

October 05, 2005

7:00 P.M.
Beachwood Municipal Complex



1600 Pinewald Rd.

Flag Salute

A Moment of silence in memory our Military men and women who have lost their lives in service to our country. For the men and women serving around the world, may they have a safe return home.

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 was posted on the Bulletin Board located in the Municipal Complex and delivered to the Asbury Park Press and Ocean County Observer on January 1, 2005.

Members Present:

Mayor Harold R. Morris

Council members:	Beverly Clayton	
	Gregory Feeney	Patricia Moran
	Gerald LaCrosse	Ronald Roma

Absent: Thomas Miserendino

PRESENTATION OF PROCLAMATION FROM 9/21 to Carolyn Belvin

RESOLUTION

#2005-309 RESOLVED by Mayor and Council to approve the 2005 Certified Bills List in the amount of \$335,016.13

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

#2005-310 RESOLVED by Mayor and Council to approve the minutes of the September 21, 2005 Meeting of Mayor and Council;

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

#2005-311 RESOLVED by Mayor and Council to approve the minutes of the September 28, 2005 Meeting of Mayor and Council;

Motion: Roma Second: Feeney
 Question: Mrs. Moran – Resolution #2005-306 needs correction to reflect award was to Schoor DePalma not Ocean County Schedule “C”

Motion: RESOLVED To approve minutes of September 28, 2005 with correction
 Approved: LaCrosse Second: Roma
 Abstain: Clayton – Feeney – LaCrosse – Moran - Roma
 Absent: Miserendino

#2005-312 RESOLVED by Mayor and Council to approve the following requests for rental of Community Center and Mayo Park as follows:

COMMUNITY CENTER 2005				
Oct	30	Kelly	Rental:	\$350
		537 Pacific Ave.	Rental:	\$500
		Beachwood		
Nov.	12	Amador	Rental:	\$350
		134 Atlantic City BLvd.	Deposit:	\$500
		Beachwood		
Nov.	20	Bentivenga	Rental:	\$350
		752 Pacific Ave	Deposit:	\$500
		Beachwood		
MAYO PARK 2005				
Oct.	08	Palzer	Rental:	\$125
		932 Mermaid Ave	Deposit:	\$175
		Beachwood		
Oct.	16	Clayton	Rental:	\$125
		709 Seaman Ave	Deposit:	\$175
COMMUNITY CENTER 2006				
April	01	Upton	Rental:	\$350
		141 Windward Ave.	Deposit:	\$500
		Beachwood		
July	02	Petrecca	Rental:	\$350
		737 Halliard Ave	Deposit:	\$500
		Beachwood		
MAYO PARK 2006				
May	13	Beachwood Vol. Fire Co. #1	Rental:	WAIVE
		745 Beachwood Blvd.	Deposit:	WAIVE
		Beachwood		

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

ORDINANCE
#2005-20

FIRST READING TITLE ONLY

AN ORDINANCE OF THE BOROUGH OF BEACHWOOD, OCEAN COUNTY, NEW JERSEY SUPPLEMENTING CHAPTER 2 (ADMINISTRATION) TO ESTABLISH FEES FOR THE BOROUGH'S REAL ESTATE TAX FILES IN ELECTRONIC FORMAT

#2005-316 RESOLVED by Mayor and Council to approve Ordinance #2005-20 as presented on First Reading Title Only

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

ORDINANCE
#2005-21

FIRST READING TITLE ONLY

AN ORDINANCE OF THE BOROUGH OF BEACHWOOD, OCEAN COUNTY, NEW JERSEY ESTABLISHING THE TEMPORARY POSITION OF ‘FIELD INSPECTOR - REASSESSMENT PROGRAM’ IN CONNECTION WITH THE BOROUGH'S REASSESSMENT PROGRAM

#2005-317 RESOLVED by Mayor and Council to approve Ordinance #2005-21 as presented on First Reading Title Only

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

RESOLUTION
#2005-318

RESOLVED by Mayor and Council to approve the PERMANENT TITLE STATUS – RESULTING FROM CERTIFICATION BY DOP of Renee Fisher – as Deputy Municipal Court Administrator.

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

#2005-319 WHEREAS, Arthur G. Rettino was awarded a 100% Permanent and Total Evaluation Disability following evaluation by the Department of Veterans Affairs; and

WHEREAS, Arthur G. Rettino has filed and qualified for total exempt status effective September 26, 2005.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council to cancel the taxes as follows on Block 1.17 Lot 08

3 rd . Qtr 2005	\$43.64	4 th Qtr 2005	\$777.19
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Motion: LaCrosse Second: Feeney
Approved: Clayton – Feeney – LaCrosse – Moran - Roma
Abstain: Absent: Miserendino

#2005-320

RESOLVED by Mayor and Council to approve the five (5) year agreement between the Borough of Beachwood and the County of Ocean for the Ocean County Leaf and Vegetative Waste Composting Program – Inter local Services Agreement; and

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

Motion: LaCrosse

Second: Feeney

Approved: Clayton – Feeney – LaCrosse – Moran - Roma

Abstain:

Absent: Miserendino

CORRESPONDENCE

a. N.J. League Municipalities – seeking supportive resolution regarding Property Tax Reductions

#2005-321

RESOLUTION IN SUPPORT OF A PERMANENT AND CONSTITUTIONALLY GUARANTEED 30% REDUCTION IN PROPERTY TAXES

WHEREAS, New Jersey has some of the highest property taxes in the United States; and

WHEREAS, property taxes have increased by 6.2 percent statewide in the past year alone with many towns experiencing increases of 10 percent or more; and

WHEREAS, the total property tax levy in New Jersey has increased by 33 percent in the past five years; and

WHEREAS, the state government has provided only marginal amounts of state aid for property tax relief in the past three years, and may be providing no increase in state aid this year; and

WHEREAS, the ever-increasing property tax burden is making it difficult for families to afford living in our communities and is particularly troublesome for seniors living on fixed incomes; and

WHEREAS, all of these factors combined justify calling the current situation a property tax crisis; and

WHEREAS, it is the responsibility of the Legislature to address problems of this magnitude; and

WHEREAS, Assembly Republicans have proposed a Blueprint for Property Tax Reform to provide direct property tax relief; and

WHEREAS, the plan provides a permanent 30% reduction in property taxes that is constitutionally guaranteed and phased in over three years; and

WHEREAS, the plan places constitutionally-established restraints on taxes and spending, so budgetary savings and revenue growth will be the preferred means to pay for property tax relief; and

WHEREAS, the plan includes tools local governments can use to economize and keep taxes and spending in check; now, therefore be it

RESOLVED, that we urge the New Jersey State Legislature to adopt the amendments to the state constitution that are proposed by the Blueprint for Property Tax Reform so they are placed on the ballot in 2005 and voters can decide whether direct and meaningful property tax relief should begin in 2006; and be it further

RESOLVED, that we urge the New Jersey State Legislature and Acting Governor Richard I. Codey to adopt the series of bills contained in the Blueprint for Property Tax Reform so municipalities can use these tools to control taxes and spending.

A certified copy of this resolution shall be sent to the Assembly Speaker Albio Sires, Assembly Minority Leader Alex DeCroce and all state legislators representing our legislative district.

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

#2005-322 RESOLVED by Mayor and Council to amend Resolution #2005-263 to correct the amount indicated as the Borough's share for Storm water application for grant (~~\$7,655.00~~) to \$10,207.)

WHEREAS, the governing Body of the Borough of Beachwood desires to further the public interest by obtaining a grant from the State of New Jersey in the amount of (\$7655.00) \$10,207.00 to fund storm water activities as described in the "Scope of Services"; and

WHEREAS, the governing body hereby resolves that James F. Lacey (Administrator) or the successor to the office of Administrator, is authorized

- (a) to make application for such a grant
- (b) if awarded, to execute a grant agreement with the State and
- (c) to execute [] any amendments thereto [] any amendments thereto which do not increase the Grantee's obligations

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Beachwood agrees to comply with all applicable federal, State and Municipal laws, rules and regulations in its performance pursuant to the agreement.

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

#2005-323 WHEREAS on September 28, 2005 under resolution #2005.306, the Borough authorized a Schedule "C" agreement for Resetting of Existing Castings (road project) in the amount of \$3,500 with Ocean County; and

WHEREAS, the authorization should have been made between the Borough of Beachwood and Schoor DePalma for Engineering Services in connection with the Resetting of Existing Castings (road project)

NOW THEREFORE, BE IT RESOLVED to approve an agreement between the Borough of Beachwood and Schoor DePalma not to exceed \$3,500 for professional services.

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

#2005-324

**RESOLUTION OF THE BOROUGH OF BEACHWOOD, OCEAN COUNTY, NEW JERSEY
AWARDING A CONTRACT TO EAGLE PAVING CORPORATION IN THE AMOUNT OF
\$11,300.00 FOR RESETTING OF CASTINGS IN ACCORDANCE WITH THE BOROUGH'S
SPECIFICATIONS AND IN CONJUNCTION WITH THE BOROUGH'S SCHEDULE "C" ROAD
PAVING PROJECT**

WHEREAS, the Borough Council previously authorized its engineers, Schoor Depalma, to solicit quotations for the Resetting of Castings in conjunction with the Schedule "C" Road Paving Project; and

WHEREAS, the Borough's engineers received three quotations ranging from a low of \$11,300.00 to a high of \$12,550.00; and

WHEREAS, Schoor DePalma Engineers and Consultants have recommended the award of the contract to Eagle Paving Corporation of South Toms River, New Jersey, the low bidder in the amount of \$11,300.00; and

WHEREAS, the Borough's Treasurer has certified that funds are available for said project; and

WHEREAS, it is now the desire of this governing body to award a contract in accordance with the Borough Engineer's recommendations.

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 awards a contract to Eagle Paving Corporation in the amount of \$11,300.00 in accordance with the Borough's specifications for the Resetting of Castings in conjunction with the Borough's Schedule "C" Road Project.
- 2.. That upon the adoption of the within resolution, the Clerk is authorized to forward a copy of it to Borough Engineers, Schoor DePalma, and Eagle Paving Corporation.

Motion: LaCrosse Second: Roma
 Question: Moran to Oris – re; clarification of work to be addressed.
 Oris: Variety of items – water valves – connections manhole covers. Work associated with Road Project.
 Approved: Clayton – Feeney – LaCrosse – Moran - Roma
 Abstain: Absent: Miserendino

#2005-325 RESOLVED by Mayor and Council to authorize a NOTICE TO BIDDERS for the LIVE SCAN FINGERPRINTING SYSTEM AND EQUIPMENT.

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

COUNCIL REPORTS:

Mayor Morris

Library held Meet the Mayor – good turnout. Mr. Feeney & Mr. Roma were in attendance. Some teenagers present posed very good questions.

Responded to Mr. Novaky’s statement of Sept 28th regarding acts of vandalism in his neighborhood.

COUNCILMEMBERS:

Clayton: Beverly

Bonfire October 15th. Need clarification on the restriction imposed by state on burning. Will have illusion program during the event.

Andrew Clayton venturing on “Eagle Scout” project, collection of ink cartridges from Borough Hall, seeking council approval. O.K.

Feeney: Gregory

Commented on Editorial in paper on Recycling. Borough received approx \$15,000 in grant. Borough went out for proposals on Health Care coverage. Received several responses. Expecting two more. Projected savings to Borough with change would be \$107,370.36. Library will be holding POT LUCK Multi Cultural dinner at the Community Center. Commented on refurbishing of the Recycling Compound .

P. Moran:

Noted that we will be working on shrubbery screening for the area.

LaCrosse; Gerald

Interconnect moving along. Lime Feed O.K. Still waiting on approvals for Well #7

Miserendino; Thomas

Absent

Moran: Patricia

All projects moving along. Regarding the matter of the Police Salle Port. Weather conditions over years created problem. Spoke with Architect and requested Proposal to design and oversee.

RESOLUTION

#2005- 326

RESOLVED BY MAYOR AND COUNCIL to hire Pravin Patel as Architect for the repairs to the Salle Port in the Police Department (design etc. and preparations for bidding process) not to exceed \$10,000.00

Motion: Moran

Second: Clayton

Approved: Clayton – Feeney – LaCrosse - Moran

Abstain: Roma

Absent: Miserendino

Roma: Ronald

October 14, Alliance Costume Dance

Administrator Lacey

Executive Session – Personnel Matters

Attorney

Lease Agreement on cell tower finalized.

Mayor:

Commented on number of agreements and revenue to be anticipated.

Engineer DOT 2006 Funding applications approved Spray Ave project \$100,000.
Tiller Ave project awarded to Earle. Receiving bids on Halliard Ave October 11.
Landfill 90% complete.

LaCrosse; Gerald Posed question regarding restricted parking regulations at local businesses and possibility of towing vehicles. Requested Attorney advise.

PUBLIC DISCUSSION: TO OPEN

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

Lipton
Pennant Ave: Comments on Supreme Court Appointment.

Novaky
Maple Ave. Field Inspectors noted in ordinance – is this permanent appointment.?

No – only for purpose of re-assessment.

Holiday Schedule adjustment.

Schiffermiller
Windward Ave Hook up to United Water questioned with regard to recent article restricting them from future connections. Concerned about effect on Borough.

LaCrosse: Does not affect the Borough.
What is status of testing wells at school site?

Engineer: Will check
Concerned about “Crossing Guards” at areas no longer in the walking path.
Discussion – some children may walk these areas, and safety needs to be addressed.

PUBLIC DISCUSSION: TO CLOSE

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

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 – Public Works
 Contractual – Engineer (Road Project)

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

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

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

ACTION TAKEN AS A RESULT OF EXECUTIVE SESSION THIS DATE

#2005-327 RESOLVED by Mayor and Council to approve a change order in the Earle Asphalt (Seaman/Locker) agreement to reflect corrections not to exceed \$7,500.00

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

#2005-328 RESOLVED by Mayor and Council to approve the agreement between the Borough of Beachwood and Schoor DePalma for professional services (Seaman/Locker) not to exceed \$3,000.00

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

ADJOURNMENT

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

Submitted by: E.A. Mastropasqua

Harold R. Morris
Mayor

Attested to by: _____
Elizabeth A. Mastropasqua
Municipal Clerk