

BOROUGH OF BRADLEY BEACH

REGULAR MEETING MINUTES

September 22, 2020 at 6:30 pm

A regular meeting of the Mayor and Council of the Borough of Bradley Beach was held by means of communication equipment, N.J.S.A. 10:4-8(b), to include streaming services and other online meeting platforms and formal action will be taken 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 Administrator David G. Brown II
Chief Financial Officer Sandra Rice
Borough Attorney Gregory Cannon
Municipal Clerk Erica Kostyz

Mayor Engelstad stated he received the news the Showroom Cinema are not re-opening their locations in Bradley Beach and Asbury Park and asked everyone to keep the Bradley Beach business community in their thoughts and prayers.

Workshop Discussions:

- Length of Service Awards Program (LOSAP) Ordinance 2020-19

Borough Attorney Greg Cannon gave a brief overview of the Ordinance. Mr. Cannon stated once the ordinance is adopted it will need to be approved by the voters of Bradley Beach and require a referendum at the next General Election in 2021 and the earliest the ordinance would take effect would be in 2022.

Conversation ensued between the Governing Body and the Attorney regarding the addition of EMS Personnel to this ordinance.

Councilman Bonnell asked if a special referendum so as not to wait 15 months.

Mr. Cannon replied the statute does not allow that.

CFO Sandra Rice explained the allocations for LOSAP members is set by the Local Finance Notice sent to Chief Financial Officers on a yearly basis. She continued the amount does change yearly due to cost of living and other factors.

Mayor Engelstad asked Ms. Rice her feedback on the success of LOSAP recruitment based on her experience.

Ms. Rice responded she does not feel the LOSAP is a driving force to attract volunteers and is a benefit for present long time volunteers.

Councilman Gubitosi inquired if the LOSAP will be restricted to volunteer members that reside in the Borough only and if so, can it be extended to volunteers who live outside the Borough.

Mr. Cannon replied he would research to see if the Borough can extend the LOSAP to non-resident Borough volunteers.

Councilman Gubitosi inquired if there a separate schedule of terms and activities for the EMS personnel.

Mr. Cannon stated there is a separate list for EMS.

Mr. Gubitosi asked Ms. Rice if the allocation process would be similar for EMS personnel.

Mr. Rice responded the dollar amount would be the same for EMS and Fire. Ms. Rice continued \$15,000.00 was allocated in this year's budget for LOSAP that cannot be used in 2020 due to the constraints outlined in establishing a LOSAP and stated the appropriation can be cancelled at the end of the year and reallocate the funds in the 2021 budget.

Mayor Engelstad asked Mr. Cannon who creates the verbiage in a referendum.

Mr. Cannon responded the Borough would create verbiage which would then have to be approved by the State before being placed on the ballot.

Councilman Weber thanked the Administrator, the CFO and Mr. Cannon for starting the LOSAP process.

Councilman Sexsmith suggested researching the entire array of benefits under LOSAP to attract recruitment of volunteers.

ON MOTION by Engelstad/Bonnell to approve the Regular Council Meeting
Minutes of September 8, 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 September 8, 2020

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

APPROVED

Administrative Report:

Administrator Brown gave a report on the following:

NEW JERSEY AMERICAN WATER COMPANY TRENCH REPAIR

Borough representatives met on September 17, 2002 with representatives from the NJAW Co and their paving contractor (L&L Paving) to discuss the trench repairs from their recent upgrades. Third Avenue will require 3/4's of the road width from the north curb line. Hammond Avenue trench will require 1/2 of the road width. Beach Avenue will include full width from Second to Evergreen, and 1/2 width for the rest. Work should start in early October. Please expect traffic patterns to be affected on those roads.

COMMUNITY CENTER PROJECT (FORMER CHURCH & PARSONAGE)

The Borough has contracted Environmental Testing Consult to perform a through lead and asbestos inspection. It is anticipated that this report will be in by week's end, which will then map out how the removal process will proceed and an estimated cost of the removal of lead and asbestos. In addition, the Borough has contracted SDA Industries to perform a through Exterior Façade and Roof Survey. SDA has started the survey this week to determine the soundness of the properties as it relates to brick walls, concrete siding, aluminum siding, chimneys, foundation walls, windows, window trim, porches, church stone front steps, roofs and roof decks. SDA will use a rolling scaffold to reach various heights for probing and measuring. At the completion of the survey SDA will provide the Borough with a complete report indicating findings and recommendations for improvements. The report will include budget estimates for immediate repairs.

ZONING OFFICER

Recently the Borough's Zoning Officer resigned effective September 30, 2020, however on tonight's agenda for the Governing Body's approval is to hire a Zoning Office for the month of October while the Borough searches for a Full Time Zoning Officer. It is my recommendation to the Governing Body that the Borough return back to a Full Time Zoning Officer that can be here during the day to work hand and had with the Code Enforcement Officers and be available to the applicants. It is anticipated that the Zoning Officer will have some evening and weekend hours as necessary.

STRATEGIC PLANNING COMMITTEE

On tonight's agenda the Governing Body will be approving the members of this committee and the committee is ready to roll up their sleeves and begin to review the recommendations with next steps on each of those priorities and discuss the necessary action. I look forward to working with all the committee members on this very important on-going strategic plan development and implementation.

COUNTY OF MONMOUTH MUNICIPAL CORONAVIRUS RELIEF FUND PROGRAM

On September 21, 2020 the Borough received the County of Monmouth's approval of our submission of \$164,796.39, which included reimbursements for Personnel Cost and Contracts/Professional Services Cost. I would like to give a huge "thanks" to our CFO and the Finance staff for pulling the information together, making the submittal and receiving the approval.

WALKABLE COMMUNITY WORKSHOP

North Jersey Transportation Planning Authority, Sustainable Jersey, Rutgers and the Borough's staff, consultants, residents and business representatives were all participants for an online meeting that took place on Tuesday, September 15, 2020. We all learned about the audit findings and recommendations that will provide Main Street with a unified look and character that will improve the pedestrian experience along Main Street. If you interested in the presentation please visit Sustainable Jersey's website at Sustainablejersey.com under Complete Streets Technical Assistance, Bradley Beach.

NEW BUSINESS ON MAIN STREET

Everyone please join me in welcoming the Borough's new business, Beast Restaurant Equipment, 32 Main Street. They offer foodservice equipment, consulting, design center and small wares. You can stop in the storefront with a mask or visit their website at BEASTEQUIPMENT.COM.

Councilman Weber inquired if the lead and asbestos inspections for the Community Center will include the church building and the parsonage.

Mr. Brown confirmed the inspections are for both structures.

Councilman Sexsmith inquired if the COVID expense reimbursement include the Fire and First Aid Department's expenses.

Mr. Brown responded yes.

Councilman Gubitosi inquired if hiring two Part-Time Zoning Officers instead of 1 full time Zoning Officer was considered.

Mr. Brown explained the difficulties of working with two Zoning Officers. Mr. Brown continued due the heavy workload in the Zoning Department presently, it is important to have a full-time official.

Mr. Weber inquire if the salary of \$85,000.00 is the maximum pay.

Mr. Brown confirmed that is the maximum salary, not the starting salary.

Further discussion ensued between Councilman Gubitosi and Administrator Brown regarding the pros and cons of utilizing a Full-Time Zoning Officer with Shared Services.

Public Comment on Agenda items:

Thomas J. Coan, 612 Third Avenue, inquired and suggested the full-time Zoning Officer be available to attend Zoning Board meetings in the job description.

Mr. Coan inquired of the previous Zoning Officer's salary also included Fire Marshall.

Administrator Brown responded the previous employee's salary was for Zoning Officer and the Fire Inspector and Community Development Director duties were additional compensations.

Mr. Coan inquired if the COVID reimbursements included the Auto Clave Machine.

Mr. Brown confirmed this purchase was included in the reimbursements.

William Psiuk, 110 Fifth Avenue, inquired if the full-time Zoning Officer will serve as a Class II on the Planning Board.

Mr. Brown responded that would be the objective.

Mayor Engelstad also responded that has always been the tradition and would be appropriate.

ORDINANCE 2020-18

AN ORDINANCE ESTABLISHING THE SALARY OF CERTAIN OFFICERS AND EMPLOYEES OF THE BOROUGH OF BRADLEY BEACH, IN THE COUNTY OF MONMOUTH, AND THE STATE OF NEW JERSEY AND REPEALING ANY AND ALL OTHER ORDINANCES INCONSISTENT HEREWITH

Schedule A

Community Development

Zoning Officer (Zoning Certification)

Minimum: \$8500.00

Maximum: \$85,000.00

ON MOTION by Engelstad/Sexsmith/to introduce Ordinance 2020-18.
ROLL CALL AYES: Gubitosi, Sexsmith, Weber, Mayor Engelstad
NAYS: None
ABSENT: Bonnell (Lost internet connection on ZOOM meeting)
ABSTAIN: None

INTRODUCED

ORDINANCE 2020-16

AN ORDINANCE SUPPLEMENTING THE BOROUGH’S REVISED GENERAL ORDINANCES WITH NEW CHAPTER 120: “BAMBOO AND INVASIVE PLANTS” TO PROHIBIT THE FUTURE PLANTING AND REGULATE THE EXISTING PLANTINGS OF INVASIVE SPECIES OF VEGETATION WITHIN THE BOROUGH

ON MOTION by Engelstad/Weber to open public hearing on Ordinance 2020-16
ROLL CALL AYES: Gubitosi, Sexsmith, Weber, Mayor Engelstad
NAYS: None
ABSENT: Bonnell (Lost remote connection)
ABSTAIN: None

Public Hearing: None

ON MOTION by Engelstad/Weber to close the public hearing and adopt Ordinance 2020-16
ROLL CALL AYES: Gubitosi, Sexsmith, Weber, Mayor Engelstad
NAYS: None
ABSENT: Bonnell (Lost remote connection)
ABSTAIN: None

ADOPTED

ORDINANCE 2020-17

AN ORDINANCE AMENDING SCHEDULE I ATTENDANT TO BOROUGH CODE SECTION 9.3.3 AND SCHEDULE II ATTENDANT TO BOROUGH CODE SECTION 9.3.4 OF CHAPTER 9: “TRAFFIC” TO CREATE NO PARKING ZONES ON NEWARK AVENUE TO ENHANCE TRAFFIC SAFETY DURING GARBAGE COLLECTION

ON MOTION by Engelstad/Sexsmith to open public hearing on Ordinance 2020-17
ROLL CALL AYES: Gubitosi, Sexsmith, Weber, Mayor Engelstad
NAYS: None
ABSENT: Bonnell (Lost remote connection)
ABSTAIN: None

Public Hearing:

Councilman Weber stated the purpose of this Ordinance is to make it easier for garbage collection on Newark Avenue.

Mayor Engelstad stated garbage collection will be limited to finite hours and days of the week.

ON MOTION by Engelstad/Sexsmith to close the public hearing and adopt Ordinance 2020-17
ROLL CALL AYES: Gubitosi, Sexsmith, Weber, Mayor Engelstad
NAYS: None
ABSENT: Bonnell (Lost remote connection)
ABSTAIN: None

ADOPTED

Communications:

- A request from Jersey Shore Rescue Mission to conduct their 5K Race for Recovery on Saturday, October 24, 2020 from 7:00 a.m. to 11:30 a.m.
- A request from Special Olympics New Jersey to conduct the Turkey Dash 5K on Saturday, November 14, 2020 from 10:30 a.m. to 12:30 p.m.

Mayor Engelstad inquired if the Bradley Beach is a pass through only.

Lieutenant Browning confirmed the town is a pass through only.

Councilman Weber inquired if either 5K will have water stations.

Mayor Engelstad replied, as per Lieutenant Browning, Bradley Beach is being used as a pass through only and there will be no water stations.

CONSENT AGENDA:

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

2020-223 9-22-20 BILL LIST

2020-224 Approval of Gazebo Refunds

2020-225 Authorizing Jersey Shore Rescue Mission's 5K Race for Recovery on Saturday, October 24, 2020 from 7:00 a.m. to 11:30 a.m. (Asbury Park Convention Hall through Bradley Beach Boardwalk)

2020-226 Authorizing Special Olympics New Jersey's Turkey Dash 5K Race for Saturday, November 14, 2020 from 10:30 a.m. to 12:30 p.m. (Asbury Park Convention Hall through Bradley Beach Boardwalk)

APPROVED

RESOLUTIONS:

Resolution 2020-227 Appointing a Strategic Planning Committee.

ON MOTION by Engelstad/Gubitosi to Appoint a Strategic Planning Committee.

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

APPROVED

Resolution 2020-228 Appointing Michael E. Mulcahy as a Temporary Part-Time Zoning Officer for \$1500.00 effective October 1, 2020 through October 31, 2020.

Councilman Gubitosi inquired if the Temporary Part-Time Zoning Officer will be paid for the same amount of hours as the previous Part-Time Zoning Officer.

Administrator Brown replied yes, and reiterated this is only for the month of October.

Councilman Gubitosi inquired if an increase of hours may be necessary due to the workload.

Administrator Brown replied once Mr. Mulcahy starts the position this can be revisited at the next meeting if necessary.

ON MOTION by Engelstad/Sexsmith to Appoint Michael E. Mulcahy as a Temporary Part-Time Zoning Officer for \$1500.00 effective October 1, 2020 through October 31, 2020.

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

APPROVED

Resolution 2020-229 Authorizing a Salary Adjustment for Class I Police Special Devin Degraw.

ON MOTION by Engelstad/Sexsmith to Authorize a Salary Adjustment for Class I Police Special Devin Degraw.

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

APPROVED

MAYOR AND COUNCIL REPORTS:

Councilman Weber reported the following:

- Gave a friendly reminder of the Election Signage rules in town.
- Suggested residents to patronize the local businesses in town during this difficult time due to the pandemic.
- Mr. Weber stated he is pleased about the Temporary Part-Time Zoning Officer.
- The Shade Tree Commission will be having their second meeting at the end of September and mentioned the Commission is in need of one member and one alternate member.
- Mr. Weber stated he encountered a summer resident interested in joining the First Aid Squad.

Councilman Sexsmith reported the following:

- Stated the Strategic Planning Committee will provide a much needed level of

coordination for the town.

- Reported recent Police Activity.
- Reminded everyone to lock their cars.
- Stated the Fire and First Aid Departments are getting volunteer requests.

Councilman Gubitosi reported the following:

- Thanked the CFO for her diligence in pursuance of the CARES Act Reimbursement.
- Thanked Paula Gavin for her leadership with the Strategic Planning Committee.
- Announced Phase III of the Maritime Forest will begin in early October.
- Gave an update on the Sylvan Lake Restoration.
- Gave a Finance Committee update regarding Long Term Debt Financing Alternatives.

Councilman Gubitosi asked on behalf of the Community Center Task Force when the next meeting can be scheduled and when the minutes from the last meeting can be reviewed.

Mayor Engelstad feels it is in the best interest to schedule the next meeting once information is received by the consultants that will be performing inspections. The Mayor also states he is open to meeting beforehand if that is what the Task Force wants.

Councilman Gubitosi stated the Task Force is requesting to be kept current regarding the planning and suggested scheduling a meeting as results are received by contractors.

Councilman Bonnell thanked the Municipal Clerk for her hard work behind the scenes and thanked Paula Gavin for her efforts with the Strategic Planning.

Mayor Engelstad reported the following:

- Read a report from Dr. Stephen Wisniewski of the Bradley Beach Elementary School.
- Thanked the Borough Employees and volunteers.

Public Comment:

Peter Sharpe, 301 Second Avenue, inquired what the status is for the Sustainable Jersey Energy Project.

Councilman Weber gave an update and stated he would get information for Mr. Sharpe to research the details of the project further.

Paul Neshamkin, 411 ½ LaReine Avenue, thanked Councilman Gubitosi for mentioning his requests in the report and Administrator Brown for initiating the inspections and requested scheduling a meeting as soon as possible. Mr. Neshamkin also reported he launched a Facebook page to promote the Community Center.

Thomas J. Coan, 612 Third Avenue, inquired when the 2019 Audit statements will be available.

Ms. Rice explained due to COVID restrictions by the State, Audit reports are delayed until

September 30th.

Mr. Coan thanked Ms. Rice for her hard work and the Governing Body for Ordinance 2020-16.

Mayor Engelstad stated as soon as a determination is made for Halloween, it will be announced to the public.

Engelstad/Sexsmith moved to adjourn.

Adjourned at 7:37 p.m.



Erica Kostyz, RMC, CMR
Municipal Clerk