

November 17, 2008

RE-SCHEDULED REGULAR MEETING

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:

Beverly Clayton	Steven Komsa
Gregory Feeney	Ronald Roma
	Bonnie Verga

Absent: Katina Clark

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.

RESOLUTION

#2008-414 RESOLVED by Mayor and Council to approve the 2008 Certified Bills List in the amount of \$448,367.44

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

RESOLUTION

#2008-415 RESOLVED by Mayor and Council to approve the minutes of the November 5th Meeting of Mayor and Council.

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

RESOLUTION

#2008-416 RESOLVED by Mayor and Council to approve the following rentals for the Community Center – Mayo Park

2008		Community Center		
Dec.	05	Beachwood Employees	Rental:	\$WAIVE
		Annual Christmas Gathering	Deposit:	\$WAIVE
Dec.	11	Beachwood Republican Organization	Rental:	\$350
			Deposit:	\$500
2009		Community Center		
April	25	Nikodem	Rental:	\$350
		330 Neptune Ave	Deposit:	\$500
		Beachwood		

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

RESOLUTION

#2008-417 RESOLVED by Mayor and Council of the Borough of Beachwood to appoint Officer Glenn DeMarco as Detective to fill the vacancy created by the Retirement of Officer Paul Huber, effective this date.

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

#2008-418 WHEREAS, the Borough of Beachwood currently maintains accounts of the Municipality with its local depository TD Bank, NA; and

WHEREAS, said depository, TD Bank, N.A., may receive to the credit of Borough of Beachwood checks, drafts, notes, acceptances, or other evidences of which may be in, or hereafter come into, its possession;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Beachwood that TD Bank, N.A. be and hereby is authorized to establish an account in the name of Borough of Beachwood Affordable Housing Trust Fund, and to make payment from the funds on deposit with it upon and according to checks, drafts, notes, or acceptances of this Borough signed by any two:

Mayor: Ronald Jones

Council Members: Katina Clark - Beverly Clayton - Gregory Feeney - Steven Komsa

Ronald Roma - Bonnie Verga

Treasurer: Elizabeth Sarantinoudis

Municipal Clerk: Elizabeth A. Mastropasqua

Motion:	Roma	Second:	Feeney
Question:	Verga – Re: All funds in one institution. Is it wise? Does not favor.		
Approved:	Clayton – Feeney – Komsa – Roma - Verga		
Opposed:			
Abstain:	Absent:		Clark

RESOLUTION
#2008-419

RESOLUTION OF THE BOROUGH OF BEACHWOOD, COUNTY OF OCEAN, STATE OF NEW JERSEY AUTHORIZING ENTRY INTO AN AFFORDABLE HOUSING TRUST FUND ESCROW AGREEMENT AS REQUIRED BY COAH PURSUANT TO THE ADOPTED REVISED THIRD ROUND RULES AND P.L. 2008, C.46 (THE ROBERTS BILL)

WHEREAS, *Southern Burlington County NAACP vs. Mount Laurel*, 92 N.J. 158 (1983) (“*Mount Laurel II*”) and the New Jersey Fair Housing Act, *N.J.S.A. 52: 27D-301, et seq.* (“*FHA*”) require the Borough of Beachwood, County of Ocean, New Jersey (“Borough”) as well as most other municipalities in New Jersey, create a realistic opportunity for the provision of low and moderate income housing (“Affordable Housing”) during the cumulative first, second and third housing cycles spanning from December 15, 1986 to December 31,2018; and

WHEREAS, the FHA created the New Jersey Council on Affordable Housing (“COAH”) as part of the Department of Community Affairs (“DCA”) and authorized and empowered COAH to promulgate necessary regulations to effectuate the intent and purpose of the FHA and to assist municipalities in their efforts to comply with the requirements of the Mount Laurel doctrine and the FHA; and

WHEREAS, COAH, pursuant to an Order of the Appellate Court issued on January 25, 2007 that invalidated COAH’s original third round rules and remand these rules back to COAH to revise consistent with the Appellate Court’s written Opinion, adopted its amendments to its adopted revised third round rules on September 22, 2008, scheduled to become effective once published in the New Jersey Register on October 20, 2008, that require all municipalities in New Jersey to submit by December 31, 2008, third round Housing Elements and Fair Share Plans (“HE&FSPs”) to COAH or the Court for review and approval pursuant to the Mount Laurel Doctrine and the FHA; and

WHEREAS, In response to the Roberts Bill that was signed into law by the Governor on July 17, 2008 as P.L. 2008, c.46 that created the Statewide Non-Residential Development Fee, COAH issued a Mayors Letter on September 12, 2008, and has posted new information on its website pertaining to the this issue, with the relevant part of this letter stating in part as follows:

A municipality that does not establish an affordable housing trust fund, does not submit a signed escrow agreement, development fee ordinance and spending plan, and/or does not petition COAH or the Court by the respective deadlines will forfeit its ability to retain funds collected and deposited in its municipal affordable housing trust fund account.; and

WHEREAS, again, notwithstanding the above, the Borough's affordable housing professionals and staff have recommended that the Borough immediately begin the process as set forth in COAH's Mayor Letter cited above to prepare a revised residential and non-residential development fee ordinance, a spending plan and related documents to be submitted to both the Court and COAH for review and approval by December 31, 2008, in order to preserve the Borough's ability to collect, spend and retain the development fees; and

WHEREAS, the Borough's Affordable Housing Attorney is specifically recommending that the Borough take such action under protest and without waiving any of the Borough's rights to challenge in Court, COAH's and the DCA Commissioner's actions and requirements and rules in this regard, as well as the amendments to the FHA where ever appropriate; and

WHEREAS, upon the advice and recommendations of the Borough's Affordable Housing Professionals and staff, the Mayor and Council recognize that immediate action must be taken on these matters and the Council concurs that immediate action must be taken at this time to protect the Borough's interests in seeking voluntary compliance with the Mount Laurel doctrine and the FHA, as well as, maintaining the Borough's right to collect, spend and retain developer fees as part of the Borough's AHTF and to further pursue all reasonable efforts in a court or courts of competent jurisdiction to protect and enforce the Borough's rights as set forth herein and as may become available.

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the Borough of Beachwood, County of Ocean, State of New Jersey that the governing body does hereby agree to take the following actions:

1. That the Mayor and Borough Clerk are hereby authorized to execute and attest to such execution, Respectively, the Escrow Account Agreement with COAH and TD Bank. N.A. as attached hereto as incorporated herein as Schedule "A."
2. A certified copy of this resolution shall be provided by the Clerk's Office to the Affordable Housing Planner, Affordable Housing Attorney and Chief Financial Officer.

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

ORDINANCE FIRST READING TITLE ONLY
#2008-24 **ORDINANCE OF THE BOROUGH OF BEACHWOOD, COUNTY OF OCEAN, STATE OF NEW JERSEY AUTHORIZING REVISED DEVELOPMENT FEE ORDINANCE IN ACCORDANCE WITH THE REQUIREMENTS OF THE COUNCIL ON AFFORDABLE HOUSING**

RESOLUTION
#2008-420 RESOLVED by Mayor and Council to approve Ordinance #2008-24 as presented on First Reading Title Only.

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

ORDINANCE

#2008-23

FIRST READING TITLE ONLY

AN ORDINANCE OF THE BOROUGH OF BEACHWOOD, OCEAN COUNTY, NEW JERSEY ADOPTING PERSONNEL POLICIES AND PROCEDURAL MANUAL

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

SECTION 1. The Mayor and Council of the Borough of Beachwood does hereby adopt and enact the attached Personnel and Procedural Manual which is attached and incorporated hereto as Schedule A.

SECTION 2. All references to "Local Unit Type" shall be termed "Borough".

SECTION 3. The Mayor and Council shall by resolution, adopt and amend from time to time the Personnel Policies and Procedures Manual including rules concerning hiring and termination of employees, terms and conditions of employment and regulations required to comply with applicable federal and state employment-related law. The personnel policies and procedures adopted pursuant to said resolutions shall be applicable to all officials, appointees, perspective employees, volunteers and independent contractors of the Borough.

SECTION 4. The Borough Administrator or an official or employee designated by the Mayor and Council shall be responsible to implement and enforce the personnel practices adopted by ordinance or resolution authorized pursuant to this ordinance. If there is a conflict between said personnel practice and any duly-adopted and any lawful collective bargaining agreement, personnel services contract or federal or state law, the terms and conditions of that contract or law shall prevail. In all other cases, the practices adopted pursuant to this ordinance shall prevail.

SECTION 3 This Ordinance repeals any inconsistent ordinance or ordinances or part or parts thereof.

SECTION 4 This Ordinance shall take effect immediately upon its final passage and publication as required by law.

RESOLUTION

#2008-421

RESOLVED by Mayor and Council to approve Ordinance #2008-23 as presented on First Reading Title Only.

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

ORDINANCE FINAL READING PUBLIC DISCUSSION AND ADOPTION

#2008-16

AN ORDINANCE OF THE BOROUGH OF BEACHWOOD, OCEAN COUNTY, NEW JERSEY PROHIBITING THE SMOKING OF ANY TOBACCO PRODUCTS OR SMOKELESS TOBACCO WITHIN ANY BOROUGH OWNED BUILDING AND UPON CERTAIN PUBLIC BEACH AND PARK AREAS WITHIN THE BOROUGH AND PROVIDING FOR VIOLATIONS AND PENALTIES THEREFORE

OPEN TO PUBLIC DISCUSSION THIS ORDINANCE ONLY

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

LaCrosse
Forecastle Ave

Commenting on rights of the people. Don't feel it's our responsibility to impose will upon the people. Agrees restricting for the care of children. But, individuals and adults should be allowed

to make their own decisions. Don't like to see governing body going this particular route. It shows that we want to control peoples lives. I don't think we want to do that.

CLOSE TO PUBLIC DISCUSSION THIS ORDINANCE ONLY

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

Mr. Hering: Proposed amendment to Ordinance to read:
WHEREAS, the above Ordinance was duly adopted on first reading, advertised and heard on second reading an public hearing on November 17th, 2008 in the Council Meeting Room located at 1600 Pinewald Road, Beachwood New Jersey; and

WHEREAS, the Borough Council desires to make a minor clarifying amendment to said Ordinance.

NOW, THEREFORE, BE IT RESOLVED that Ordinance #2008-16 be amended at Section 2a to delete the words “all public lands and”.

RESOLUTION

#2008-422 RESOLVED by Mayor and Council to approve and adopt Ordinance #2008-16 as presented and held for public discussion and amendment.

Motion: Verga Second: Roma
Approved: Feeney – Komsa – Roma – Verga
Opposed: **Clayton** Only because it is not clear enough for the Mayo Park area. I am concerned about that because we rent that to the public and sometimes there are large groups (like Fire Company) come down and I really don't know how we can enforce this law, when there are people through out this area, smoking or also the older gentlemen I see down at the beach a lot. He likes to sit on the bench at Eagles Point and smoke a pipe. I think he should be able to do that. That's my only reason other than that, absolutely no smoking in the playgrounds, the beach sand area and public buildings. I am in full agreement with that. I think it's still just to wide spread, this covers too many areas that we rent.
Abstain: Absent: Clark

#2008-423 RESOLVED by Mayor and Council to : **Authorize refund of tax payment for Block 10.33 Lot 3 to William Cairns in the amount of \$250.00**

WHEREAS, Property owner, William Cairns, has made payment for the 3rd and 4th quarter installment of taxes due on Block 10.33 Lot 3, property address 737 Cable Avenue; and

WHEREAS, William Cairns, has since been approved to receive a Veteran's property deduction in the amount of \$250.00 for the year 2008; and

WHEREAS, The application of this credit has caused an overpayment in the amount of \$250.00; and

WHEREAS, William Cairns, is requesting a refund of the \$250.00.

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

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

RESOLUTION

#2008-424

RESOLVED by Mayor and Council to: **AUTHORIZE REFUND OF REDEMPTION MONIES FROM LIEN #07-00020 TO LIEN HOLDER CCTS TAX LIENS II IN THE AMOUNT OF \$ 571.79 PLUS A PREMIUM OF \$100.00**

WHEREAS, at the Municipal Tax Sale held on October 3, 2008, a lien was sold on Block 3.34 Lot 10, also known as 916 Beachwood Blvd, for 2007 delinquent municipal charges; and,

WHEREAS, this lien, known as Tax Sale Certificate #07-00020, was sold to CCTS Tax Liens II with a 0% redemption fee and a premium of \$100.00; and,

WHEREAS, property owners, Damon & Dana. Bodziak have effected redemption for certificate # 07-00020 in the amount of \$571.79.

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 \$671.79, payable to CCTS Tax Liens II, LLC, 141 Shreve Avenue, Barrington, NJ 08007, for the redemption of Tax Sale Certificate #07-00020 and refund of the premium

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

RESOLUTION

#2008-425

RESOLVED by Mayor and Council to: **AUTHORIZE REFUND OF REDEMPTION MONIES FROM LIEN #07-00026 TO LIEN HOLDER MOORING SECURED LIQUIDITY FUND, LLC IN THE AMOUNT OF \$ 527.68**

WHEREAS, at the Municipal Tax Sale held on October 3, 2008, a lien was sold on Block 4.45 Lot 11, also known as 124 Barnegat Blvd, for 2007 delinquent municipal charges; and,

WHEREAS, this lien, known as Tax Sale Certificate #07-00026, was sold to Mooring Secured Liquidity with a 0% redemption fee; and,

WHEREAS, Wachovia Bank has effected redemption on behalf of property owner, Astra Lewis for certificate # 07-00026 in the amount of \$527.68.

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 \$527.68, payable to Mooring Secured Liquidity, 8614 Westwood Center Drive; Suite 500, Vienna, VA 22182, for the redemption of Tax Sale Certificate #07-00026

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

RESOLUTION
#2008-426

RESOLVED by Mayor and Council to **AUTHORIZE REFUND OF REDEMPTION MONIES FROM LIEN #07-00034 TO LIEN HOLDER PLYMOUTH PARK TAX SERVICES, LLC IN THE AMOUNT OF \$1,718.61 PLUS A PREMIUM OF \$3,100.00**

WHEREAS, at the Municipal Tax Sale held on October 3, 2008, a lien was sold on Block 6.46 Lot 12, also known as 1136 Seaman Ave, for 2007 delinquent municipal charges; and,

WHEREAS, this lien, known as Tax Sale Certificate #07-00034, was sold to Plymouth Park Tax Services, LLC with a 0% redemption fee and a premium of \$3,100.00

WHEREAS, Douglas McCullough, property owner, has effected redemption for certificate # 07-00034 in the amount of \$1,718.61.

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 \$4,818.61, payable to Plymouth Park Tax Services, LLC for Tax Sale Certificate #07-00034 plus the premium

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

RESOLUTION
#2008-427

RESOLVED by Mayor and Council to: **AUTHORIZE REFUND OF REDEMPTION MONIES FROM LIEN #07-040 TO LIEN HOLDER INGENIOUS INTELLIGENCE IN THE AMOUNT OF \$ 1,460.00**

WHEREAS, at the Municipal Tax Sale held on October 14, 2007, a lien was sold on Block 11.22 Lot 9, also known as 508 Windward Avenue, for 2006 delinquent municipal charges; and,

WHEREAS, this lien, known as Tax Sale Certificate #07-040, was sold to Ingenious Intelligence with a 15% redemption fee; and,

WHEREAS, Sovereign Bank effected redemption on behalf of property owners, Frank & Jewel Vacchiano. for certificate # 07-040 in the amount of \$1,460.00.

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 \$1,460.00, payable to Ingenious Intelligence, 6 Poet Drive, Matawan, NJ 07747, for the redemption of Tax Sale Certificate #07-040

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

#20008-428 RESOLVED by Mayor and Council to approve the application for membership to the Beachwood Volunteer Fire Company #1 Inc. of John Ford 200 Cable Avenue Beachwood

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

CORRESPONDENCE

Reports	
Mayor	Attended meeting by State re: Affordable Housing. Meeting addressed what state proposes to do about status of making funds available to non-profit organizations to purchase homes going into foreclosure. The State is getting \$51 mil for Neighborhood stabilization to maintain abandoned homes. Comments on legislation proposed re: COAH. State is limiting credits available to the municipality. \$185 mil will be available for heating assistance.
Katina L. Clark	Absent
Beverly Clayton	Not much of a report other than a complaint received from resident and issues addressed.
Gregory Feeney	No report
Steven Komsa	Re: State Energy Audit Program spoken about at last meeting. 75% funded 25% Borough. If approved funding - and Borough implements State will address reimbursement for 25%. Mr. Oris : New program, continuing to be developed. Associated with doing Energy Audits. Borough’s large consumer is the Water utility. The audit would make recommendations for improvement that the Borough could implement. Because it is new, rules and regulations are being developed. If Borough wants to proceed, would need to address a resolution. Re: Wind Anonemeter. Need to apply for CAFRA permit. Will work with Mr. Oris to see what has to be done. Dec. 7th Tree Lighting ceremony.
Ronald Roma	Re: Community Center approval - includes employee and volunteer holiday gathering. \$10 per person. December 5th. Ladies Senior President approached re: Senior Seminar Services Inc. (Gilbertsville Pennsylvania). AARP - put out alert on this agency. Brought to the O.C. Prosecutor. Resident advised about town wide wireless service. Savings to residents. Would like Mr. Oris to check to see if this is feasible to Borough. (OK with Council) Road work going on (Spray Ave) Contractor a bit sloppy. Dangerous situation. Approx 2 - 3 week time frame before we can get some type of paving before permanent spring. 2009 DOT Grant approved. Mizzen Water Main (200 Block) in progress.

Engineer Oris	Providing clarity. Appreciated comments and concerns at Planning Board. That was relayed to the First Aid Squad. They in turn secured a contractor that indicated he had all permits. He began demolition prior to issuing all permits. Contractor did not follow rules/regulations. Fined by Building Department and may be fined by State. First Aid has retained another contractor to abate the problem. We are now prepared to move forward.
Byrnes	Was CMX involved in this?
Oris	No. It's a contractor issue with the Building Department. First Aid represented to CMX what Contractor represented to him.
Byrnes	When were surrounding properties notified of "asbestos". Why weren't they notified.
Oris	State Division of Asbestos abatement did not make notice to anyone. Suprised that DOL did not put out notice.
Byrnes	Public money is going to be spent
Mr. Hiering	First Aid tried to secure info.
Byrnes	As an entity, if it was a certification, it should have been done right.
Mr. Hiering	First Aid took care of demolition. Borough takes care of the new construction. Governing Body had nothing to do with that stage.
Baliziniski-1008 Halliard	Read article in paper a few weeks back, stemming from comment, that "Mayor Jones will be hiring his own attorney, because he doesn't trust the opinions of Mr. Hiering". Can Mayor hire his own attorney?
Hiering	He can hire his own attorney, and during public portion he can speak.
Mr. Feeney	Borough hires all professionals.
Simalski - Beachwood Blvd	Article re: First Aid Building –Were "air" samples being taken.?
Mayor	Request was put in with Solid Waste, and if they feel samples need to be taken they will. Hopes to get report from Ms. Girodano.
Arencibia - Berkeley Ave	<p>During the course of the political campaign an unwarranted attack was made against a 3 Yr. old being sexually attacked. Persons involved should be made to apologize. Called upon council to address. Council should lodge a complaint. Persons should be held accountable. Need to correct error in judgement. Flyer distributed around town about his grand daughter.</p> <p>Allegations made in the flyer.</p> <p>Mayor: Was presented flyer... noted it was put together by the campaign of Robert DiBella and John McLaughlin. Explained his relationship with the family.</p>
Roma	Not distributed by any member of this council.
Arencibia	<p>You should do something about this. It was done in your name.</p> <p>Roma: Agree 100%. You should bring your complaint to the State Election Office.</p>

Schiffmiller - Windward	First Aid took a beating tonight. Can understand their frustration. 2003 Councilman Miserendino noted plans for the building moving along. Additional reports during 2003, 2004, 2005 and 2006 were noted.
Mr. Hiering	Explanation...
Mr. Feeney	Since January 2008, when Mrs. Clayton and I were put on the committee we're here where we are.
Mrs. Verga	Proud that it's being done.
Schiffmiller	Will First Aid turn the property back over to the Borough.
Mr. Hiering	They lease it to us for \$1 and we will lease it back to them for \$1
Mrs. Timoney - Seaman	Brought up in April about leaves.
Mrs. Clayton	Call Mrs. DeFalco.
Mrs. Verga	No law against it. But will look into legislation.
G. LaCrosse – Forecastle	Went on line minutes not posted. Re: E-mail received. Banner on public property against regs. (political sign). Read e-mail from Mayor Jones about Fireworks Banner. For Mayor to write and criticize banner shows character. Issue of who got involved in the First Aid issue. Members should be held harmless in this issue. Criticism misguided. Comments on campaign issues - putting in roads not drainage. What would drainage cost borough...
J. Oris	Explanation. Based on size, depth of pipe from 25\$ foot to \$225 foot.
LaCrosse	Re: Concerns about asbestos.. To Mayor how many children were screened for cancer since January 1st (promise made to do)
Mayor	None
M. Merola - Sunset Road	Why was name brought up with contractor.
Mrs. Clayton	Explanation.. Connected to Garvey Races.
M. Merola	Explained involmnet. Heard lead sent it to JRD. Felt Mrs. Clayton embarassed him.
Balizinski	Display earlier. Was campaign manager for DiBella - McLaughlin. Proof read everything, no 3yr old name on it.
Smith - Pacific Ave	Recommended Leaf Vacuum Truck.
LaCrosse	Re: Mayor hiring his own attorney. If you were to get own attorney, would he be allowed in closed session.
Byrnes	Did not point finger at any one.

PUBLIC DISCUSSION: To Close

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

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:

Contractual - Planner * COAH Attorney

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

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

Re-Open

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

ACTION RESULTING FROM EXECUTIVE SESSION

#2008-431 RESOLVED by Mayor and Council to approve the agreement between the Borough of Beachwood and CMX Engineering for Nautilus St Project (inclusion of Pacific) not to exceed \$3000 and County Schedule C' expansion not to exceed \$12,000.

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

TO ADJOURN

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

Submitted by: E.A. Mastropasqua

Ronald W. Jones, Jr.
Mayor

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