

November 02, 2005

7:00 P.M.

Beachwood Municipal Complex  
1600 Pinewald Rd.

**Flag Salute**

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

**OPENING STATEMENT:**

Ladies and Gentlemen; pursuant to the applicable portions of the New Jersey Open Public Meetings Act, adequate notice of this meeting has been given. The schedule for this meeting of Mayor and Council of the Borough of Beachwood was posted on the Bulletin Board located in the Municipal Complex and delivered to the Asbury Park Press and Ocean County Observer on January 1, 2005.

**Members Present:**

Mayor Harold R. Morris

Council members: Beverly Clayton  
Gregory Feeney

Thomas Miserendino  
Patricia Moran  
Ronald Roma

Absent: Gerald W. LaCrosse

**RESOLUTION**

#2005-349 RESOLVED by Mayor and Council to approve the 2005 Certified Bills List in the amount of \$ 476,190.49

Name	Present	Absent	Motion	Second	Yes	No	Abstain
Clayton	x				x		
Feeney	x		x		x		
LaCrosse		x					
Miserendino	x		x		x		
Moran	x				x		
Roma	x				x		

#2005-350 RESOLVED by Mayor and Council to approve the minutes of the October 19<sup>th</sup>, 2005 Meeting Of Mayor and Council.

Name	Present	Absent	Motion	Second	Yes	No	Abstain
Clayton	x				x		
Feeney	x				x		
LaCrosse		x					
Miserendino	x				x		
Moran	x			x			x
Roma	x		x				x

#2005-351 RESOLVED by Mayor and Council to approve the minutes of the October 19<sup>th</sup>, 2005 Meeting Of Mayor and Council.

Name	Present	Absent	Motion	Second	Yes	No	Abstain
Clayton	x				x		
Feeney	x		x		x		
LaCrosse		x					
Miserendino	x				x		
Moran	x			x			x
Roma	x						x

#2005-352 RESOLVED by Mayor and Council to approve the following requests for rental of Community Center and Mayo Park as follows:

COMMUNITY CENTER 2006				
Feb.	11	Beachwood Elementary School PTO	Rental:	\$WAIVE
		c/o Saez.	Rental:	\$WAIVE
		1008 Beach Ave		
		Beachwood		
Feb.	25	Carter	Rental:	\$350
		208 Halliard Ave	Deposit:	\$500
		Beachwood		
March	04	Zakar	Rental:	\$350
		317 Halliard Ave.	Deposit:	\$500
		Beachwood		
May	07	Tom BirdEagle Court of Honor	Rental:	\$WAIVE
		620 Mizzen Ave	Deposit:	\$WAIVE
		Beachwood		
Sept.	16	Shinn	Rental:	\$700
		10 White Oak Ct.	Deposit:	\$700
		Cherry Chill NJ		
Oct.	14	Houlihan	Rental:	\$350
		901 Anchor Ave	Deposit:	\$500
		Beachwood		

Name	Present	Absent	Motion	Second	Yes	No	Abstain
Clayton	x			x	x		
Feeney	x		x		x		
LaCrosse		x					
Miserendino	x				x		
Moran	x				x		
Roma	x				x		

#2005-353

RESOLVED by Mayor and Council to approve the following requests for  
Conference – Training or Seminar:

DATE:	Oct. 28	Fire Company – T. Miserendino
LOCATION:	Toms River NJ	
SUBJECT:	Fire & Life Safety	
COST:	\$0	
VEHICLE:	Yes	

DATE:	Oct. 29	Fire Company – T. Miserendino
LOCATION:	Camden County Fire Academy	
SUBJECT:	Instructing Students with Learning Disabilities in the Fire Service	
COST:	\$0	
VEHICLE:	Yes	

DATE:	Nov. 10	Fire Company – T. Miserendino
LOCATION:	Tinton Falls	
SUBJECT:	Hazardous Occupancies & Explosion Relief	
COST:	\$0	
VEHICLE:	Yes	

DATE:	Nov. 18	Municipal Court – Linda Felton
LOCATION:	Ocean County Court House	
SUBJECT:	Gang Awareness and Prevention	
COST:	\$0	
VEHICLE:	No	

DATE:	Nov. 19	Fire Company – T. Miserendino
LOCATION:	Cumberland County Tech Education Center – Rosenhayne NJ	
SUBJECT:	Advanced Power point presentations CIT47	
COST:	\$0	
VEHICLE:	Yes	

DATE:	Dec. 16	Fire Company – T. Miserendino
LOCATION:	Cherry Hill	
SUBJECT:	Combination Fire Service/Domestic Water Supplies	
COST:	\$0	
VEHICLE:	Yes	

Name	Present	Absent	Motion	Second	Yes	No	Abstain
Clayton	x				x		
Feeney	x			x	x		
LaCrosse		x					
Miserendino	x				x		
Moran	x				x		
Roma	x		x		x		

#2005-354 RESOLVED by Mayor and Council to approve the application for membership to the Beachwood Volunteer Fire Company #1 Inc. of William A. Wojcik 257 Admiral Ave, Beachwood.

Name	Present	Absent	Motion	Second	Yes	No	Abstain
Clayton	x				x		
Feeney	x		x		x		
LaCrosse		x					
Miserendino	x				x		
Moran	x			x	x		
Roma	x				x		

**TABLED**

#2005-355 RESOLVED by Mayor and Council to Memorialize the action of October 5<sup>th</sup> (#327) with regard to approval of a change order in the Seaman Ave – Earle Asphalt reflecting correction not to exceed \$7,500, and authorizing the Mayor to execute on behalf of the Borough of Beachwood

#2005-356 RESOLVED by Mayor and Council to authorize the hiring of the following as Re-Assessment Project Inspectors - \$20 per inspection:

Randall Ferraro – 142 Spring Lake Garden Court – Spring Lake New Jersey  
James A. Mancini – 5 Atkinson Court – Medord New Jersey

Name	Present	Absent	Motion	Second	Yes	No	Abstain
Clayton	x				x		
Feeney	x				x		
LaCrosse		x					
Miserendino	x			x	x		
Moran	x		x		x		
Roma	x				x		

#2005-357 WHEREAS, Block 9.09 Lot 01, owned by Michael and Ann Marie Colonnello was billed for 424,000 Gallons of water for the 4<sup>th</sup> Quarter of 2005; and

WHEREAS, a meter test was requested and done in October 2005 and the meter was found faulty and replaced.

NOW, THEREFORE, BE IT RESOLVED to credit the account fo \$1,621.92

Mrs. Clayton requested an explanation from the Treasurer.

Name	Present	Absent	Motion	Second	Yes	No	Abstain
Clayton	x			x	x		
Feeney	x		x		x		
LaCrosse		x					
Miserendino	x				x		
Moran	x				x		
Roma	x				x		

#2005-358 WHEREAS, Block 8.51 Lot 1 sub 1 owned by the Toms River Regional Schools Board of Education had a temporary meter hook up for the contractor during construction; and

WHEREAS, the permanent meter was installed in April 2005; and

WHEREAS, the meter was pulled and returned to public works after billing was processed causing a duplicate billing for the site.

NOW, THEREFORE, BE IT RESOLVED by Mayor and Council to credit the account in the amount of \$31.20.

Name	Present	Absent	Motion	Second	Yes	No	Abstain
Clayton	x				x		
Feeney	x			x	x		
LaCrosse		x					
Miserendino	x				x		
Moran	x				x		
Roma	x		x		x		

#2005-359 RESOLVED by Mayor and Council to allow the Water utility to have a 25 day period between mailing of water bills and the date interest is charged. ( Example – due Nov. 1- mailed Oct. 21, interest would be charged Nov. 16)

Name	Present	Absent	Motion	Second	Yes	No	Abstain
Clayton	x				x		
Feeney	x		x		x		
LaCrosse		x					
Miserendino	x				x		
Moran	x				x		
Roma	x			x	x		

**TABLED**

#2005-360 RESOLVED by Mayor and Council to hire Patrick M. Sullivan of 117 Capstan Avenue as a Class II Special at the rate of \$9.50 per hour.

#2005-361

**RESOLUTION OF THE BOROUGH OF BEACHWOOD, OCEAN COUNTY, NEW JERSEY  
AWARDING A CONTRACT TO CROSS MATCH TECHNOLOGIES, INC. IN THE AMOUNT OF \$27,776.60 FOR A LIVE SCAN FINGERPRINTING SYSTEM AS PER THE BOROUGH'S BID SPECIFICATIONS**

**WHEREAS**, the Borough of Beachwood previously advertised for the receipt of bids on October 24, 2005 at 11:00 a.m.; and

**WHEREAS**, at the time and place for the receipt of bids, one bid was received from Cross Match Technologies, Inc. in the amount of \$27,776.60; and

**WHEREAS**, the Borough's Police Department has reviewed said bid and recommended the award to said Cross Match Technologies, Inc.; and

**WHEREAS**, the Borough Treasurer has certified that funds are available for said contract; and

**WHEREAS**, it is now the desire of this governing body to award a contract for the Live Scan Fingerprinting System as specified by the Borough.

**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 awards a contract for a Live Scan Fingerprinting System in accordance with the Borough's bid specifications to Cross Match Technologies, Inc. for the sum of \$27,776.60.
2. That upon the adoption of the within resolution, the Clerk is authorized and directed to forward a certified copy of it to Police Chief, John Wagner, and Cross Match Technologies, Inc.

Name	Present	Absent	Motion	Second	Yes	No	Abstain
Clayton	x				x		
Feeney	x				x		
LaCrosse		x					
Miserendino	x				x		
Moran	x		x		x		
Roma	x			x	x		

ORDINANCE FINAL READING – PUBLIC HEARING - ADOPTION

#2005-22 AN ORDINANCE AMENDING AN ORDINANCE ENTITLED “SALARY ORDINANCE” OF THE CODE OF THE BOROUGH OF BEACHWOOD, COUNTY OF OCEAN, STATE OF NEW JERSEY; FIXING AND DETERMINING SALARY, WAGES AND COMPENSATION TO BE PAID TO THE FOLLOWING OFFICERS AND EMPLOYEES IN THE BOROUGH OF BEACHWOOD, COUNTY OF OCEAN, STATE OF NEW JERSEY.

**OPEN TO PUBLIC DISCUSSION THIS ORDINANCE ONLY**

Name	Present	Absent	Motion	Second	Yes	No	Abstain
Clayton	x				x		
Feeney	x				x		
LaCrosse		x					
Miserendino	x				x		
Moran	x		x		x		
Roma	x			x	x		

NO QUESTIONS

**CLOSE TO PUBLIC DISCUSSION THIS ORDINANCE ONLY**

Name	Present	Absent	Motion	Second	Yes	No	Abstain
Clayton	x				x		
Feeney	x				x		
LaCrosse		x					
Miserendino	x			x	x		
Moran	x		x		x		
Roma	x				x		

#2005-362 RESOLVED by Mayor and Council to approve and adopt Ordinance #2005-22as presented and held for public discussion.

Name	Present	Absent	Motion	Second	Yes	No	Abstain
Clayton	x				x		
Feeney	x			x	x		
LaCrosse		x					
Miserendino	x				x		
Moran	x				x		
Roma	x		x		x		

#2005-363 PLEASE NOTE: That two of the Volunteer Fireman from Beachwood have volunteered and have been accepted in the Katrina Hurricane Relief Program. They will be working for a period of 30 – 120 days. Insurance coverage will be in place, as long as the Borough endorses the pair working.

RESOLVED by Mayor and Council to endorse and approve the participation of Louis Fager and Harley Kopenhafer in the Katrina Hurricane relief program.

Name	Present	Absent	Motion	Second	Yes	No	Abstain
Clayton	x				x		
Feeney	x		x		x		
LaCrosse		x					
Miserendino	x				x		
Moran	x			x	x		
Roma	x				x		

**#2005-364** WHEREAS, the Borough of Beachwood received an application for rental of the Community Center for April 1, 2006 by Janis M. Upton, 141 Windward Avenue, Beachwood, noting that the applicant posted a check (#1665) representing \$850 for the rental; and

WHEREAS, on October 3, 2005, the Borough notified Janis Upton of the checks return for INS., and again on October 18<sup>th</sup> (she indicated she would be in on 19<sup>th</sup>-but did not come in) and again on October 21 and 26 with out success.

NOW, THEREFORE, Be it resolved by Mayor and Council to cancel the rental application because of problems noted herein.

Name	Present	Absent	Motion	Second	Yes	No	Abstain
Clayton	x				x		
Feeney	x			x	x		
LaCrosse		x					
Miserendino	x				x		
Moran	x		x		x		
Roma	x				x		

**#2005-365** RESOLUTION OF THE BOROUGH OF BEACHWOOD, OCEAN COUNTY, NEW JERSEY AMENDING RESOLUTION 2005-338 IN ACCORDANCE WITH THE ENGINEER'S RECOMMENDATION FOR THE BASE BID CONTRACT TO JOHNSON BARAN CORP. IN THE BASE BID AMOUNT OF \$498,570.48 FOR ROADWAY IMPROVEMENTS TO WINDWARD AVENUE, HALLARD AVENUE AND ELM STREET

WHEREAS, the Borough Council previously adopted Resolution 2005-338 awarding a contract for the base bid plus Alternate Bid No. 1 and Alternate No. 2 to Johnson Baran Corp. in the amount of \$544,912.98; and

WHEREAS, the Borough Engineer's recommendation was only for the award of the base bid in the amount of \$498,570.48; and

WHEREAS, it is now the desire of this governing body to act upon the Borough engineer's recommendation and to amend Resolution 2005-338 to reflect the correct award amount for the base bid only.

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

1. That the Borough Council of the Borough of Beachwood hereby corrects Resolution 2005-338 to reflect the award to Johnson Baran Corp. for the total base bid amount of \$498,570.48 for roadway improvements to Windward Avenue, Haillard Avenue and Elm Street.
2. That upon the adoption of the within resolution, the Clerk is authorized and directed to forward a certified copy of it to Borough Engineer, Schoor DePalma, Attn: Raymond Savacool and Johnson Baran Corp.

Name	Present	Absent	Motion	Second	Yes	No	Abstain
Clayton	x				x		
Feeney	x			x	x		
LaCrosse		x					
Miserendino	x				x		
Moran	x		x		x		
Roma	x				x		

#2005-366      RESOLVED by Mayor and Council to approve the following transfers in the 2005 Municipal Budget.

FROM	TO	AMOUNT
Police O/E	Financial Admin O/E	\$ 7,000.00
Legal O/E	Vehicle Maintenance P/D	5,000.00
	Gasoline, Diesel, Fuel & Oil	20,000.00
Legal "Foreclosed Property"	Gasoline, Diesel, Fuel & Oil	3,851.00
Telephones/ Cellular	Gasoline, Diesel, Fuel & Oil	2,500.00
Lifeguards S/W	Gasoline, Diesel, Fuel & Oil	2,300.00
Engineering O/E	Electric O/E	15,000.00

Name	Present	Absent	Motion	Second	Yes	No	Abstain
Clayton	x				x		
Feeney	x			x	x		
LaCrosse		x					
Miserendino	x				x		
Moran	x		x		x		
Roma	x				x		

#2005-367      RESOLVED by Mayor and Council to award a bid for Video of Existing Sanitary Sewers for Railroad Avenue Drainage to Oswald Enterprises, Inc. Belford N.J. (Full Day) \$1,850.00.

Name	Present	Absent	Motion	Second	Yes	No	Abstain
Clayton	x			x	x		
Feeney	x				x		
LaCrosse		x					
Miserendino	x				x		
Moran	x				x		
Roma	x		x		x		

**CORRESPONDENCE**

NONE

**COUNCIL REPORTS:**

**COUNCILMEMBERS:**

Clayton: Beverly                      Blood Drive November 2, from 2:00 – 7:00  
Recreation Harvest Bonfire – huge success. Alliance and Police, Fire will be working together on future projects. Attended meeting on “Exploited and Missing Children and “internet vulnerability”. Calendar in proof. Addressed concerns about dogs at large.

Feeney: Gregory                      Commented on the young firefighter Torin Barnes going to Iraq. Noted that his son, as well as Mr. Lacey’s son, are heading to Iraq.

    JIF working on budget. November 30<sup>th</sup> meeting on EPL with JIF Looking at Recycling educational seminars being put together for schools, re: cleaning out old chemicals.

    4H Club meeting at Community Center – group working on Bicycle Helmets and food drive.

    Attended Halloween parade at Beachwood Elementary School.

LaCrosse; Gerald                      Absent

Miserendino; Thomas                      Comments on two young firefighters volunteering for Hurricane relief. One more joined Marine Corp and heading to Iraq.

Moran: Patricia                      Commented on completion of “Eagle Scout” project – parking bumpers by Eric Dollman at Mayo Park.

    Responded to statement at earlier meeting by resident stating that Beachwood Elementary provides bottled water. They do not – they have fountains at the school which are used.

Roma: Ronald                      Next Alliance Dance November 11<sup>th</sup>. Alliance will be working with recreation, fire and police to create more events.<sup>7</sup>  
Paving moving along. Schedule “C” complete. Third project to start.

Administrator Lacey                      No formal report

Attorney Thomas Gannon:                      No formal report

Engineer J. Oris:                      Landfill:              Grading complete and stabilized.  
    DOT – Tiller:      Wrapping up  
    DOT – Halliard: Will be mobilized within next 2 weeks.  
    Railroad Ave. Drainage II :              Moving on design. Should have the preliminary done in two weeks.  
    Water Tank – Moving along. Hope to complete 14-21 says.

Mrs. Moran:                              Any update on the DEP reimbursement..  
     Working on little snags. Hopefully should be addressed in the next few weeks.

Mr. Lacey:                                Noted that when the Tank is done, we will begin flushing hydrants.

Collector/Treasurer Dehnz :              Reminder about Rabies Clinic.

#2005-368              RESOLVED by Mayor and Council to authorize the Treasurer to establish an “Escrow Account” with Commerce Bank for Town & Country Bakery (escrow) as determined by the Planning Board.

Name	Present	Absent	Motion	Second	Yes	No	Abstain
Clayton	x			x	x		
Feeney	x				x		
LaCrosse		x					
Miserendino	x				x		
Moran	x				x		
Roma	x		x		x		

Clerk;                                      No report

**PUBLIC DISCUSSION TO OPEN**

Name	Present	Absent	Motion	Second	Yes	No	Abstain
Clayton	x			x	x		
Feeney	x		x		x		
LaCrosse		x					
Miserendino	x				x		
Moran	x				x		
Roma	x				x		

Schiffmiller  
 Windward Avenue                      Location of Monitoring Wells at the School site, discussed in earlier meetings.

Engineer:                                Believe still on site but abandoned and not part of monitoring system.

Treatment facility litigation

Moran: Ongoing

United Water difficulty with hook ups, do we have DEP approval confirmed.

Engineer: Written approval from DEP

Is Commerce Bank our only bank?

Treasurer: No

Schiffermiller.....continued: Is there restricted parking – school hours – on Beachwood Blvd.?

Cairns: No

Novaky  
Maple St.

Hoping candidates will dedicate themselves to holding down spending and taxes. Believes the Borough’s tax foundation built on “sand”. State needs property tax reform. Need hard line on spending.

Feeney: Offered comments on plans Borough has, example Health Benefits change.

Byrnes  
Pinewald Rd.

Presented a sample of water taken from his home. Hopes water will get better.  
Discussed “hydroplaning” problem on road in front of his home.

Lacey: Will have someone from county look at it.

Re: status of CPWM if possessed by Mr. Lacey

Lacey: Yes by November 17<sup>th</sup>.

Still has the \$2,000 raised in event last year.

PUBLIC DISCUSSION: TO CLOSE

Name	Present	Absent	Motion	Second	Yes	No	Abstain
Clayton	x				x		
Feeney	x				x		
LaCrosse		x					
Miserendino	x				x		
Moran	x		x		x		
Roma	x			x	x		

**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  
Contractual – CWA - Personnel

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

Name	Present	Absent	Motion	Second	Yes	No	Abstain
Clayton	x				x		
Feeney	x		x		x		
LaCrosse		x					
Miserendino	x				x		
Moran	x				x		
Roma	x			x	x		

**RE-OPEN**

Name	Present	Absent	Motion	Second	Yes	No	Abstain
Clayton	x				x		
Feeney	x		x		x		
LaCrosse		x					
Miserendino	x			x	x		
Moran	x				x		
Roma	x				x		

**ACTION TAKEN AS A RESULT OF EXECUTIVE SESSION THIS DATE**

#2005-369      RESOLVED by Mayor and Council to rescind resolution #2005-349 dated October 26, 2005, which authorized the Boroughs transfer from State Health Benefits Program to Horizon Blue Cross Blue Shield Program effective January 1, 2006; until further notice and to continue with the State Health Benefits Program.

Name	Present	Absent	Motion	Second	Yes	No	Abstain
Clayton	x				x		
Feeney	x		x		x		
LaCrosse		x					
Miserendino	x				x		
Moran	x				x		
Roma	x			x	x		

#2005-370 RESOLVED by Mayor and Council to waive the requirement of a Performance Bond by Bayshore Electric for “curbing” based on the Engineers Recommendation

Name	Present	Absent	Motion	Second	Yes	No	Abstain
Clayton	x				x		
Feeney	x		x		x		
LaCrosse		x					
Miserendino	x				x		
Moran	x				x		
Roma	x			x	x		

#2005-371 RESOLVED by Mayor and Council to authorize the Treasurer to merge the New Jersey Delta Dental and New Jersey Delta Dental Premier.

Name	Present	Absent	Motion	Second	Yes	No	Abstain
Clayton	x				x		
Feeney	x				x		
LaCrosse		x					
Miserendino	x			x	x		
Moran	x				x		
Roma	x		x		x		

#2005-372 RESOLVED by Mayor and Council to name Patrick Sullivan, 117 Capstan Avenue as Class II Special Officer – effective immediately. Salary \$9.50 per hour.

Name	Present	Absent	Motion	Second	Yes	No	Abstain
Clayton	x				x		
Feeney	x				x		
LaCrosse		x					
Miserendino	x		x		x		
Moran	x				x		
Roma	x			x	x		

**ADJOURNMENT**

Name	Present	Absent	Motion	Second	Yes	No	Abstain
Clayton	x				x		
Feeney	x		x		x		
LaCrosse		x					
Miserendino	x			x	x		
Moran	x				x		
Roma	x				x		

Submitted by: E.A. Mastropasqua

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

Attested to by:

\_\_\_\_\_  
Elizabeth A. Mastropasqua  
Municipal Clerk