

## REGULAR MEETING MINUTES

**March 27, 2018**

A regular meeting of the Mayor and Council of the Borough of Bradley Beach was held in the Meeting Room, 701 Main Street, and Bradley Beach, New Jersey 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 the "Annual Notice", and posted on the official bulletin board.

### **ROLL CALL 6:30 pm**

Present: Council: Goldfarb, Bonnell, Cotler  
Mayor Engelstad  
Borough Attorney Michael DuPont  
Gerald Freda, Borough Engineer  
Municipal Clerk/Administrator Kelly Barrett  
Deputy Municipal Clerk Erica Kostyz

### **WORKSHOP DISCUSSION(s):**

Fletcher Lake Bulkhead Presentation by Trevor Taylor, CME & Leanne Hoffman, Neptune Twp.

Trevor Taylor of CME, Associates presented an overview of the Neptune Township bulkhead project at the western most portion of Fletcher Lake. He provided a map which indicated a blue line representing the border line of Neptune Township and Bradley Beach. He stated that Neptune had applied for the required permits to begin the reconstruction of the bulkhead and was in the process of preparing the bid specs. The existing steel bulkhead had failed causing the sidewalk to collapse and the roadway to cave in. They would be replacing the existing bulkhead with vinyl bulkhead, new curbing with handicap sidewalks and a new road on Pennsylvania Avenue. The gas main would be relocated underneath the roadway. The Township of Neptune offered the Borough of Bradley Beach the opportunity to enter into an inter-local agreement to repair Bradley Beach's portion of the bulkhead. The condition of the bulkhead in Bradley Beach is not as bad as Neptune's, however, it will need to be repaired in the future. The cost breakdown would be as follows: Bradley Beach \$192,727. versus Neptune's \$254,840. Mr. Taylor stated that the cost share was determined by the property border line. The base bid specs would include 30' sheathing deep of bulkhead, curbing, handicap sidewalks, roadway and a 4' aluminum railing around the concrete structure separating the two municipalities. An alternate bid spec would include the base bid specs along with the removal of the concrete structure which would require further investigating for an accurate estimate.

A lengthy conversation ensued with Mayor, Council and various resident with comments and questions. A question was asked regarding the cause of the bulkhead failure. Mr. Taylor responded that the cause of the failure was the steel bulkhead was only 9' deep, the steel was corroding and the tie rods snapped. The new bulkhead would be 25-30' deep and will last 50-75

years. A resident commented that the sinkage began after the dredging and requested the Township contact FEMA for a contribution as it being a watershed. Ms. Hoffman, stated that the dredging was not a FEMA project, it was a county project. She contacted the county over two years ago requesting assistance or a contribution and was advised the county will not assist or contribute. A question was asked, "If the concrete structure was located in Bradley Beach"? and "Would the new bulkhead be impacted if the concrete structure was kept in place"? Mr. Taylor responded that the concrete structure would not impact the new bulkhead. A resident commented on the project impacting the traffic flow through the summer months. The resident that lives directly across the street from bulkhead stated that it was in need of repair and it is the ugliest area in Bradley Beach. She strongly urged the governing body to participate with Neptune Township in the project. Mayor Engelstad stated that the inter-local agreement would be on listed on the April 10<sup>th</sup>'s meeting for a vote from the governing body.

### **APPROVAL OF MINUTES**

ON MOTION by Engelstad/Bonnell to approve the Regular Meeting Minutes of March 13, 2018

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

### **PUBLIC COMMENT**

Henry Machos, 409 Second Avenue had a question regarding a resolution authorizing payment for an appraisal of properties at 705 & 707 Fifth Avenue. Mayor Engelstad responded that the borough was looking into purchasing property for additional parking and the appraisals are legally required for municipalities when purchasing property.

Thomas Coan, 612 Third Avenue requested clarification regarding the Capital Ordinance 2018-8 & 2018-9. Mayor Engelstad responded that Capital Ordinance 2018-8 is a total of \$27K which includes a lead abatement of \$16,500 from the sewer budget and \$10,500.in the beach budget for improvements to the retired sewer pump station. The improved station will be used for storage for the beach janitors and the special police officers. He continued that Capital Ordinance 2018-9 allows for \$60K from the sewer budget to repair/replace a sewer line on the 700 block of Brinley Avenue.

### **ORDINANCE 2018-2**

AN ORDINANCE TO AMEND AND SUPPLEMENT THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BRADLEY BEACH, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, CHAPTER FIVE ARTICLE ONE, SECTION EIGHT, ORGANIZATION, POWERS, MEETNGS AND RULES OF THE BOROUGH COUNCIL.

ON MOTION by Engelstad/Goldfarb to open Public Hearing on Ordinance 2018-2

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

**Public Hearing – No one wished to speak.**

ON MOTION by Engelstad/Goldfarb to close the Public Hearing and adopt Ordinance 2018-2

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

**ADOPTED**

**ORDINANCE NO. 2018-6**

AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BRADLEY BEACH ENTITLED CHAPTER 9 TRAFFIC

ON MOTION by Engelstad/Goldfarb to introduce Ordinance 2018-6

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

**PENDING**

**ORDINANCE 2018-8**

AN ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS AND ACQUISITIONS IN AND FOR THE BOROUGH OF BRADLEY BEACH, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, APPROPRIATING \$27,000.

ON MOTION by Engelstad/Goldfarb to introduce Ordinance 2018-8

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

**PENDING**

**ORDINANCE 2018-9**

AN ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS AND ACQUISITIONS IN AND FOR THE BOROUGH OF BRADLEY BEACH, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, APPROPRIATING \$60,000.

ON MOTION by Engelstad/Goldfarb to introduce Ordinance 2018-9

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

**PENDING**

**COMMUNICATIONS**

- a. Authorizing a raffle license for the Friends of the Bradley Beach Library 50/50 Off-Prem Raffle (RL-2018-3) on August 11, 2018 at 12 pm drawing to be held 511 Fourth Avenue, Bradley Beach, NJ

Mayor Engelstad stated that the borough's budget is in a unique situation this year. The average homeowner's taxes would be increased with keeping the municipal taxes flat (same as last year) as a result of an increase in property valuations. In order to keep the average residential unit's taxes the same as last year the borough will utilize surplus. In 2018 the borough's contractual obligations, \$300K bond payment, MCIA and an increase in library payments total over \$400K. This proposed budget reflects an increase in spending of \$97K from last year with no increase to the municipal taxes. There is no sewer increase and the beach budget is tight due to last year's rainy weather. After the introduction the budget will be posted on our website and the residents will have a twenty eight day period prior to the adoption to review the budget.

Councilman Bonnell stated he was troubled by the budget process this year. The numbers were not published until the night before the meeting and he discovered the actual figures were not up to date. H continued, that he had gone through the budget with a fine tooth comb and proposed a budget which reflects holding spending with no increases. He commented that there is no reason to increase spending with a \$108K savings with in- house trash collection.

ON MOTION by Engelstad/Goldfarb to introduce the 2018 Municipal Budget

ROLL CALL AYES: Goldfarb, Cotler, Engelstad

NAYS: Bonnell

ABSENT: Weber

ABSTAIN: None

Resolution 2018 – 46 Authorizing the Introduction of the 2018 Budget

#### CONSENT AGENDA

Resolution 2018-47 BILL LIST

Resolution 2018-48 Authorizing the Mayor and Borough Clerk to retain the services of Stern & Dragoset Appraisal Group, Inc. at a fee of \$1,500. & Benchmark Appraisal, Inc. at a fee of \$1,000., Inc., to provide appraisal services

Resolution 2018-49 Various Special Events

Resolution 2018-50 Appointment of Class I and Class II Special Police Officers to the Bradley Beach Police Department

Resolution 2018-51 Authorizing an Executive Session to discuss a litigation matter

#### **ADOPTED**

#### **MAYOR AND COUNCIL REPORTS**

Councilman Goldfarb stated that the Borough sold the 1981 Hanh decommissioned Fire Truck for \$3,000. At an online auction. The truck had been previously purchased for \$1.00. The Borough will also save \$1,500. annually from fire truck's insurance. He thanked Ms. Barrett for her work on the sale.

Councilman Cotler thanked everyone involved in making the 125<sup>th</sup> Anniversary Dinner/Dance a success. He stated that the parking committee had come to a reasonable consensus to the overnight truck parking ordinance and a proposal will be presented at the next borough meeting.

Mayor Engelstad thanked the DPW for their hard work in March keeping the roadways and streets clear during the numerous storms all the while continuing collection of trash and recycling.

**PUBLIC COMMENT**

William Psiuk, 110 Fifth Avenue requested clarification regarding the amendment to Ordinance 2018-6 (One Way Streets). Chief Guida responded that the amendment refers to a portion of Kent Avenue at the rear of 1200 Ocean Avenue.

Ann Polito/Kathy Martin, Sylvan Lake Commission expressed concerns regarding the Sylvan Lake Commission partnership with Avon-by-the-Sea. They continued that the Bradley Beach members had no access to the Commisisions financials and the borough’s liasiaon did not attend the meetings. Mayor Engelstad stated he would present at the next commission meeting.

Brian Becker, Associated Humane Society stated that the Human Society is offering at no cost to the borough a program to address the feral cat population. He provided paperwork in reference to the program and would forward a sample resolution for the governing body to review.

Jane DeNoble, 612 Third Avenue requested a spring clean-up, removal of the cones on Main Street, tree trimming on Main Street and clearing of the debris around the railroad tracks.

Julie Nutaitis, 605 Newark Avenue, stated that the Quality of Life Committee was pleased with the building renovations on Main Street. She was in agreement with Ms. DeNoble regarding the debris on the railroad tracks needing to be cleared. She thanked Mr. Curry for providing the monthly report to the Quality of Life Committee.

ON MOTION           by Engelstad/Goldfarb to enter into an executive session  
ROLL CALL           AYES:           Goldfarb, Bonnell, Cotler, Engelstad  
                          NAYS:           None  
                          ABSENT:       Weber  
                          ABSTAIN:      None

ON MOTION           by Engelstad/Goldfarb to reopen meeting  
ROLL CALL           AYES:           Goldfarb, Bonnell, Cotler, Engelstad  
                          NAYS:           None  
                          ABSENT:       Weber  
                          ABSTAIN:      None

Mayor Engelstad – No action taken in executive session

ON MOTION           by Engelstad/Goldfarb moved to adjourn

ADJOURN            8:05 pm

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KELLY BARRETT  
Municipal Clerk/Administrator