employee of the Beachwood Sewerage Authority shall have or acquire any interest, direct or indirect in the sewerage system or in any property included or planned to be included in the sewerage system or in any contract or proposed contract for materials or services to be furnished to or used by the Sewerage Authority."

So as the Mayor I have to enforce that, so I asked the Attorney if there was a conflict between Mrs. Clayton and the ordinance. If

you look at the law, it says I have to enforce things, or should I just turn my back and not. This has nothing to do with Mrs. Clayton, absolutely not. He said the complaint has to go to the Sewerage Authority, and it will.

Then there are people who say I owe bills, and I love that one the best, because, boy, a lot of people on this council also owe bills significantly.

Then we have individuals who say that the Mayor lives at 10 different addresses. Again, a complaint being brought by someone who does not live in Beachwood, can't substantiate living in Beachwood (read numerous different addresses) all within the last five years. I can say confidently, that I have lived in Beachwood continuously since 1995 except for the two periods that I went through my divorce and when I had foreclosure on my home after the divorce. Am I a bad guy, I don't think so. Little do you know that there are 63 homes right now in Beachwood that are in foreclosure.

I am not here to embarrass anyone. We all have legal problems in the past. We have council members up here that had foreclosure on their condominiums in Brick Township and in other areas. I am not here to embarrass them. I am here to be the Mayor of Beachwood the best that I can see fit. Am I perfect, only the Lord is perfect. I am not and no one up here is. I am not going to stand for inuendos and half truths. I'm not going to stand for individuals that are going to threaten or coerce public employees to do something that is outside the realm of their position.

NOW, there have been concerns here about the Business Administrator's position. Mr. Feeney has made some comments about our former Administrator and he's a nice guy. Mr. Feeney said that Mr. Lacey started every morning at 7:00 and that he was a hands on kind of guy. Well not totally. I have photographs of Mr. Lacey and a local builder on at least 2 occasions, and I can substantiate about 10 more, separate dates, where they were having breakfast at the Beach House, where Mr. Lacey should have been working for the public and he was not. Guess what, remember Ron with the Kitty Litter with the Walmart Deal, where he was getting toys for kids, and happened to get Kitty Litter, and was in a Borough car? Mr. Lacey was in a Borough car at the time.

NOW, a few weeks ago, lets just say a few months ago, we had a discussion about a young girl who was working in the Borough Hall and documents, the magnificent documents. This girl happened to be under the supervision of the Juvenile Court. I did not release the name and I refused to release the name, but at that meeting a member of the public came up and said "who comes in the back door? We should eliminate it, they should sign in". Let me just say, and I'm not going to identify the person, at the time when I was Mayor until Mr. Lacey left, there was a local builder who would come to the back of the building, knock on the door and Mr. Lacey would let him in. It's wrong, it's wrong(in audible) only when the Democratic Mayor does something out of step, they want to lynch him. They should be ashamed of themselves. This is why Beachwood

	<p>has a bad reputation right now. We settled our law suits two or three weeks ago, and immediately people jumped on the microphone, they jumped to the media that they are going to call for the Mayor's resignation, they're going to recall him. Do what you have to do in according to the law. All I know is this, when the votes were counted in a legal process, on November 6th, I won. That's the American way. We have individuals risking their lives in Iraq to bring a democracy there, to bring voting there, when we can't do it here in Beachwood, it's shameful and I am not going to stand for it. I represent everyone, whether you're a Republican or you're a Democrat. I'm here for the people. I know I've taken a lot of your time, this is a very, very difficult conversation, presentation for me. But I looked to the Lord for guidance , I looked to the people for your support, and even if you don't agree with me, I would ask that you think about Beachwood first. Thank you very much.</p>
<p>Mrs. Clark</p>	<p>Thanked Council for support on Smoking Ordinance. Hard to do a report after that. Environmental Commission update, we are working with Green Peace and T.R. Int. South School on something called Rolling Thunder. It's a truck that has solar panels all over it. It's really going to be fun for the children. We met with the Principal (Int. South) he's very excited about it. They are going to incorporate the curriculum for a few weeks, it's on Sept. 15th. So for the first few weeks they are going to be talking about solar power and other alternative energies that can be used to save the environment. Again, that's going to be on Sept. 15th and its being sponsored by the Beachwood Environmental Commission.</p> <p>Shade Tree, I spoke with the Committee regarding updating our ordinance and getting it up to date with modern technology.</p> <p>Mentioned a month and half ago, about getting information about doing a TV station for the Borough of Beachwood a local Borough station. Did speak with local government department at Comcast. They advised that we do have a current contract until 2010, if council is interested in renegotiating it prior, that is something we can do to incorporate a TV station.</p> <p>We did have the Skateboard Park and Recreation session a couple of weeks ago, and feel it went pretty well. It was just an information session. I learned a lot, as a councilwoman, as to what can be offered to communities. It went well. Not everyone agreed on everything, but that's what it was all about. It was an information session just to show everyone what we can do and what would work for our community. There is a Citizen Committee that was put together, Mr. Schiffermiller, Mr. Byrnes, that are here now, if anyone has any questions regarding that, you can speak to them.</p> <p>Was contacted by a citizen committee, recently, their concerns are "overdevelopment" in the community They contacted me because I am the chairperson of the Shade Tree and Environmental Commission, and they felt was kind of aligned with the same. Basically they would like me to speak to the council members, . They would like council to consider no clearing of lot, until all variances and permits received.</p>

	<p>At one of our meetings Mr. LaCrosse brought forth a Suggestion for "permits" for signs. Received e-mail as well which strikes interest in doing so. Would like council to consider some suggestions.</p> <p>Environmental Commission looking for \$1,500 for study.</p> <p>Met with Chief and Lt. Tapp on McGruff package. They will review to see if it will work for our community.</p> <p>Items for consideration in the calendar.</p>
Mrs. Clayton	<p>Robin and Bette working hard on Calendar . Cover will be designed by students at Intermediate South. Borough will judge. Any department with something for calendar contact Bette soon.</p> <p>Garvey Races - huge success. Pleased it came to Beachwood and hope to come back. People remember the races. Glad it all came together and thanked Mr. Merola for cooperation on same.</p> <p>Fireworks, had banner made, instead of Press at cost of \$8,000. Received e-mails to take it down. It was put up late and these sponsors and volunteers deserve to have their names on a banner, for at least two weeks, I don't think that to be uncommon. Received \$15,000 donation from Comcast.</p> <p>First Aid Building - met Monday and expect update from Engineer at next meeting. Advertising for bids 8/22 with bid date 9/10. Sorry that members are upset after talks with some members of council about the inclusion of a "banquet" hall. Plans and specs are in.</p> <p>Birch and Surf complex. New Basketball netting and other maintenance done. Ocean Avenue Playground cleaned and fencing replaced. Old tires removed. DPW did great job. Marina planking in works. Lifeguards assist to young boy, prevented serious problem. Congratulations. Did maintenance updates to Birch and Surf. Ocean Avenue playground cleared out and signage posted. Tires removed. DPW did great job.</p> <p>Comments on recent event involving Lifeguards who assisted two swimmers and prevented life threatening incident. Commended both.</p>
Mr. Feeney	<p>LOSAP - for Executive Session Ongoing discussions over a month and a half with regard to recommendations.</p> <p>Will look at LOSAP for First Aid next. Anticipate a resolution to address this. Much going on - Borough is moving on over all that is going on in Beachwood. Water Tower - Garbage Truck - Recreation - First Aid.</p>
Mr. Komsa	<p>Congratulating new officers Altman and Apel. Wish both long and safe career.</p> <p>Thanked Recreation Commission for Movie at Beach. Good Show (August 8th - Fire House Dog) Nice night all enjoyed show. . Carousel of Music rained out due to thunder storms.. Hoping to re-schedule.</p>

	<p>Report last year on beach (national resource defense council) was bad. This year - 33% improvement. No longer can anyone refer to Beachwood Beach in the area. Still have much to do, but this was an improvement.</p> <p>In 2006 Borough passed Sex Offender residency ordinance (within 500 feet of school, playground). State appellate court overturned all Ordinances. 9th district legislators looking for support in their quest to make a state law restricting residency. Nothing more important than protecting our kids. Asked Governing Body for support.</p> <p>Supporting S77/A285</p> <p>Mr. Feeney offered an additional comment on news article addressing actions of foreign country restricting offenders from entry to their country. All we are asking for here, is let us protect our kids.</p>
Mr. Roma	<p>Today Bids came in lower than expected on Phase IV(Railroad Drainage and Paving). County in on Schedule "C" did a number of roadways.</p> <p>Municipal Alliance Family Fun Mondays very successful. Over a thousand participants over the seven weeks. Thanked volunteers who participated in Alliance events. Over seven weeks have had Library, Police, First Aid, Fire, O.C. Bicycle Safety programs. September back to school and the 12th will be the first Alliance dance of school year. Again, thanked all who volunteer , without you we can't do anything.</p>
Mrs. Verga	Reminder that we are scheduled for Land Use Development Ordinance - Aug. 27th meeting.
Mr. Hiering	Awaiting agreement from Metro PCS on cell tower antenna.

Municipal Clerk

RESOLUTION

#2008-330 RESOLVED by Mayor and Council to approve the following requests for Conference - Training- Seminar

Date:	Aug. 12 to Dec. 23	Fire Co. T. Barnes - M. LeMore - K. Hrudowsky
Location:	Ocean County Training Center	
Subject:	Fire Fighter Level 1	
Cost:	\$0	
Vehicle:	Yes	

Date:	Aug. 22	Elizabeth A. Mastropasqua
Location:	Neptune Community Center	
Subject:	MCANJ Quarterly Meeting	
Cost:	\$0	

	illegal investigation on someone.
Mayor	In past meetings you've come forward stating Mayor has had numerous addresses.
Balizinski	Has suggested earlier that Mayor step down with some grace, or be removed in disgraced, and you refused. Will present evidence and ask Council to consider suspending Mayor. Information can be obtained when people run from landlords and leave their property behind. Commented on documents he obtained referencing the Mayor. Asks council to take action after they review the "evidence" he presents, with regard to removal or suspension. Township is full jeopardy right now. This is a dangerous man.
Daniel Morris 201 Beachwood Blvd.	Re: Mayors' statement. Mayor explained.
Alman 36 Chestnut St.	Expand meeting room. Mayor what ever he is doing, he is doing a hell of a job, he is drawing in a large crowd.
Maxwell 207 Beach Ave	Seen much over years. Read rumors in press. Judgement to quickly. Dead end street and water situation was done a while back and gov. body corrected. Thanked Council for that. Code Enforcement officer advised her she had complaint about her property. Went to all neighbors to see who complained. Maintains property and street. Son has van on property without tag, and Code Enforcement Officer advised cannot do that. Doesn't understand why this would be a complaint. Not necessary to have Code Enforc harass residents. Wants council to look into fence along 9.
Somosky 436 Beachwood Blvd.	<p>Here Presenting petition signed by many of the people present, asked the Clerk to read into the minutes. Petition requesting Mayor and Mrs. Clark to step down</p> <p>Mr. Hiering advised will be taken under advisement. Clerk was requested to read into the minutes the following:</p> <p style="text-align: center;"><u>PETITION IN SUPPORT OF REQUESTING</u> <u>MAYOR RONALD W. JONES AND</u> <u>COUNCILWOMAN TINA CLARK TO IMMEDIATELY STEP DOWN FROM THEIR</u> <u>OFFICIAL POSITIONS ON THE• GOVERNING BODY</u> <u>OF TBE BOROUGH OF BEACHWOOD.</u></p> <p>In calling for immediate action to be taken, I am adding my name in support of Mayor Ronald W. Jones and Councilwoman Katina Clark to step down from their official positions on the governing body of the Borough of Beachwood having put their personal political aspirations ahead of the safety of the woman and children in our Borough as follows:</p> <p>1) During campaign season prior to the 2007 election, Katina</p>

Clark, as President of the Beachwood/Pine Beach Girls Softball, allowed Ronald W. Jones, Jr., to coach our young girls, knowing that his son is a (*) registered sex offender/child molester due to be released from prison, solely for political purposes in campaigning for the election of herself for Council and Ronald W. Jones for Mayor. (*Refer to Ocean County Observer dated June 28, 2001, page A8; Asbury Park Press dated July 31, 2001; O.C. Observer dated March 9, 2004.

2) Since released from prison, Ronald W. Jones III spends most of his time staying at the home of his father. The Mayor allowed his son to drive alone through town using his personal car, the same car that he drove around town clearly marked "Your New Mayor", helped him obtain employment at an estate sale located at a school bus stop, and across the street from a children's playground. The Mayor was seen with his son at a girl's softball game, which was in total disregard to the instructions given to Megan's Law Offenders upon release from prison.

3) When this matter was brought to the attention of Council at a borough meeting, the former Mayor's wife, Geraldine Morris, questioned the non-response from anyone at the meeting and questioned how our children are being protected and handed literature to council members regarding profiles and studies of sexual offenders, while being gaveled by the Mayor. The Mayor's son, who was not present at that Council Meeting, filed charges against Mrs. Morris for harassment, terroristic threats, and dissemination of Megan's Law literature in violation of Megan's Law. The Judge, who found that there was no criminal violation, dismissed all charges against Mrs. Morris. The Prosecutor did not object to the dismissal and clearly stated that these charges had no merit. (See State of NJ vs. Geraldine M. Morris, Case #S-2008000075-1504; Asbury Park Press dated 8/6/08.

4) Councilwoman Katina Clark filed charges against Mayor Ronald W. Jones, Jr. for stalking, terroristic threats and harassment and then dropped all charges. She did not offer an explanation as to why she dropped the charges. Her filing and then dropping charges caused the police department and court personnel to spend valuable time and resources on reports and complaints. (See State of NJ vs. Ronald W. Jones, Jr., Case #S2008-000044-1504)

5) Within the past two weeks, a young girl alleging to have been verbally assaulted by a male person within the home of Mayor Jones, filed a report with the Beachwood Police Department. After this incident, the Mayor's son began hiding his car in the backyard of the Mayor's home.

6) Former Mayor Morris led Beachwood to the forefront of strengthening Megan's Law by co-sponsoring bills to restrict living locations, set mandatory jail time, tiering in prison, etc. On July 7, 2008, Mayor Ronald W. Jones, Jr. wanted Mayor Harold R. Morris's name removed from the Petition regarding bills that he co-wrote and co-sponsored and have his own name inserted.

	<p>This is an insult to the thousands of residents of Beachwood who supported Mayor Morris's petition to keep our children safe from these predators. (See attached note from Mayor Jones to the Borough Clerk)</p> <p>Ronald W. Jones, Jr. and Katina Clark, through all of the above, have shown a total disregard to the safety of the women and children of this town through their own actions.</p> <p>(End of Petition)</p> <p>In closing, the residents are asking that the both of you immediately step down from office and save the residents from any further embarrassment to our borough, and to save the taxpayers from the added expense of a recall.</p>
Debbie Prebula 613 Seaman Ave	<p>Heard all that you said, but believes that it was done because you knew what was going to happen this evening. You say that your son should not be classified as a sexual offender, but obviously someone thought he should be, because it happened several times. The day of the Skate park meeting, my daughter was that one that walked in front of your house and was allegedly approached by your son.</p>
Mayor	<p>What time did that take place - Much discussion on time between Mrs. Prebula and Mayor Jones</p>
Debbie Prebula	<p>My daughter was going to her girlfriends house who lives next to the Mayor. When she came home from work, she learned about the incident, from her daughter and immediately reported it. It seems that once it went over the police scanner, ever since then your son has been parking his black Lincoln Continental in your back yard. Is your son parking his car in the back of your yard?</p>
Mayor	<p>Absolutely right. What's happening here today is an absolute disgrace.</p>
Debbie Prebula	<p>If your son is going to spend that much time in town you should register him in the town so that we all know he's here. Has list of dates and time that he's there. People see him pulling out of your yard on daily basis.</p>
Mayor	<p>Doesn't believe son is violating any law of the State of N.J. Was told the night of Skateboard meeting that he should watch it, because (Mrs. Prebula) when he left there, they were going to call police and say he was following daughter home.</p>
Debbie Prebula	<p>Denied accusation. Why do you think crowd is here today. 90% of crowd is here because of what I have to say</p>
Larrison 824 Spray Ave	<p>Advised you of lack of enforcement. Doesn't believe Mayor should use autism in the context used. Commented on known offender in her neighborhood. If you plan on being Mayor of Beachwood, love the children, love the community, maybe your son shouldn't be</p>

	here. Wants council to have Legislators address School Bus Stops in S77/A285.
Debbie Prebula	Your Son should register when coming into town. Feels sorry for any parent who has to go through this. Don't know what you've done as Mayor (good or bad) I only know once I heard this bad, and you did nothing to prevent it, everything went negative.
Mayor	Working on issues with son, situation is difficult. He doesn't live in Beachwood, but he does visit.
Mrs. Clark	Re: Petition presented and statements on petition. Regarding Girls Softball. Started program with Mary Killean. Been doing background checks for years. Mayor was background. Son was ot around. Coaching staff was aware of family situation. Hate to see any negative come about. Mr. Jones and Mr. DiBella both donated to the softball program and volunteered to be coaches. Hope program continues to grow. Mayor was picked to be coach even before any political. Would urge anyone with concerns, and thinking of signing the petition to speak with her (with regard to petition). Resignation will not happen. Won November election by over 200 more votes, so I think the people of Beachwood trust me and know I'm going to do the best for this community. I know I will, I promise that.
Carol Jansen - 1228 Mizzen Ave	Upset with way meeting going tonight. Feels like a "lynch mob". Have spent alot of time around children. Have grown children, grandchildren. Been a coach, scout leader. You have to be a Parent a role model. You haves to be on guard 110 %. Need to watch out for all children. What happen to our constitution. Do not tell me that I went to the polls and voted for everybody to have you resign. Didn't ask the 110 questions to have anyone step down because of bad publicity. I voted for you, I trusted you, I don't want anyone to step down. Please do not resign.
DiBella 1008 Halliard Ave	Coming to Borough meetings since little. Tonights meeting level of disrespect at this meeting to residents. We are here to ask you the questions. As member of council never argued with residents. Code of conduct (borough ordinance) believes that the Mayor violated the code. Ten minute time limit cannot be subjective. Consistent across the board. Consider waiving time or increasing. Council is addressed not the chairman (Mayor). Council is addressed not Chairman in the code. In Mrs. Clark's defense. Did serve as coach to Girls Softball. Mrs. Clark did not know at that time about the Mayors' son. When she found out, she confronted the situation. Maybe he wasn't forthcoming with her. Best intentions may or may not have been there. I feel they were in confronting the situation head on. Believes she let people down when she dismissed charges. Feels that Mrs. Clark let women of community down when dismissing charges.

	<p>Maybe the Mayor was telling the truth maybe he wasn't. You can't tell a story and then not expect to be questioned on the story.</p> <p>May be based on the allegations by Mr. Balizinski, it is time to appoint a special investigator to see if what was said earlier is true and how it affects the Borough leadership. Things need to be looked into in order to make the people comfortable in their leadership.</p>
Mrs. Clark	<p>Thanked Mr. DiBella. Re: situation involving Mayor. As for the personal situation, which Mr. DiBella was aware of. We as a family discussed the situation. Believes for the most part it was a misunderstanding and family believed they should have handled.</p>
Medziuk 1312 Spray Ave	<p>Time is wasted when everyone argues and do not work together. It's getting quite disgusting the past few months. Instead of working together, people find more and more dirt.</p>
Eric Cotrell - 26 Maple St.	<p>Heard two Ladies earlier talk about if you're a good mother, you know where your children are. My Parents work hard. They are very good parents. They are not there when I have to get out to my bus stop. Would like council to approach 9th district legislators, believes bus stop should be added to resolution.</p>
Mr. Komsa -	<p>Include reference to Legislators.</p>

CLOSE TO PUBLIC DISCUSSION

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

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:

Terms and Condition of Employment -
 Litigation
 Contractual

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

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

ACTION RESULTING FROM EXECUTIVE SESSION THIS DATE:

#2008-331 Based on additional information this request is not approved.

Date:	Sept. 11	Jeannette Larrison
Location:	Mt. Laurel -	
Subject:	Discussion of N.J. Senate Bill 1455	
Cost:	\$25	
Vehicle:	No	

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

TO ADJOURN

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

Submitted by: E.A. Mastropasqua

Ronald W. Jones Jr.
Mayor

Attested to by:

Elizabeth A. Mastropasqua RMC
Municipal Clerk