

REGULAR MEETING MINUTES
September 11, 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.

Mayor Engelstad requested a moment of silence to remember the lives lost and victims of 911 attack.

Councilman Cotler requested a moment of silence for the passing of longtime resident Marvin Rosen.

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 Schaffer
Municipal Clerk/Administrator Kelly Barrett
Chief Financial Officer Gail Krzyzczuk
Deputy Municipal Clerk Erica Kostyz

WORKSHOP DISCUSSION: Engineer's Report

Gerald Freda, Borough Engineer provided the following update on Borough projects:

- Sanitary Sewer Project will resume the week of September 17th.
- Sylvan Lake Bank Stabilization bid has been awarded and a pre-construction meeting will be scheduled. The project will begin in September or October and will continue through the spring.
- Riley Park Improvement Project is complete and the paperwork is being closed to the Community Development Block Grant for reimbursement.
- Ocean Park Avenue, Phase I, project will extend from Main Street to Madison Avenue. The bid opening has been scheduled for September 20th.

Councilman Bonnell expressed numerous concerns regarding the construction site at 301 Main Street which included public safety concerns. He questioned Mr. Freda on what was being done at the site to address the issues.

Mr. Freda responded, responded that he was only be able to comment on the site work as this was his participation with the project. He continued that his office had completed a sewer inspections thus far and the Councilman's remaining concerns fall under the borough's construction department. However, based on your concerns, I have visited the construction site many times and it is my understanding that they have received the required permits for Main Street from the DOT. The sidewalk/curbing is required to be replaced in accordance with the planning board approval.

ON MOTION by Engelstad/Weber approve the Regular Meeting Minutes
Of August 28, 2018

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

MINUTES APPROVED

PUBLIC COMMENT

Thomas Coan, 612 Third Avenue, expressed concerns regarding the resolution “Mayor and Council establishing the number of Special Parking Permits”. He questioned if the applications had been vetted properly and why was the resolution not passed in January. Ms. Schaffer, Borough Attorney responded that the resolution had not been passed previously and she recommended as a matter of housekeeping a resolution establishing the number as 49 as that was the number of permits issued this year. Ms. Barrett responded that the applications are vetted thoroughly and there has been no resolutions passed since 2015 when the language was added “Mayor and Council establishing the number of permits issued”. Mr. Coan requested a workshop in October to discuss further.

Councilman Cotler stated that the applications are due by January 31st and the resolution listing the number of permits will be placed on the agenda the first meeting in February.

Thomas Coan 612 Third Avenue, requested an update from Mr. Freda regarding the handicap ramps on Main Street

Mr. Freda referred the question to Ms. Barrett and she responded that she attended a meeting with the DOT this morning and once again mentioned the handicap ramps and requested an update. Mr. Bortoni, Deputy Commissioner stated that he would check on the status and would get back to me.

William Psiuk, 110 Fifth Avenue expressed concerns regarding the ordinance banning plastic bags as it requires a fee imposed to the customer for paper bags. He stated that he considers this a surcharge and is opposed to the fee.

Councilman Weber explained the purpose of the ordinance banning plastic bags and charging a fee for a paper bag is to encourage the use of re-useable bags.

Jim Byrnes, Fifth Avenue, questioned if the resolution establishing the number of special parking permits limits handicap spaces in town. He continued that he provided Ms. Barrett with a sample of a re-useable bag which a borough logo may be affixed. Ms. Schaffer responded that the handicap spaces in town will remain the same. The resolution regarding special parking permits establishes the number of permits issued for resident’s parking in front of their home.

Al Gubitosi, 615 Fourth Avenue, questioned if any handicap individual could park in an area with a “Restricted Parking” area sign. Mayor Engelstad responded, no, the restricted parking is designated for the handicapped individual in that specific home.

A conversation ensued regarding the special parking spaces and comments were made: the purpose of the special parking permits is to shorten the walk for a handicap individual to their home. Special parking permits are issued to individual with driveways when their driveway is not easily accessed by the handicapped resident.

Julie Nutaitis 605 Newark Avenue, stated that the process should be more formalized to ensure that handicap people are receiving the special parking permits. She commented that there is a lot of talk in town that you can just pay to get a spot and was not sure if that was true or not.

Councilman Goldfarb stated that people cannot just go and pay for a spot. The police department do their job and vet each application properly.

Thomas Coan 612 Third Avenue, commented that the ordinance requires a sticker and a handicap placard on the vehicle and that is not always the case.

Michael McCarthy 604 ½ McCabe Avenue questioned if the handicap on Main Street is controlled by the state.

Mayor Engelstad, responded, yes

Jim Byrnes, Fifth Avenue, expressed concerns regarding an application deadline and limiting the number of special parking permits issued. He stated that the DMV has begun issuing Purple Heart placards allowing those individuals to park anywhere.

Julie Nutaitis 605 Newark Avenue, questioned if it was the borough's responsibility to provide parking when someone is renting or purchasing and there is not ample parking. She questioned, "Are individuals renting eligible to receive a special parking permit".

Lt. Bianchi responded that renters may apply for special parking permits.

Councilman Cotler commented that Bradley Beach is one of the few towns that assist the handicap with special parking permits.

Jack Gentempo, 103 Fourth Avenue, expressed concerns regarding placement of the special parking permit stickers not being visible in the car windows.

Terence Wright, 406 Madison Avenue, stated as a borough employee he is certain stickers are issued to individuals receiving the special parking permit.

George Bachar, 407 Fletcher Lake Avenue stated he had been a Special Officer for the Bradley Beach Police Department. Special parking permit stickers are issued and placed in the rear windows of the vehicles. The police department patrols and inspects the vehicles against a master list to confirm the vehicle is permitted to park in that restricted location.

ORDINANCE 2018-22

AN ORDINANCE TO AMEND AND SUPPLEMENT THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BRADLEY BEACH, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, CHAPTER 358, SECTION FOUR “Fee for Single-Use Paper Bags and Reusable Carryout Bags “

Councilman Cotler expressed concerns regarding enforcement of the required fee for a bag and suggested a language change to “the merchant may impose a fee” versus “shall impose a fee”

Ms. Schaffer stated that the enforcement of the ordinance falls under the general penalty section of the code.

Councilman Weber stated the ordinance will be enforced by the Code Officer. The imposition of a mandatory fee is to deter individuals of using bags all together and to encourage the use of re-useable bags.

ON MOTION by Engelstad/Weber to introduce Ordinance 208-22
ROLL CALL AYES: Weber, Goldfarb, Bonnell, Engelstad
NAYS: None
ABSENT: None
ABSTAIN: Cotler

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- 128 Authorizing Tax Title Lien Redemption (s)
- Resolution 2018-129 Authorizing a tax payment refund for 200 Evergreen Avenue (Block 75 Lot 11) in the amount of \$2,462.84
- Resolution 2018-130 Authorizing an attorney fee refund for 504 Central Avenue Block 50 Lot 23) in the amount of \$1,222.
- Resolution 2018-131 BILL LIST
- Resolution 2018-132 Authorizing the governing body to establish the number of Special Parking Permits for 2018

ADOPTED

MAYOR AND COUNCIL REPORTS

Councilman Weber stated that the borough was eligible for a Storm Water Grant mentioned at the last meeting, however, the grant covers Barnegat Bay. He continued, BBES Board of Education has yet to make a decision on a school safety officer. He advised that the increase in the school budget covers the increase in enrollment. The borough scheduled a meeting with the state to address bulkhead at the very south end of town. He encouraged patronage of the Bradley Fresh Market.

Councilman Goldfarb announced that the Office of Emergency Management has been monitoring Hurricane Florence scheduled to make land fall in the Carolinas. The OEM will continue to keep the public informed. He recognized the significance of September 11th being the 17th Anniversary of the 911 attack. He commented that people continue to suffer and was concerned funding was running out.

Councilman Bonnell stated that he received a report from Kelly Barrett, Borough Administrator regrading recommendations for the beachfront which includes a family play area at the north end of the beachfront. He did not agree with the recommendation and would like it discussed at a workshop.

Mayor Engelstad stated that the report Councilman Bonnell mentioned was provided by Ms. Barrett as an internal update/recommendations on borough projects.

Councilman Cotler congratulated DPW on doing a great job getting ready for storms and working in inclement weather. He stated he has received comments from residents regarding brush pick up through the summer months and suggested hiring additional personnel next year to allow for the manpower for summer pick-ups. He continued, he had spoken to Biagio and Kelly regarding a street sweeper schedule to begin in the spring. He reminded the public when voting to hold the candidates more fiscally responsible.

Mayor Engelstad read a letter received from Congressman Chris Smith's office stating mail delivery will be returned to the Bradley Beach Post Office in the next few weeks. He reminded everyone of the Historical Society's Porch Tour this weekend.

PUBLIC COMMENT

George Bachar, Fletcher Lake Avenue, encouraged the public to sign up for the OEM alert system.

A resident thanked the Mayor and Council for adopting the banning of plastic bags. She expressed concerns regarding the trash/litter coming from Quick Check as the landscapers blow trash on to her property on Newark Avenue. She suggested the stores be required to build a berm with landscaping to keep their debris on their property.

Beverly Riley, 412 Burlington Avenue expressed concerns regarding a neighbor operating an Air BNB.

Ms. Barrett stated that the Code Officer has been made aware of the situation on Burlington Avenue and would be investigating. She requested the neighbors contact the Code Office or Police Department if they see any AIR BNB activity.

Jim Byrnes, Fifth Avenue, questioned if the borough passed a resolution for a school funding formula as that could cover the cost of a school safety officer.

Thomas Coan 612 Third Avenue stated he was in favor of additional brush pickup during the summer months. He commented on how great the dunes look on beachfront. He expressed concerns regarding all of the lawn signs in town and how the political signs are not adhering to the ordinance 45 day prior to the election requirement.

Councilman Weber stated that Bryant Curry, Code Officer is aware of the political signs and will be addressing.

William Psiuk, 110 Fifth Avenue, stated he had mentioned proposing an ordinance to ban AIR BNB and suggested the borough be more pro-active on issues.

A resident stated that she resides at the North End of town and how it has drastically improved since she first moved in. She was not opposed to an AIR BNB as people can't afford to rent all summer long and the rentals create revenue for borough businesses.

Engelstad/Goldfarb moved to adjourn

ADJOURN 8:00 pm

KELLY BARRETT RMC, CMR
Municipal Clerk/Administrator

