

October 15, 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 C layton	Ronald Roma
	Gregory Feeney	Bonnie Verga

Absent:

A total 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.

Presentation of Citizen of the Year

CITIZEN OF THE YEAR
2008

The Borough of Beachwood has long been a shining example of a community. Our Borough possesses a wealth of lovely parks, playgrounds and a beautiful scenic waterfront, but the true riches of the Borough can be found within the caring of involved citizens that call our community “home”.

Our Citizen of the Year, is a long time resident, a dedicated spouse and parent who became involved with their children’s activities and love of sailing and scouting.

Our Citizen of the year, a familiar face to our municipality for more than 30 years of involvement, making memories, and insuring that neighbors and visitors were “welcomed” by their surroundings. We can define this person by the visual contributions made to our community, in the lesson taught to family , friends and colleagues of “pride”, earned through hard work, and commitment to this town.

Those who know our Citizen of the year, know they can count on a good long conversation on the pros and cons of the beauty of this town. They know that our Citizen of the Year is a “Go Getter” a “Fighter” and a “Softie”. The first to “lead a cause” on behalf of any worthy project, and the first to become frustrated at the length of time it would take to accomplish a goal.

To define all the great contributions made by our recipient will “spill the beans” That’s how intricately woven into our town’s fabric this person is. It’s better that we tell you, that our town’s history, created by the generosity of Bertram C. Mayo, led writers to define Beachwood as the “Pearl in the River”.

Our recipient “buffed the pearl” and made it shine in welcome to all, and strung together with all the little pearls ,our Community Center, Gazebo, Riverfront and Mayo Park. As you sit here tonight, look around this beautiful building and know that it’s just one of many little pearls. Many pearls were created over the years, Yellow Ribbons to remember our Troops – Cherry Street Park for the little ones – Bicycle / Walking Path – Memorial Park - Welcome to Beachwood Signs – Block Grant Re-Hab Loan program - just to name a few of the “string of pearls” created by

Patricia A. Moran

Our 2008 Citizen of the Year

October 15, 2008

Recess

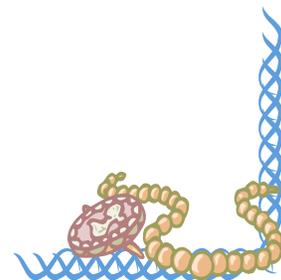
Motion:

Verga

Second:

Approved:

Clark – Clayton – Feeney – Komsa – Roma - Verga



Re-Open

Motion:

Clark

Second:

Komsa

Approved:

Clark – Clayton – Feeney – Komsa – Roma - Verga

RESOLUTION

#2008-379 **RESOLVED** by Mayor and Council to approve the 2008 Certified Bills List in the amount of **\$ 225,637.79**

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

RESOLUTION

#2008-380 **RESOLVED** by Mayor and Council to approve the minutes of the September 24th Workshop Meeting of Mayor and Council

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

RESOLUTION

#2008-381 **RESOLVED** by Mayor and Council to approve the minutes of the October 1st. Regular Meeting of Mayor and Council

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

RESOLUTION

#2008-382 **RESOLVED** by Mayor and Council to approve the Executive Session Minutes of August 20, 2008 and September 17th 2008

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

RESOLUTION

#2008-383 **RESOLVED** by Mayor and Council to approve the following rentals for the Community Center – Mayo Park

2008		Community Center	
Nov.	07	Schenk	Rental: \$350
		301Ship Ave.	Deposit: \$500
		Beachwood	
Nov.	21	Sharpe	Rental: \$350
		909 Windward Ave	Deposit: \$500
		Beachwood	
Dec.	27	Maguire	Rental: \$350
		623 Capstan Ave	Deposit: \$500
		Beachwood	

2009 Community Center				
Feb.	06	Batullo	Rental:	\$WAIVE
		Soccer Team Beachwood Warriors	Deposit:	\$WAIVE
		See Letter requesting 829 Seaman Ave		
		Waiver of fee Beachwood		
June	20	Zancanella	Rental:	\$700
		439 Wheaton Ave	Deposit:	\$700
		Bayville		

Sierra Club is based in Brick – some members are residents in Beachwood. Question on rental fund raiser vs. Christmas Party. Resolution was originally motioned by Mr. Roma and Second by Mrs. Verga - Question by Mrs. Clayton re: Sierra Club. Some discussion on request and questions on the applicant. Request for rental waiver by Sierra Club was not approved. They will be advised that they must post rental fees (non-resident).

TO APPROVE ALL APPLICATIONS FOR RENTAL EXCEPT SIERRA CLUB.

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

Resolution #2008-384

WHEREAS, on May 21, 2008 under Resolution #2008-204 approval was given for rental of Mayo Park by Mark T. Bock 344 Tiller Avenue, Beachwood for September 7th 2008 noting all feels were posted (\$300); and

WHEREAS, with a forecast for severe weather on that weekend, they were forced to cancel the event, subjecting them to a \$75 cancellation penalty.

NOW, THEREFORE, BE IT RESOLVED by Mayor and Council to approve a refund in the amount of \$225 to Mark T. Bock 344 Tiller Avenue, Beachwood, noting that the refund reflects a \$75 cancellation penalty.

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

RESOLUTION #2008-385

RESOLVED by Mayor and Council to approve the permanent title as per DOP certification of the following: (No salary changes)

Wayne M. Gibson Construction Official
 Anthony M. Bernard Truck Driver
 Stephen Brosen Truck Driver
 Michael R. Walker Truck Driver

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

#2008-386 RESOLUTION PROVIDING FOR THE INSERTION OF A SPECIAL ITEM OF REVENUE IN THE BUDGET OF THE BOROUGH OF BEACHWOOD PURSUANT TO N.J.S.A. 40A:4-87 (CHAPTER 159, P.L. 1948)

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 such item of revenue in the budget of the county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget, and

WHEREAS, the Director may also approve the insertion of any item of appropriation for equal amount,

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Beachwood, in the County of Ocean, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2008 which item is now available as a revenue from monies held pursuant to the provisions of statute.

Shared Service Agreement

Revenue: South Toms River for Sub – Code Officials Services \$5,000.00

BE IT FURTHER RESOLVED that a like sum of \$5,000.00 and the same is hereby appropriated under the following captions:

Shared Service Agreement

Out Side Caps

South Toms River for Sub – Code Officials Services \$5,000.00

AND,

BE IT FURTHER RESOLVED that the Borough Clerk shall submit one copy of the Certification for State and Federal Grants to the Director of the Division of Local Government Services for approval.

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

#2008-387 RESOLUTION PROVIDING FOR THE INSERTION OF A SPECIAL ITEM OF REVENUE IN THE BUDGET OF THE BOROUGH OF BEACHWOOD PURSUANT TO N.J.S.A. 40A:4-87 (CHAPTER 159, P.L. 1948)

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 such item of revenue in the budget of the county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget, and

WHEREAS, the Director may also approve the insertion of any item of appropriation for equal amount,

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Beachwood, in the County of Ocean, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2008 which item is now available as a revenue from monies held pursuant to the provisions of statute.

Community Development Block Grant \$55,000

BE IT FURTHER RESOLVED that a like sum of \$55,000 and the same is hereby appropriated under the following captions:

Community Development Block Grant \$55,000

AND

BE IT FURTHER RESOLVED that the Borough Clerk shall submit one copy of the Certification for State and Federal Grants to the Director of the Division of Local Government Services for approval.

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

#2008-389 **RESOLUTION OF THE BOROUGH OF BEACHWOOD TO AUTHORIZE a REFUND OF REDEMPTION MONIES FROM LIEN #07-00007 TO LIEN HOLDER EDISON TAX SERVICES, LLC IN THE AMOUNT OF \$4,898.46**

WHEREAS, at the Municipal Tax Sale held on October 3, 2008, a lien was sold on Block 2.15 Lot 1, also known as 126 Atlantic City Blvd, for 2007 delinquent municipal charges; and,

WHEREAS, this lien, known as Tax Sale Certificate #07-00007, was sold to Edison Tax Services, LLC with an 18% redemption fee; and,

WHEREAS, property owner David Lipton has effected redemption for certificate # 07-00007 in the amount of \$4,898.46.

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

1. Authorize the Treasurer to issue a check in the amount of \$4,898.46, payable to Edison Tax Services, LLC, 1350 Liberty Ave, Hillside, NJ 07205, for the redemption of Tax Sale Certificate #07-0007

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

#2008-390 **RESOLUTION OF THE BOROUGH OF BEACHWOOD TO AUTHORIZE A REFUND OF REDEMPTION MONIES FROM LIEN #07-00030 TO LIEN HOLDER TOWNE PROPERTIES IN THE AMOUNT OF \$1986.09 PLUS A PREMIUM OF \$400.00**

WHEREAS, at the Municipal Tax Sale held on October 3, 2008, a lien was sold on Block 5.05 Lot 6.01, also known as 808 Cranberry Road, for 2007 delinquent municipal charges; and,

WHEREAS, this lien, known as Tax Sale Certificate #07-00030, was sold to Towne Properties with a 0% redemption fee and a premium of \$400.00; and,

WHEREAS, property owner David Lipton has effected redemption for certificate # 07-00030 in the amount of \$1986.09.

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

1. Authorize the Treasurer to issue a check in the amount of \$2,386.09, payable to Towne Properties, 208 E. Solitude Place, Galloway, NJ 08205, for the redemption of Tax Sale Certificate #07-0030 and refund of the premium of \$400.00
- 2.

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

#2008-391 **RESOLUTION OF THE BOROUGH OF BEACHWOOD TO AUTHORIZE THE REDEMPTION MONIES FROM LIEN #07-00032 TO LIEN HOLDER EUGENE BATELLI, IN THE AMOUNT OF \$137.15**

WHEREAS, at the Municipal Tax Sale held on October 3, 2008, a lien was sold on Block 6.38 Lot 3 also known as 1223 Beach Avenue, for 2007 delinquent municipal charges; and,

WHEREAS, this lien, known as Tax Sale Certificate #07-00032, was sold to Eugene Batelli with an 18% redemption fee; and,

WHEREAS, property owner David Lipton has effected redemption for certificate # 07-00032 in the amount of \$137.15.

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

1. Authorize the Treasurer to issue a check in the amount of \$137.15, payable to Eugene Batelli, 1101 Beach Avenue, Beachwood, NJ 08722, for the redemption of Tax Sale Certificate #07-00032

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

#2008-392 **RESOLUTION OF THE BOROUGH OF BEACHWOOD TO AUTHORIZE A REFUND OF REDEMPTION MONIES FROM LIEN #07-00045 TO LIEN HOLDER CCTS TAX LIENS I IN THE AMOUNT OF \$ 519.40 PLUS A PREMIUM OF \$400.00**

WHEREAS, at the Municipal Tax Sale held on October 3, 2008, a lien was sold on Block 9.34 Lot 13, also known as 1148 Cable Avenue, for 2007 delinquent municipal charges; and,

WHEREAS, this lien, known as Tax Sale Certificate #07-00045, was sold to CCTS Tax Liens I with a 0% redemption fee and a premium of \$400.00; and,

WHEREAS, property owner David Lipton has effected redemption for certificate # 07-00045 in the amount of \$519.40.

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

1. Authorize the Treasurer to issue a check in the amount of \$919.40, payable to CCTS Tax Liens II, LLC, 141 Shreve Avenue, Barrington, NJ 08007, for the redemption of Tax Sale Certificate #07-0045 and refund of the premium of \$400.00

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

#2008-393 RESOLUTION OF THE BOROUGH OF BEACHWOOD TO **AUTHORIZE A REFUND OF REDEMPTION MONIES FROM LIEN #07-00052 TO LIEN HOLDER PLYMOUTH PARK TAX SERVICES, LLC IN THE AMOUNT OF \$ 519.40 .**

WHEREAS, at the Municipal Tax Sale held on October 3, 2008, a lien was sold on Block 10.15 Lot 13, also known as 1040 Mizzen Avenue, for 2007 delinquent municipal charges; and,

WHEREAS, this lien, known as Tax Sale Certificate #07-00052, was sold to Plymouth Park Tax Services with a 0% redemption fee; and,

WHEREAS, property owner David Lipton has effected redemption for certificate # 07-00052 in the amount of \$519.40.

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

1. Authorize the Treasurer to issue a check in the amount of \$519.40, payable to Plymouth Park Tax Services, LLC, PO Box 2288, Morristown, NJ 07962-2288, for the redemption of Tax Sale Certificate #07-0052

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

#2008-394 RESOLUTION OF THE BOROUGH OF BEACHWOOD TO **AUTHORIZE A REFUND OF REDEMPTION MONIES FROM LIEN #07-00052 TO LIEN HOLDER PLYMOUTH PARK TAX SERVICES, LLC IN THE AMOUNT OF \$ 557.27 .**

WHEREAS, at the Municipal Tax Sale held on October 3, 2008, a lien was sold on Block 10.31 Lot 10, also known as 716 Mermaid Avenue, for 2007 delinquent municipal charges; and,

WHEREAS, this lien, known as Tax Sale Certificate #07-00055, was sold to Plymouth Park Tax Services with a 0% redemption fee; and,

WHEREAS, property owner David Lipton has effected redemption for certificate # 07-00055 in the amount of \$557.27.

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

1. Authorize the Treasurer to issue a check in the amount of \$557.27, payable to Plymouth Park Tax Services, LLC, PO Box 2288, Morristown, NJ 07962-2288, for the redemption of Tax Sale Certificate #07-0055

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

#2008-395 RESOLUTION OF THE BOROUGH OF BEACHWOOD, OCEAN COUNTY, NEW JERSEY APPROVING FINAL CHANGE ORDER NO. 1 TO THE CONTRACT BETWEEN THE BOROUGH AND EARLE ASPHALT COMPANY FOR ROADWAY IMPROVEMENTS TO NAUTILUS STREET INCREASING THE CONTRACT FROM \$92,413.13 TO \$107,544.30

WHEREAS, the Borough of Beachwood previously awarded a contract for roadway improvements for Nautilus Street to Earle Asphalt Company in the amount of \$92,413.13; and

WHEREAS, as a result of modification of the project limits and final as built quantities Final Change Order Number 1 has been proposed increasing the contract by \$15,131.17; and

WHEREAS, the Borough Engineers, CMX, have reviewed said Final Change Order Number 1 and found the same to be in proper form and order and have recommended the same for approval; and

WHEREAS, the Borough CFO has certified that funds are available for said increase in contract price; and

WHEREAS, it is now the desire of this governing body to approve Final Change Order Number 1 in accordance with the Borough'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 of Beachwood hereby approves Final Change Order Number 1 to the contract between the Borough and Earle Asphalt Company for roadway improvements to Nautilus Street increasing the contract by \$15,131.17 to a final adjusted contract price of \$107,544.30.

2. That upon the adoption of the within resolution, the Borough Clerk is authorized to forward a certified copy of it to Borough Engineer, the Borough Treasurer and Earle Asphalt Company.

Additions				
4	Milling of Hot Mix Asphalt, 1.5" Average Depth (S.Y.)	958	\$2.75	\$2,634.50
10	Superpave Hot Mix Asphalt Surface Course, Mix 9.5M64, 1.5" Thick (Tons)	273.56	\$74.57	\$20,399.37
22	Traffic Markings, Lines, Long Life, Thermoplastic (L.F.)	10	\$1.15	\$11.50
			Total Additions	\$23,045.37
Subtractions				
3	Roadway Excavation, Unclassified (S.Y.)	310	\$4.16	\$1,289.60
5	Preparation of Roadbed (S.Y.)	920	\$0.01	\$9.20
7	Dense Graded Aggregate Base Course, 6" Thick (If & Where Directed) (S.Y.)	130	\$0.01	\$1.30
8	Superpave Hot Mix Asphalt Base Course, Mix 19M64, 3" Thick (If & Where Directed) (Tons)	170	\$0.01	\$1.70
16	Concrete Driveway, Reinforced, 6" Thick (S.Y.)	65	\$35.00	\$2,275.00
17	Hot Mix Asphalt Driveway, Variable Thickness (S.Y.)	83	\$15.00	\$1,245.00
19	Breakaway Barricades (Unit)	6	\$0.01	\$0.06
20	Construction Signs (S.F)	233	\$0.01	\$2.33
21	Uniformed Traffic Directors (Allocation 80 hours @ \$50.00/hr) (L.S.)	0.69	\$4,000.00	\$2,760.00
23	Reset Water Valve Boxes (If & Where Directed) (Unit)	6	\$55.00	\$330.00
24	Loop Water Main (If & Where Directed) (Unit)	1	\$0.01	0.01
			Total Subtractions	\$7,914.20
Amount of Original Contract				\$92,413.13
Adjusted Amount Based on Change				\$107,544.30
Order Nos. 1 (Final)				\$107,544.30
				16.37% Increase in Contract
Supplemental Extra				\$0.00
Reduction				\$23,045.37
				\$7,914.20
		 (Engineer)		 (Date)

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

CORRESPONDENCE:

O.C. Board of Social Services – National Breast Cancer Awareness Month
 Borough's Supporting Resolution



WHEREAS, the Governing Body of the Borough of Beachwood desires to recognize the Month of October 2008 as National Breast Cancer Awareness Month; and

WHEREAS, the National Breast Cancer Awareness Month campaign is comprised of national public service organizations, professional medical associations and government agencies working in partnership to raise awareness, share information and provide access to screening services; and

WHEREAS, many strides have been made in breast cancer awareness and treatment, but even more still needs to be accomplished; and

BE IT HEREBY RESOLVED the Governing Body of the Borough of Beachwood, recognizes the Month of October as National Breast Cancer Awareness Month and is hopeful that the those listed below will join with us in this most worthy recognition.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to:

The Honorable Governor Jon S. Corzine, State of New Jersey
 Members of the United States Senate and Congress Representing New Jersey
 New Jersey State Senate and New Jersey State Assembly Members
 Jennifer Velez, Commissioner, Department of Human Services
 Eileen Crummy, Commissioner, Department of Children & Family Services
 Joseph Doria, Jr., Commissioner, NJ Department of Community Affairs
 Jeanette Page-Hawkins, Director, NJ Division of Family Development
 Heather Howard, Commissioner, NJ Department of Health & Senior Services
 Freeholder Director, Joseph H. Vicari, Ocean County Board of Chosen Freeholders
 Ella Boyd, Public Health Coordinator, Ocean County Health Department
 Jill S. Perez, Director, Ocean County Department of Human Services
 Jane Maloney, Director, Ocean County Office of Senior Services
 All Ocean County Municipalities

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

Reports	
Mayor	<p>Comment with goal of desire to implement program based upon seminar addressing call to public service. Offering residents an overview of personal challenges faced since taking office in January and sincere desire to extract a positive policy out of a mean spirited agenda that is motivated by egocentric gain at the expense of the community at large. We live in a democracy and Different opinions based upon concrete issues ultimately benefits the community as a whole. Lets examine the issues of the national election. Barak Obama offers ... one Health care needs, John McCain offers another. Ultimately some motivated by a disjointed agendaa social family matter of Vice Presidential Candidate Sarah Palin into an indictment of her character and capability as a mother. That is totally wrong. It has no place in the process and diminishes the potential exchange of fresh new ideas into a mud slinging free for all reminiscent of the wild wild west of the 1880's. I feel her pain and I pray for her, even though I do not support her candidacy. As you know, I took office in January 2008, after being duly elected by the people of Beachwood in an American exercise called voting. The people have spoken. This process is the foundation of our political system and the cornerstone of our forefathers desire to create a democracy. Please understand..... in explaining the circumstances in my ultimate goal to bring those of different political affiliations into a combined force to in turn collectively bring Beachwood forward.</p> <p>Soon after I took office, I had a visit to my home by a worker from the DYFS. That worker advised me that the division had received an anonymous letter stating that during a family event the day of my swearing in, that was attended by family and friends, individuals in this audience, Councilwoman Clark and Environmental Chairman Clark, that they observed "cocaine use" in plain view of the children present in my home. The case worker conducted a precise investigation and reported that the complaint was erroneous. One thing, comment that this woman made when she interviewed me was, Mr. Jones, your to chubby to be a cocaine user. I guess she was trying to break the ice.</p> <p>Then in March 2008, I was contacted by an investigator from the State Department of Banking</p>

and Insurance that I was operating a business without a banking license. For some reason, the investigator who conducted this type of investigation was under the insurance division, even though the type of license I had was issued under banking. The investigator upon inquiring of the commissioners office, concluded that I did possess the required license and obtained an approved business name issued by the State of New Jersey. Then in late March 2008, an individual conveyed to an acquaintance of mine, that "he was going to be taken out in the parking lot"... any reasonable person would have concluded that he didn't want to take me out on a date. A police report of the threat is on file with the Manchester police department.

Sometime in April 2008 an investigator with the Division of Taxation guess what, they received another anonymous letter. He informed me that he received a complaint that I was conducting a yard sale for an elderly gentlemen, and there is a state law that indicates you have to collect sales tax. Unbeknownst to me that's the law. After speaking with him, satisfying his concerns,know that this will not occur in the future unless I receive a tax authority, the case was closed.

Then weird things started to happen to others around me. One friend from Spar Avenue received a message on his Tape answering machine that he still maintains, saying "We got the Mayor, you're next." Another friend visiting my home had nails inserted in her tire. Another visiting activist, who's husband is in the audience, had her tires slashed. A gentlemen who taped the infamous April 2nd meeting, who resides in Toms River and four (4) of his tires deflated with the use of a nail gun. Boy, in the words of Terrance Alloyisius Mahoney, from the East Side Kids series, "what a kinky dink".

There was an attempted burglary at my home, which was reported to the Police Department while I was away for the evening. Now the events were becoming more aggressive and threatening.

This past Saturday soon after two vehicles stalked me and my family for about an hour. A call was received at my home and documented on my caller ID and verified by the Beachwood Police and Councilwoman Clark. The individual stated to my sister a life threatening You have my permission to get a copy of that report.

Last night three juveniles were observed banging on my car and one of the youths, who was wearing a rugby style shirt, stated, this is the Mayors car, I wish I had a gun (at which time) he pointed to my home and made three sounds pow – pow - pow. It is these events that are panned by the New York Times, because they are not sensational as a Frankenstein scare tactics that decreases readership and polarizes a community. Thus the solution, I have That's the crux of what I am saying here...

Yesterday I attended a seminar to empower citizens to become involved in the community. Where citizens people cannot be fearful of public participation towards the system. After the gross atmosphere exhibited these past ten months, I thought people would be willing to knock down doors and volunteer for community service. This citizens campaign is a call for service It provides direction and guidance for local towns to put forth programs to improve the quality of life through volunteerism. And 100% supported. It requires the adoption of a citizens ordinance which I will propose in the coming weeks, training, seminars in forums that explain how the system works and the adoption of "Citizens Service Day", similar to what Council has done here tonight. Imagine if we had 100 Patty Morans involved in every aspect of our community. We would be the finest community in the United States. That is my goal. . the public to get involved with community service. Proposing an ordinance he will prepare to establish this goal. I encourage your participation and input. There are 200 communities in N.J. have started this program. It is an exemplary program. I prayer we all could just get together for the benefit of Beachwood. This request is not to curtail meaningful constructive interaction, rather it is a call for respect and dialogue absence of malice, hatred and attack on ones family. Thank for your patience during this

	Remember doing the elementary school with her. It's what she was about. Congratulations to her and her family.
Verga	No report, just taking a moment to comment on loss of Mayor Siddons Island Heights. He was a very likeable guy. Head of the Ocean County Mayors Association. Co-founded with Bill Hornidge the O.C. Mayors' Association Golf Tournament and raised over \$300,000 in scholarships.
Attorney:	Metro PCS - signed lease agreement due. Looking for another location perhaps on the new tank. Mr. Oris will look at it. Also another carrier has expressed interest on the mono pole.

Mr. Oris Explained bids received for Mizzen Avenue Water Main replacement and proposed the following resolution:

#2008-397 RESOLUTION OF THE BOROUGH OF BEACHWOOD, OCEAN COUNTY, NEW JERSEY
AWARDING A CONTRACT TO DSC CONSTRUCTION CO., INC. IN THE AMOUNT OF
\$88,888.00 FOR THE MIZZEN AVENUE WATER MAIN REPLACEMENT (200 BLOCK) IN
ACCORDANCE WITH THE BOROUGH'S BID SPECIFICATIONS

WHEREAS, the Borough of Beachwood previously advertised for the receipt of bids on October 8, 2008 at 2:00 p.m. for the Mizzen Avenue Water Main Replacement (200 Block) under project number 08-01330-01-06; and

WHEREAS, at the time of place for the receipt of bids eleven (11) bids were received ranging from a low of \$88,888.00 to the high of \$169,114.00; and

WHEREAS, the Borough's Engineer, CMX, has reviewed said low bid of DSC Construction Co., Inc. in the amount of \$88,888.00 and has recommended the same for award; and

WHEREAS, the Borough's Attorney has reviewed the three (3) lowest bids and found all to be in proper form and order; and

WHEREAS, the Borough's Chief Financial Officer has certified that funds are available to award said contract; and

WHEREAS, it is the desire of this Governing Body to award a Contract for the Mizzen Avenue Water Main Replacement (200 Block) .

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

1. That the Borough Council hereby award a Contract to DSC Construction Co., Inc. in the amount of \$88,888.00 in accordance with the Borough's bid specifications and for the Mizzen Avenue Water Main Replacement (200 Block).

2. That upon the adoption of the within resolution, the Borough Clerk is authorized to forward a certified copy of it to the Borough Engineer, the Borough Treasurer and DSC Construction Co., Inc.

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

Municipal Clerk Memorialized from previous approval by Council

#2008-396 **RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF BEACHWOOD AUTHORIZING THE ADVERTISEMENT OF A NOTICE TO BIDDERS FOR THE BOROUGH’S ACQUISITION OF GASOLINE AND DIESEL FUEL FROM SERVICE STATIONS LYING WITHIN THREE MILES OF THE BOROUGH OF BEACH WOOD**

WHEREAS, the Borough of Beachwood previously supplied its own gasoline and diesel fuel; and

WHEREAS, as a result of Department of Environmental Protection Rules and Regulations, it has become untenable for the Borough to comply with the requirements for the storage of said commodities; and

WHEREAS, the Borough previously awarded a contract to Shell Oil and applied for a Shell Fleet Credit Card Application to allow for the required deductions of taxes on said fuel; and

WHEREAS, the Borough has not been able to obtain a constant supply of gasoline and diesel fuel as required; and

WHEREAS, the Borough has approached neighboring municipalities without any success in securing an Interlocal Service Agreement; and

WHEREAS, it is now the desire of this governing body to authorize the advertisement for the receipt of bids for said products.

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 Clerk is authorized to advertise for the receipt of bids for gasoline and diesel fuel in accordance with the attached Notice to Bidders.
2. That upon the adoption of the within resolution, the Clerk is authorized to forward a copy of it to the Borough Treasurer.

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

#2008-398 RESOLVED by Mayor and Council that the following shall be the curfew for Halloween: October 29th to and including November 2nd – 9:00 p.m. applicable to anyone under the age of 18 unless accompanied by a parent or guardian.

Motion: Roma Second: Clayton

Approved: Clark – Clayton – Feeney – Komsa – Roma - Verga
 Opposed:
 Abstain:

Absent:

OPEN TO PUBLIC DISCUSSION

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

PUBLIC	
Dennis Allen Elm Street	<p>Moved from Hudson County 18 years ago. Volunteer 10 years in Fire Company , came home to find he had tires slashed. Just last week shed broken into. This is what Beachwood has come to.?</p> <p><u>Mayor</u> will speak with Chief.</p> <p><u>Mrs. Clayton</u> asked if any of neighbors experience problem.</p>
Timoney - Seaman Ave	<p>Why 9 p.m. curfew. Why not 8:00 and start now. Wants curfew implemented at 8:00 p.m. throughout year.</p> <p>Clerk: Explained history of Halloween Curfew.</p> <p>Block watch program ? status?</p> <p><u>Mrs. Clark:</u> Spoke with the Chief and he is reviewing with officer who may be handling it</p> <p>Read flyers from DiBella - if statement true or not true.</p> <p><u>Mrs. Clark:</u> Not true.</p> <p>In complaint you said you feared for your family. What made you dismiss the complaint.</p> <p><u>Mrs. Clark:</u> Just a mis understanding. It really was.</p> <p>Timoney: A misunderstanding that would make you fearful, but then to drop the charges. Women have come a long way, a long way. For me personally , to feel that you sold your soul so that your husband could get on the council, you have nothing better to do at dinner time than talk about this.</p> <p><u>Mrs. Clark:</u> My husband wasn't even a choice for council at the time. He was added because Mr. Merola had to drop out. He has a sick son. He was having trouble at work. My husband wasn't even a thought, we just added him to the ticket. Although I don't really have to discuss political, this isn't really Borough business, but I have no problem</p> <p>Timoney: It's Borough business when this is going around.</p> <p><u>Mrs. Clark:</u> That's not coming from the Borough. It's not Borough business. It's political campaign literature.</p> <p>Timoney: Well that's what is being passed around. That's all I wanted to ask if it's true or not.</p>
DeSalvatore Maple Street	<p>I hate to bring this up on such a great night. I'm actually saddened to do this, I'm not normally a person to make waves. Patty Moran has been a great person for the town and I feel this should be her</p>

	<p>night alone. I'm here to speak, one, on behalf of Beachwood Pine Beach Softball's board. We have been silent long on an issue long enough . I feel we need to nip it here and move on in peace. I'm not looking to be divisive, I'm not looking to be political, but we are tired of certain statements that we know not to be factual. In addressing the flyer, I'll address that first. First all, I know that Mr. Clark was not the first person asked for that position. My wife was asked. Tess Jackson was asked. Laura Miranda (who is here tonight) was asked. Bob Harrigan, who is a friend of mine, was asked. There were four (4) people who were asked, who turned it down for personal and family reasons. It is a big sacrifice of your time. It does take some effort. They were unable to do it, and in order to get somebody on the ballot in time, that was when Mr. Clark was asked.</p> <p>#2 there was a statement put out in that same flyer, that Beachwood Pine Beach girls softball had allowed sexual offender to attend games. We have some challenges to the statement, which I would like to address. 1st. all, I have not yet been approached as a member of the board.</p> <p><u>Mrs. Clayton:</u> Questioned if we should be discussing the flyer, it is not Borough Business. Some overlapping discussion involving the Mayor – Mrs. Clark – Mrs. Clayton</p> <p>Mr. DeSalvatore: If you want me to sit down I will. Then we will just move forward as Board if that is what we have to do.</p>
<p>Burke - Cable Ave</p>	<p>Board member of softball - many years – as far as the children go, it is a volunteer organization – we are proud to be working here in Beachwood , with Pine Beach, South Toms River and Beachwood girls voluntarily. Taking care of fields and kids. It's about the children and them being happy. Staying away from drugs and violence and giving them something to do. Not dealing with sex offenders, and if someone saw a sex offender at a game any game, any time, shame on them that they did not call the police. Shame on them, but to say that the Board allowed it, we do not allow it. We do background checks. I'm very proud to be a part of this board. Everything I do is as a volunteer and I'm very proud of it. That flyer is a disgrace.</p>
<p>Clark - Tiller Ave</p>	<p>This is Patty Moran's night. I did have a lot of things I wanted to discuss this night. I'm a big supporter of Patty Moran, but I would love for this governing body to address the First Aid issue. Bring it up now, since I did have to deal with it all weekend, we do have a contaminated site, and I'm very surprised that the First Aid Committee, who sits up there, Mrs. Clayton , Mr. Roma and Mr. Feeney did not bring up the fact of what's going on at the First Aid building.</p> <p><u>Mrs. Clayton:</u> It's on for Executive Session.</p> <p>Clark: I would appreciate the fact that not a phone call came in. The Federal Law does mandate that you are supposed to have an inspection prior to that, and our Environmental Commission had asked in February, March and April for an inspection, it was never done and now we are in the situation that we are in now.</p>
<p>Murante – Tiller Ave First Aid</p>	<p>No one has ever approached me on anything as far as an inspection. The Council had nothing to do with demoing this building. The squad chose to pay for this, saving the Borough \$80,000.00. To move the project along, we did it. Council had nothing to do with it, and no one has ever approached me for any kind of documentation.</p> <p><u>Mayor:</u> Let me just say this, in order to protect the integrity of the project and a meeting we had with the woman from the state today, I am not going to release public information that should be brought</p> <p>Murante: I wasn't going to say anything either, but when someone gets up here and states that they asked for documentation, they never came to the owner of the property, which is the First Aid Squad, so that's things that need to be looked into before statements are made.</p> <p><u>Mayor:</u> And there are things that have come forth, that I haven't discussed with anyone on a call</p>

	<p>that I received this afternoon from the young lady who issued the stop work order, that generally you may not have known anyway and we will discuss that in closed session. Before we continue this discussion a question to Mr. Hiering... if it would be appropriate to have Mr. Murante in closed session.</p> <p>Mr. Hiering: Yes</p> <p>Mr. Roma: Mayor while we are the issue, I'm a little bit concerned, a little bit confused and I need a little bit of clarification from the Attorney. Exactly what are the parameters of the Environmental Commission.</p> <p>Mr. Hiering: Basically they Aid planning Board in developing Master Plan - Monitor public areas of town. Advisory only. Not enforcement agency. Planning issues that will address Environmental Issues.</p> <p>Roma: Is it fair to assume that in this particular case, although the council had nothing to do with the demolition, it was strictly between the First Aid and their Contractor, but would it be fair to assume, that even if the Council did have something to do with it, that the Environmental Commission would have nothing to do with it what so ever. the First Aid..</p> <p>Mr. Hiering: That's correct. I'm sure the town would Overlapping conversations Mayor Jones, Mrs. Clark and Mr. Hiering.</p>
Hiering	Read definition of Environmental Commission.
Roma	So in essence, they would have nothing to do with that anyway. If we were to have someone involved with it from an environmental prospective it would more than likely be a qualified Environmental Engineer, someone who knew about particular radiations in asbestos and stuff...
Mayor	I want to make a point perfectly clear today in my discussions with Mr. Murante and the Attorney. My responsibility and my lack of comment on this matter deals with fact that I do not want to remove options from the First Aid in protecting their interests in this project through work that was done by this contractor who may have been operating outside the realm of his licensing. That's all I can say. This is an issue of a very serious nature. I would ask everyone please, to refrain until we get into closed session. It's a very serious matter.
Councilman Roma	<p>Not in any way downplaying your concern for First Aid, or anyone's concern for First Aid. The Council has nothing to do with the demolition or construction of the First Aid Building. Environmental Commission has nothing to do with demolition or construction of First Aid Building. That's all I wanted to understand.</p> <p>Mayor: I understand, but you understand my position don't you?</p> <p>Roma; I understand that you are just as concerned for them as we are.</p>
Balazinski - 1008 Halliard	<p>Chairperson, you brought some things up about being harassed by some people by phone calls. I would urge anyone who has anything to say, legally that possibly, something could be uncovered, I urge you not to do things behind the scenes, or sneaky, I'm talking to everybody through the chair, I'm not saying that I'm anything good, but be more like me, come prepared with items to back up. About the Call on Mayor's Caller ID - is that person in jail right now, were they taken in, because that's a crime.</p> <p>Mayor: Normal procedure is the Police Department to tape record, refer to their Detective Bureau for investigation, and then based on that investigation a warrant for that persons arrest will be issued.</p> <p>Balazinski: Very good, because I don't want someone like that around who makes behind the scenes</p>

making phone calls, making it look bad for people who are trying to do it the proper legal way. You brought up about people accusing you of not having a “banking license”, during your campaign last year (2007) there was an office building at 245 Atlantic City Blvd., being used by yourself. I was wondering, during the campaign, did you apply to the Borough for a permit to hang the large banners that were affixed to the building.

Mayor: That banner was affixed to the building and a permit was not issued, one was not requested. The code enforcement officer responded and indicated one was not needed because it was a political sign, put up within 30 days of the election.

Balazinski: Pertaining to the same building at 245 Atlantic City Blvd. You operated many business’ from there, I’ll name three of them. Republic Properties Corp., Unique Mortgage Solutions and All Points Mortgage. At anytime during the operations of those business at that place, that establishment, had you obtained a Mercantile License, or any Zoning Permits or CO’s for those business while you were there?

Mayor: None was required based on information received, based on my conversations with the Landlord. I was not the person responsible to get that. My business partner, happens to be the individual whom you live with, maybe you should ask him.

Balazinski: I asked the Landlord (Mr. Clancy) and he said that you were responsible for half of that and they were your business, so I did go to the horse’s mouth.

Mayor: Again, All Pointsnot audible.....

Mrs. Verga - (could not be heard on the recording)

Mayor ...[not audible]originally rented by Mr. DiBella , there is no evidence I know of with my name being on the lease.

Balazinski: Your business, are you claiming that your business’ did not work out of there?

Mayor: What I’m saying is that those business’ were in conjunction with your room mate Mr. DiBella

Mayor continued speaking but could not be understood on the recording.

Balazinski: I’m going to let that go until I can actually bring the evidence in here, I don’t want to put my foot in my mouth. As far as people harassing, You spent your report (last meeting I believe) trying to clarify to the public, things that were said about you and family members. That’s admirable, and I’d probably do the same thing myself. But you did leave something out, in fact today you left something out as far as harassment, you left out the part where you were accused of harassment and stalking in recent months. I have a question for you about that. As far as the accusations of you making inappropriate statements, or messages, or calling people names, in the respect in saying “I miss spending time together” “I’m at the Borough and I’m all alone” I’m asking you honestly, I just want to know, personally, if you did those things. I want to know, I think it’s our right to know, even though the charges were dropped, I just want to know if it’s true or not.

Mayor: Didn’t occur.

Balazinski: Are you saying that Councilwoman Clark was a liar when she made those police reports.? That other people didn’t read those text messages that you left.

Mayor and Mrs. Clark spoke at same time – No, certainly not.

Balazinski: I have respect for Councilwoman Clark I don't think she lied.

Mayor: Why don't we do this, why don't we do this What does it say, meet me at the Borough Hall for what...

Balazinski: I'm alone

Mayor: Was it I'm alone or come alone

Mrs. Clark: Come alone.

Balazinski: Read the police report.

Mayor: I'm going to play a tape. This is the infamous tape that everyone is talking about. I'm going to give the transcript to the Council.

Mrs. Clark: This will be why you will understand why at first I did take this as something a little crazy. At first I was concerned. I was getting unusual text messages but they were never, I thought felt sexual harassment. Never, you can check with the Chief who took my report. I thought they were a little weird, and unusual, and Joel, you know I said the same thing myself.

Mr. Balazinski: I never said sexual you can check the tape I said harassment.

Mrs. Clark: I know, but it's in there, in your room mates literature. That it was sexual but it was not sexual. So I want to make that clear. Now that kind of concerned me when I got a text message like that. "Meet me at the Borough Hall alone". I'm not denying that, I got some weird ones, now . This [tape] is why the Mayor wanted to meet me alone. You know what we weren't going play this for 10 months, we've been holding this back and now everybody, once you hear this, maybe you'll know a little bit why we've been dealing with this aggravation.

Mayor: This is the tape I took off my Mayor's phone. It is in the possession of the County Prosecutor, and the Attorney General's Office, and while they were downloading it, Mr. Lacey walked in and he was asked to leave.

Tape was played: The following is a transcript provided by Mayor Jones of the tape in question:
TRANSCRIPT OF TAPE MESSAGE FROM BUILDER DAVID LIPTON TO MAYOR HAL MORRIS ON THE MAYOR'S OFFICIAL PHONE EXTENSION

SUBJECT: RESIGNATION OF LEWIS CLAYTON FROM PLANNING BOARD.

*TUESDAY SEPTEMBER 11 2007 AT 1114 HOURS 40 SECONDS IN LENGTH
HAL, DAVID LIPTON, ITS TUESDAY MORNING 5 AFTER 11. AH I WAS AT THE PLANNING BOARD MEETING LAST NIGHT AND APPARENTLY LEWIE DIDN'T RESIGN YET. UM. I DON'T KNOW WHETHER YOU KNOW IF WHETHER HE IS OR HE ISN'T? IF HE NOT GOING TO RESIGN. I'M GONNA PRESS CHARGES AS HARD AS I CAN, FILE THAT POLICE REPORT I WAS TRYING TO NOT TO FILE WITH THE COURT. ACTUALLY THOUGH ITS NOT FORMALLY THERE IF HE'S GOING TO RESIGN, AH IF HE'S CHANGED HIS MIND THAT'S FINE WITH ME, I DON'T CARE WHAT HE DOES. I WILL FORWARD IT. I WILL HAVE MY (RELEASE OR RELIEF?) UM AND UM I ESSENTIALLY WILL GO GET IT UM THE BEST WAY I KNOW HOW. UM SO LET ME KNOW IF YOU KNOW ANYTHING ABOUT HIM RESIGNING PLEASE THANKS A LOT BYE.*

	<p>The call is from an individual left for the previous Mayor, asking why a member of the Planning Board, whom he anticipated resigning, was still serving. That concerned me. Remember that oath, and raising your hand. Well when I heard that, I turned it over to the Attorney General and the Ocean County Prosecutor and it's under investigation. I asked Mrs. Clark to come, to listen to the tape, without anyone else.</p>
	<p>Congrats to Mrs. Moran - Great job . Served longer with her than anyone. Picture of Gazebo (comments) First Aid building – Concerned when we started off the new year with lots and lots of promises that I as of yet to see anything addressed. I didn't know we were going to have an Environmental Commission , and here we are, getting involved , Environment Commission , or members and you are getting involved and now we have a building that was supposed to be torn down and rebuilt for the benefit of our First Aid, and it's put on a back burner because someone from another bureaucracy created by you has gotten involved.</p> <p>Many voices someone said “an anonymous call”</p> <p>Mr. LaCrosse: From who?</p> <p>Mrs. Verga: A citizen,</p> <p>LaCrosse: Not involved with the Environmental Commission what so ever</p> <p>Council voices: No</p> <p>LaCrosse: Not the Mayor.</p> <p>Mayor: Absolutely not.</p> <p>LaCrosse: Just somebody who came by and said “hey I see a pipe and it has asbestos on it”</p> <p>Verga: I know people in the DEP and they said that it did not come from anyone on this governing body nor anyone that they know.</p> <p>LaCrosse: All I know is that we have an Environmental Commission that is getting themselves in our lives. Mr. Hiering told us what it is that they can and cannot do, and I think that they should stick to what it is they can and cannot do. We have another commission out there... a Shade Tree Commission, I can only imagine what's going to happen with that when somebody cuts down a tree, we'll have Lawyers all over the place.</p> <p>Mayor: Mr. Murante and I met with the woman from the State of New Jersey today, Mr. Clark was also there. It is our belief that a competitor for an Environmental Company, that may be in dispute with the demolition company, filed a complaint.</p> <p>LaCrosse; You don't know that though do you? I know you were there, because I was at a house, they received a call at 9:00 at night, saying get a fence down there because there's been a stop work order placed on that thing. If you have, this is what drives me nuts, if you're taking down a building and it's got some asbestos in it, and these construction people know what they have to do with it, why didn't you let them go ahead and finish it. Instead, what we've got is open area with construction mess all over the place and asbestos and it's sitting there right now, today. Has it been removed?</p> <p>Mayor: It cannot be removed:</p> <p>LaCrosse: Can't be touched, so here it is, blowing in the wind around Beachwood for our children</p>

to inhale, when it could have been taken care of in one day.

Mayor: Could not be understood

Mrs. Clark: Could not be understood

Mayor .. the situation is this. The demolition company stopped the work after receiving the stop work order from the State of New Jersey and just left the site totally insecure. I saw children in there skateboarding. Some kids were on bikes walking through it. And in the interest of the safety of the community, and the liability of the Borough through the First Aid, I spoke to Councilman Feeney and we agreed that a silt fence should be put up there.

LaCrosse: I agree with that, 100%. What I'm angry with, if it was someone from the Environmental Commission who got themselves involved in the Borough volunteer activity, I think that's way out of line. I never like bureaucrats, and now we have bureaucrats in Beachwood.

Mayor: Whether we have Bureaucrats or not, they were there. We had an issue and we addressed it.

LaCrosse: Minutes of last meeting. Astounded. Read in the minutes of the last meeting, you said you were out on a mental disability. Do you still receive a check from the Tax Payers of the State of New Jersey.

Mayor: As I stated before, I really cannot believe.....[could not be understood] I stated at the last meeting, I am going to answer your question, I am on a disability from Brick township police, which was brought about when I found out my son was sexually assaulted by a family member, which totally distressed me and in order not to put any police officer in harms way, due to the fact that my position was one where you had to be on top of a moment by moment situation I left the Police Department.

LaCrosse: You are still receive, you're not well yet, you haven't gotten over it?

Mayor: The process is you go on permanent disability.

LaCrosse; You say that your son was sexually assaulted. Did anybody go to jail for that.

Mayor: Don't go there. I'm asking you not to go there. I'm looking for some shred of decency from you.

LaCrosse: I am too. I'm looking for some from you.

Mayor: Comments could not be heard.....you should be ashamed of yourself.

LaCrosse: I'm not ashamed of myself. What I'm ashamed of is somebody who would throw their son under the bus. You talk about your son, but you won't talk about the guy who sexually assaulted him or woman.

Mayor: Again if you read the minutes of the last meeting, when I went to the Ocean County Prosecutors Office, and made the complaint, they chose not to investigate the complaint:

LaCrosse: And you gave up on it.

Mayor: Where was I going to go.

LaCrosse: You gave up on it ..

	<p>Overlapping conversations....</p> <p>Mayor: You are out of line.....and you should be ashamed of your self. You are out of line.</p> <p>LaCrosse: I want to know if the person who assaulted a child ever put in jail.</p>
<p>Clair Fitzgerald – Compass</p>	<p>Upset. Cannot believe that I moved to this little town which I thought was great and beautiful, and listening to people who are so bitter. This is not the presidency of the United States, this is a small town where people are elected. You lost, get over it. Why do you attack personal business. Why don't you stop it. Work together for the betterment of this town. Why is there such bitterness.</p> <p>Roma: I take exception to that. IF there is anyone up here that says that we are not working together up her. Take exception. These are the opinions of the residents coming here, not the opinions of this council that is working every day for the betterment of this town. Tired of hearing that it is the council not working together, when it's the residents.</p> <p>You know why Mr. Roma, it does appear to people who don't come here..</p> <p>Mr. Roma: Would (Mrs. Clark and Mrs. Verga) both of you care to corroborate, are any of these council members failing to work with you.</p> <p>Mrs. Verga: It seems like we all cooperate beautifully.....[could not be heard]</p> <p>Mrs. Fitzgerald: It's a shame that people come to this podium and attack. It's very disheartening. I sometimes wish I never came here. I came from a beautiful little town, I was involved with the township and I can't believe that this little town of 10,000 people has such division and I wish it would stop.</p> <p>Mayor: I wish to apologize for the display to my 15 year old son Steven who should not be exposed to this.</p>
<p>Grietz; R - Windward Ave</p>	<p>Statement earlier.. "tax on yard sale" You were told that by an investigator. What was that investigators name. Based on what you said here, everyone has to pay tax on a yard sale. A straight yard sale you do not have to pay tax on.</p>
	<p>Grietz Not against you. Since you brought it up – we all recall those little incidents brought up in August - cost the Borough \$5,000. (taxpayers). I'm wondering if you are going to apologize to the people.</p> <p>Mayor: My complaint was originally supposed to be heard in Berkeley, then it was transferred to Beachwood.</p> <p>Mr. Grietz: I respectfully disagree with the Judge. The rule is, complaints do not get transferred out of the town. They bring in a Conflict Judge and Prosecutor. Does not know why they were first sent out of Beachwood. Why did you proceed with the complaint, when it returned to Beachwood. The question I have is why did the complaints proceed to the tune of \$5,000. When they were transferred back to Beachwood.</p>
<p>LaCrosse</p>	<p>You ran off to Berkeley Twp, to file a complaint against me for the theft of a sign that you did not even own. You did not own the signs.</p> <p>To Mrs. Clark: Did he own that sign Mrs. Clark</p>

Mrs. Clark: It was paid from Bonnie and myself council campaign, correct.

Mr. LaCrosse: Thank you very much. It was not your sign. You ran off, you played your little game, that's why those papers are in front of you now. You had your attorney give the Borough of Beachwood a voucher for over \$5,000.00. Has that voucher been paid.

Mayor: To Mrs. Verga, you are a sitting member of council, do you know about the voucher. Do you know about that bill.

Mrs. Verga: I did not see a bill for \$5,000.00

LaCrosse: Was it \$5,800 dollars:

Mrs. Verga: No

[some overlapping comments] Mrs. Verga : There was a bill submitted.....[overlapping by the Mayor "a sitting member of council does not have knowledge of a bill"]

Mr. LaCrosse: To the Clerk was there a voucher submitted by an Attorney for Mr. Jones, to the Borough for payment of over \$5,000.00.

Clerk: No voucher was submitted.

LaCrosse; Was there a bill.

Clerk: There was a bill. There was a bill received with no breakdown.

LaCrosse: For 17 Hours a \$350 per hour for a total of \$5, 950.00. Do you have a copy of his retainer:

[overlapping by Mayor]Clerk: There is no contract or retainer... Mrs. Verga: We gave it back to the Mayor.

Mayor: And it was sent through the Attorney who spoke with counsel, advising that that bill would not be paid.

LaCrosse: So then Beachwood is not on the hook for \$5,900 dollars.

Mayor: Absolutely not.

LaCrosse: That's good. I'm glad to hear that. You're going to pay that yourself then.

Mayor: That's kind of disingenuous because you asked the Borough council to pay your legal bill anyway.

LaCrosse: I was a member of council. Acting as a member of the council. You were not.

DiBella

I think we would all agree that being on council is a very challenging job. It requires a lot of time and dedication. A lot of mental ability. I think we can all agree on that, correct. All the council nodding their head, agree with me. I served with Mrs. Moran, I know we talked about it, it's a very strenuous job. It's mentally challenging.

In 2001 (Mayor) did you run for Borough Council in Beachwood. ?

Mayor: Yes

DiBella: So you couldn't perform your duties in Brick Town, but you felt that you could be 1/6 of the legislative body responsible for running this town in Beachwood.

Mayor: I pulled out of that race

DiBella: But did you run?

Mayor: Yes

DiBella: At some point in time you felt that you were mentally prepared to be a councilperson. [overlapping by the Mayor]

Re: Environmental Commission: As a body, we once, only once discussed the First Aid Building. Our recollection, The environmental commission spoke once as a body about the First Aid Building we made a decision as commissioners against the Clarks that we were going to leave it alone. We had no jurisdiction over the First Aid Building. I hear tonight that there were letters sent about the First Aid Building, from the Environmental Commission. Did I hear Mr. Clark correctly. Did I hear that notifications were sent on three separate occasions. As Commissioners we decided that it was not in our jurisdiction. It was not the Commission, but individuals.

Mayor the recording that you were playing, when did you bring that to the Prosecutor.

Mayor: Not remember

DiBella: It was in January, do you remember I, went with you. It was Ray Gardner that we went to see. You called me, when you listened to that message, you called me and you played that recording over the phone. We went to see Ray Gardner, you set up the appointment, actually you set up the meeting with the Attorney Generals' office and they sent us to Ray Gardner. We met at his office, and played it there. After that meeting we went to the Clarks' house and you played it for them at their home. The text messages came after that meeting. Also, making clear, anything said in the campaign flyer is true and can be backed up. An offer was made that someone would drop their candidacy if Mrs. Clark dropped the charges against Mayor Jones. That person submitted his letter of resignation, I got a copy of it from the County (OPRA), to Mr. Clark.

There are political signs on public property. I thought this was discussed some time ago. I spoke to the Code Enforcement Officer, she thought I shouldn't be discussing this. (Mrs. Verga asked sign location). They will be removed. [overlapping conversations] Clerk requested clarification of addresses.

Clerk noted that Council authorized DPW to remove any signs from any Borough owned property.

DiBella: Bill for Mr. Venturi submitted to town. Was Mr. Hering ever asked to represent him or did he go to Mr. Venture on his own. The Attorney had the gall to submit an invoice to the Town. On that invoice was a matter that did not concern the Mayor. It was Catherine Brunner. I don't believe she was an employee, but somehow Mr. Venturi was trying to slip that through. He listed on his invoice S08-000043: 2C33-4a April 11, 2008, a complaint against Catherine Brunner.

Re: Harrassment; Myself and my campaign running mate were harassed by a member of your party. Myself and a few campaign workers were followed by a member of this council up and down.

Re: Recreation Commission Alternate appointment by Mayor of Mrs. Dina Jones. This appointment should have been by council.

Mr. Komsa advised that this was determined and corrected several months ago.

DiBella: The Time Used - ?Brand and Model? (Mayor advised)

Last Environmental Commission meeting we were informed that request for \$1,500 budget (for

	<p>testing of water) . Asked what happened even though the State said there is no cancer. Can I ask why not approved.</p> <p>Mrs. Clark explained what she addressed. Mr. Feeney addressed .</p> <p>There is a police report about the incident of candidate swap which are criminal charges. There's a police report that calls it coercion. That person should know because they listened to the five messages and the offer to the candidate to withdraw.</p> <p>Also, are we clear then that the Mayor's legal bill was not authorized to be paid. Was it ever discussed prior to him retaining Mr. Venturi. Mayor why did Mr. Venturi send a bill to the town if he was never authorized to do so.</p> <p>Mayor: Good point. Why don't you ask him. I have no idea.</p> <p>DiBella: You're his client, I would have thought that ... do you think that maybe you could ask him and that you could report back to us.</p> <p>Mayor: It was directed to the Attorney and he spoke to Mr. Venturi and he told him.</p> <p>DiBella: Now that that tape was played at a public meeting, I want to ask you to give it to the Clerk so that I could put a request in for that and also you displayed pictures at a Meeting of Mr. Lacey at the Beach House , you displayed pictures and showed them to the audience, will you please give them to the Clerk so I can put a right to know request in for them.</p> <p>DiBella: Read that Jackson does random drug testing of their Governing Body. Has anyone ever thought about doing something like that.</p> <p>Mr. Komsa: In process of reviewing that. Have secured contact numbers and cost factors.</p> <p>Mayor: Do we do random testing of our employees.</p> <p>DiBella: I think board members and anyone who wants to have an involvement in this town should also have a criminal background test.</p> <p>Mr. Feeney: So we are clear, the employees that are drug tested are done so based on their licensing.</p>
Timoney - Seaman	Proud of Mayor for giving up the gavel. No hard feelings Mrs. Clark.
	Mrs. Clark: The Environmental Commission did not shut down the First Aid project, they were there to assist and only trying to help.
Clark; Robert	Make one thing clear I did call all the Commissioners - asked them about the date, Expressed the concerns. ? Question – who owned the building - First Aid. Went there as a concerned citizen because I was upset that this job was being stopped. I disagree with the Attorney on the responsibility of the Environmental Commission. We raised our concerns before on the building being turned down. Re: Flyers being true. Do you believe in your heart that R. Clark would love to see sex offenders move in to Beachwood. If you believe that in your heart then you believe everything he says is true.
Clayton	Re: First Aid Building – At meetings when I reported on First Aid, I did discuss the issue of above ground oil tanks, since the building was build in the 40's. . we did bring out in public the possibility of asbestos being in the flooring in that building. We did discuss it, publicly and with the First Aid. We discussed it at many meetings.

	<p>Mayor: But the responsibility falls on the demolition company, that's why I will not respond.</p> <p>Mrs. Clayton: I don't know how they got that demolition company. I had recommended another one.</p> <p>Timoney: Who got them?</p> <p>Unknown: Mr. Jones</p> <p>Mayor: Mr. Jones was at the Garvey Races, some guy selling hotdogs says he's in the demolition business. I introduced him to Ryan, I never met the guy before in my life and they spoke of the First Aid. I wasn't privy to it. Obviously the guy made a presentation that was acceptable to them. And they signed a contract with him.</p> <p>Unknown: So they hired the demolition (the First Aiders)</p> <p>Mayor: Apparently they had two or three bids. But the man still had to comply to the law. I'm here to protect the First Aid and the Borough. That's it. I made a commitment to Sal and it's not for public discussion.</p>
Grietz	<p>Environmental Commission – Did I hear correctly that they are having Closed session meetings - not permitted unless it falls under exception.</p> <p>Mrs. Clark: Explained procedure.</p>
Resident Lacey Twp.	<p>Know Mayor for years - attended many meetings here and Lacey. This town is divided (citizens) Family (Mayor's) has been personally attacked. Meetings are ridiculous.</p>
Solowynsky – Cable Ave 9:13 p.m.	<p>Date of Garvey Race (August 17) When did the bid go in for demolition.? Who owned the big trailer. He told them that He already had the job for the demolition of the First Aid Building. Doesn't understand how he could have the bid if the bids went out after the Garvey Derby. –</p> <p>Mayor: Questioned her statement</p> <p>Solowynsky: I'm not lying.</p>
DiBella – 1008 Halliard	<p>Mrs. Clark – do we agree or disagree that there are Closed sessions of Environmental Commission.</p> <p>YES</p> <p>DiBella: As a Commission they agreed not to move on the First Aid project. Comment on letters sent to Mrs. Clark. Read letters addressed to Mrs. Clark (anonymous).</p>
Mayor	<p>Comment on "Closed Session" - Environmental Commission. One of members is former Councilmember versed in the law and the Open Public Meeting Act, who did not stop anything.</p> <p>Overlapping conversations between Mayor and members of audience.</p>
DiBella	<p>Company proposed for Recreation Complex. Company who attended meeting. You didn't have Summit Technology. Did you ever work for Summit Structures?</p> <p>Mayor: Maybe 6 or 8 years ago.</p>

CLOSE TO PUBLIC DISCUSSION

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

Re-Open

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

NO ACTION TO BE TAKEN

TO ADJOURN

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

Prepared by: E.A. Mastropasqua

Ronald W. Jones, Jr.
Mayor

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