

December 07, 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 Feeny  
Gerald LaCrosse

Thomas Miserendino  
Ronald Roma

Absent: Patricia Moran

Special Presentation:

Promotion of Jason Froberg from Patrolman to Sergeant.

**#2005-387**

RESOLVED by Mayor and Council to approve the promotion of Jason Froberg, to Police Sergeant, effective Dec. 07, 2005 at an annual salary of \$71,180.00  
**Promotion is made from a DOP Certification PL051596 Dated September 05, 2005.**

	Clayton	Feeny	LaCrosse	Miserendino	Moran	Roma
Motion				x		
Second	x					
Approved	x	x	x	x		x
Abstain						
Opposed						
Absent					x	



RECESS:

	Clayton	Feeney	LaCrosse	Miserendino	Moran	Roma
Motion						x
Second			x			
Approved	x	x	x	x		x
Abstain						
Opposed						
Absent					x	

RE-OPEN

	Clayton	Feeney	LaCrosse	Miserendino	Moran	Roma
Motion		x				
Second						x
Approved	x	x	x	x		x
Abstain						
Opposed						
Absent					x	

RESOLUTION

#2005-382

RESOLVED by Mayor and Council to approve the 2005 Certified Bills List in the amount of A: \$ 34,578.55 B: \$ 502,115.92

	Clayton	Feeney	LaCrosse	Miserendino	Moran	Roma
Motion		x				
Second						x
Approved	x	x	x	x		x
Abstain						
Opposed						
Absent					x	

#2005-383

RESOLVED by Mayor and Council to approve the minutes of the November 14, 2005 Meeting Of Mayor and Council.

	Clayton	Feeney	LaCrosse	Miserendino	Moran	Roma
Motion						x
Second			x			
Approved	x	x	x			x
Abstain				x		
Opposed						
Absent					x	

#2005-384

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

COMMUNITY CENTER 2005				
Nov.	26	Moncrief	Rental:	\$350
		1210 Seaman Ave	Deposit:	\$500
		Beachwood		
Dec.	04	Carr	Rental:	\$350
		1428 Neptune Ave.	Deposit:	\$500
		Beachwood		
COMMUNITY CENTER 2006				
Jan.	14	Zaborowski	Rental:	\$350
		353 Ship Ave	Deposit:	\$500
		Beachwood		
Jan.	15	Gregory	Rental:	\$350
		728 Capstan Ave.	Deposit:	\$500
		Beachwood		
Jan.	20	Rankin	Rental:	\$350
		7 Starboard St.	Deposit:	\$500
		Beachwood		
Jan.	28	Pratico	Rental:	\$350
		1113 Longboat Ave.	Deposit:	\$500
		Beachwood		
Feb.	04	Corcino	Rental:	\$350
		1417 Windward Ave.	Deposit:	\$500
		Beachwood		
Mar.	12	Silva	Rental:	\$350
		153 Pennant Ave.	Deposit:	\$500
		Beachwood		
Apr.	01	Morris	Rental:	\$350
		501 Beach Ave	Deposit:	\$500
		Beachwood		
May	28	Robillard	Rental:	\$350
		216 Halliard Ave.	Deposit:	\$500
		Beachwood		
June	11	Bonner	Rental:	\$350
		1408 Longboat Ave.	Deposit:	\$500
		Beachwood		

Sept.	23	Stone	Rental:	\$700
		11 Maplewood Drive	Deposit:	\$700
		Brick		

	Clayton	Feeney	LaCrosse	Miserendino	Moran	Roma
Motion				X		
Second						X
Approved	X	X	X	X		X
Abstain						
Opposed						
Absent					X	

**#2005-385**

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

Date:	January 12 – 13 – 14(Sat)	Elizabeth Mastropasqua
Location:	Lancaster Pa	
Subject:	IIMC Region II Conference	
Cost:	\$165	
Vehicle:	No -	

Date:	January 24 – 25	Detective Paul Huber
Location:	Little Egg Harbor	
Subject:	Crime Scene Investigation	
Cost:	\$275	
Vehicle:	Yes	

	Clayton	Feeney	LaCrosse	Miserendino	Moran	Roma
Motion			X			
Second		X				
Approved	X	X	X	X		X
Abstain						
Opposed						
Absent					X	

**#2005-386**

WHEREAS, on November 5<sup>th</sup>, 2005, the Community Center was rented by R. Ferrara noting all resident fees were posted,; and

WHEREAS, upon inspection on November 6<sup>th</sup>, burn damages to a table were noted, said damages could not be repaired and totaled \$325.00 to replace the table; and

WHEREAS, Mr. Ferrara was advised of the damages and acknowledged responsibility .

NOW, THEREFORE, BE IT RESOLVED, to deduct the cost of table (\$325) from the refund of \$500 and to authorize the refund balance to be paid to R. Ferrara.

	Clayton	Feeney	LaCrosse	Miserendino	Moran	Roma
Motion		X				
Second				X		
Approved	X	X	X	X		X
Abstain						
Opposed						
Absent					X	

**TABLED**

**#2005-388**

RESOLVED BY THE MAYOR AND COUNCIL TO APPROVE THE FOLLOWING TRANSFERS IN THE 2005 BUDGET:

FROM	TO	AMOUNT
TAX SALE COST	POLICE S/W	\$1,200.00
ENGINEERING O/E	POLICE S/W	7,000.00
PLANNING BOARD S/W	POLICE S/W	3,000.00
ANIMAL CONTROL O/E	POLICE S/W	3,000.00
MUN. CLERK O/E	POLICE S/W	3,300.00
BLDGS. & GROUNDS O/E	PARKS & PLAYGROUNDS O/E	500.00
RECYCLING O/E	PARKS & PLAYGROUNDS O/E	600.00
STREETS & ROADS O/E	PARKS & PLAYGROUNDS O/E	3,600.00
A & E S/E	GASOLINE, DIESEL FUEL & OIL O/E	2,000.00
ENGINEERING O/E	GASOLINE, DIESEL FUEL & OIL O/E	2,000.00
MAYOR & COUNCIL O/E	GAS, DIESEL FUEL & OIL O/E	1,700.00
FINANCE O/E	GASOLINE, DIESEL FUEL & OIL O/E	1,000.00
LEGAL O/E	POLICE O/E	5,000.00

**# 2005-389**

RESOLVED by Mayor and Council to approve the "Raffle License Application" of the Beachwood Elementary PTO for January 27, 2006.

	Clayton	Feeney	LaCrosse	Miserendino	Moran	Roma
Motion		X				
Second						X
Approved	X	X	X	X		X
Abstain						
Opposed						
Absent					X	

**#2005-390**

**RESOLUTION OF THE BOROUGH OF BEACHWOOD, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING INVESTMENT OF IDLE FUNDS AND FUND TRANSFERS, PURSUANT TO N.J.S.A. 40A:15.1-15.2**

WHEREAS, it is desirable that idle funds of the Borough of Beachwood be invested in legal investment vehicles at all times; and

WHEREAS, it is occasionally necessary to transfer funds for the purpose of meeting current Borough expenses or for the purpose of effecting investments.

NOW, THEREFORE, BE IT RESOLVED by Mayor and Council of the Borough of Beachwood, County of Ocean, State of New Jersey, that it does hereby authorize the Treasurer to request bids and to place orders for the investment of idle funds solely in legally authorized investment vehicles, such investments to the investing institution; and

BE IT FURTHER RESOLVED, that the Treasurer of the Borough of Beachwood is hereby authorized to transfer funds by wire solely for the following purposes and subject to all pertinent regulations:

1. To or from Borough Checking or savings accounts to other Borough Accounts.
2. To or from Borough Checking or savings accounts to or from accounts specified by banks or the State of New Jersey Cash Management Funds solely for the purpose of investing for the account of the Borough of Beachwood.

	Clayton	Feeney	LaCrosse	Miserendino	Moran	Roma
Motion						X
Second	X					
Approved	X	X	X	X		X
Abstain						
Opposed						
Absent					X	

**#2005-391**

WHEREAS, Block 2.46 Lot 01 owned by Johnson & Elizabeth O’Guntade was billed for 108,000 gallons of water for the 4<sup>th</sup> qtr of 2005; and

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

NOW, THEREFORE, BE IT RESOLVED by Mayor and Council to credit the account in the amount of \$440.36

	Clayton	Feeney	LaCrosse	Miserendino	Moran	Roma
Motion			x			
Second				x		
Approved	x	x	x	x		x
Abstain						
Opposed						
Absent					x	

**#2005-392**

WHEREAS, Block 10.16 Lot 05 owned by David and Laura Winton was billed incorrectly for the 4<sup>th</sup> qtr of 2005; and

WHEREAS, a meter test was replaced twice in a billing period and overlapped the 4<sup>th</sup> quarter billing , creating a bill of \$43,862.28.

NOW, THEREFORE, BE IT RESOLVED by Mayor and Council to credit the account in the amount of \$43,691.56

	Clayton	Feeney	LaCrosse	Miserendino	Moran	Roma
Motion			x			
Second				x		
Approved	x	x	x	x		x
Abstain						
Opposed						
Absent					x	

**#2005-393**

RESOLVED by Mayor and Council to authorize Pravin Patel (Architect) to go to bid on the Salle Port located in the Municipal Complex.

	Clayton	Feeney	LaCrosse	Miserendino	Moran	Roma
Motion				X		
Second		X				
Approved	X	X	X	X		X
Abstain						
Opposed						
Absent					X	

**#2005-394**

RESOLVED by Mayor and Council to approve the 2006 F.A.S.T. Inter local agreement between the Borough of Beachwood and the Ocean County Prosecutor; and

FURTHER RESOLVED, that the Mayor and Clerk are authorized to execute the agreement on behalf of the Borough of Beachwood.

	Clayton	Feeney	LaCrosse	Miserendino	Moran	Roma
Motion			X			
Second						X
Approved	X	X	X	X		X
Abstain						
Opposed						
Absent					X	

**#2005-395** RESOLVED by Mayor and Council to name James Holzapfel as Labor Counsel for the PBA contract negotiations.

	Clayton	Feeney	LaCrosse	Miserendino	Moran	Roma
Motion						X
Second	X					
Approved	X	X	X	X		X
Abstain						
Opposed						
Absent					X	

**#2005-396** RESOLVED by Mayor and Council to accept the Corrective Action plan as submitted by the Finance Department.

	Clayton	Feeney	LaCrosse	Miserendino	Moran	Roma
Motion			X			
Second		X				
Approved	X	X	X	X		X
Abstain						
Opposed						
Absent					X	

**#2005-397 RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF BEACHWOOD A WARDING A CONTRACT TO VERIZON WIRELESS FOR PUBLIC SAFETY DATA APPLICATION MIGRATION FROM CELLULAR DIGITAL PACKET DATA (CDPD) TO ITS IXRTT DATA NETWORK IN ORDER TO PROVIDE SEAMLESS SERVICE TO THE BOROUGH'S POLICE DEPARTMENT**

WHEREAS, the Borough of Beachwood currently has a contract with Verizon Wireless for its police department and for public safety data application migration under the Cellular Digital Packet Data (CDPD) data network; and,

WHEREAS, Verizon Wireless is switching over to the IXRTT Data Network as of January 1,2006; and,

WHEREAS, the Borough will be without service if action is not immediately taken to switch over the contract for a three (3) year initial term; and,

WHEREAS, the pricing will remain at the unit price of\$39.99 but will now allow shared 60 megabytes versus the prior individual 20 megabytes under the prior CDPD system; and,

WHEREAS, it is now the desire of this governing body to act upon the attached agreement and contract documents submitted by Verizon Wireless in order to prevent an interruption in service as of the end of 2005.

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. The Borough Council hereby awards a contract to Verizon Wireless for public safety data application migration from the prior CDPD to the IXRTT data network in accordance with the attached quotation and contract.
2. Upon adoption of the within Resolution, the Clerk is authorized and directed to forward a certified copy along with the contract documents to Verizon Wireless and Chief John Wagner.

	Clayton	Feeney	LaCrosse	Miserendino	Moran	Roma
Motion			X			
Second		X				
Approved	X	X	X	X		X
Abstain						
Opposed						
Absent					X	

**ORDINANCE FIRST READING TITLE ONLY**  
**#2005-23 AN ORDINANCE OF THE BOROUGH OF BEACHWOOD, OCEAN COUNTY, NEW JERSEY, ESTABLISHING A REAL PROPERTY TRANSFER OF TITLE PERMIT AND ESTABLISHING FEES THEREFOR.**

**#2005-398** RESOLVED by Mayor and Council to approve Ordinance #2005-23 as presented on First Reading – Title Only

	Clayton	Feeney	LaCrosse	Miserendino	Moran	Roma
Motion		X				
Second	X					
Approved	X	X	X	X		X
Abstain						
Opposed						
Absent					X	

**ORDINANCE FIRST READING TITLE ONLY**  
**#2005-24 AN ORDINANCE OF THE BOROUGH OF BEACHWOOD, OCEAN COUNTY, NEW JERSEY ESTABLISHING A RENTAL PERMIT AND FEE THEREFOR IN CONNECTION WITH THE RENTAL OF DWELLING UNITS WITHIN THE BOROUGH.**

**#2005-399** RESOLVED by Mayor and Council to approve Ordinance #2005-24 as presented on First Reading – Title Only

	Clayton	Feeney	LaCrosse	Miserendino	Moran	Roma
Motion						X
Second				X		
Approved	X	X	X	X		X
Abstain						
Opposed						
Absent					X	

**ORDINANCE #2005-25 FIRST READING TITLE ONLY**  
**AN ORDINANCE OF THE BOROUGH OF BEACHWOOD, OCEAN COUNTY, NEW JERSEY AMENDING CHAPTER IV ENTITLED “GENERAL LICENSING”, CHAPTER V “ANIMAL CONTROL” AS THEY APPLY TO LICENSING FEES AND PENALTIES FOR VIOLATIONS THEREOF**

**#2005-400** RESOLVED by Mayor and Council to approve Ordinance #2005-25 as presented on first reading title only.

	Clayton	Feeney	LaCrosse	Miserendino	Moran	Roma
Motion						
Second						
Approved						
Abstain						
Opposed						
Absent						

**#2005-401** RESOLVED by Mayor and Council to approve the Raffle License application of Animal Birth Control, Inc. for May 20, 2006.

	Clayton	Feeney	LaCrosse	Miserendino	Moran	Roma
Motion						X
Second		X				
Approved	X	X	X	X		X
Abstain						
Opposed						
Absent					X	

**ORDINANCE**

**#2005- 26**

**FIRST READING TITLE ONLY**

**AN ORDINANCE OF THE BOROUGH OF BEACHWOOD, OCEAN COUNTY, NEW JERSEY ESTABLISHING A FAIR AND OPEN PROCESS FOR THE AWARD OF PROFESSIONAL SERVICES AGREEMENTS.**

**#2005-402**

**RESOLVED by Mayor and Council to approve Ordinance #2005-26 as presented on First Reading by Title Only.**

	Clayton	Feeney	LaCrosse	Miserendino	Moran	Roma
Motion						X
Second		X				
Approved	X	X	X	X		X
Abstain						
Opposed						
Absent					X	

**ORDINANCE**

**#2005-27**

**FIRST READING TITLE ONLY**

**AN ORDINANCE OF THE BOROUGH OF BEACHWOOD, OCEAN COUNTY, NEW JERSEY AMENDING CHAPTER II ENTITLED “ADMINISTRATION” AS IT AFFECTS THE BEACHWOOD SEWERAGE AUTHORITY.**

**#2005-403**

**RESOLVED by Mayor and Council to approve Ordinance #2005-26 as presented on First Reading by Title Only.**

	Clayton	Feeney	LaCrosse	Miserendino	Moran	Roma
Motion		X				
Second			X			
Approved		X	X			X
Abstain	X			X		
Opposed						
Absent					X	

**#2005-404**

**RESOLVED by Mayor and Council to approve the change in dental coverage to Delta Dental Plus.**

	Clayton	Feeney	LaCrosse	Miserendino	Moran	Roma
Motion		X				
Second	x					
Approved	X	X	X	X		X
Abstain						
Opposed						
Absent					X	

**CORRESPONDENCE**

**None at this time**

**COUNCIL REPORTS:**

Mayor Morris Congratulated Sgt. Froberg. Tree Lighting ceremony was well attended. Happy Holidays to all.

Clayton: Beverly Tree Lighting ceremony was great. House decorating contest under way. Annual “snowman” contest beginning this week. Will be addressing concerns about Cherry Street with Sgt. Halucha. Noted that she has issues for the Ordinance Committee. Calendar should be in mail very shortly.

Feeney: Gregory Congratulated Sgt. Froberg. Work release program report. Catch basin clean up conducted. NJDEP has issued compliance evaluation for the Borough. Happy Holidays.

LaCrosse; Gerald Congratulated Sgt. Froberg. Well #7 still not on line. Waiting on DEP approvals. Water Tank inspection under way – noted some “pitting” in the tank that will need repair. Water discoloration due to “flushing”. Happy Holidays - Safe – Healthy to all.

Miserendino; Thomas Happy Holidays – safe season to all.

Moran: Patricia Absent

Roma: Ronald Alliance Senior luncheon scheduled for 12/16, with guest speakers and performers. Alliance youth dance for December 9. Road construction re-started.

Administrator Lacey Executive Session items.

Attorney Wm. T.Hiering Cell tower (Nextel) should be on line and functioning.

Engineer J. Oris: Tiller project done – just some punch list items.  
 Windward project – weather permitting – few days.  
 Lime removal on – going.

**PUBLIC DISCUSSION TO OPEN**

	Clayton	Feeney	LaCrosse	Miserendino	Moran	Roma
Motion		X				
Second				X		
Approved	X	X	X	X		X
Abstain						
Opposed						
Absent					x	

Lipton  
 Pennant Ave: Happy Holidays. Re: Ordinance(s) – Rentals and Re-sales – when adopting – explain purpose. Should be specific.

Novaky  
 Maple St. Happy Holidays. Commented on meeting statement Nov. 14 re: water. Water has not improved. (presented water sample – filter – etc).  
 Noted that residents in neighborhood were concerned about individual taking photos of homes. (Re-assessment program)

Dusha  
 Longboat Ave. Trash collection schedule at Intermediate School is a problem. Contacted the principal with no success in resolving. Went to Court and Judge ordered mediation.

Mayor: Will speak with Mr. Ritacco.

**PUBLIC DISCUSSION: TO CLOSE**

	Clayton	Feeney	LaCrosse	Miserendino	Moran	Roma
Motion		X				
Second				X		
Approved	X	X	X	X		X
Abstain						
Opposed						
Absent					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 - Management – Public Works - Administrator  
 Contractual - Engineer – Water

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

	Clayton	Feeney	LaCrosse	Miserendino	Moran	Roma
Motion			X			
Second				X		
Approved	X	X	X	X		X
Abstain						
Opposed					X	
Absent						

**RE-OPEN**

	Clayton	Feeney	LaCrosse	Miserendino	Moran	Roma
Motion						X
Second			X			
Approved	X	X	X	X		X
Abstain						
Opposed						
Absent					X	

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

**#2005-405**      **RESOLVED** by Mayor and Council to authorize the Engineer to prepare the 1000' drug free zone for Intermediate South.

	Clayton	Feeney	LaCrosse	Miserendino	Moran	Roma
Motion		X				
Second				X		
Approved	X	X	X	X		X
Abstain						
Opposed						
Absent					X	

**#2005-406**      **RESOLVED** by Mayor and Council to approve the agreement between the Borough of Beachwood and ABB for water related items.

	Clayton	Feeney	LaCrosse	Miserendino	Moran	Roma
Motion						X
Second		X				
Approved	X	X	X	X		X
Abstain						
Opposed						
Absent					X	

**#2005-407**      **RESOLVED** by Mayor and Council to hire Matthew Ventrice – Mizzen Ave – Beachwood (Salary \$23,562.00 annually) and Todd Adams – Bowline St. – Beachwood as Laborers, Salary \$24,732..00 annually effective immediately. . This is a 90 day probationary work period.

	Clayton	Feeney	LaCrosse	Miserendino	Moran	Roma
Motion						X
Second		X				
Approved	X	X	X	X		X
Abstain						
Opposed						
Absent					X	

**#2005-408**      **RESOLVED** by Mayor and Council, due to the nature of employment of the Administrator, on call, 24 hour responding employee, to authorize the use of a Borough vehicle for all Borough related business.

	Clayton	Feeney	LaCrosse	Miserendino	Moran	Roma
Motion			X			
Second	X					
Approved	X	X	X	X		X
Abstain						
Opposed						
Absent					X	

**#2005-409**      **BE IT RESOLVED** by the Borough Council of the Borough of Beachwood, County of Ocean and State of New Jersey as follows:

1. Management employees who are currently receiving 100% buy-back of sick time upon retirement and pursuant to their contract shall be capped at the buy-back figure as of December 31, 2005 and shall be payable upon retirement. All future sick time commencing January, 2006 shall be accumulated and may be usable but shall not be payable at retirement.

	Clayton	Feeney	LaCrosse	Miserendino	Moran	Roma
Motion						X
Second						
Approved		X		X		X
Abstain						
Opposed	X		X			
Absent					X	

**ADJOURNMENT**

	Clayton	Feeney	LaCrosse	Miserendino	Moran	Roma
Motion			X			
Second						X
Approved	X	X	X	X		X
Abstain						
Opposed						
Absent					X	

Submitted by:    E.A. Mastropasqua

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

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

