

**REGULAR MEETING
MAY 14, 2013**

A regular meeting of the Mayor and Council of the Borough of Bradley Beach was held in the council chamber on the above date.

CALL TO ORDER

Mayor Gary 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 “Annual Notice”, and posted on the official bulletin board.

Roll Call 6:32 PM

Present: Council: Cotler, D’Angelo, Goldfarb, Galassetti
Mayor Engelstad
Business Administrator Wilkins
Attorney Washburn
Secretary: Municipal Clerk Mary Ann Solinski

Items added and/or deleted

On motion by Engelstad/Cotler

Add Bradley Beach First Aid Squad Annual Report

Delete award of contract for the new Beachfront Gazebo

PRESENTATION

The Memorial Day Committee Co-chairs Norman Goldfarb, Harvey Rosenberg and George Bachar presented donations to the following Borough entities: Bradley Beach Police Department Canine Unit, Neighborhood Watch Program, the Alliance to Prevent Alcoholism and Drug Abuse, Bradley Beach Fire Department, Ladies Auxiliary, Bradley Beach First Aid Squad, Bradley Beach Office of Emergency Management and the Beachfront Fountain Restoration Fund. The committee also announced that George Bachar will be this year’s Memorial Day Grand Marshal.

Rae Tutela gave council an update on tourism which was presented at a county meeting held on April 29th. Ms. Tutela reported that the local commission’s function is to promote Bradley Beach tourism via radio, newspapers etc and announced that the borough is currently registered in a contest for the Ten Best Beaches.

First Lt. John Zech of the Bradley Beach First Aid Volunteer Squad presented the Squad's Annual Report to council; 598 request for service and 6,000 personnel hours. He reported that if the squad was a paid a minimum yearly salary with no in-service time, benefits or over time it would amount to a \$542,606 burden on the taxpayers.

APPROVAL OF MINUTES

On Motion by Engelstad/ Goldfarb to approve the minutes of March 12, 2013
ROLL CALL AYES: Cotler, D'Angelo, Goldfarb, Galassetti, Engelstad
NAYS: None

APPROVED MOTION

On Motion by Engelstad/ Goldfarb to approve the minutes of March 27, 2013
ROLL CALL AYES: Cotler, D'Angelo, Goldfarb, Engelstad
NAYS: None
ABSTAIN: Galassetti

APPROVED MOTION

Discussion Items

Engineer Koch presented his Capital Project Status Report.

Mayor Engelstad reported that during a meeting with the county regarding a four way stop at Fletcher Lake Avenue and Lake Terrace intersection after a study was performed that the county reports that there is no need for a speed limit reduction nor a four way stop at the intersection of Fletcher Lake and Lake Terrace but that the county is looking at the culverts on Lake Terrace and perhaps additional signage regarding pedestrians.

Engineer Koch reported that he recommends consideration of a diesel generator for the Firehouse Natural Gas Generator which sustained damage from fuel starvation during Sandy as the Gas Company's system experienced irregular pressure during the storm. Council requested the engineer to look into a hybrid generator as an alternative.

A discussion ensued with the engineer regarding the type of replacement Gazebo for the Beachfront constructed of wood or metal. Council agreed that they need to know comparisons of costs, warranty and the pro and cons of each type. Councilman Cotler stated Long Branch has a metal gazebo which completely rusted within five years located three blocks from the Ocean.

Council reviewed comments and a proposed amendment to the Special Parking Permit Ordinance and Application. Bill Psiuk stated that this matter was referred to the Joint Subcommittee of the Planning and Zoning boards a few years ago who made recommendations to council but that council still decided to continue with the present practice concerning permits. Both Mr. Psiuk and Mr. Rosenberg noted that there is abuse of

the present system. Mayor Engelstad stated that the matter should again be reviewed by the subcommittee for recommendations.

Public Comment

Julia Rand of the Bradley Beach Arts Council stated that not only was the old wooden Fifth Avenue Gazebo iconic but that a metal gazebo would be too noisy and hot. Rae Tutela stated that perhaps the foundation should be lower on the new gazebo and agreed that wood is better for entertainment.

Eric Folson suggested placing a modular structure which can be removed from the site.

Marilyn Rosen suggested council check with other communities about durability and maintenance of different types of structures. Ms. Rosen noting that the Fountain is a historical part of the borough which should be restored to working condition.

Julia Rand also noted that the old Gazebo was still standing at the beachfront after Sandy until it was removed from the site.

Joseph Licata stated that Monmouth County should check Lake Terrace in July as their study performed during the past four weeks was preseason.

John McLoughlin reported that the Fire Department members worked 4,400 hours during Sandy.

A member of the audience suggested that the boulder dedicated to former Mayor Schueler should be re-located as it protrudes into the walkway and detracts from the fountain area.

Ordinance

Final Reading and Adoption

Mayor Engelstad announced that this was the time advertised for a public hearing on the following ordinance:

ORDINANCE NO. 2013- 05

AN ORDINANCE TO AMEND CHAPTER 123 OF THE BOROUGH OF BRADLEY BEACH CODE WHICH REGULATES THE BEACHFRONT AREAS AND ADJACENT WATERS SECTION 123-10A STORAGE LOCKERS

ON MOTION by Engelstad / Galassetti moved to open the public hearing.

ROLL CALL AYES: Cotler, D'Angelo, Goldfarb, Galassetti, Engelstad
NAYS: None

Mayor Engelstad gave a brief explanation of the ordinance

ON MOTION by Engelstad / Galassetti moved to close the public hearing.

ROLL CALL AYES: Cotler, D'Angelo, Goldfarb, Galassetti, Engelstad
NAYS: None

ON MOTION by Engelstad / D'Angelo moved to adoption.

ROLL CALL AYES: Cotler, D'Angelo, Goldfarb, Galassetti, Engelstad
NAYS: None

ADOPTED ORDINANCE

RESOLUTION

Resolution 105

ON MOTION

ROLL CALL

CAPITAL BUDGET AMENDMENT NUMBER 1

by Engelstad/ Galassetti moved to adoption.

AYES: Cotler, D'Angelo, Goldfarb, Galassetti, Engelstad

NAYS: None

ADOPTED RESOLUTION

Introduction

BOND ORDINANCE NO. 2013- 06

**A BOND ORDINANCE TO AMEND BOND ORDINANCE 2012-13
PROVIDING FOR THE RECONSTRUCTION OF THE BRADLEY BEACH
PUMP STATION, IN THE COUNTY OF MONMOUTH, STATE OF NEW
JERSEY; INCREASING THE AMOUNT \$200,000**

ON MOTION by Engelstad/ Galassetti moved to adoption.

ROLL CALL AYES: Cotler, D'Angelo, Goldfarb, Galassetti, Engelstad

NAYS: None

PENDING ORDINANCE

COMMUNICATIONS

On Motion by Engelstad/ Goldfarb to approve Raffle License:

Church of the Ascension RL 11-13

ROLL CALL AYES: Cotler, D'Angelo, Goldfarb, Galassetti, Engelstad

NAYS: None

ABSTAIN:

APPROVED MOTION

On Motion by Engelstad/ D'Angelo to approve Café License:

The Perfect Perk 602 Main Street

ROLL CALL AYES: Cotler, D'Angelo, Goldfarb, Galassetti, Engelstad

NAYS: None

APPROVED MOTION

On Motion by Engelstad/ Galassetti to approve Englewood Parks and Recreation request to park buses on a designated street for a field trip on July 16, 2013 arriving at 9:30am and departing by 4pm

ROLL CALL AYES: Cotler, D'Angelo, Goldfarb, Galassetti, Engelstad

NAYS: None

APPROVED MOTION

On Motion by Engelstad/ Galassetti to approve Ronald McDonald House of New York's request for complimentary beach badges and to support and request consideration of mini-golf admittance on Friday, July 12, 2013

ROLL CALL AYES: Cotler, D'Angelo, Goldfarb, Galassetti, Engelstad

NAYS: None

APPROVED MOTION

On Motion by Engelstad/ Galassetti to approve Margaret Hoyer's request to hold a Block Party on the 500 Block of Ocean Park Avenue on May 18, 2013 4pm-dusk

ROLL CALL AYES: Cotler, D'Angelo, Goldfarb, Galassetti, Engelstad
NAYS: None

APPROVED MOTION

On Motion by Engelstad/ Galassetti to approve Andrea Scaramelli's request to offer early morning Yoga Classes and Meditation 7-8am and Sunset Yoga and Meditation classes in the evenings 6-7pm on the beach during the month of August

ROLL CALL AYES: Cotler, D'Angelo, Goldfarb, Galassetti, Engelstad
NAYS: None

APPROVED MOTION

On Motion by Engelstad/ D'Angelo to approve NJ Sierra Club's request for reserved parking spots during their Hands Across the Sand event on May 18, 2013

ROLL CALL AYES: Cotler, D'Angelo, Goldfarb, Galassetti, Engelstad
NAYS: None

APPROVED MOTION

On Motion by Engelstad/ Goldfarb to approve Juanita Roman's request for permission to have her wedding ceremony on the Cliff-Newark Avenue Beach on Monday, July 1, 2013 around 6pm

ROLL CALL AYES: Cotler, D'Angelo, Goldfarb, Galassetti, Engelstad
NAYS: None

APPROVED MOTION

CONSENT AGENDA

ON MOTION by Engelstad/ Galassetti the following Resolutions were moved to adoption.

ROLL CALL AYES: Cotler, D'Angelo, Goldfarb, Galassetti, Engelstad
NAYS: None

Resolution 106 **AUTHORIZES A REDUCTION FOR SEWER UTILITY CHARGES FOR BLOCK 33 LOT 28**

Resolution 107 **AUTHORIZES THE CANCELLATION OF SEWER UTILITY CHARGES FOR THE SECOND QUARTER FOR BLOCK 67 LOT 7.02**

- Resolution 108 **AUTHORIZES SEWER UTILITY BILLING FOR BLOCK 26 LOT 9.01**
- Resolution 109 **AUTHORIZES THE CANCELLATION OF SEWER UTILITY BILLING FOR BLOCK 15 LOT 17 AND AUTHORIZES SEWER UTILITY CHARGES FOR LOTS 17.01 AND 17.02**
- Resolution 110 **AUTHORIZES THE CANCELLATION OF SEWER UTILITY CHARGES FOR BLOCK 14 LOT 33 FOR THE 2ND, 3RD AND 4TH QUARTERS 2012**
- Resolution 111 **BILL LIST**
- Resolution 112 **GOVERNING BODY CERTIFICATION OF THE 2012 ANNUAL AUDIT**
- Resolution 113 **ADOPTION OF A CORRECTIVE ACTION PLAN FOR THE 2012 ANNUAL AUDIT**
- Resolution 114 **AUTHORIZES THE BOROUGH ENGINEER TO PROCEED WITH ADDITIONAL PROFESSIONAL SERVICES ASSOCIATED WITH THE IMPROVEMENT TO THE SEWER PUMP STATION AT A FEE NOT TO EXCEED \$77,554.00**
- Resolution 115 **AUTHORIZES AN INCREASE IN THE MUNICIPAL CLERKS' OFFICE CHANGE FUND**
- Resolution 116 **AWARD FOR THE REMOVAL AND INSTALLATION OF CONCRETE CURBS AND SIDEWALKS AT THIRD AND OCEAN AVENUE, MASONRY WALL AND FOOTINGS FOR THE WOODEN STEPS AND RAMPS TO PIONEER GENERAL CONTRACTING CO., INC, MONROE TOWNSHIP NJ IN THE AMOUNT OF \$35,594.00 UPON THE RECOMMENDATION OF THE BOROUGH ENGINEER**
- Resolution 117 **ENDORSEMENT OF SUBMISSION OF THE 2012 RECYCLING TONNAGE GRANT APPLICATION**
- Resolution 118 **AUTHORIZES OPERATION THANK YOU FOR MILITARY PERSONNEL AND DEPENDENTS AND RETIRED MILITARY PERSONNEL DURING THE 2013 BEACH SEASON**
- Resolution 119 **RESCINDS SPECIAL PARKING PERMITS/SPACES**
- Resolution 120 **AUTHORIZES GIAMANO'S RESTAURANT PERMISSION TO HOLD THEIR 3RD ANNUAL "OUTDOOR MUSIC SERIES"**
- Resolution 121 **ACCEPTANCE OF PROBATIONARY FIREFIGHTER OF THE BRADLEY BEACH FIRE DEPARTMENT**
- Resolution 122 **APPOINTMENT OF MARCELLA MONICA TO THE BRADLEY BEACH LIBRARY BOARD**

ADOPTED RESOLUTIONS

- Resolution 123 **APPROVAL OF A SPECIAL PARKING PERMIT**
 ON MOTION by Engelstad/ Goldfarb moved to adoption.
 ROLL CALL AYES: Cotler, D'Angelo, Goldfarb, Engelstad
 NAYS: Galassetti

ADOPTED RESOLUTION

Reports

Councilman Cotler announced that the annual Choose your Cover skin cancer screening will be held on July 27th at the beachfront and that his Walk Club will meet again this summer at 6:30pm.

Councilman Goldfarb reported that he attended the DARE Graduation on April 26th and thanked Officer Celauro for her dedication to the school program. He also attended the beachfront playground re-opening on April 27th while thanking Councilman Galassetti along with the public works department for making the event possible. Mr. Goldfarb also announced that the Environmental Commission, Chamber of Commerce and the Main Street Beautification Commission will hold Bradley Civic Pride Day on Saturday, June 1st from 9am to 12pm to encourage residents and businesses to take pride in our town by sweeping our yards, streets, curbs and sidewalks of trash and debris.

Councilman Galassetti reported that he and the mayor have been at the beachfront every morning for the past three months at least and thanked public works and the code/construction department for working together to make things happen at the beachfront. Mr. Galassetti also thanked Joe Licata for his work with public works in preparing the lockers for placement on the beachfront.

Mayor Engelstad announced that the NJDEP Watershed Program has funds available for dredging both Fletcher and Sylvan Lakes. He reported that letters of intent have been filed and thanked Chief Guida, Captain Fahnholz and Councilman Goldfarb along with the borough officials of Avon. The Mayor gave kudos to the Memorial Day Committee for their donations to various entities and reminded everyone that the event will include services on Monday in Riley Park. Mayor Engelstad reported that the municipal phone system is currently being updated along with the borough's website.

Public Comments

Marilyn Rosen reported that there were fifty participants in the recent garage sale event.

George Bachar thanked the Memorial Grand Marshal and encouraged everyone to attend the services in Riley Park on Monday starting at 10am. Mr. Bachar announced that Captain MacPherson will be the guest speaker at the event. He also encouraged the public to join the Neighborhood Watch Group.

Librarian Janet Torsney invited council and the public to attend their meeting scheduled for Thursday for the Library's 100th Anniversary and discussion of ADA improvements to the building.

Adjournment
ON MOTION

by Engelstad / Cotler the meeting was adjourned at 8:16 PM.

Mary Ann Solinski, RMC, CMC
Municipal Clerk