

December 16, 2009

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 108 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, posted on the Municipal Website and delivered to the Asbury Park Press on January 10, 2009.

ROLL CALL MEMBERS PRESENT: Mayor Ronald Jones

COUNCILMEMBERS:

	Steven Komsa
	Ronald Roma
Gregory Feeney	Bonnie Verga

Absent: Katina Clark - Beverly Clayton

Time 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 all cell phones and pagers.

We had a request for a Presentation to Council from Red Cedar Robotics Team (Girl Scouts from Beachwood Elementary – Pine Beach Elementary, T.R. Int. School and Berkeley Township Elementary) First Lego League – which was set up to inspire young people to be science and technology leaders, building science, engineering and technology skills.



House Decorating Contest Awards.

First – Second – Third Place Winners



Honorable Mentions



**BRIEF RECESS:**

Motion: Roma  
 Approved: Feeney – Komsa – Roma – Verga  
 Abstain:

Second: Verga  
 Absent: Clark - Clayton

**RE-OPEN**

Motion: Feeney  
 Approved: Feeney – Komsa – Roma – Verga  
 Abstain:

Second: Komsa  
 Absent: Clark - Clayton

Economic Development Block Grant Schedule 2010 has been moved up. We will be required to hold our hearings sooner than usual. In that light, we should be making our appointment of the 2010 Block Grant Representative. Mrs. Moran ( has been serving for the Borough ) was again elected “Chairman of the Committee” and has expressed interest (and CLA Form) to again represent the Borough. This will be the year we submit for a grant.

**If approved:**

Resolution:  
 #2009-368                      RESOLVED by Mayor and Council to name Patricia A. Moran as the Borough of Beachwood representative to the Ocean County Block Grant 2010.

Motion: Feeney  
 Approved: Feeney – Komsa – Roma – Verga  
 Abstain:

Second: Verga  
 Absent: Clark - Clayton

Resolution  
 #2009-369

RESOLVED by the Governing Body of the Borough of Beachwood to approve the 2009 Certified Bills List in the amount of: A: \$2,393,841.32

Motion: Feeney  
 Approved: Feeney – Komsa – Roma – Verga  
 Abstain:

Second: Komsa  
 Absent: Clark - Clayton



**WHEREAS**, the Borough also requested a price for emergency service in the event same was necessary; and

**WHEREAS**, upon review of said proposals it is the desire of the Governing Body to award a Contract to the lowest bidder, Power Systems Security and Communications, Inc. in the amount of \$2,830.00 plus any required emergency service to include a \$50.00 service and labor at the rate of \$80.00 per hour.

**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 hereby award a Contract to Power Systems Security and Communications, Inc. for alarm systems monitoring for eight (8) locations within the Borough and for a term of two (2) years for the lowest proposed price of \$2,830.00 and any required service or emergency service at the rate of a service charge of \$50.00 and a labor charge of \$80.00 per hour.
2. That upon the adoption of the within resolution, the Borough Clerk is authorized to forward a certified copy of it to Power Systems Security and Communications, Inc., the Chief of Police, the Borough CFO, and the Borough Treasurer.

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

RESOLUTION  
#2009-373

**RESOLUTION OF THE BOROUGH OF BEACHWOOD, OCEAN COUNTY, NEW JERSEY AWARDING A CONTRACT TO VALLEY PAINTING, INC. IN THE AMOUNT OF \$140,360.00 FOR THE REHABILITATION OF .25 MMG RAW WATER TANK FOR THE BOROUGH'S WATER UTILITY**

**WHEREAS**, the Borough of Beachwood previously advertised and received bids on November 17, 2009 at 2:00 p.m. for the rehabilitation of a 0.25 MMG Raw Water Tank for the Borough's water system; and

**WHEREAS**, at the time of place for the receipt of bids five (5) bids were received ranging from a low of \$140,360.00 to the high of \$338,250.00 for the base bid plus alternates 1 and 2; and

**WHEREAS**, the Borough's Engineer has reviewed said bids and recommended the award to the low bidder for the base bid with alternates number 1 and 2 in the amount of \$140,360.00; and

**WHEREAS**, the Borough's Attorney has reviewed the bid submissions and found the same to be in proper form and order for said Valley Painting, Inc.; and

**WHEREAS**, it is the desire of this Governing Body to act upon the award of said Contract.

**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 hereby award a Contract to Valley Painting, Inc. for the rehabilitation of 0.25 MMG Raw Water Tank for the Borough's water system for the base bid with alternates numbers 1 and 2 to the low bidder, Valley Painting, Inc., in the amount of \$140,360.00.
2. ["The award of the project is contingent to NJDEP Approval of the project."](#)
3. That upon the adoption of the within resolution, the Borough Clerk is authorized to forward a certified copy of it to the Borough Engineer, the Borough CFO, Valley Painting, Inc., and the Borough Treasurer.

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

ORDINANCE FINAL READING – PUBLIC DISCUSSION – ADOPTION

#2009-16 **ORDINANCE OF THE BOROUGH OF BEACHWOOD, OCEAN COUNTY, NEW JERSEY AMENDING CHAPTER II, “ADMINISTRATION”, TO ESTABLISH AN ABSENTEE POLICY FOR THOSE APPOINTED TO VARIOUS BOARDS, COMMISSIONS, COMMITTEES OR AUTHORITY ESTABLISHED WITHIN THE BOROUGH**

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

**Section 1.** Chapter II of the Code of the Borough of Beachwood is hereby supplemented by the inclusion of the following:

**“Section 2-41. Absentee Policy Established For Members of Any Board, Commission, Committee or Authority Established within the Borough of Beachwood.**

**Section 2-41.1. Purpose.** The purpose of the within Ordinance is to adopt a policy establishing a lower absentee threshold than that established in N.J.S.A. 40A:9-12.1. It is the belief of the Governing Body that the hereinafter established absentee policy will help the various Boards, Commissions, Committees, and Authority to better function and perform their duties.

**Section 2-41.2. Absentee Policy Established.** In the event that a Member of a Board, Committee, Commission or Authority established within the Borough of Beachwood fails to attend and participate at meetings of such Body for a period of six (6) consecutive weeks, or three (3) consecutive meetings, whichever shall be of a longer duration, without being excused, the Secretary or Acting Secretary of said Body shall notify the Governing Body in writing of that determination. Said Board, Committee, Commission or Authority may refuse to excuse said absences only with respect to those failures to attend or participate which are not due to legitimate illness.

**Section 2-41.3.** The Governing Body upon being presented with the above determination by the Board, Committee, Commission or Authority shall deem said position vacant and proceed to fill said appointment for the unexpired term in accordance with the appropriate Statute.

**Section 2.** This Ordinance repeals any inconsistent ordinance or ordinances or part or parts thereof.

**Section 3.** This Ordinance shall take effect immediately upon its final passage and publication as required by law.

**OPEN TO PUBLIC DISCUSSION – THIS ORDINANCE ONLY**

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

NO QUESTIONS

**CLOSE TO PUBLIC DISCUSSION – THIS ORDINANCE ONLY**

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

RESOLUTION  
#2009-374 RESOLVED to approve and adopt Ordinance #2009-16 as presented and held for public discussion.

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

RESOLUTION  
#2009-375 AUTHORIZE REFUND OF REDEMPTION MONIES FROM LIEN #07-031 TO LIEN HOLDER INGENIOUS INTELLIGENCE, IN THE AMOUNT OF \$ 1,763.76

**WHEREAS**, at the Municipal Tax Sale held on December 14, 2007, a lien was sold on Block 9.1 Lot 2, also known as 1417 Anchor Avenue, for 2006 delinquent municipal charges; and,

**WHEREAS**, this lien, known as Tax Sale Certificate #07-031, was sold to Ingenious Intelligence, with an 18% redemption fee; and,

**WHEREAS**, First American Tax Services, has effected redemption on behalf of property owners, Mark and Laura Altman for certificate # 07-031 in the amount of \$1,763.76.

**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 \$1,763.76, payable to Ingenious Intelligence, 6 Poet Drive, Matawan, NJ 07747, for the redemption of Tax Sale Certificate #07-031

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

RESOLUTION  
#2009-376 AUTHORIZE REFUND OF REDEMPTION MONIES FROM LIEN #07-00048 TO LIEN HOLDER CCTS TAX LIENS II, LLC IN THE AMOUNT OF \$ 349.61

WHEREAS, at the Municipal Tax Sale held on October 3<sup>rd</sup>, 2008, a lien was sold on Block 9.41 Lot 7, also known as 1109 Mizzen Avenue, for 2007 delinquent municipal charges; and,

WHEREAS, this lien, known as Tax Sale Certificate #07-00048, was sold to CCTS Tax Liens II, LLC with a 0% interest rate; and,

WHEREAS, First American Real Estate Service, has effected redemption on behalf of Sean Simon, property owner, for certificate # 07-00048 in the amount of \$349.61.

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

Authorize the Treasurer to issue a check in the amount of \$349.61 payable to CCTS Tax Liens II, LLC, 1415 RT 70 E; Suite 504, Cherry Hill, NJ 08034 for the redemption of Tax Sale Certificate #07-00048

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

RESOLUTION  
#2009-377

AUTHORIZE REFUND OF REDEMPTION MONIES FROM LIEN #09-00031 TO LIEN HOLDER FNA JERSEY LIEN SERVICES, LLC IN THE AMOUNT OF \$ 4,611.76 PLUS A PREMIUM AMOUNT OF \$ 3,000.00

WHEREAS, at the Municipal Tax Sale held on December 11, 2009, a lien was sold on Block 9.34 Lot 13, also known as 1148 Cable Avenue for 2008 delinquent municipal charges; and,

WHEREAS, this lien, known as Tax Sale Certificate #09-00031, was sold to FNA Jersey Lien Services, LLC with a 0% interest rate and a premium of \$3,000.00; and,

WHEREAS, property owner, David Lipton effected redemption for certificate # 09-00031 in the amount of \$4,611.76 on the same day of the Tax Sale; and,

WHEREAS, the refund due to the lien holder shall be limited to the amount paid to acquire the certificate.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of Beachwood, in the County of Ocean, State of New Jersey to refund lien holder, FNA Jersey Lien Services, LLC for the redemption of certificate 09-00031 in the amount of \$ 4,611.76 and the premium amount of \$ 3,000.00

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

RESOLUTION  
#2009-378

AUTHORIZE REFUND OF REDEMPTION MONIES FROM LIEN #09-00037 TO LIEN HOLDER US BANK-CUST/SASS MUNI dtr IN THE AMOUNT OF \$ 4,609.47

WHEREAS, at the Municipal Tax Sale held on December 11, 2009, a lien was sold on Block 10.15 Lot 13, also known as 1040 Mizzen Avenue for 2008 delinquent municipal charges; and,

WHEREAS, this lien, known as Tax Sale Certificate #09-00037, was sold to US Bank-Cust/Sass Muni dtr with a 8% interest rate; and,

WHEREAS, property owner, David Lipton effected redemption for certificate # 09-00037 in the amount of \$4,609.47 on the same day of the Tax Sale; and,

WHEREAS, the refund due to the lien holder shall be limited to the amount paid to acquire the certificate.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of Beachwood, in the County of Ocean, State of New Jersey to refund lien holder, US Bank-Cust/Sass Muni dtr, for the redemption of certificate 09-00037 in the amount of \$4,609.47.

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

RESOLUTION  
#2009-379

AUTHORIZE REFUND OF REDEMPTION MONIES FROM LIEN #09-00039 TO LIEN HOLDER N or D REMICK IN THE AMOUNT OF \$ 4,609.47

WHEREAS, at the Municipal Tax Sale held on December 11, 2009, a lien was sold on Block 10.31 Lot 10, also known as 716 Mermaid Avenue for 2008 delinquent municipal charges; and,

WHEREAS, this lien, known as Tax Sale Certificate #09-00039, was sold to N or D Remick with a 9% interest rate; and,

WHEREAS, property owner, David Lipton effected redemption for certificate # 09-00039 in the amount of \$4,609.47 on the same day of the Tax Sale; and,

WHEREAS, the refund due to the lien holder shall be limited to the amount paid to acquire the certificate.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of Beachwood, in the County of Ocean, State of New Jersey to refund lien holder, N or D Remick, for the redemption of certificate 09-00039 in the amount of \$4,609.47.

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

RESOLUTION  
#2009-380

AUTHORIZE A REFUND OF OVERPAYMENT OF 4<sup>TH</sup> QUARTER TAXES TO WELLS FARGO FOR BLOCK 4.11 LOT 11

WHEREAS, Wells Fargo has erroneously made a duplicate payment for the 4th quarter installment on behalf of property owner, Petras Cesunas; Block 4.11 Lot 11; property address 646 Compass Avenue in the amount of \$10,251.68; and

WHEREAS, this duplicate payment has created an overpayment of property taxes in the amount of \$5,125.84; and,

WHEREAS, Wells Fargo is now requesting a refund be issued as a result of the over payment.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of Beachwood, in the County of Ocean, State of New Jersey to issue a refund to Wells Fargo in the amount of \$5,125.84.

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

RESOLUTION  
#2009-381

REFUND OVERPAYMENT OF PROPERTY TAXES CAUSED BY THE VETERAN DEDUCTION APPLIED TO BLOCK 4.46 LOT 4 FOR ROBERT MONROE IN THE AMOUNT OF \$250.00

WHEREAS, property owner Robert Monroe, submitted application for a property tax deduction in the amount of \$250.00, based on his veteran status; and,

WHEREAS, The Municipal Tax Assessor, approved this application and granted the deduction for the tax year 2009; and,

WHEREAS, the deduction applied to Mr. Monroe’s account created an overpayment of \$250.00 because the 2009 taxes had previously been paid in full.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of Beachwood, in the County of Ocean, State of New Jersey to issue a refund to Robert Monroe in the amount of \$250.00 for the overpayment created by his newly awarded Veteran Deduction.

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

RESOLUTION  
 #2009-382

WHEREAS, transfers are permitted between budget appropriations during the last two months of the fiscal year:

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Beachwood in the County of Ocean, New Jersey, that transfers between 2009 Budget Appropriations is made as follows:

Account No.	Title	From	To
9-01-20-155-020	Legal Other	21,000.00	
9-01-20-155-233	Legal-Foreclosed Property	7,000.00	
9-01-21-180-010	Planning Board Salary & Wages	2,700.00	
9-01-26-305-010	Solid Waste Salary & Wages	10,000.00	
9-01-30-416-020	Salary & Wage Adjustment	10,000.00	
9-01-23-210-020	Liability Insurance		1,000.00
9-01-23-220-234	Group Health Insurance		35,000.00
9-01-21-180-074	Planning Board-Planner		1,335.00
9-01-21-180-072	Planning Board-Attorney		5,000.00
9-01-25-265-010	Fire Prevention Salary & Wages		500.00
9-01-22-200-010	Code Enforcement Salary & Wages		665.00
9-01-27-340-020	Animal Control Services		5,000.00
9-01-43-490-010	Municipal Court Salary & Wages		1,700.00
9-01-43-490-099	Municipal Court Other		500.00
Total		50,700.00	50,700.00

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

CORRESPONDENCE:

- a. **Chief Cairns**  
 Re: New "Substitute Crossing Guard"

RESOLUTION:

#2009-383 RESOLVED by the Governing Body of the Borough of Beachwood to hire Marino (Nino) LaCalandra, 945 Spray Avenue (Beachwood) as "substitute Crossing Guard" salary \$9.38 per hour.

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

- b. **Beachwood Elementary School PTO**  
Re: Looking for donation for Annual Fund Raiser

**RESOLUTION**

#2009-384 To Authorize providing Beachwood Elementary PTO a “Robo - Sanitation Container” for their Annual Fundraiser.

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

- c. **Letters of Resignation**
  - a. **Deanna L. Hammack (Chair of Recreation Commission)**
  - b. **Christina F. LaBianca (Secretary of Recreation Commission)**
  - c. **Francine Babcock (Recreation Commission member)**

**REPORTS:**

Reports:

Mayor Happy Healthy Safe Holiday. Look forward to 2010

Councilmembers

Katina Clark: Absent

Beverly Clayton: Absent

Greg Feeney Thanked Recreation - hard work - great job. DPW ready for winter weather. Single source recycling final info due in next few weeks and will be disseminated to public . Happy Healthy Safe Holiday

Steve Komsa Happy Healthy Safe Holiday to all. Congratulated all who participated in Holiday decorating contest. Thanked Recreation Commission for all the hard work. Takes time and hard work to put it all together. Deanna did great job. Toys/Tots drive great success. Look forward to doing again.

Letter from Rec - re: absence of Commission member Robert Clark who missed 6 meetings. Requested action taken with regard to removal

**RESOLUTION**

#2009-384 RESOLVED to accept the communication from Recreation regarding attendance of member R. Clark and to advise Mr. Clark and Land Use Board of action taken..

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

Ronald Roma: Thanked all children who signed up for winter volleyball. Over 100 signed up. Expect more during the first few weeks. Alliance Dances monthly (2nd Friday) volunteers always needed and accepted. March dance is cancelled due to Community Center renovations. Friday Senior Holiday Luncheon (11:00). Speaker addressing Senior Mentoring program.

Letter from Land Use Board to Gov. Body addressing re-appointment of Ed Zakar and Christopher Marx. Requesting Mayor to re-appoint. Merry Christmas to all and congrats to all contestants in Holiday House Decorating

Komsa: Urging all residents to participate in Snowman Contest with prediction for snow

Bonnie Verga: Recognizing Recreation Commission for event recognizing all participants and the Commission for their hard work . Happy Healthy Safe Holiday to all

Attorney W. Hiering: No report Happy Healthy Safe Holiday to all

Engineer J. Oris: Schedule C on going 2/3 weeks. First Aid - punch list complete hope to close out . Happy Healthy Safe Holiday to all

Chief Cairns: Narcotics raid conducted this month 300 bags off the street \$2600 in cash. Conducted by Sgt. DeMarco - Also apprehended a burglar in the process

Municipal Clerk

PUBLIC DISCUSSION - TO OPEN

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

LaCrosse - Forecastle Had hoped for longer report from Mayor. Letters of resignation from Recreation Commission. E-mail from Mayor to Clerk re: removing members from boards. Where does Mayor get the authority to remove members.

Mayor: Had no knowledge of absence of Mr. Clark. Board will have to recommend removal

LaCrosse: Wrote letter to Council previously for consideration to Planning Board. Understand Mr. Zakar is interested in being re-appointed. Mr. Marx as well, both have more qualifications than (I). Mr. Grietz and Mr. Ernst have expressed interest. Any would be more qualified. Commented on "conflict" of interest he would have with Mayor and it would affect appointment. Uncomfortable because he has litigation against Mr. Jones which is still in the courts. Asking if Attorney would make a ruling on this.

Mr. Roma Judge Grasso did say if a Member is conflicted out...

LaCrosse Congratulated all who participated in house decorating contest, Made town beautiful. Glad they were honored and recognized. Happy Healthy Holiday

Baliziniski - Homeless Submitted application for boards. Litigation between Mayor and him. Comments on appointment. Snow expected Sunday, past question what is the protocol for calling out plows.

Roma: Police make the decision to put the wheels in motion.

DiBella - Halliard Ave Re: E-mail to Clerk on removal from the Board. How did Mayor come to know of absence. Why didn't know about Mr. Clark. Ironic for Mayor to have people removed when he hasn't attended 6 meetings. Comments about Power Systems award. Clarify Dec. 2nd minutes pending Mrs. Clarks report. Thanked Mr. Roma for how he handled meetings. Thanked Chief on recent narcotics bust. Issue about Mrs. Clark owing \$12 to Recreation, if resolved. To Mayor on absence at Oct. 21st. meeting.

Mayor: Took son to Medical treatment then went to Barclay.

DiBella Mayor decided to not go to Borough meeting but did choose to go to Barclay. Has anyone checked the reasons for absence of Mayor.

Roma No

DiBella Should look into it. Should vote on absences (excused or not). Information about proprietary information appearing on Mayors web site. Suggested investigation on who gained access to Borough to take photos. Letters on Borough letter head. How Power Systems Voucher appeared. Asking council to look into this and devising a policy addressing elected officials requesting information. Congratulated Mr. Roma for his performance during Mayors absence.

Baliziniski Web site (now taken down) Mayor's complaint about removal of computer.

Deanna Hammack Thanked Mayor and Council for appointment to Recreation. Resigning for personal reasons. Letter from Mayor regard board, how did public get it...?  
Mayor To Clerk - was it an OPRA request. Clerk: Yes

**PUBLIC DISCUSSION - TO CLOSE**

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

**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:  
Terms and Condition of Employment - Board(s) - Police Contract – Public Works  
Potential Litigation - Letter AG Milgram

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

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

**RE-OPEN**

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

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

**RESOLUTION:**

#2009- 385 RESOLVED to authorize hiring Part Time Code Enforcement Officer – not to exceed \$15,000 pending interview process.

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

ADJOURNMENT

Motion: Roma  
Approved: Feeney – Komsa – Roma - Verga  
Abstain:

Second: Feeney  
Absent: Clark - Clayton

Submitted by: E.A. Mastropasqua

\_\_\_\_\_  
Ronald W. Jones, Jr.  
Mayor

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