January 28, 2004

Beachwood Municipal Complex         WORKSHOP MEETING
1600 Pinewald Rd.
7:00 PM

Call to Order

SALUTE TO FLAG -

Opening Statement:

Ladies and Gentlemen, pursuant to the applicable portions of the New Jersey Open Public Meetings Act, adequate notice of this meeting has been given. The schedule for this Meeting of the Governing Body of the Borough of Beachwood is listed in the notice of meetings posted on the Bulletin Board located in the Municipal Complex and appearing in the Ocean County Observer and the Asbury Park Press on January 2, 2004.

Roll Call Members Present
Mayor Harold R. Morris

Councilmembers: Beverly Clayton Thomas Miserendino
                 Gregory Feeney Patricia A. Moran
                 Gerald W. LaCrosse Ronald Roma

Absent:

ITEM: Mayor Morris commented on great job done by Public Works during recent storm. Has been in communication with representative of A.T & T with regard to placing an antennae on the Water Tower. Company will be reviewing site to see if it is acceptable. Mayor will meet with Mr. Hiering to look into preparing bid specs for that site.

ITEM: Mark Brady - Office Site & Solution
      Discussed proposal for Overseeing and Management of First Aid Construction Program.
      Presentation on firm and what he can provide for the Borough.
      Questions from members of council were related to:
      Cost per hour ($100) approx 120 hours not to exceed $15,000. Mr. LaCrosse questioned the mathematics. Mr. Brady noted that the additional covers cost of copies -travel etc.
Mr. Miserendino noted that you can pick and choose the responsibility you wish him to assume. Mrs. Moran asked him to explain why the Borough needs him. Seems like a simple project and would be expensive to have this service.

The benefit would be coordination of professionals – overseeing – review of specifications. He will do “realistic engineering”. Pre construction is hourly fee - construction is fixed fee. Based on percentage of cost of contract.

Questions on contractual change orders -

ITEM: FENCE ORDINANCE - Copies provided to council.

Questions on 10:5-4 “h” - need to change wording to address temporary construction of fence not to exceed 8 feet,

Hedges in front yard area utilized as fence - needs to have more detailed language.

Need to prohibit barbed wire or razor ribbon fence (10-5.3).

Questions posed to Charles Bauer regarding submittal of survey and age of same. Additionally on re-inspection.

Mr. Lipton expressed concern about Mr. Bauer being responsible with regard to re-inspection and enforcement. Council noted he issues the permit and it falls under zoning.

COUNCIL APPROVED WITH CHANGES and will be submitted to Attorney for final preparation.

Approved: Clayton - Feeney - LaCrosse - Miserendino – Moran - Roma

ITEM: Lipton – Road Extension

1. Comments from Mr. Klee regarding Engineering. Yet to be resolved
   a. Curbing - not proposed by Lipton
   b. Turn around – not proposed by Lipton
   c. Street Lighting – not proposed by Lipton
   d. Retaining Wall – who will maintain.
   e. Retention wall

Mr. Roma discussed manner in which he was required to address “Road Extension” Council reviewed a map submitted by Mr. Klee addressing the area in question. Discussion surrounded the “turn around” and concerns as it affects Fire and Emergency services as well as standard services “sanitation.”
Mr. Lipton noted that others were not required to conform to the ordinance such as the Sewerage Authority when it addressed work in back end of Beachwood. Ordinance has never been followed.

Mr. LaCrosse noted that the Borough has tripled its population, and has not always followed the ordinance.

Mr. Klee will make his recommendations and submit to council.

ITEM: Mrs. Clayton – re: Block 11.44 Lots ½ -

Concerned regarding drainage and hopes that Planning Board will address.
ITEM: Vertical Filter Replacement – Water Utility

January 21, 2004

Mayor and Council Members
Borough of Beachwood
1600 Pinewald Road
Beachwood, NJ 08722

Re: Vertical Filter Replacement
Borough Water Facility
BHWD00B0R04FIL

Dear Mayor and Council Members:

As a follow-up to our letter dated January 6, 2004 to the Contractor, we have received a response letter (copy enclosed) dated January 19, 2004 from U.S. Filter. Based on their letter, they will need to remove all media in order to perform an internal inspection. This will require the replacement of all media material.

Because the exact problem is not known, the Contractor is requiring authorization for all the cost in their letter prior to proceeding with any work. Upon performing the required inspection, then we may know the extent of the problem. If the problem can be determined to have been caused by the Contractor, then we will proceed with the Borough Attorney to utilize the maintenance bond for the cost of the work.

However, if the problem was not caused by the Contractor, then the Borough may need to pay for the required repair. Based on this, we believe the Borough may need to allocate sufficient funds for the repairs.

Lastly, we will require authorization to allow the Contractor to proceed with the work. We await your response and if you have any questions, please do not hesitate to contact this office.

Very truly yours,

David A. Theising, P.E., P.P., C.M.E.
Office of the Borough Engineer

DAT:blg

Enc.

Cc: Elizabeth Mastropasqua, RMC
John Behrens
William T. Hiering, Jr., Esq.

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PUBLIC DISCUSSION
TO OPEN

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

NO COMMENTS

TO CLOSE PUBLIC DISCUSSION

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

Mrs. Clayton did not attend Executive Session.

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:

   Contractual - Police Chief
   Contractual - Gas Negotiations
   Contractual - Hiering - Owen Little
   Terms & Condition of Employment - Salaries - 2004
   Terms & Condition of Employment - Workers Comp
   Public Works
   Potential Litigation - Encroachment - Waterfront

3. It is anticipated that the subject matter discussed may be made public in (90) days.
Motion: Feeney    Second: LaCrosse
Approved: Feeney - LaCrosse - Miserendino - Moran - Roma
Abstain: Absent: Clayton

TO RE-OPEN

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

ACTION TAKEN RESULTING FROM THIS EXECUTIVE SESSION

#2004-042 RESOLVED by Mayor and Council to approve the agreement between the Borough of Beachwood and Police Chief John Wagner for the years January 1, 2003 to and including December 31, 2006.; and

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

Motion: Miserendino    Second: Roma
Approved: Feeney – LaCrosse – Miserendino – Roma
Abstain: Absent: Clayton
Opposed: Moran – [Issue of personal vehicle]

#2004-043 RESOLVED by Mayor and Council to approve the 2003 and 2004 salaries of the Collector and Clerk, which represent a 3.95% each year and a medical bank increase.

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

#2004-044 RESOLVED by Mayor and Council to approve the 2003 salary of John Behrens Supervisor of Public Works at $2,000 increase.

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

#2004-045 RESOLVED by Mayor and Council that the Governing Body salary for 2004 shall be increased by $1,200.
RESOLVED by Mayor and Council that the Medical Bank figure for contracts noted is $450.

UNFINISHED BUSINESS

RESOLUTION: Recommending continuing with Housing Rehab program – with a $75,000 grant request, and an endorsement for Caregivers of Ocean County.

ADJOURN

Submitted by: E.A. Mastropasqua

__________________________ Attested to by: ________________________________
Harold R. Morris            Elizabeth A. Mastropasqua RMC/CMC
Mayor                        Municipal Clerk