

June 25, 2003  
Beachwood Municipal Complex

**WORKSHOP**

**7:00 PM**

Call to Order

**Salute to the 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 delivered to the Ocean County Observer and the Asbury Park Press on January 2, 2003.

Roll Call Members Present

Council Members:

Beverly Clayton

Gerald W. LaCrosse

Thomas Miserendino

Gregory Feeney

Patricia A. Moran

Absent: Mayor Harold R. Morris - Robert DiBella

**Moment of Silence as each in our own way honor of our men and women in military action. and offer a silent prayer for peace.**

RESOLUTION

#2003-200

RESOLVED by the Governing Body of the Borough of Beachwood to approve the 2003 Certified Bills List in the amount of \$ 169,934.84

Motion: Feeney

Second: LaCrosse

Approved: Clayton - Feeney - LaCrosse - Miserendino - Moran

Abstain:

Absent: DiBella



ITEM: Per Mr. LaCrosse - Extel Communications - Ginny Nimms  
Discussion surrounding the change of carrier for phone system.  
Extel can provide a lower rate and an estimated savings  
exceeding \$2,000 annually. Council will formalize the  
transaction for the July 16<sup>th</sup> meeting.

ITEM: Chief Wagner Request for Travel Expenses for attendance at  
School by Detective William Oldham to Kansas City - (and I  
assume approval for attendance at school "Key Elements for  
Effective School Policing" July 28 - August 1)

**RESOLUTION:**

**#2003-201** To approve Travel Expenses for William Oldham to Kansas  
City for attendance at seminar - Jul7 28 - August 1.

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

Additionally requested appointing Special

**RESOLUTION:**

**#2003-202** To approve appointment of Special William Sychowski as  
Special effective immediately. Salary \$8.54 per hour.

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

Mrs. Moran Reported back to Council on the matter brought to the June  
18<sup>th</sup> meeting regarding possible asbestos at the site of the  
Fire House Rehab. She indicated that she had spoken to  
representatives of the project to determine the status of  
the information provided on existence of asbestos. She  
confirmed that there was a small amount uncovered with the  
removal of siding at the rear of the building. This  
material was then double bagged and placed in sealed  
containers, and scheduled for removal on Monday June 23.  
She was dismayed to learn from Councilman Miserendino that  
the material had not been removed from the site as  
previously advised.

Mrs. Moran Requested the Clerk to address a report prepared in  
response to statements made by Mr. Schiffermiller and  
Councilman DiBella at the June 18<sup>th</sup> meeting concerning the  
December 6, 2002 auction. Both made allegations as to  
improprieties during the sale.

Council instructed the Clerk to send the report to the  
Municipal Attorney with a request that it be forwarded to

the Prosecutor to investigate. The Clerk requested that upon the completion and receipt of the Prosecutors report, that it be made public.

June 19, 2003

Mayor and Council

It appears as though the December 6<sup>th</sup> 2002 auction of surplus vehicles and equipment has become fuel for fodder in the upcoming political campaign. The fuel stems from a purchase of a 1987 Camarro, which was not on the list approved November 6, 2002.

So that there is ABSOLUTELY no misunderstanding on the part of ANYONE, the following is a chronological history of the auction.

January - May 2002	All departments were asked to submit items for Auction, which I had had hoped to do in May/June. However due to miscommunication that did not happen. A review of items resulted in a list (see "1") which contained the 1987 Camarro and a 1997 Ford Crown Victoria.
May 28	Tentative list prepared. (see "1")
June-October	Council requested that we have an Auctioneer - preferably the one used by the Cooperative Purchase Group - who turned out to be Peter Costanzo. During these months we continued to receive information from our departments with regard to what was to go for sale. Several members of council agreed that they would do a walk through to view suggested minimum pricing. I understand that a local auto dealer was asked to look at some of the impound vehicles and offer suggestions as to sale pricing.. We even went on line to determine sale pricing of some vehicles. All of this information was relayed back to Council in various verbal reports from myself and the Police Dept.
Late October	The preliminary list was prepared and submitted for the November 6 <sup>th</sup> agenda. (see attached "2" ) Some items were removed and some items were added.

November 6 Approval to list was given. (see attached "2") This list did not contain the Camarro, because of some confusion on my part working with numerous inventory sheets.

I now prepare the information for the papers and forward for advertising.

Note: As you are all aware - I have handled all of the auctions from 1985 - 2001. As is our habit, many items are often added to, or removed from, the list between approval date - advertising date - and sale.

Somewhere around Thanksgiving - after my return from League Convention, I was advised that the 97' Ford Crown Vic - was to be removed and sent to First Aid. I was also advised that I eliminated the 87' Camarro - which was on the original inventory list. This adjustment was made and became our final list for sale. (see attached "3"). This item did not appear in the media advertising but the Ford Crown Vic did.

November 26-30 This office prepared a final list as a flyer with all instructions on the terms of the sale - copies provided to ALL MEMBERS OF COUNCIL - and distributed to all municipalities in Ocean County and to the public from this office. NOTHING ON THE PRINTED LIST FROM THIS OFFICE CHANGED AFTER 11/26.  
(see attached "4")

December 06 NOTE: There was a terrible snow storm a day earlier and the morning of the sale was confusion. Our employees were hustling to remove snow unfreezing doors so that we could put Auction ID stickers on interior windows.  
The "elite" group Mr. DiBella refers to as having special knowledge of a sale, was expanded to Pennsylvania and 33 municipalities in Ocean County. Final result approximately 100 people were in attendance at the sale. Many of them generated by Mr. Costanzo.

The sale was conducted by Mr. Costanzo and a member of his staff . I was not nor was any employee of the Borough included in any portion of the sale. Part of the understanding with the auctioneer was that he be given the authority to reduce a price if it appeared as though any item could not be sold. Mr. Costanzo worked off the list ( attached "4") that had been and was provided to all public present - and any interested party requesting same. He verbally relayed numbers to his staff member, who noted it on a list she used at the end of the sale for the collection of monies. I did, however, attempt to follow him along and make my own notes from the list. But you should know that my only function during the sale was to issue certificates of sale at the close of the transaction.

All proceeds and sale information was completed within the next few days following the sale. Based on information

forwarded to this office by the Costanzo people, (see attached "5") I prepared a list of items sold. That same list was provided to ALL members of Council. Before the December 20<sup>th</sup> 2002 meeting. Either I am responsible for the typographical error or I misread information from the Costanzo group, but credited the Cammaro as a 1997 rather than a 1987 vehicle.

May 2003

Mr. Schiffermiller requested a copy of the sale information.

I prepared a copy of the minutes approving the sale - a copy of the list after the sale (containing my error) and THEREIN lies the BOOGYMAN. The copy contained the error of "1997 Camarro" not 1987.

There is nothing in the law that prohibits an member of the municipal family or their family and friends from bidding on any item of sale. There were several people at the sale who are employed by the Borough who successfully bid on items, are they now suspect in a "bid rigging" scheme.

Mayor Morris had nothing to do with putting the inventory together, nor did he purchase any item at the sale, as someone deliberately insinuated in the press article, simply as a political jab. Contrary to some peoples opinion and public statements, the 1987 Camarro was most definitely sold - to a very happy and over eager young girl, I believe from Pt. Pleasant. Anyone at the sale can tell you that, based on the way she screamed her happiness at having been the winning bid.

You now have all the CORRECT information before you. You were all provided information prior to and after the sale in the form of a report. For any member of council to now insinuate illegal transactions took place at that sale, speaks of how little they know of those they have in their charge.

For the Record I take great offense when any member of the PUBLIC or COUNCIL makes innuendos that I acted in or allowed another to accompany me in anything havey cavey, as Mr. Schiffermiller did and Councilman DiBella concurred during the public meeting of June 18, 2003 and again accusing me of "bid rigging" in the news article.

Both gentlemen should know better, I do not take jeopardizing my license as Municipal Clerk lightly. I am requesting an immediate investigation into the charges alleged by both of these political candidates. I would further request that the information obtained in the investigation be made public and that my name be publicly cleared.

**Elizabeth A. Mastropasqua**

Mrs. Clayton: Addressed items concerning the beach area which will be officially opening on Saturday June 28.

RESOLUTION:  
#2003-203 Calendar is in final phase. Quotes were received from three printers. Lowest quote received from Urner Barry. Recommending award to Urner Barry for \$4,626.

Motion: Clayton Second: Feeney  
Approved: Clayton - Feeney - LaCrosse - Moran  
Opposed: Miserendino Absent: DiBella

Miserendino: Discussed status of DPW Yard and need to clean up. Discussion with Mr. Zuromski and council addressing Capital Improvement program for DPW. Over an objection from Mr. Miserendino approval was given for roll off and garbage truck.

**OPEN TO PUBLIC DISCUSSION**

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

**Byrnes**

1075 Pinewald Rd. Commented on report from Mrs. Moran regarding fire house rehab program.

Advised that the skateboard fund raiser will take place Aug. 2 and Aug 3 in the Beachwood Plaza.

Noted to council that his company has a safety training program available - no cost - for equipment operators.

**CLOSE TO PUBLIC DISCUSSION**

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

**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 - Engineer - JST \$4,225.00  
COAH - T. Thomas & Jeff Surenian  
Engineer - Thesing - Roadway \$3,900  
Terms & Condition of Employment - Public Works  
Personnel - Hiring Conflict Magistrate and Prosecutor  
Potential Litigation - Waterfront Encroachment

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

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

**Re-Open**

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

**RESOLUTION:**

#2003-204 To appoint Conflict Magistrate Brant Collins and  
Prosecutor Edmund Glasner to address Urbank matter.

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

**RESOLUTION:**

#2003-205 To Change employment status from Seasonal Laborer to  
Full time Laborer of Lance Starmer effective June 26<sup>th</sup>  
per contractual salary.

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

**ADJOURN**

Motion: LaCrosse Second: Miserendino  
Approved: Clayton - Feeney - LaCrosse - Miserendino - Moran

Abstain:

Absent: DiBella

Submitted by: E.A. Mastropasqua

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

Mayor

Attested to by: \_\_\_\_\_

Mastropasqua RMC/CMC

Elizabeth A.

Municipal Clerk