



Halloween Curfew 9:00 p.m.
10/29 to 11/03

October 17, 2007

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 86 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 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 Ocean County Observer and Asbury Park Press on January 4, 2007.

ROLL CALL MEMBERS PRESENT:

Mayor Harold R. Morris

COUNCILMEMBERS:	Beverly Clayton	Gerald W. LaCrosse
	Gregory Feeney	Thomas Miserendino
	Steven Komsa	Ronald Roma

Absent: None

Special Presentation by Chief William Cairns – (Personnel Service Awards)



Special Presentation – Citizen of the Year – Mayor Morris

Congratulations Ed and Pat Zakar



Public Discussion TO OPEN

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

Lipton

Pennant Ave: Town has been evolving over years. Lots of work has been done around town. Commended Chief Cairns "O" tolerance policy on drugs. Mr. Lacey doing a great job for the Borough. Mr. and Mrs. Roma's Alliance work is great. Water is better. Good things happening over last years.

Zakar's are perfect example of active residents.

First Aid Congratulated the Zakar's. Thanked council and public for their support. Fall Fest October 21st. 12:00 to 4:00.

Chief Cairns: Congratulated the Zakars. Commended all volunteers and the members of his department for their contributions to our community. Noted the presence of former Police Capt. Ted DeMott and acknowledged his service to the Borough.

Close Public Discussion

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

RECESS 15 Minutes

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

RE-OPEN

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

RESOLUTION
 #2007-309

RESOLVED by Mayor and Council to approve the 2007 Certified Bills List in the amount of A:
 \$ 860,921.04

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

#2007-310 RESOLVED by Mayor and Council to approve the minutes of the October 3, 2007 meeting of Mayor and Council.

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

#2007-311 RESOLVED by Mayor and Council to approve the Community Center and Mayo Park Rentals as follows:

DATE		COMMUNITY CENTER	2007	
December	01	Turner	Rental:	\$350
		819 Pacific Ave	Deposit:	\$500
		Beachwood		
		COMMUNITY CENTER	2008	
May	02	Chhatwal	Rental:	\$700
		2214 Tiiu Court	Deposit:	\$700
		Toms River		
May	03	Eckert	Rental:	\$350
		4 Starboard St.	Deposit:	\$500
		Beachwood		
August	23	Siruk	Rental:	\$350
		845 Sunset Rd.	Deposit:	\$500
		Beachwood		

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

#2007-312 RESOLVED by Mayor and Council to hire George F. Hennessey (752 Ship Ave) as Cashier from NJ DOP Cert of Eligibles dated 08/14/07. Salary \$12.53 ph. Effective October 9, 2007.

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

#2007-313 RESOLVED by Mayor and Council to name Lesley Kirchgessner as Part Time Clerk in the Municipal Court, effective October 9, 2007, salary \$11.00 Per Hour.

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

#2007-314 RESOLVED by Mayor and Council to approve the Inter Local Service Agreement between the Borough of Beachwood and the Ocean County Prosecutor for Fatal Accident Support Team (FAST); 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 – Komsa – LaCrosse – Miserendino - Roma
Abstain: Absent:

#2007-315 RESOLVED by Mayor and Council to approve the Inter Local Service Agreement between the Borough of Beachwood and the Ocean County Prosecutor for Driving While Intoxicated Checkpoints ; 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 – Komsa – LaCrosse – Miserendino - Roma
Abstain: Absent:

#2007-316 RESOLVED by Mayor and Council to award the contract for the 2008 Municipal Calendar to Urner Barry Publications , Toms River N.J., in the amount of not to exceed \$7,632.88.

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

#2007-317

TITLE: AUTHORIZE REFUND OF TAX OVERPAYMENTS FOR BLOCK 2.34 Lot 12, Block 5.27 Lot 12, Block 8.59 Lot 3 and Block 9.35 Lot 11

WHEREAS, The State of New Jersey Department of Taxation had requested a listing of all property owners who had delinquent tax amounts and then forwarded any Homestead Rebate amounts due to The Borough of Beachwood tax office for property owners for Lance Peter Starmer, Block 2.34 Lot 12, property address 234 Pennant Avenue in the amount of 595.39; Joseph M & Gina D Haas , Block 5.27 Lot 12, property address 1024 Tiller Avenue in the amount of \$526.62; Alfonso & Maria Domingo, Block 8.59 Lot 3, property address 1509 Berkeley Avenue in the amount of \$881.63; and Raymond R Jr & Christine E Holmes Block 9.35 Lot 11 property address 1216 Windward Avenue for \$1,119.92; Gina Massa, Block 2.36 Lot 14 property address 40 Wave Street in the amount of \$926.16 and;

WHEREAS, taxes had be made current unbeknownst to the State of New Jersey Department of Taxation , and;

WHEREAS, The property owners are requesting a refund due to the over payment.

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

1. The Tax Collector is directed to process refunds in the total amount of \$4,049.72 for the over payment of taxes.

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

#2007-318

WHEREAS, traffic crashes cause more than 42,000 fatalities each year and are the leading cause of death for people age 6 to 33; and

WHEREAS, nearly 300 children under 5 years old who were killed in motor vehicles crashes in 1999 were totally unrestrained; and

WHEREAS, alcohol-related crashes account for 38 percent of all traffic fatalities; and

WHEREAS, safer driving behaviors such as the use of seat belts, not drinking and driving and obeying traffic laws would dramatically reduce the number of traffic-related injuries and deaths; and

WHEREAS, the use of cost-effective roadway safety improvements such as all-weather signing and markings, traffic signals, skid resistant pavements and removal of roadside hazards could also greatly reduce the number of traffic crashes; and

WHEREAS, the continued development of safer vehicles and protective traffic safety equipment such as helmets will enhance people's ability to protect themselves and their families from preventable and tragic permanent injuries and deaths.

NOW, THEREFORE, BE IT RESOLVED by Mayor and Council of the Borough of Beachwood that the Borough of Beachwood hereby joins the Ocean County Board of Chosen Freeholders in proclaiming October 10, 2007 as:

PUT THE BRAKES ON FATALITIES DAY

in Ocean County and the Borough of Beachwood and hereby call upon everyone to help save lives by spreading these important messages throughout our communities.

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

Mr. Roma noted that he will securing posters for the Borough of Beachwood in connection with “Put the Brakes on Fatalities”

#2007-319 RESOLVED by Mayor and Council to impose a 9:00 p.m. “Halloween Curfew” from October 29th to and including November 3, 2007, for all under the age of 18, unless accompanied by an adult or guardian.

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

#2007-320 WHEREAS, on December 20, 2006 under Resolution #2006-412 approval was given for rental of the Community Center by Margaret Ann Bowers, 609 Beacon Avenue, Beachwood for May 4, 2008, noting all resident fees were posted; (\$850); and

WHEREAS, on October 12, 2007, written notice of cancellation was received, subjecting the applicant to a \$100 cancellation fee.

NOW, THEREFORE, BE IT RESOLVED by Mayor and Council to authorize a refund in the amount of \$750 to Margaret Ann Bowers, 609 Beacon Avenue, Beachwood, said refund reflecting a \$100 cancellation fee.

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

CORRESPONDENCE: None

REPORTS:

Mayor Morris Extended his congratulations to Mr. & Mrs. Zakar on their nomination as Citizens of the Year. Recreation Bonfire was great. Thanked all for job well done.

COUNCILMEMBERS

Beverly Clayton Calendar in final phase. Boy Scout project in consideration. Will be speaking with the Engineer regarding possible grants for the new Recreation building. Great job on the Bonfire. Congratulated the Zakars.

Gregory Feeney Congratulated the Police Department on service awards. Congratulated the Zakars. Acknowledged Scouts present. All departments running smoothly.

Steven Komsa Thanked Recreation and Fire Company for their hard work and great job on the bonfire. Congratulated the Zakars and thanked all volunteers. Library Book and Bake Oct. 20th, Rabies Clinic Nov 3rd, Blood Drive Nov. 8th.

Gerald W. LaCrosse Congratulated the Zakars. Congratulated the Mayor and Mrs. Morris on birth of their newest grandchild. Hydrant flushing going on.

Thomas Miserendino Fire Company will be entering Toms River Halloween Parade competition. Recreation building to be done at Mayo Park. RFP's expected from Architects on 10/25. First Aid building sketches shown. Met with School Board regarding the soccer field agreement. Resolving issues.

Ronald Roma Congratulated Zakar's. Bonfire was great. Alliance Dance saw 275 in attendance. Updated history of road work and drainage work done since 2004. Commented on projects soon to begin (roads and phase IV drainage).

Administrator Lacey Executive Matters

Municipal Attorney Received request for access to tower for antennae.

Municipal Clerk Reminder – Flu/Pneumonia Clinic November 20th 1:00 – Community Center.

Conference Training or Seminar has been approved for:

Ptlmn Glenn DeMarco - Nov. 19-20-21 O.C. Police Academy \$249.00
"Practical approach to understanding arrest, search and seizure.

Jim Oris; Engineer: No report

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

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

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

RE-OPEN

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

ACTION TAKEN RESULTING FROM EXECUTIVE SESSION THIS DATE

#2007- 321 RESOLVED by Mayor and Council to approve the Permanent appointment from DOP Cert List OL071821 of Joseph Vivenzio and Thomas DiMichele (Fire Prevention Specialists)

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

ADJOURN

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

Prepared by: E.A. Mastropasqua

 Harold R. Morris
 Mayor

Attested to by: _____
 Elizabeth A. Mastropasqua
 Municipal Clerk