

August 25, 2004  
Beachwood Municipal Complex

**7:00 PM**

Call to Order

Salute to the Flag

***Moment of Silence in memory of the men and women who lost their lives in service to our country, and a silent prayer for the safe return of all our service personnel serving at this time around the world.***



Opening Statement:

Ladies and Gentlemen, pursuant to the applicable portions of the New Jersey Open Public Meetings Act, adequate notice of this meeting has been given. The schedule for this Meeting of the Governing Body of the Borough of Beachwood is listed in the notice of meetings posted on the Bulletin Board located in the Municipal Complex and delivered to the Ocean County Observer and the Asbury Park Press on January 2, 2004.

Roll Call Members Present

Mayor Harold R. Morris

Council Members:

Beverly Clayton	Thomas Miserendino
Gregory Feeney	
Gerald W. LaCrosse	Ronald Roma

Absent: - Patricia A. Moran

#2004-244               RESOLVED by the Governing Body of the Borough of Beachwood to approve the 2004 Certified Bills List in the amount of \$ 210,759.56

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

#2004-245               WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue into the budget of any county or municipality when such item shall become available by and the amount thereof was not determined at the time of the adoption of the budget; and

**WHEREAS; said Director may also approve the insertion of any item of appropriation equal amount.**

NOW, THEREFORE,, BE IT RESOLVED, by Mayor and Council that the Borough of Beachwood hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue into the budget of the year

2004, in the sum of \$60,000.00 which item is now available as a revenue from the Economic Development Block Grant ; and

BE IT FURTHER RESOLVED, that a like sum of \$60,000.00 be and the same is hereby appropriated under the

### ECONOMIC DEVELOPMENT BLOCK GRANT

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

#2004-246 RESOLVED by Mayor and Council to approve the application for Conference – Training – Seminar as follows:

DATE:	Sept. 2 – Dec. 16	Fire Company (L. Fager & G. Hipple)
LOCATION:	O.C. Fire Academy	
SUBJECT:	Fire Fighter Level I	
COST:	\$-0-	
VEHICLE:	No	

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

#2004-247 RESOLVED by Mayor and Council to approve the corrective action plan as recommended by the 2003 Audit and as submitted by the Tax Collector and Municipal Court Administrator.

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

#2004-248 WHEREAS, on June 16, 2004 under Resolution #2004-179, approval was given for rental of Mayo Park by Stacy Lopez (“Dance Expressions”) – 19 Lookout St. for August 18, 2004 for a fund raiser for their appearance in Hawaii 2005 – noting all resident fees were posted; and

WHEREAS, on August 18, it rained and the event had to be cancelled, but a second date has been requested.

NOW, THEREFORE, BE IT RESOLVED to approve the re-scheduled rental date of Mayo Park (August 31, 2004) for Stacy Lopez (Dance Expressions) noting all fees are on file.

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

#2004-249

WHEREAS, on August 18, 2004 under Resolution #2004-226, approval was given for rental of Mayo Park by Dorothy Hester, 235 Magnolia Ave., So. Toms River for September 6, 2004, noting all non-resident fees were posted; and

WHEREAS, on August 19, 2004, written notice of cancellation was received subjecting the applicant to a \$75 cancellation fee.

NOW, THEREFORE, BE IT RESOLVED to approve a refund in the amount of \$350 to Dorothy Hester 235 Magnolia Ave. So. Toms River .

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

DISCUSSION:

- Item #1                    Geese Police (Mrs. Clayton)  
  
                                  Not sure how Borough should proceed in it's efforts to address the problem with geese. Brant geese main source of problem.  
                                  Mr. Miserendino commented on permitted way to address problem of disposing of geese.  
                                  Mayor reminded council needs to resolve before summer 2005. Rescheduling for discussion by February 2005.  
                                  Mr. Roma talked about the "pistol" method – which shoots firecracker into "flock" . Residents in surrounding area would have to be notified Mayor suggested review with Chief Wagner.
  
  - Item #2                    Dogs - Access to Boardwalk (Mrs. Clayton)  
                                  Believes that providing access to paths would assist in addressing problem with geese. Discussion of providing access to "pooper scooper" bags along walking area.
  
  - Item #3                    O.C. Bd. Health – conducted beach inspection. Requesting additional signage.
  
  - Item #4:                    Mayor notes he met with Office W. Oldham to discuss the "DARE" sponsored used clothing drops. Would like to consider relocating to recycling compound.  
  
                                  Approved.
  
  - Item: #5:                    Mrs. Clayton asked Public Works Committee to consider purchasing a small "bobcat" which would be available for use at the beach .
  
  - Item: #6                    Mr. LaCrosse commented on current conditions in Trenton. Governor McGreevey decision to remain in office until Nov. 15, and the reasons for his resignation. Placing the safety of New Jersey residents at risk. Offered for consideration a resolution requesting Governor to step down in time to allow for special election.
- #2004-250                    **RESOLUTION URGING GOVERNOR JAMES E. McGREEVEY TO RESIGN IMMEDIATELY AND TO GIVE VOTERS THE ABILITY TO CHOOSE A SUCCESSOR THIS YEAR**

WHEREAS, Governor McGreevey has indicated his intention to resign the office of Governor of New Jersey on November 15, 2004; and

WHEREAS, in announcing his resignation, Governor McGreevey acknowledged that his conduct makes it impossible for him to effectively carryout the duties of his office due to "the circumstances surrounding the affair and its likely impact on ... ability to govern;" and

WHEREAS, Governor McGreevey, by and through his own actions, has engulfed himself in a personal and legal crisis that is all consuming at a time when our State is under heightened threat of terrorism and the safety and security of our people is dependent on the ability of our Governor to effectively react to any threat; and

WHEREAS, the delay in Governor McGreevey's resignation will prevent the voters of New Jersey from exercising their constitutional right to elect a new Governor this November if his resignation is not effective before September 3, 2004; and

WHEREAS, preventing the voters from exercising their constitutional right will cause the Senate President, elected by approximately one fourteenth of the New Jersey voting population, to become Acting Governor while he continue to exercise his Senate duties; and

WHEREAS, the State of New Jersey has had five different people serve as Governor since the last gubernatorial election in 2001 ; and

WHEREAS, the New Jersey Supreme Court has stated that the paramount function of New Jersey's state election laws is to provide voters with a choice in their selection of elected leaders whenever possible, and

WHEREAS, Governor McGreevey's delay in affecting his resignation deprives New Jersey's voters of that choice; and

WHEREAS, Governor McGreevey has placed the safety of his constituents at risk, with his decision to appoint an inexperienced and non citizen to New Jersey's newest and most critical position "Homeland Security" merely as a "political boon" violating the trust of the New Jersey voter; and

WHEREAS, the people of New Jersey, have a right to a state government that is free from scandal and corruption; now therefore

BE IT RESOLVED that the Governing Body of the Borough of Beachwood hereby calls upon Governor McGreevey to resign immediately to allow for a more democratic selection of the Governor of New Jersey and to restore faith and credibility to our state government.

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

**OPEN TO PUBLIC DISCUSSION**

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

No Questions

**CLOSE TO PUBLIC DISCUSSION**

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

**EXECUTIVE SESSION**

WHEREAS, SECTION 8 of the Open Public Meetings Act, N.J.S.A. 10:4-12 permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist.

NOW, THEREFORE, BE IT RESOLVED, by Mayor and Council of the Borough of Beachwood, County of Ocean, State of New Jersey as follows:

1. The public shall be excluded from discussion of and action upon the hereinafter-specified subject matter.
2. The general nature of the subject matter to be discussed is as follows:  

Terms & Condition of Employment – Municipal Court – Tax Dept.  
Litigation – Belkowski  
Contractual – Professional Services – Planner
3. It is anticipated that the subject matter discussed may be made public in (90) days.

Motion: Roma Second: LaCrosse  
Approved Clayton – Feeney – LaCrosse – Miserendino - Roma

**RE-OPEN**

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

**ACTION TAKEN RESULTING FROM EXECUTIVE SESSION THIS DATE**

#2004- 251 RESOLVED by Mayor and Council to hire Jeanette Larrison -509 Seaman Ave, Beachwood as Cashier effective September 1, 2004 – Salary \$17,514.00 Annually, 90 day working test period , pending DOP procedures.

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

