

REGULAR MEETING MINUTES

**July 10, 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: Weber, Goldfarb, Bonnell, Cotler  
Mayor Engelstad  
Acting Borough Attorney Ken Pringle  
Municipal Clerk/Administrator Kelly Barrett  
Chief Financial Officer Gail Krzyzyczuk  
Deputy Municipal Clerk Erica Kostyz

Richard “Dick” Johnson, Chief Lifeguard provided an update on beach conditions. He stated that there were 50 saves (people in distress) from the last weekend in June through July 8<sup>th</sup>. The lifeguards stay on duty until 7 pm on very hot days and rough waters. The lifeguards and police work in conjunction in order to protect the beachgoers. The lifeguards call everyone in from the ocean when going off duty informing them that the waters are now unprotected. We have instituted a procedure for rough waters, swimming will be prohibited with the exception or surfers, boogie boards (floatation devices) He emphasized that calm waters do not necessarily mean safe waters as the rip current may develop below a calm surface.

Councilman Weber questioned if other towns follow a rough water procedure and require people to be prohibited from swimming.

Mr. Johnson responded that a meeting of the United States Lifeguard Association beach supervisors where instructed to institute a rough water policy. Bradley Beach was ahead everyone else by instituting a policy quite some time ago.

Jack Gentempo, Fourth Avenue questioned why an area off Fourth Avenue was roped off from swimming. Mr. Johnson responded that the area mentioned is an area of rip currents.

ON MOTION by Engelstad/Bonnell approve the Regular Meeting Minutes of June 26, 2018

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

**APPROVED MOTION**

**PUBLIC COMMENT**

No one wished to speak

**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/Weber to open Public Hearing on Ordinance 2018-16

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/Bonnell to close the Public Hearing and adopt Ordinance 2018-16

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

**ADOPTED**

**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/Bonnell to open Public Hearing on Ordinance 2018-17

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/Weber close the Public Hearing and adopt Ordinance 2018-17

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

**ADOPTED**

Councilman Weber stated that the Environmental Commission has been meeting with businesses to discuss the banning of plastic bags and asking for feedback. An ordinance banning of plastic bags (typically used for take-out of food/restaurants and merchandise, etc. with exceptions) and a five cent fee would be assess to the customer for a paper/reusable carryout bag. The five cent fee would be collected by the merchant. There is a pending state law banning of plastic bags, the law would require the imposition of the five cent fee with four cents going to the state and one cent for the merchant. The merchant will keep the five cent fee if the borough adopts the ordinance prior to the state law taking effect.

### **ORDINANCE 2018-20**

AN ORDINANCE OF THE BOROUGH OF BRADLEY BEACH, COUNTY OF MONMOUTH, STATE OF NEW JERSEY AMENDING THE MUNICIPAL CODE TO ADD CHAPTER 358, ENTITLED “RESTRICTIONS ON SINGLE-USE CARRYOUT BAGS”

ON MOTION by Engelstad/Weber to introduce on Ordinance 2018-20

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

NAYS: None

ABSENT: None

ABSTAIN: None

### **PENDING**

#### **Communications added to the Consent Agenda**

A request from the Bradley Beach Library to install a book drop box on Hammond Avenue.

ON MOTION by Engelstad/Bonnell to approve a library drop box on Hammond Avenue

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

NAYS: None

ABSENT: None

ABSTAIN: None

### **CONSENT AGENDA**

Resolution 2018-105 BILL LIST

ON MOTION by Engelstad/Bonnell to approve the Consent Agenda

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

NAYS: None

ABSENT: None

ABSTAIN: None

### **ADOPTED**

### **MAYOR AND COUNCIL REPORTS**

Councilman Weber stated for the record that he is employed by the Surf rider Foundation and the Foundation has been involved in legislation of banning plastic bags. He was not conflicted with voting on the ordinance banning plastic bags in Bradley Beach. He announced that the BBES has done a great job putting together a recycling video and it will be posted on the on the borough website. The Environmental Commission will receive a \$10K donation from the NJ Corporate Wetland Partnership for improvements to the Maritime Forest.

Councilman Goldfarb mentioned that Tom Igo a longtime borough resident had recently passed away at the age 86. He commended the Police, OEM, DPW, Fire Department and First Aid Squad for their hardwork and participation during the enjoyable and safe Fourth of July fire work display.

Councilman Bonnell thanked the police department for cracking down on speeders throughout town. He stated that he agreed with Mr. Psuik that the Riley Park project was taking too long. He scheduled a meeting with Biagio Cofone, DPW Superintendent tomorrow morning to discuss the cause of the delay with the project.

Councilman Cotler thanked Police, DPW Fire Department and First Aid Squad for the successful Fourth of July firework display.

Mayor Engelstad stated that he had met with Councilman Weber and the owner of Finn's to discuss an ordinance banning of plastic bags in the borough, the owner was very receptive to the ordinance. He continued that he attended an informal meeting with Simone Hazel (owner of the Stockroom) and other business owners, the meeting was to create a business origination for the borough. He advised the audience that beach badge sales were up from last year at this time. He reminded every one of the upcoming events, "Ireland at the Beach" on July 13<sup>th</sup> & 14<sup>th</sup> and "Pirate Day" on July 21<sup>st</sup>. Mayor Brown from Neptune City informed me that their town was addressing the offensive odor coming over from the Nylabone factory.

#### **PUBLIC COMMENT**

John Naples, 506B Ocean Avenue stated that Michael "Mickey" Conscenti volunteered his time and service as a Board of Adjustment member for the town for over twenty years. He was instrumental in making the town the success it is today. Mr. Conscenti was advised by mail that he was not being reappointed to the board by mail. This form of notification was disrespectful and not handled with class, you should be ashamed of yourself.

Kathy Martin, Bradley Blvd. expressed concerns regarding the odor emanating from the sewer pump station on Ocean Avenue

Patrick Allen, Assistant DPW Suptendent Supervisor stated that the sewer pump station is treated Frequently to control the odor.

Eric Shotz, 202 Evergreen Avenue, stated that the odor emanating from the sewer plant has improved from what it was in the past. He expressed concerns regarding people at the beachfront after hours and leaving garbage and debris.

Councilman Weber requested that the Special Officer patrolling the beachfront monitor littering more closely.

Julie Nutaitis, 605Newark Avenue, questioned if the Borough would be putting together a new parking committee. She requested curb cuts on Newark Avenue be yellowed out to assist the residents backing out of their driveways. She expressed concerns regarding the depth of the fountain and borough's liability if someone is injured at the fountain.

Ms. Barrett stated that the Monmouth County JIF Insurance has reviewed the fountain and approved the size of the fountain.

Al Gubitosi, 615 Fourth Avenue complimented the Police Department on enforcing the tent ordinance on the beach. He requested that littering be more closely monitored. He stated that with an ordinance banning plastic bags the borough may want to look into cloth bag with a borough logo.

Paul Neshamkin, Bradley Beach Historical Society President, stated that the Historical Society has been revived and will be better than ever. They are working on getting all of their non-profit records in order. He encouraged membership to the Historical Society and left membership forms for the public.

Salvatore Galassetti, 220 Newark Avenue stated that there is an issue with people failing to clean up after their dogs during the early morning hours. He suggested additional patrols to enforce proper clean up. He recommended the borough ban the use of Styrofoam at the restaurants/businesses on Main Street similar to the ban of Styrofoam at the beachfront concessions.

Eileen Shisass, 112 Fourth Avenue commented that the beachfront looks fabulous however there are additional areas at the beachfront needing to be addressed.

Henry Machos, 209 Third Avenue expressed concerns regarding people going to the beachfront after hours and littering. He requested in the future that the public be advised of beach sales with a more in depth report.

ON MOTION by Engelstad/Cotler to go into Executive Session to discuss the acquisition of property

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

ON MOTION by Engelstad/Cotler to re-open the regular meeting

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

Mayor Engelstad – No Action taken

ON MOTION by Engelstad/Bonnell moved to adjourn

Adjourn: 7:45 pm

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Kelly Barrett, RMC, CMR  
Municipal Clerk/Administrator