

October 20, 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

Gregory Feeney

Gerald W. LaCrosse

Ronald Roma

Absent: Thomas Miserendino Patricia A Moran

#2004-281 RESOLVED by the Governing Body of the Borough of Beachwood to approve the Certified Bills List in the amount of \$ 245,214.70

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

#2004-282 RESOLVED by Mayor and Council to approve the minutes of the October 6, 2004 Meeting of Mayor and Council.

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

#2004-283 RESOLVED by the Governing Body to approve the following rentals of the





WHEREAS, the New Jersey Senate has introduced Senate Bill 282 – known as the “Prosecutorial Unification Act” , whereby all County Prosecutors and prosecutorial employees would be situated in, but not part of, the N.J. Department of Law and Public Safety; and

WHEREAS, the State Legislature believes that by implementing the “Prosecutorial Unification Act” the Associated State Funding of the County Prosecutors’ Office will result a “reduced” local property tax; and

WHEREAS, a review of total budgets of all 21 counties in New Jersey, reveals that a 4.7 percent of the county budgets represent costs associated with the operation of county prosecutors offices; and

WHEREAS, a State takeover of the funding of the county prosecutor’s offices would, in fact, result in an “insignificant” reduction of county property taxes; and

WHEREAS, a State takeover of the funding of the county prosecutor’s offices would shift one-hundred (100 %) percent of the funding responsibility to the State at a time when state resources are dwindling and state aid to counties and municipalities is being withdrawn; and

WHEREAS, there remains an issue of the “Constitutionality” of the proposed legislation as well as significant concerns involving the effective response to issues of local crime; and

WHEREAS, each County has different law enforcement needs, and a State bureaucracy could potentially impact local and county public safety, reduce response and limit vital crime-fighting services; and

WHEREAS, New Jersey citizens deserve effective law enforcement, working for and responsible to county residents, targeting crime and criminal activity in their respective counties and communities.

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 actions defined in S282 would significantly impact the public safety of the County of Ocean and the Borough of Beachwood respectively.
2. The Ocean County Prosecutors Office and the various County Prosecutorial divisions shall remain under their various county jurisdiction.
3. That the New Jersey Legislature investigate other areas of reducing property taxes, and not threaten the public safety in an effort to provide lower property taxes.

**And; Be It Further Resolved**, that the Governing Body of the Borough of Beachwood, unanimously oppose “ The Prosecutorial Unification Act” and urge all New Jersey Legislators to oppose the passage of S282; and

**FURTHER RESOLVED** that a copy of this resolution be submitted to all New Jersey Legislators, the Attorney General Peter C. Harvey, Ocean County Prosecutor Thomas F. Kelaher, Ocean County and all New Jersey Municipalities, urging their support of this resolution of opposition.

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

#2004-288 WHEREAS, the Borough of Beachwood produces an annual calendar for public distribution; and

WHEREAS, the Borough of Beachwood did solicit quotes on the cost of printing and delivery to the Post Office; and

WHEREAS, the Borough received quotes from Urner Barry – Cottrell Printing – Minute Man Press and Action Printing and the following disqualifications were made;

|                     |   |
|---------------------|---|
| Action Printing -   | Bid on photo repro only                             |
| Minute Man Press -  | Did not include sorting and delivery to post office |
| Cottrell Printing - | \$9,223.  |
| Urner Barry -       | \$6,375.63  |

NOW THEREFORE, BE IT RESOLVED by Mayor and Council to award the contract for Calendar 2005 to Urner Barry Publications Toms River N.J.

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

## COUNCIL REPORTS

- Mayor:                   Advised the public that if they hear any sounds (pistol firing) it's the police department training at the range on Double Trouble Road.
- Comments on Borough's proposed "Do Not Knock" ordinance. Wants every "solicitor" to be required to register with the Police Department. Residents will be able to register to keep their homes on list. Wants ordinance to address "time limits".
- October 18<sup>th</sup> Webelos Pack 70 "Scorpions" visited the Borough Complex and were given a tour of the facility.
- Megans Law update – meeting held on October 8<sup>th</sup> with Prosecutor and other officials to discuss proposed changes. All favored and addressed one (1) new change regarding classification before release from prison. Change would require notice to police upon classification, then release. Thanked all for support and commended Assemblyman Rumpf for all his efforts.
- Learned today of stroke suffered by Deborah Murante ( First Aid).
- Clayton; Beverly       Halloween Harvest Bonfire on October 23, with contests, food, fun.  
Calendar will now go to printer for hopeful delivery early December.  
Spoke with County Health Officials regarding cancellation of Flu Clinic.  
Vandals have struck at Birch & Surf.
- Roma:                   Working on program with TR Bd. Education to install cameras at borough sites to aid in the vandalism problem.
- Feeney; Gregory       Addressed letter concerning Smart Growth and Cross Acceptance Plan which he forwarded to Planner – Engineer for comment on its affect on Borough.
- Oct. 25<sup>th</sup> – JIF session for Elected Officials on Workers Compensation  
Nov.12<sup>th</sup> – JIF session on Fleet Safety
- Presented Code/ Zoning report.
- Commented on recent incident involving Seaside child abused by "Day Care Worker", wants Council to authorize Attorney to prepared appropriate ordinance addressing "Home Occupations" for the safety of our Emergency responders, and the safety of our community.
- Will not be present for Oct. 27 and Nov. 3 meeting – attending sons graduation from "boot " camp.
- LaCrosse; G.W.       Well #7 working fine. Waiting on DEP to authorize it as a working well. Lime injection project agreement reached on finalizing the contract. Change order received and recommended for approval:

RESOLUTION:  
#2004-289

RESOLVED by Mayor and Council to approve the change order on the Clyde Lattimer contract for Well House #7 for an increase of \$9,000, pending Engineering and Terms of agreement.

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

Miserendino; Thomas Absent

Moran; Patricia Absent

Roma; Ronald October 29<sup>th</sup> Alliance Dance for 6-7-8 graders (Costume Dance).  
In response to presentation by Mr. LaCrosse of O.C. Mayors' Assoc. Golf Tournament Trophy to the Borough at a recent meeting. Not to be outdone, both he and Mr. Feeney attended a "fund raiser" 50's dance and placed 1<sup>st</sup> & 2<sup>nd</sup> and presented trophy to Borough.

Attorney Executive Session

Engineer : Not Present

Christine Dehnz: Addressing issue of letter from PBA regarding changes in ordinance for fees for Security Services.

Municipal Clerk No report

OPEN TO PUBLIC DISCUSSION

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

Novaky  
Maple St. J.F. Kiley did mark outs for storm water drainage project (County). Is there an update on time table – when starting.

Roma: Most likely "spring". Project has not gone to bid yet, that he is aware of.

CLOSE TO PUBLIC DISCUSSION

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

**EXECUTIVE SESSION**

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

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

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

1. The public shall be excluded from discussion of and action upon the hereinafter-specified subject matter.

2. The general nature of the subject matter to be discussed is as follows:

Terms & Condition of Employment - Attendance at League Conference  
Contractual- ABB Maintnace - Fire Truck Bids  
Potential Litigation – Belkowski – Cedar Street Closure –

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

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

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

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

**#2004-290 RESOLVED by Mayor and Council to approve the Closure Barricades on Cedar St.**

**Motion: LaCrosse Second: Feeney**  
**Approved: Clayton – Feeney Opposed: LaCrosse – Roma**  
**MAYOR VOTES: Approve (YES)**  
**Abstain: Absent Miserendino - Moran**

**ADJOURNMENT**

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

Prepared by: E.A. Mastropasqua

\_\_\_\_\_  
Harold R. Morris  
Mayor

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