

REGULAR MEETING MINUTES
December 11, 2018

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

Mayor Engelstad requested a moment of silence for the recent passing of President George H.W. Bush. The Mayor requested the attendees display a more civil and respectful tone during the meetings.

ON MOTION by Bonnell/Engelstad move the Executive Session to the end of the meeting.
of November 20, 2018

ROLL CALL AYES: Weber, Goldfarb, Bonnell, Engelstad, Cotler
 NAYS: None
 ABSENT: None
 ABSTAIN: None

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: Weber, Goldfarb, Bonnell, Cotler
 Mayor Engelstad
 Borough Attorney Marguerite Schaffer
 Municipal Clerk/Administrator Kelly Barrett
 Chief Financial Officer, Gail Krzyzczuk
 Deputy Municipal Clerk Erica Kostyz

PRESENTATION:

Mike Sodano and Nancy Sabino, the new proprietors of the Beach Cinema introduced themselves and stated they are also the owners of the “Showroom: theater in Asbury Park. Mr. Sodano announced that the theater will run first run movies and will be adding additional matinees to their program. Their goal is to make the theater a part of the community. Ms. Sabino stated that they are the owners, not a large cooperation. The theater will be open seven days a week 365 days a year. She continued, the theater is undergoing renovations and they will announce the re-opening in the future.

ON MOTION by Engelstad/Bonnell the Regular Meeting Minutes
of November 20, 2018

ROLL CALL AYES: Weber, Goldfarb, Bonnell, Engelstad, Cotler
 NAYS: None
 ABSENT: None
 ABSTAIN: None

MINUTES APPROVED

PUBLIC COMMENT

Thomas Coan, 612 Third Avenue, made comments and expressed concerns regarding the proposed Overnight Truck Parking Ordinance. He continued that previous borough attorney should be held responsible for the cost of the removal of Historic Fill at the trash/recycling lot. He disagreed with the festivals being held for four days and suggested that the \$43,500. received for the Memorial & Labor Day Festivals be applied to the cost for removal of the Historic Fill.

Henry Machos, Third Avenue, had questions regarding the Tourism Secretary and Plumbing Sub-Code Official positions, being full or part-time. Mr. Machos, disagreed with holding a Labor Day Festival as it is an inconvenience to the residents and the borough does not benefit enough. He expressed concerns regarding Historic Fill, being contaminated soil.

Eileen Shissas, 112 Fourth Avenue, expressed concerns regarding the vendors parking their vehicles/trucks during the festivals.

John Naples, 1009 Ocean Avenue, stated that he disagreed with allowing festivals being held for four days during Memorial and Labor Day weekends. He suggested moving the festivals to Bradley Blvd.

Julie Nutaitis, 605 Newark Avenue, thanked the Mayor for the comments and setting a more civil tone of the meetings. She requested the proposed parking permit issue be clarified.

Mayor Engelstad clarified that a parking permit would allow individuals to park overnight on the public roadways.

Jack Gentempo, 103 Fourth Avenue, stated he agreed with the reduced time on the overnight truck parking ordinance. He wished to confirm that the bid received for the festivals included the names of the officers.

ORDINANCE 2018-27

AN ORDINANCE TO ADD CHAPTER 350-6 OF REVISED GENERAL ORDINANCES OF THE BOROUGH OF BRADLEY BEACH, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, DWELLING AND PROPERTIES IN THIS MUNICIPALITIES PROPERLY MAINTAINED

ON MOTION by Engelstad/Goldfarb to open the Public Hearing on Ordinance 2018-27

ROLL CALL AYES: Weber, Goldfarb, Bonnell, Cotler, Engelstad
 NAYS: None
 ABSENT: None
 ABSTAIN: None

Public Hearing: No one wished to speak

ON MOTION by Engelstad/Goldfarb to close the Public Hearing & Adopt Ordinance 2018-27

ROLL CALL AYES: Weber, Goldfarb, Bonnell, Cotler, Engelstad
 NAYS: None
 ABSENT: None
 ABSTAIN: None

ORDINANCE 2018-28

AN ORDINANCE TO AMEND CHAPTER 78 OF REVISED GENERAL ORDINANCES OF THE BOROUGH OF BRADLEY BEACH, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, PERSONNEL POLICIES

ON MOTION by Engelstad/Bonnell to introduce Ordinance 2018-28

ROLL CALL AYES: Weber, Goldfarb, Bonnell, Cotler, Engelstad
 NAYS: None
 ABSENT: None
 ABSTAIN: None

ORDINANCE 2018-29

AN ORDINANCE TO AMEND AND SUPPLEMENT THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BRADLEY BEACH, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, CHAPTER NINE, TRAFFIC, RULES AND REGULATIONS.

A lengthy discussion ensued regarding the amendment to the overnight truck parking ordinance which included but not limited to: the time limit, renters, property owners and a dollar amount on a permit fee. Councilman Cotler stated we should do our due diligence prior to introducing the ordinance amendment and was concerned of an added tax (permit fee) to the property owners.

ON MOTION by Councilman Cotler/Bonnell to table Ordinance 2018-29

ROLL CALL AYES: Weber, Goldfarb, Bonnell, Cotler, Engelstad
 NAYS: None
 ABSENT: None
 ABSTAIN: None

ON MOTION by Councilman Bonnell /Goldfarb to lift the moratorium on the current Overnight Truck Parking Ordinance 2018-29

ROLL CALL
AYES: Weber, Goldfarb, Bonnell, Cotler, Engelstad
NAYS: None
ABSENT: None
ABSTAIN: None

ON MOTION by Engelstad/Bonnell to approve the Consent Agenda

ROLL CALL
AYES: Weber, Goldfarb, Bonnell, Cotler, Engelstad
NAYS: None
ABSENT: None
ABSTAIN: None

CONSENT AGENDA

- Resolution 2018-191 Authorizing the Chief Financial Officer to pay bills through 12/31/18
- Resolution 2018-192 Authorizing the Chief Financial Officer to make necessary transfers/cancellations to the 2018 budget appropriations in the Current Fund, Sewer Budget, and Beach Utility year end 12-31-18
- Resolution 2018-193 Authorizing Current Fund transfers
- Resolution 2018-194 Authorizing a tax payment refund for 407 Beach Avenue (Block 53 Lot 10) in the amount of \$1,691.48
- Resolution 2018-195 Authorizing new sewer billing for 508 ½ Burlington Avenue (Block 84 Lot 20) in the amount of \$46.88
- Resolution 2018-196 Authorizing a tax payment refund for 711 Beach Avenue (Block 37 Lot 6) in the amount of \$5,048.69
- Resolution 2018-197 Authorizing the rate of interest to be charged on 2019 delinquent taxes
- Resolution 2018-198 BILL LIST
- Resolution 2018-201 Authorizing a change to (Resolution 2018-180) for the Fire Work Display agreement with Garden State Fireworks for a rain date of Saturday, July 6, 2019
- Resolution 2018-203 Authorizing the Appointment of Class II Special Officers BBPD
- Resolution 2018-204 Authorizing a Consent Modifications agreement to the wireless communications facility, 725 Main Street (Sprint equipment)
- Resolution 2018-205 Authorizing a Consent Modifications agreement to the wireless communications facility, 725 Main Street (AT&T equipment)
- Resolution 2018-206 Authorizing the various Special Events in 2019
- Resolution 2018-207 Authorizing the fee schedule for the 2019 Junior & Mini Lifeguard Programs
- Resolution 2018-209 Authorizing the Borough to participate in the NJ Tree Recovery Campaign

ADOPTED

ON MOTION by Engelstad/Bonnell to authorize payment to Excel Environmental and the County of Monmouth for removal of Historic Fill

ROLL CALL AYES: Goldfarb, Bonnell, Cotler, Engelstad
NAYS: Weber
ABSENT: None
ABSTAIN: None

Resolution 2018-200 Authorizing payment in an amount not to exceed \$25,000. to the County of Monmouth through a shared service agreement for labor, equipment and disposal of historic fill from borough owned property at 1107 Main Street, Block 32 Lot 6

Resolution 2018-199 Authorizing payment in the amount of \$11,945. to Excel Environmental Resources, Inc., for environmental services at borough owned property at 1107 Main Street, Block 32 Lot 6

ADOPTED

ON MOTION by Engelstad/Bonnell to authorize the Borough Clerk to advertise for Plumbing Sub-Code Official and Tourism Secretary

ROLL CALL AYES: Weber, Goldfarb, Cotler, Engelstad
NAYS: Bonnell
ABSENT: None
ABSTAIN: None

Resolution 2018-202 Authorizing the Borough Clerk to advertise for the positions of Plumbing Sub-Code Official and Tourism Secretary

ADOPTED

ON MOTION by Engelstad/Goldfarb to award the Memorial and Labor Day contract to the Passion Group

ROLL CALL AYES: Weber, Goldfarb, Cotler, Engelstad
NAYS: Bonnell
ABSENT: None
ABSTAIN: None

Resolution 2018-208 Authorizing the 2019 & 2020 Memorial and Labor Day Festival contract to the Passion Group, 600 Main Street, Asbury Park, NJ 07712 in the amount of \$43,500. for 2019 and \$45,675 for 2020

ADOPTED

MAYOR AND COUNCIL REPORTS

Councilman Weber provided the following updates: the Board of Education had a listening session with the public to hear their thoughts of a safety officer in school. The school is adding additional safety to the school, however, it is best not to disclose the safety enhancements. The board will be meeting with a school security expert. The Environmental Commission showed the film “Bag It”, which addresses the impact of plastic bags on the environment. The Borough and Memorial Day Committee purchased re-usable bags and the goal is to distribute them to everyone in town. Interviews will be held for the position of Code Enforcement Officer at the end of the week.

Councilman Goldfarb thanked the entire Memorial Day Committee for their hard work over the years. He mentioned their most recent donation of contributing towards the purchase of re-usable bags for the residents. He thanked everyone that was involved in the Holiday events and wished everyone a Happy New Year.

Councilman Bonnell wished everyone a Happy and Safe Holiday.

Councilman Cotler thanked everyone for attending the meeting. He expressed concerns as he has done over the years, with the use of pesticides on our borough owned properties and town parks. He stated that pesticides used to destroy, suppress, repel or kill unwanted pests are cancer causing. Information provided by the Icahn School of Medicine at Mount Sinai, Children’s Environmental Health Center state the impact pesticides have on children as they are at a higher risk of exposure than adults due to their proximity to the ground and hand to mouth behaviors. It is about time the borough goes organic. He wished everyone a Happy Healthy New Year

Mayor Engelstad acknowledged the hard work of the staff during the successful holiday events. He announced the leaf pickup is extended through December 15th.

PUBLIC COMMENT

Joe Kulick 509 Monmouth Avenue, thanked the DPW for their work in Riley Park and the good job on the improvements to Sylvan Lake.

Jack Gentempo, 103 Fourth Avenue, questioned the number of new bocce courts, the cost of the project and if any revenue would be generated from the new courts.

Ms. Barrett responded that there are four new courts, the cost was a \$64, 800. and the borough anticipates revenue with bocce leagues and tournaments being held at the new courts.

Tomas Coan, 612 Third Avenue, expressed concerns regarding the funding of the bocce project being paid with tax dollars. He suggested changes to the overnight truck parking ordinance by limiting ladders and requiring the vehicles parked be registered to the borough property.

Henry Machos, 209 Third Avenue, requested clarification regarding the tree seedling program. He expressed concerns regarding the Sylvan Lake project and suggested signage be added to the area. He requested the governing body control spending in 2019.

Bill Psiuk, 110 Fifth Avenue, advised the governing body of the hazards and dangers with the use of pesticides. He stated that he became a victim of “agent orange” from serving in Vietnam and his daughter is also being treated for “agent orange”. He requested the governing body take action regarding the state legalizing marijuana.

Kathy Martin, Sylvan Lake Commission Member, stated the improvements to Sylvan Lake look great and it looks 100% better than what was there before. She thanked the tourism for their Facebook page bringing positive attention to the borough.

Jim Byrnes, 401 Fifth Avenue, he advised the governing body that he had attended a meeting and additional FEMA funds will becoming available to municipalities. He stated school security is common sense. He reminded the governing body of drugs (KRATHM) are as damaging as marijuana. He offered to donate a fishing line dispensary for Sylvan Lake. He stated that he is a 100% disabled Vet and suffers from Parkinsons disease and he too was exposed to “agent orange”.

George Bachar, Memorial Day Committee Member, thanked the Mayor and Council for approving the Memorial and Labor Day Festivals. These festivals will be a positive event for the people in the future. He stated that the Bradley Beach Police Department know more than a school safety expert.

Nick, 508 ½ Burlington Avenue wished to clarify that marijuana is not an opioid.

Mayor Engelstad wished everyone a Happy Holiday.

ON MOTION by Engelstad/Bonnell to go into executive to discuss a personnel matter

ROLL CALL AYES: Weber, Goldfarb, Bonnell, Cotler, Engelstad

NAYS: None

ABSENT: None

ABSTAIN: None

Resolution 2018-190 Authorizing the Mayor and Council to enter into an executive session to discuss a personnel matter

ON MOTION by Engelstad/Bonnell to close executive session and reopen meeting

ROLL CALL AYES: Weber, Goldfarb, Bonnell, Cotler, Engelstad

NAYS: None

ABSENT: None

ABSTAIN: None

ON MOTION by Engelstad/Goldfarb to not report/disclose information in the executive session until the appropriate time

ROLL CALL AYES: Weber, Goldfarb, Bonnell, Cotler, Engelstad

NAYS: None

ABSENT: None

ABSTAIN: None

Engelstad/Goldfarb moved to adjourn

ADJOURN 8:15 pm

KELLY BARRETT RMC, CMR
Municipal Clerk/Administrator