

REGULAR MEETING MINUTES
June 26, 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, Bonnell, Cotler
Mayor Engelstad
Acting Borough Attorney Kenneth Pringle
Municipal Clerk/Administrator Kelly Barrett
Chief Financial Officer Gail Krzyzyczuk
Deputy Municipal Clerk Erica Kostyz

Presentation: Jersey Bike Share Program

Fred Brody, Business Development Representative from P3 Global Management began the presentation by introducing John Kelly Director Business Development for P3 Global Management. Mr. Kelly presented the following information: the bike share system was set up as an additional form of public transit and is a friend to the environment. The company offers bike rentals with parking docks which contain 6-8 slots. The bikes are installed with a GPS for tracking and contain internal locks. The parking docks would be placed near the train station and the beachfront. The bike share system is no cost to the borough and a reimbursement to the borough may be negotiated, the reimbursement would begin after all set up fees. P3 Global offers a variety of membership rates for the users.

A lengthy conversation ensued with various questions relating to the system and Mr. Kelly provided the following information: P3 Global Management is attempting to partner up with New Jersey Transit to allow for docks on transit property. The program will be starting at Point Pleasant Beach in the near future and the docks will be located near their train station. The system is app driven and the app allows for advertising (example: events being held in the town). There is very little personal data collected in the system. The bikes display advertising and encourage the advertising of local businesses. All advertising is censored for offensive content and does not allow for alcohol or firearm advertisements. The P3Global program currently has 30K users and anticipates many more users in the future. The bikes are pedal bikes and P3Global Management is looking to deploy electronic bikes in the future. The borough would not be held liable for any injuries as P3 names the borough as additional insured. The bicycles come equipped with baskets for storage. The users are required to be at least 16 years of age and bike helmets are not supplied. If the borough is interested in the bike share program they would be required to go out for RFP's regarding the bike share program.

Julia Rand, Arts Council announced that the Arts Council would be performing “Ireland at the Beach” on July 13th and 14th. The event is to celebrate the Irish Heritage with drama, poetry, song and dance. Ms. Rand thanked the Arts Council members for their hard work over the years

Mayor Engelstad thanked Ms. Rand for leading the Arts Council in their performances and commented that the plays “Doubt and “A Rabbit Hole” were excellent.

ON MOTION by Engelstad/Weber to approve the Special Meeting Minutes of June 6, 2018

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

ON MOTION by Engelstad/Weber to approve the Executive Session Minutes of June 6, 2018

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

ON MOTION by Engelstad/Weber to approve the Regular Meeting Minutes of June 12, 2018

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

ON MOTION by Engelstad/Bonnell to approve the Special Meeting Minutes of June 18, 2018

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

PUBLIC COMMENT

No one wished to speak

Public Hearing/Final Adoption

ORDINANCE 2018-19

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 FIFTY, SECTION FIVE, CONSTRUCTION MAINTENANCE

ON MOTION by Engelstad/Bonnell to open the public hearing of Ordinance 2018-19

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

No one wish to speak

ON MOTION by Engelstad/Cotler to close the public hearing and adopt Ordinance 2018-19

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

ADOPTED

Introduction

ORDINANCE 2018-16

AN ORDINANCE TO AMEND AND SUPPLEMENT THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BRADLEY BEACH, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, CHAPTER TWO HUNDRED EIGHTY SIX, ARTICLE TWO, SECTION ELEVEN, MAINTENANCE OF AUTHORIZED CONTAINERS

ON MOTION by Engelstad/ Bonnell to introduce Ordinance 2018-16

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

PENDING

Bryant Curry, Code Officer advised that the intent of Ordinance 2018-16 was to screen trash cans from the front yards of properties and the purpose of the ordinance is outlined in the beginning of Chapter 286.

ORDINANCE 2018-17

AN ORDINANCE TO AMEND AND SUPPLEMENT THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BRADLEY BEACH, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, CHAPTER TWO HUNDRED EIGHTY SIX, ARTICLE THREE, SECTION TWENTY THREE, RECYCLING PROCEDURES

ON MOTION by Engelstad/Weber to introduce Ordinance 2018-17
ROLL CALL AYES: Weber, Bonnell, Cotler, Engelstad
NAYS: None
ABSENT: Goldfarb
ABSTAIN: None

PENDING

Communications moved to the Consent Agenda

ON MOTION by Engelstad/Weber to approve the request of the Congregation
Agudath Achim to hold Friday Night services at the beachfront
ROLL CALL AYES: Weber, Bonnell, Engelstad
NAYS: None
ABSENT: Goldfarb
ABSTAIN: Cotler

A request from the Congregation Agudath Achim to conduct Friday night service on the grassy area on Ocean and Second Avenue on 6/29/18 & 7/27/18 and at the Fifth Avenue Gazebo on 8/31/18 from 6 – 9 pm

Consent Agenda

Resolution 2018-97 Authorizing a Chapter 159, Clean Communities Grant
Resolution 2018-98 BILL LIST
Resolution 2018-100 Authorizing a Liquor License Renewal for KDK of Bradley, LLC. 1217 Main Street (with conditions)
Resolution 2018-101 Authorizing a Liquor License Renewal for D’Arcy LLC, 310 Main Street
Resolution 2018-102 Authorizing a Special Event, Jersey Shore Rescue Mission, 5K Race on October 27, 2018 from 8am to 12 pm from the Fifth Avenue Gazebo to Ocean Grove
Resolution 2018-103 Authorizing the Municipal Clerk to advertise for Borough Attorney RFQ’s
Resolution 2018-104 Authorizing Gerald Freda, Borough Engineer to perform engineering services during the construction phase at the Sanitary Sewer Repair Project at Brinley Avenue at a fee not to exceed \$4,500.

ON MOTION by Engelstad/Bonnell to appoint members to the Board of Adjustment with the following assignments:

Dominic Carrera thru 12-31-21
Lauren Egbert thru 12-31-21
Deidre Phillips, Alternate 2 thru 12-31-19
Alexis Bouhoutsos, Alternate 3 thru 12-31-19
Michael Affuso July 1, 2018 through 12-31-19

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

ADOPTED

MAYOR AND COUNCIL REPORTS

Councilman Weber provided the following report:

The BBES eighth graders graduation was a great event with 41 graduates.

The Environmental Commission continues to visit the businesses to discuss banning of plastic bags and there is proposed state legislation to ban plastic bags statewide.

Councilman Bonnell stated that the Quality of Life Committee expressed concerns regarding the condition of the tree wells on Main Street. Biagio has confirmed that the DPW is working on the tree wells.

Mayor Engelstad thanked Michael DuPont for his service as borough attorney. He also thanked Mr. Ken Pringle, Esq for stepping in as Acting Borough Attorney. The borough will be advertising for RFPs to secure a new borough attorney. He continued that he wants the Chamber of Commerce/Business Organization to rejuvenate and was optimistic that a new organization would develop.

PUBLIC COMMENTS

William Psiuk, 110 Fifth Avenue requested a progress update on the Riley Park project. Ms. Barrett responded that the park was close to completion and anticipated the band shell be delivered soon.

Paula Gentempo, 109 Fourth Avenue, requested that the speed limit on the first few blocks to Ocean Avenue be reduced to 15 mph to stop speeders.

Lt. Bianchi responded that the Bradley Beach Police Department runs radar throughout the town to address speeders.

Michael Conscenti, Cliff Avenue stated that he was a member of the Board of Adjustment for over 20 years and received a letter from the Mayor informing him that he would not be reappointed. He continued that he did not agree with the manner in which he was notified and it was not appropriate after all his years of service.

Henry Machos, 209 Third Avenue, was disappointed in the Mayor by thanking Mr. DuPont (Borough Attorney who recently resigned) a paid employee who had made poor recommendations on behalf of the borough and failing to thank Mr. Conscenti a volunteer and competent member of the Board of Adjustment for over 20 years.

Mayor Engelstad responded that he was negligent in not publically thanking Mr. Conscenti.

Alan Gubitosi, 615 Fourth Avenue suggested the borough review the current procedures regarding events held in the borough. He stated that he is aware that it is not the borough responsibility to investigate the non-profits, however, a resident was able to go online and find that the non-profit was non-compliant. Ms. Barrett responded that it is not the borough's responsibility to investigate a non-profits status. The borough reviews special event applications to insure that they are complying with the rules and regulations of Bradley Beach. Councilman Bonnell responded that the borough should investigate the non-profit status and Councilman Weber stated that the borough should investigate for large events. Mr. Pringle, Acting Borough Attorney read the state requirements for a social affairs permit and the state does not vet the non-profits status, they follow the previous year's information. It is not the borough responsibility to vet the status of the non-profits, however, it is up to the municipality if they wish to change the current procedure regarding vetting the events.

Terry Wright, 406 Madison Avenue stated that there has been a lot of talk about the Lobster Fest event being cancelled as a result of the Chamber of Commerce's non-profit status being non-compliant. He continued, everyone is missing the point, the reason for the cancellation was a small group of people in town who didn't like or want the Lobster Fest and made it their mission to kill the event. In the process of the controversy the Cutlers and Shirley Ayres names were raked through the mud. There are many people who come to Bradley Beach and enjoy the Lobster Fest and were disappointed that it was cancelled.

Elizabeth Konicki, stated that she is a vendor who has participated in the Lobster Fest event for several years. The Passion Group who runs the event is the most professional group I have ever worked with. The Lobster Fest event was original approved by the Mayor and Council in January right after that Thomas Coan sued the borough to stop the event. This was a one man crusade which impacted and hurt so many people vendors, crafters, visitors, and act. These small businesses are struggling in the environment of Amazon and Walmart. She then stated shame on you Mr. Coan

Julia Rand, Arts Council stated she was sad to see the Lobster Fest cancelled. She requested that motorcycles be banned from Ocean Avenue because of the noise during the Arts Council's productions at the beachfront.

Mayor Engelstad responded that we are unable to prohibit motorcycles from Ocean Avenue

ON MOTION by Engelstad/Weber moved to adjourn

Adjourn: 7:40 pm

Kelly Barrett, RMC, CMR
Municipal Clerk/Administrator

