

REGULAR MEETING MINUTES
May 22, 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 5:30 pm

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

Mayor Engelstad requested a moment of silence to remember John McLoughlin, a giant in our community. He stated that our hearts go out to Eileen and the entire family for their loss.

Presentation

Shawn Heeter, Recreation Director stated that the Rec Center focuses on activities for all ages. The Rec meetings are held at the Rec Center on the third Monday of the Month. He announced the yearly programs, Rock Steady Boxing, Yoyalites and Zumba.

He provided a list of summer activities/programs:

“Pickle Ball” held on Tuesday’s at the Rec open to ages 21 and older.

“Go Fish” held on Saturday, June 9th at Sylvan Lake open to ages 16 and under.

“Bocce Ball” held on Monday evenings, beginning on June 11th at Third & Ocean Avenues.

“Summer Camp” registration has begun and there are 150 spaces available.

The “Surf Camp” scholarship is now available.

Assemblyman Edward (Ted) Thomson, the Borough’s representative from the 30th district, wished to introduce himself to the governing body and residents. He advised the audience that he is available for assistance when needed. He continued that he sits on the budget committee and the budget should be adopted in June. There is a lot going on in Trenton at this time with the new Governor.

Mayor Engelstad stated that the borough has been waiting a long time to have the handicap ramps on Main Street installed and he requested assistance from Assemblyman Thomson to have the installation expedited.

Assemblyman Thomson responded that he would have his office contact the DOT about the ramps.

Workshop Discussion

Mayor Engelstad began the discussion on trash/recycling regarding proper disposal and enforcement of same. He stated that one of the main topics is lids on trash containers, enforcement has not been strict and has been subjective. The borough leadership has been reluctant to enforce as the DPW has advised that they are not having an issue and are handling the collection well. Mr. Al Gubitosi had reached out to the Mayor offering assistance with a plan for educating the public and enforcement of the ordinance. He stated that he and Mr. Gubitosi had a lengthy discussion and determined that there are two different ways to handle the enforcement, the first being strict immediate enforcement and the other is educate the public. He continued, Mr. Gubitosi has offered to work with the DPW, Code Enforcement and Business Administrator to prepare a plan for education and enforcement. A representative from the Environmental Commission and Quality of Life will also participate in the process.

Councilman Weber wished to clarify that at no time as a Councilman has he instructed the Code Officer "NOT" to enforce the trash ordinance. He did disagree with the Code Officer issuing over 250 violation warning as was done in the past.

Councilman Goldfarb stated he has confidence in Mr. Gubitosi and was sure that he would be a great assistance to the staff.

Councilman Cotler stated he hoped for a fair and just conclusion to the trash/recycling issue. He expressed concerns for residents when having more trash than containers (example, trash from a party) allowing them to place trash in secure plastic bags. He continued that the "will of the people may differ from the will of the dais.

ON MOTION by Engelstad/Cotler approve the Regular Meeting Minutes
Of May 8, 2018

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

APPROVED MOTION

APPROVAL OF MINUTES

ON MOTION by Engelstad/Goldfarb to approve the Executive Session Minutes
of May 8, 2018

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

APPROVED MOTION

PUBLIC COMMENT

Mike McCarthy, stated that he has lived in the borough since the 70’s and “lids” on trash containers have caused problems during high winds and storms. The lids are frequently lost. He commented that 95% of the plastic in the Oceans is located in the Pacific Ocean. Most of trash in our ocean comes from the party boats.

Ann Polito, Sylvan Lake Commission, requested placing additional trash cans at the lakes as weekend people are placing their household trash in the lake trash containers which does not leave room for the disposal of dog waste.

Eileen Shissias Fourth Avenue commented that when people are having parties they should ask their neighbors for extra containers.

Thomas, Coan 612 Third Avenue, expressed concerns regarding the “right of way” language not being included in the amendment to Ordinance 304-8. He thanked the Council on the amendment to the ordinance regulating meeting notification and agenda ,as this will maintain transparency in local government.

Ms. Barrett responded that Section C of Ordinance 304-8C has language which addresses the “right of way” issue.

A discussion ensued regarding placement of news racks and impeding the “right of way”. Mr. DuPont, Borough Attorney stated he would stop in to have a discussion with the Code Enforcement Officer regarding the “right away” issue and would take a look at the locations that were discussed.

ORDINANCE 2018-7

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 NINE, ORGANIZATION, POWERS, MEETNGS AND RULES OF THE BOROUGH COUNCIL

ON MOTION by Engelstad/Goldfarb to open Public Hearing on Ordinance 2018-7

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

NAYS: None

ABSENT: None

ABSTAIN: None

Public Hearing

Thomas Coan, 612 Third Avenue, stated he was pleased with the outcome of amendment to Ordinance 2018-7.

ON MOTION by Engelstad/Cotler to close the Public Hearing and adopt Ordinance 2018-7

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

NAYS: None

ABSENT: None

ABSTAIN: None

ORDINANCE 2018-13

AN ORDINANCE TO AMEND AND SUPPLEMENT THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BRADLEY BEACH, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, CHAPTER THREE HUNDRED AND FOUR, SECTION TWO, NEWSPAPER DISTRIBUTION BOXES, DEFINITIONS

ON MOTION by Engelstad/Weber to introduce Ordinance 2018-13
ROLL CALL AYES: Weber, Goldfarb, Bonnell, Cotler, Engelstad
NAYS: None
ABSENT: None
ABSTAIN: None

PENDING

ORDINANCE 2018-14

AN ORDINANCE TO AMEND AND SUPPLEMENT THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BRADLEY BEACH, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, CHAPTER THREE HUNDRED AND FOUR, SECTION EIGHT, LOCATION AND PLACEMENT OF NEWSRACKS

ON MOTION by Engelstad/Bonnell to introduce Ordinance 2018-14
ROLL CALL AYES: Weber, Goldfarb, Bonnell, Cotler, Engelstad
NAYS: None
ABSENT: None
ABSTAIN: None

PENDING

ORDINANCE 2018-15

AN ORDINANCE TO AMEND AND SUPPLEMENT THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BRADLEY BEACH, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, CHAPTER THREE HUNDRED AND FOUR, SECTION EIGHT, LOCATIONS AND PLACEMENT OF NEWSRACKS

ON MOTION by Engelstad/Cotler to introduce Ordinance 2018-15
ROLL CALL AYES: Weber, Goldfarb, Bonnell, Cotler, Engelstad
NAYS: None
ABSENT: None
ABSTAIN: None

PENDING

ORDINANCE 2018-18

BOND ORDINANCE AMENDING AND SUPPLEMENTING BOND ORDINANCE NUMBER 2016-5 (WHICH PROVIDES FOR OCEAN PARK AVENUE ROADWAY IMPROVEMENTS) HERETOFORE FINALLY ADOPTED BY THE BOROUGH COUNCIL OF THE BOROUGH OF BRADLEY BEACH, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, ON FEBRUARY 9, 2016, TO INCREASE THE APPROPRIATION BY \$55,000

ON MOTION by Engelstad/Goldfarb to introduce Ordinance 2018-18
ROLL CALL AYES: Weber, Goldfarb, Bonnell, Cotler, Engelstad
NAYS: None
ABSENT: None
ABSTAIN: None

PENDING (4)

Communication

ON MOTION by Engelstad/Cotler to approve and move to the consent agenda the Friends of the Libraries request to hold a yoga fundraiser on Evergreen Avenue Beach on Sundays (8/2/18-9/2/18) with a suggested donation of \$10. and a free beach pass for the day.

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

ADOPTED

ON MOTION by Engelstad/Weber to approve and move to the consent agenda the Friends of the Libraries request to install an additional free library stand at the south end of the beachfront.

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

ADOPTED

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

CONSENT AGENDA

- Resolution 2018-77 BILL LIST
- Resolution 2018-78 Authorizing Change Order #1 to the Riley Park Imp Project
- Resolution 2018-79 Appoint of Geoff Curtiss to the Environmental Commission

ADOPTED

MAYOR AND COUNCIL REPORTS

Councilman Weber stated that he was aware of an issue with neighbors that should have been solved at the zoning board level as there were several variances approved by the board. He continued that the purpose of the Planning and Zoning Boards is to avoid conflict between neighbors. He provided the following updates on the Environmental Commission and BBES: The Environmental Commission is in the process of contacting businesses and gathering information regarding an ordinance banning plastic bags. The Asbury Park Shade Tree/Environmental Commission will be attending the next EC meeting scheduled on Monday, June 4th at 7 pm.

He commented that he disagreed with Councilman Cotler's comments regarding the borough's trash ordinance as we currently have a hard and fast rule. He continued, the plastics in the ocean are not exclusively in the Pacific Ocean, they are also in the Atlantic and the majority of trash originates from the land.

He continued, the Chief of Police attended a school Board meeting and discussed placing an armed guard in the school. The school board has not reached a decision on a police officer in the school as they have a few different options in mind.

Councilman Goldfarb announced that Laslo Hasko would be the Grand Marshal of the 2018 Memorial Day Parade on Saturday, May 26th at 10 am.

Councilman Bonnell stated that the Quality of Life has been reviewing the trash ordinance.

Councilman Cotler stated that he was not opposed to lids on trash containers but we should allow for exceptions. There are residents that are not able to borrow extra trash containers from a neighbor or they are older and cannot get to the trash lot to dispose of the extra trash. An allowance should not be granted to habitual violators but should be viewed as a global issue. He paid homage to John McLoughlin, stating that he was fortunate to know him, he was a true gentleman and a great man. I am honored to have called him my friend. John impressed everyone with his volunteerism even as a very sick man. He made a lasting mark on all of us.

Mayor Engelstad stated that he and the Mayors of small towns were invited to attend a meeting with the Governor. He continued that he was impressed as this was the second meeting held by the Governor. The Governor stated to the audience that this meeting is not about what I can tell you but what you can tell me. The Governor listened to all the comments made and provided the names of staff members to help with issues. He continued that we now have an open line of communication with the Governor's office through his liaison. He mentioned Father Nolan's retirement and thanked him for his leadership. He reminded everyone of the Memorial Day Parade and the Memorial Day Ceremony on Monday when Nestor Winters will be speaking about Stuart Melnick the only Bradley Beach casualty in Vietnam. Bob Quinlan will also speaking on behalf of his son John who lost his life in Afghanistan.

Al Gubitosi, 615 Fourth Avenue, thanked the Mayor and Council for giving him the opportunity to work on the trash ordinance making the rules fair and equitable.

Julie Nutaitis, 605 Newark Avenue, thanked the Mayor and the Quality of Life Committee members for their hard work. She stated on behalf of the QOL members the faith based organizations in town provide guidance and set a good example for the residents.

Thomas Coan, 612 Third Avenue, commented on how well the Trash/Recycling Lot was being managed.

Eileen Shissias, 112 Fourth Avenue, thanked Councilman Weber and Mr. Coan on their assistance regarding mail delivery.

Councilman Weber responded that mail delivery is a problem in other towns as well as Bradley Beach. He contacted Congressman Smith's office to assist with the delivery.

A resident, 706 Fourth Avenue, expressed concerns regarding his neighbor disposing of trash and debris onto his property. Mr. Curry, Code Enforcement Officer requested that he stop in his office tomorrow to discuss.

Adjourn: 7:40 pm

Kelly Barrett, RMC, CMR
Municipal Clerk/Administrator

