

REGULAR MEETING MINUTES

March 3, 2020 at 6:30 pm

A regular meeting of the Mayor and Council of the Borough of Bradley Beach was held in the Meeting Room, 701 Main Street, Bradley Beach, New Jersey on the above date.

CALL TO ORDER

Mayor Engelstad opened the meeting with a salute to the flag.

Sunshine Law

The meeting has been noticed publicly according to the Open Public Meetings Act requirement for the “Annual Notice”, and posted on the official bulletin board.

ROLL CALL 6:30 pm

Present: Council: Bonnell, Gubitosi, Sexsmith, Weber, Mayor Engelstad
Borough Attorney Gregory Cannon
Deputy Municipal Clerk Erica Kostyz

ON MOTION by Engelstad/Weber to approve the Budget Workshop
Minutes of February 25, 2020

ROLL CALL AYES: Bonnell, Gubitosi, Sexsmith, Weber, Mayor Engelstad
NAYS: None
ABSENT: None
ABSTAIN: None

APPROVED

ON MOTION by Engelstad/Bonnell to approve the Regular Meeting
Minutes of February 25, 2020

ROLL CALL AYES: Bonnell, Gubitosi, Sexsmith, Weber, Mayor Engelstad
NAYS: None
ABSENT: None
ABSTAIN: None

APPROVED

ON MOTION by Engelstad/Gubitosi to approve the Executive Session Minutes of
February 25, 2020

ROLL CALL AYES: Bonnell, Gubitosi, Sexsmith, Weber, Mayor Engelstad
NAYS: None
ABSENT: None
ABSTAIN: None

APPROVED

ON MOTION by Engelstad/Sexsmith to approve the Special Meeting Minutes of February 26, 2020

ROLL CALL AYES: Bonnell, Gubitosi, Sexsmith, Mayor Engelstad
NAYS: None
ABSENT: None
ABSTAIN: Weber

APPROVED

Mayor Engelstad explained due to all of the recent personnel changes an error was made to the agenda regarding the marijuana ordinances. Both ordinances were not supposed to be placed on the agenda. Instead an amended version was to be done first that prohibits recreational and/or medical cannabis use and establishments within the Borough of Bradley Beach. He gave the option of getting the Council member's approval to introduce an amended version this evening or table both and discuss this at the next meeting.

Mr. Weber agreed to introduce the amended ordinance.

Mr. Sexsmith agreed and asked if the amended ordinance would go before the Planning Board for review and then back to the Council for final approval.

Borough Attorney Greg Cannon replied yes.

Mr. Gubitosi asked if amendments to the language of the ordinance will be considered between now and the Planning Board review.

Mr. Cannon responded a minor change in the whereas section of the ordinance could be done this evening and a substantial change in the content of would require a re-introduction of the ordinance after Planning Board review.

Mr. Weber suggested to go forward with the minor amended change in the whereas section.

PUBLIC COMMENT-

Jack Giantempo of 103 Fourth Avenue asked if either ordinances will be introduced this evening.

Mayor Engelstad replied neither will be introduced this evening. He continued intent is to introduce an appropriate version of the ordinance that was originally meant to be placed on the agenda.

Mr. Giantempo also asked if this ordinance will also refer to an individual's personal use of marijuana in the home.

Mayor Engelstad responded that is a legal issue and this ordinance refers to the zoning issue in regards to businesses and facilities in Bradley Beach.

ORDINANCE 2020-5

AN ORDINANCE AMENDING CHAPTER 450: "ZONING" OF THE BOROUGH'S REVISED GENERAL ORDINANCES TO CLARIFY THAT ALL RECREATIONAL MARIJUANA AND/OR MEDICAL CANNIBUS ESTABLISHMENTS, CULTIVATION FACILITIES, TESTING FACILITIES, AND PRODUCTION FACILITIES ARE PROHIBITED USES WITHIN THE BOROUGH OF BRADLEY BEACH

ON MOTION by Engelstad/Sexsmith to introduce Ordinance 2020-5 as amended
ROLL CALL AYES: Bonnell, Gubitosi, Sexsmith, Weber, Mayor Engelstad
NAYS: None
ABSENT: None
ABSTAIN: None

ORDINANCE NO. 2020-6

AN ORDINANCE AMENDING CHAPTER 450: "ZONING" OF THE BOROUGH'S REVISED GENERAL ORDINANCES TO CLARIFY THAT RECREATIONAL MARIJUANA ESTABLISHMENTS, CULTIVATION FACILITIES, TESTING FACILITIES, AND PRODUCTION FACILITIES ARE PROHIBITED USES WITHIN THE BOROUGH OF BRADLEY BEACH

ON MOTION by Engelstad/Bonnell to permanently table Ordinance 2020-6
ROLL CALL AYES: Bonnell, Gubitosi, Sexsmith, Weber, Mayor Engelstad
NAYS: None
ABSENT: None
ABSTAIN: None

TABLED PERMENANTLY

Communication(s)

ON MOTION by Engelstad/Bonnell to approve the Consent Agenda
ROLL CALL AYES: Bonnell, Gubitosi, Sexsmith, Weber, Mayor Engelstad
NAYS: None
ABSENT: None
ABSTAIN: None

Resolution 2020-63 BILL LIST for 3-3-20

Resolution 2020-64 Authorizing the Cystic Fibrosis Walk, Sunday, May 3rd from 11am to 2:00pm (Avon to Golf Course (Park Place) on promenade)

Resolution 2020-65 Authorizing a tax title lien redemption in the amount of \$54,781.85 for 506 Ocean Park Avenue (Block 21, Lot 14)

Resolution 2020-66 Authorizing an amendment to the 2020 Temporary Budget

APPROVED

Resolutions

ON MOTION by Engelstad/Gubitosi to Authorize the appointment of Catherine Smith as Deputy Court Administrator through December 31, 2020

ROLL CALL AYES: Bonnell, Gubitosi, Sexsmith, Weber, Mayor Engelstad
NAYS: None
ABSENT: None
ABSTAIN: None

APPROVED

Resolution 2020-67 Authorizing the appointment of Catherine Smith as Deputy Court Administrator through December 31, 2020

APPROVED

ON MOTION by Engelstad/Gubitosi to Authorize the retirement of Kelly Barrett from the positions of Borough Clerk and Borough Administrator effective March 2, 2020

ROLL CALL AYES: Bonnell, Gubitosi, Sexsmith, Weber, Mayor Engelstad
NAYS: None
ABSENT: None
ABSTAIN: None

Resolution 2020-68 Authorizing the retirement of Kelly Barrett from the positions of Borough Clerk and Borough Administrator effective March 2, 2020

APPROVED

MAYOR AND COUNCIL REPORTS

Mayor Engelstad announced the appointment of David Brown as the next Borough Administrator starting Monday, March 23rd. In addition to the Administrator position, Mr. Brown will also be the Grants Manager and Qualified Purchasing Agent. The Mayor expressed Mr. Brown's many qualifications and experience with municipal management.

Councilman Weber stated Mr. Brown is a great choice as Borough Administrator and thanked the Mayor and Council for the time spent on reviewing and interviewing all of the candidates. The Environmental Commission will be coming to the Mayor and Council soon with

recommendations for an Electric Car preview and the Green Amendment. He hopes to have the Shade Tree Ordinance on the next meeting agenda. Mr. Weber met with the DPW to discuss the springtime operations at the beach in order to get the beaches ready for the season.

Councilman Sexsmith is very excited to have Mr. Brown as Borough Administrator and feels he is the best choice. He spoke about the ADP Assessment program and stated Little Silver passed an identical resolution to the one passed in Bradley Beach on February 11th and stated there is momentum in getting Freeholders to push this program. He spoke with the Tax Assessor regarding the number of tax appeals following reevaluations.

Councilman Gubitosi stated he is excited to have David Brown and welcomed him to the Borough. He reported the following:

- The first Traffic Safety meeting will take place next week at the Biase Center.
- The Sylvan Lake Commission is working with environmentalists and will be meeting with the NJDEP on March 16th to discuss restoration plans for the lake.
- The Main Street Committee will also meet March 16th to discuss the grant recently received.
- The Complete Count Committee will build a banner to advertise participation in the 2020 Census.

Councilman Bonnell stated Mr. Brown will be a value to Bradley Beach and stated given his experience, he will be able to lend a hand to the town's sewer issues.

Mayor Engelstad gave the following information:

- The State is providing webinars to all OEM departments regarding Corona Virus Safety.
- He stated there will be language change to the beach locker ordinance at the March 24th meeting to extend the disassembly to the last Sunday in September
- There will be a Memorial Day Committee meeting on March 12th at 5:30pm at the Biase Center.
- There will be a concert on the beach at the gazebo by the Pat Reilly Band Memorial Day Weekend
- Encouraged everyone to check the Library website for many interesting upcoming events.

PUBLIC COMMENT

Rich Despina of 600 Third Avenue suggested a liaison for the church project as a form of communication for the public. He also thanked the Mayor for the amendment to the introduction on the marijuana ordinance.

The Mayor stated once the deal is completed with the sale of the church he will make that announcement and apologized for the agenda error regarding the ordinances.

Jack Giantempo 103 Fourth Avenue asked what the disposal costs are for recycling and garbage.

The Mayor offered to call Mr. Giantempo with that information during the week.

Greg Bartolomei 116 Newark Avenue asked if time accrued after 25 years is being capped in the new contract.

Mr. Cannon responded it is for new employees.

Engelstad/Weber moved to adjourn
ADJOURN 7:36 pm

Erica Kostyz, RMC, CMR
Deputy Municipal Clerk