

October 6, 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. We pray for a swift and 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 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 (7:50 p.m.)
Gregory Feeney	Patricia A Moran
Gerald W. LaCrosse	Ronald Roma

Absent:

#2004-263 RESOLVED by the Governing Body of the Borough of Beachwood to approve the Certified Bills List in the amount of \$ 346,805.56

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

#2004-264 RESOLVED by Mayor and Council to approve the minutes of the Sept. 15, 2004 Meeting of Mayor and Council.

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

#2004-265 RESOLVED by Mayor and Council to approve the minutes of the Sept. 22, 2004 Meeting of Mayor and Council.

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

RESOLVED by the Governing Body to approve the following rentals of the Community Center and Mayo Park.

COMMUNITY CENTER 2004

Oct.	23	Fries.	Rental:	\$350
		<i>Correcting</i>	Deposit:	\$500

#2004-258 showing 2005

Oct	25 (Mon)	O.C.M.J./F. Elec. Offic. Workers Comp	Rental:	Waive
Nov	12	O.C.M.J.I.F. Police Fleet	Deposit:	Waive

*clo Buckelew Ins
Insurance Seminars*

Nov.	20	Felton	Rental:	\$350
		97 Oak St	Deposit:	\$500

Nov.	21	Artz	Rental:	\$350
		933 Seaman Ave.	Deposit:	\$500

Dec	18	Timoney	Rental:	\$350
		616 Seaman Ave.	Deposit:	\$500

COMMUNITY CENTER 2005

Jan.	23	Cushing	Rental	\$350
		437 Leeward Ave	Deposit:	\$500

May	20	<i>Municipal Alliance</i>	<i>Rental:</i>	<i>Waive</i>
		<i>Senior Health Fair</i>	<i>Deposit:</i>	<i>Waive</i>

May	28	Estevez (Welcome Home) (Conditions)	Rental:	\$700
		124 Westwood Dr. Toms River	Deposit:	\$700
			Holiday Fee:	\$150

Ju/y	22	<i>Beachwood Yacht Club - Regatta</i>	<i>Rental:</i>	<i>WAIVE</i>
			<i>Deposit:</i>	<i>WAIVE</i>

Sept.	17	Ferreira	Rental:	\$350
		1553 Pacific Ave	Deposit:	\$500

Sept	18	McConnell	Rental:	\$350
		136 Compass Ave.	Deposit:	\$500

Oct.	15	Dikun	Rental:	\$350
		752 Cable Ave	Deposit	\$500

COMPLEX USE

Oct	19	JIF - Personal Protective Equip.
Oct	21	Pop Warner
Oct	22	JIF - Garbage Collection
Nov	4	Soccer
Nov	5	Girls Softball
Nov	18	Pop Warner

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

#2004-267 RESOLVED by Mayor and Council to approve the following conference - training - seminar requests.

Date:	Oct. 5	Public Works [Adams - Clayton (J) Amoresano -Russell]
Location:	Dover Twp	
Subject:	Snow Plow Safety	
Cost:	\$0	
Vehicle:	Yes	

Date:	Oct. 5	E. Mastropasqua
location:	O.C. Election Board	
Subject:	Election Updates	
Cost:	\$0	
Vehicle:	No	

Date:	Oct. 6	Public Works [DeMarco - Brosen - Bosley - Roche]
Location:	Manchester	
Subject:	Snow Plow Safety	
Cost:	\$0	
Vehicle:	Yes	

Date:	Oct. 20	Public Works - [Ceccarelli - DeMorato - Gadevaia - Walker]
Location:	Pt. Pleasant Beach	
Subject:	Snow Plow Safety	
Cost:	\$0	
Vehicle:	Yes	

Date:	Oct. 20 & Oct. 25	Police	Oldham
Location:	Union County Police Academy		
Subject:	Law Enforcement & Anti Bullying Legislation for Students & Adults		
Cost:	\$30 @ seminar		
Vehicle:	No		

Date:	Oct. 28	E. Mastropasqua - W. Cairns
Location:	Lavallette	
Subject:	D.O.P. Inter Gov. Transfer Seminar	
Cost:	\$0	
Vehicle:	No - Yes	

Date:	Nov. 09	Public Works [Moore - Clayton (T) - Hill - Wutzer]
Location:	Jackson	
Subject:	Snow Plow Safety	
Cost:	\$0	
Vehicle:	Yes	

10- #04-042	1994 Mazda	1YVGE31COR5140117	Minimum Bid	\$70
11. # 04-051	1988 Jeep	1 JCMT7848JT1 05814	Minimum Bid	\$70

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

#2004-271 RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF BEACHWOOD
AWARDING A CONTRACT TO BULK STORAGE, INC. FOR ONE NEW 30' X 30' SALT
STORAGE BUILDING IN ACCORDANCE WITH THE BOROUGH'S BID
SPECIFICATIONS AND FOR THE SUM OF \$63,950.00

WHEREAS, the Borough of Beachwood previously advertised for the receipt of bids for the construction of a 30' x 30' Salt Storage Building; and

WHEREAS, at the time and place for the receipt of bids, one bid was received from Bulk Storage, Inc. in the amount of \$63,950.00; and

WHEREAS, said bid has been reviewed by the Department of Public Works and is acceptable to same; and

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

WHEREAS, funds have been provided and are available for the award of said contract; and

WHEREAS, it is now the desire of this governing body to award a contract for the construction of the salt storage building.

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

1. That the Borough Council of the Borough of Beachwood hereby awards a contract to Bulk Storage, Inc. in the amount of \$63,950.00 for the construction of one new 30' x 30' Salt Storage Building in accordance with the Borough's bid specifications.

2. That upon the adoption of the within resolution, the Clerk is authorized to forward a duly - authenticated copy of it to the Borough Engineer, the Borough's Department of Public Works and Bulk Storage, Inc.

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

#2004-272 RESOLVED by Mayor and Council to approve the following change order #3 in Contract BHWDOOBOQ-4-WL 7 (JPS Construction) Well #7 as follows:

\$2,265.12	Vinyl coated fence (replaces old)
\$1,875.00	Installation of "thimble" through combustible wall, includes framing etc.
\$ 300.00	PVC drain pipe for well pump. Eliminates water on flooring.

Total: \$4,440.12 Increase

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

ORDINANCE

#2004-12 FIRST READING TITLE ONLY
AN ORDINANCE OF THE BOROUGH OF BEACHWOOD, OCEAN COUNTY, NEW JERSEY AMENDING CHAPTER XIV ENTITLED "STREETS AND SANITATION" AS IT APPLIES TO THE REMOVAL OF CERT AIN ITEMS

TO APPROVE ORDINANCE #2004-12 FIRST READING TITLE ONLY

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

ORDINANCE - FINAL READING AND ADOPTION
#2004-11 AN ORDINANCE OF THE BOROUGH OF BEACHWOOD, OCEAN COUNTY, NEW JERSEY AMENDING ORDINANCE 2002-21 ENTITLED "AN ORDINANCE OF THE BOROUGH OF BEACHWOOD, OCEAN COUNTY, NEW JERSEY AUTHORIZING THE RENOVATION AND/OR BUILDING CONSTRUCTION OF THE GARAGE STORAGE AREA LOCATED AT MAYO PARK AND APPROPRIATING THE SUM OF \$90,000.00 THEREFOR AND AUTHORIZING THE ISSUANCE OF GENERAL IMPROVEMENT BONDS OR NOTES IN THE AMOUNT OF \$32,500.00 TO FINANCE THE COST THEREOF" IN ORDER TO REDIRECT THE FUNDING FOR THE CONSTRUCTION OF A PUBLIC WORKS MAINTENANCE AND/OR STORAGE FACILITY

OPEN TO PUBLIC DISCUSSION THIS ORDINANCE ONLY

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

NO QUESTIONS

CLOSE TO PUBLIC DISCUSSION THIS ORDINANCE ONLY

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

Mrs. Clayton Requested explanation from Treasurer Dehnz on the funding.

RESOLUTION

#2004-274

RESOLVED by Mayor and Council to approve and adopt Ordinance #2004-11 as presented and held for public discussion

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

#2004-275

RESOLVED that a 9:00 p.m. Halloween Curfew is in effect from October 29th - to and including November 2nd. Curfew applies to all under the age of 18 unless accompanied by a guardian or parent.

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

#2004-276

RESOLVED by Mayor and Council to hire Philip Schena - 72 Birch St. as Class II Special effective immediately. Salary is \$8.50 per hour.

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

#2004-277

WHEREAS, currently, funds received by the counties from the Alcohol Education Rehabilitation and Enforcement Fund have been capped at \$11 million for all 21 counties since 1992; and

WHEREAS, these funds are minimal and barely meet the needs of the residents, with the impatient program funding already exhausted for this year and an expectation that the outpatient funding will be exhausted by early November

WHEREAS, the population of Ocean County has increased significantly since the funding was capped in 1992 with more residents in need of assistance in this area; and

WHEREAS, S-485, introduced and currently in the Senate Health Committee would gradually increase the allocation to educational and rehabilitation programs without taking more money from the consumer. The existing tax already raises about \$100 million annually with more than 80 percent of that amount going into the state’s general revenue fund; and

WHEREAS, this bill has the support of the Ocean County Board of Chosen Freeholders, the Ocean County Health Department and LACADA.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Beachwood, County of Ocean, State of New Jersey, hereby supports the passage of Senate Bill 485 and strongly urges our Legislators to assist in releasing it from committee.

BE IT FURTHER RESOLVED that certified copies of this Resolution shall be forwarded to the Office of the Governor of the State of New Jersey, bill sponsors Senators Barbara Buono and Nicholas Asselta, 9th, 10th, and 30th Legislative District representatives, the Ocean County Board of Health and the Ocean County Board of Chosen Freeholders.

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

#2004-278 RESOLVED by Mayor and Council to approve the request of the Beachwood Recreation Commission, to hold a "bonfire" on the Beachwood Beach on Saturday October 23, 2004, pending all appropriate fire permits acquired.

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

COUNCIL REPORTS

Mayor: Six local children responded to a gentlemen in distress in the area behind the Elementary School. They provided safety response on his behalf. We will be inviting them to a meeting to acknowledge their heroic deed.

Thanks to Berkeley Times for nice article on our Citizen of the Year (Mr. Ed. Ides)

Thanked Christine Dehnz for hard work and success of the 2004 Town Yard Sale. Monies raised will revert to Recreation.

Will be meeting with the Ocean County Prosecutor and Assemblyman Rumpf to discuss proposed amendments to "Megans Law".

High Velocity (formerly Beachwood Restaurant) has completed re-modeling and will be opening soon. Stopped by and everything looks very nice.

Clayton; Beverly Bonfire (Recreation) October 23rd.
Comments on Flu Clinic (Clerk advised all Ocean County Clinics have been cancelled.)
Blood Drive November Anyone interested should contact (Mrs. Clayton). Trick or Treat Oct. 31, 2004.
Comments on recent article on the death of young boy on scooter. Posed concern to council about those in Beachwood selling scooters and stating they can be legally operated, which they are not. Hoping that police will address illegal street use of these scooters and bikes.

Feeney; Gregory Court had it's annual inspection, and report is on file. Ode Enforcement/Zoning sent out 1035 warning notices year to date. Notifying vacant property owners to cut back growth for traffic safety, or the Borough will do it and bill owners. Will be presenting resolutions for the next meeting to address Medicate Part B increases – Financial support for National Guard & Reserve children's education. JIF is addressing stronger tactics imposed by FEMA on flood insurance.

LaCrosse; Gerald W. Water Dept doing the semi annual flushing, so you may experience some discoloration. Flushing will continue to October 22.

Happy to present "Ocean County Mayors' Association – William T. Hornidge Memorial Golf Tournament" trophy to the Borough of Beachwood, which will be housed at the Municipal Complex until the next Tournament. Mayor Hornidge started the Golf Tournaments to raise monies for scholarships to Ocean County High School Graduates. Since 1993 they have raised in excess of \$275,000. The team Mr. LaCrosse played on ("Sensus Technology") came in First Place and receive the trophy for the municipality they represent.

Miserendino; Thomas (7:50 p.m.) O.E. M drill held Oct. 5, 2004 between 6:00 and 10:00. Graded by State OEM as "outstanding performance."

Moran; Patricia Eagle projects at Mayo Park are completed (Kyle Byrnes). Parking Bumpers will be addressed for other areas.
 Public Works Department planted approximately 240 mums. Donations for some of the mums came from Girl Scouts.
 Met with Engineer to address grant for playground equipment.
 Fire House project winding down. Would like council to consider a change order (pending funds) for RB Reynolds to do floors and truck bays at fire house. Funds needed approximately \$7,355.70.

RESOLUTION
 #2004-279

To approve the request to implement a change order in the R.B. Reynolds Contract to address changes in floor preparation and truck bays painting.

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

Roma; Ronald Alliance Dance in September was first of the new school year and a big success. Next is scheduled for October 29th for 6-7-8 grades and will be a “costume” dance.
 Noted that “High Velocity” and “Benjamins Pub” have joined the “designated driver” program that has been proposed.
 Railroad Ave Drainage letter of response from Freeholder Kelly read. County will be authorizing project for bidding.

Attorney Executive Session matters only

Engineer Thesing: Well House improvements moving along. Water main interconnect plans were submitted United Water. Salt Storage as built is ready. Bulkhead revetment grant needs public access deed.

Christine Dehnz: Needs to establish Account for Planning Board “Bell” Subdivision Performance Bond

RESOLUTION
 #2004-280

To authorize the establishment of the Bell Subdivision Performance Bond in the amount of \$3,600.00

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

Municipal Clerk FLU CLINIC CANCELLED DUE TO RECENT ANNOUNCEMENT OF Re-Call of vaccine.

CALANDER OF EVENTS

October`	November
11 - Columbus Day - Offices Closed	02 - BE POWERFUL - BE HEARD - VOTE
16 - Harvest Bonfire	04 - Blood Drive
20 - Borough Meeting	06 - Rabies Clinic
27 - Borough Meeting	11 - Veterans Day Offices Closed
	15 - Re-scheduled Borough Meeting (from 17th)
	25 - Thanksgiving - Offices Closed
	26 - Thanksgiving - Holiday Closed

OPEN TO PUBLIC DISCUSSION

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

Novaky
Maple St. Thanked Mayor for help on Tax Notice

Danielle Morris Question on Noise Ordinance – posed to Capt. Cairns.

Lipton: Referred Ms. Morris to “Code Book”.
Comment on Statement by Mrs. Clayton – scooters real problem Addressed
recent incident in Stafford as relates to emergency response trying to locate a
house . Realizes the work done by the Zacker children but notes more work to be
done to address this type of situation should it occur in Beachwood.

CLOSE TO PUBLIC DISCUSSION

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

Mr. Miserendino arrived late and presented his report: OEM Drill Oct. 5 from 6-10 graded by State OEM with
outstanding rating.

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 - Public Works
Contractual- Lattimer - CWA - United Water
Potential Litigation – Belkowski

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

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

RE-OPEN

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

NO ACTION TAKEN RESULTING FROM EXECUTIVE SESSION THIS DATE

ADJOURNMENT

Motion: LaCrosse

Second: Roma

Approved: Clayton – Feeney – LaCrosse – Miserendino – Moran - Roma

Abstain: Absent

Submitted by : E.A. Mastropasqua

Harold R. Morris
Mayor

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