

REGULAR MEETING MINUTES

July 9, 2019 at 6:30 pm

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.

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 Schaeffer
Municipal Clerk/Administrator Kelly Barrett
Erica Kostyz, Deputy Municipal Clerk

WORKSHOP DISCUSSION

Property Maintenance & Housing Standards: Sidewalks

Mayor Engelstad began the workshop discussion by stating that the following language has been proposed in an amendment to Chapter 350 Construction Site Maintenance Standards, specifically sidewalks, which is being introduced tonight 2019-17: Any damage to sidewalks, ramps and signage shall be repaired temporarily within 48 hours to maintain safety, with crushed stone and the use of silt fencing as a temporary measure and that permanent repair be done at the conclusion of construction to the satisfaction of the Borough Engineer. Ken Triano, Construction Official, has approved the added language and will provide a copy of the amendment in the construction packets. Councilman Bonnell expressed concerns regarding the use of crushed stone because it is loose and may cause bicyclist to wipe out. He suggested the language be changed to require sidewalk replacement with concrete. A conversation ensued regarding the type of material that should be used for temporary sidewalks. It was determined that the "crushed stone" language would be replaced with the following: "substance satisfactory to the Borough Engineer". Mayor Engelstad continued, the amendment to Ordinance 2019-18 addresses the requirement for a construction plan which provides for safe circulation of pedestrian. The plan shall be agreed upon by the Construction Official and Developer.

ON MOTION by Weber/Cotler to approve the Regular Meeting Minutes of June 25, 2019

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

APPROVED

PUBLIC COMMENT

Thomas Coan, 612 Third Avenue, questioned if the amendment to Chapter 350 will impact the Giamanno’s property. He suggested that the added language to Chapter 350 (sidewalks) be more specific as to the type of material that is required to be used.

Ms. Schaffer responded that the current language in Chapter 350 (sidewalks) covers the Giamanno’s property. She continued, the borough has sent a letter to the property owner regarding the sidewalk and summonses have been issued against the property owner.

Sal Galassetti, 220 Newark Avenue, expressed concerns regarding the condition of the storm drains specifically one located on Newark Avenue. The storm drain has a thin layer of steel and may cause an injury, especially for bicyclists. He continued that he had spoken to the Borough Engineer last year and due to the condition of the drains the Borough may be eligible for emergency funding. He suggested emergency funding rather than wait for a DOT grant that may take 6-12 months to receive.

ORDINANCE 2019-17

AN ORDINANCE TO AMEND AND SUPPLEMENT THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BRADLEY BEACH, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, CHAPTER 350, PROPERTY MAINTENANCE AND HOUSING STANDARDS

ON MOTION by Engelstad/Goldfarb to introduce Ordinance 2019-17 with the amended language “substance satisfactory to the Borough Engineer”.

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

PENDING

ORDINANCE 2019-18

AN ORDINANCE TO AMEND AND SUPPLEMENT THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BRADLEY BEACH, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, CHAPTER 270, LAND DEVELOPMENT, ATTACHMENT 1:11

ON MOTION by Engelstad/Goldfarb to introduce Ordinance 2019-18

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

PENDING

Communication

ON MOTION by Engelstad/Weber to move the request from the First Aid Department to the Consent Agenda

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

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

Resolution 2019-138 Authorized a Chapter 159 “Clean Communities Grant”

Resolution 2019-138 BILL LIST

Resolution 2019-140 Authorized a DOT grant application for the Roadway Improvement Program, requesting \$312,000 in state funding, with the Borough’s contribution of \$27,000. for Kent & Cliff Avenue(s) and portions of Newark, Beach & Central Avenue(s)

Resolution 2019-141 Authorized the adoption of a Beach Management Plan in cooperation with the NJ DEP

Resolution 2019-142 Authorized the appointment of Deborah Bruynell to Board of Adjustment Alternate II member through December 31, 2019

Resolution 2019-143 Authorized an executive session to discuss contract negotiations

APPROVED

Authorized the First Aid Department to sell 50/50 raffle tickets in Riley Park and the beachfront through September 2, 2019.

AUTHORIZED

MAYOR AND COUNCIL REPORTS

Councilman Weber thanked the governing body members for attending the 8th grade graduation. Mr. Weber commented on the great firework display, the newly renovated “Showroom” theatre. He stated that the Recreation camp is in full swing and they also offer fitness classes.

Councilman Goldfarb thanked all of the emergency services/departments and Ken Child, Fire Marshall for their work and assistance during the wonderful fireworks display.

Councilman Cotler thanked all of the volunteers and staff members for their hard work during the Fourth of July Celebration. He complimented the Department of Public Works for working hard all year long.

Mayor Engelstad thanked Council President Cotler for standing in for him at the last meeting. He commented on the successful 8th grade graduation and mentioned the Strategic Planning Task Force meetings are underway. He announced, “beach badge sales are up \$37K from last year at this time”

PUBLIC COMMENT

Maryann Galassetti, property owner on Newark Avenue, stated that she had sent a letter to the Mayor and Council regarding the inspection requirements on short term rentals. She continued, there are a lot of short term rental properties in the borough that are unaware of the borough's inspection requirements. She commented that a popular rental site "AIR BNB" (short term rentals) is a reputable company which operates all over the world and does extensive background checks on their customers. She commented, the properties are smaller on the north end versus the south end of town, therefore, the owners on the north end of town receive less in rentals fees and are required to pay the same inspection fees. The borough's requirement to pay for a C/O inspection for each new occupant adversely impacts the property owners on the north side of town. Ms. Galassetti requested the governing body reconsider the current inspection requirements and change the requirement to one fee and one inspection. She suggested the governing body look at how other shore towns are handling short term rentals.

Mayor Engelstad responded that the borough has looked at other towns and our requirements are similar to theirs.

Al Gubitosi, 615 Fourth Avenue, expressed concerns regarding bicycle traffic on Main Street and the beachfront promenade. He requested an update on the trash/recycling enforcement.

Mayor Engelstad agreed that there is extra bike traffic in town. He continued that more people are biking all over.

Kelly Barrett responded that there has been an improvement with the proper placement of trash (in a container with a lid). Pat Allen, Asst. Code Officer has been compiling a list of violators and issues a warning to the resident which explains the violation (loose plastic bags or trash in a container without a lid) for the trash that is not placed properly. Mr. Allan will issue a summons after three (3) continuous violations.

Thomas Coan, 612 Third Avenue, commented that Ms. Gavin is doing a great job as a Strategic Plan facilitator. He suggested a workshop being held prior to changing the ordinance regarding rentals and short term rental inspection requirements.

William Psiuk, 110 Fifth Avenue, commented that he has seen the police issue summons to individuals that ride their bikes on Main Street and the beachfront promenade.

Julie Nutaitis, 605 Newark Avenue, stated that she was almost run over from a bicycle on Main Street. She suggested a brochure be prepared listing the boroughs rules and hand it out with C/O applications. She expressed concerns regarding code enforcement staffing.

Ms. Barrett provided information on a possible agreement with SC Johnson for the collection of "Plastic Film". SC Johnson has agreed to purchase a kubado for the borough in order to collect "Plastic Film" (cleaner, produce and supermarket bags). She continued, negotiations are close to being complete and we anticipate a resolution authorizing an agreement shortly. Ms. Barrett announced that the artist will begin painting the "Welcome to Bradley Beach" mural within the next few weeks.

Councilman Weber stated SC Johnson would like to use the borough as a pilot program for the collection of “Plastic Film”

ON MOTION by Engelstad/Weber to go into executive session to discuss a contract negotiations

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

Mayor Engelstad – No Action taken in executive session.

ON MOTION by Engelstad/Goldfarb to reopen the public meeting

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

Engelstad/Goldfarb moved to adjourn

ADJOURN 8:10 pm

KELLY BARRETT RMC, CMR
Municipal Clerk/Administrator