

REGULAR MEETING

August 23, 2016

A regular meeting of the Mayor and Council of the Borough of Bradley Beach was held in the meeting room on the above date.

CALL TO ORDER

Mayor Gary Englestad 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 7:33 p.m.

Present: Council: Cotler, Goldfarb, Galassetti,
Mayor Engelstad
Business Administrator Joyce Wilkins
Borough Attorney Michael DuPont
Acting Municipal Clerk Kelly Barrett

ADDED ITEMS TO THE AGENDA

ON MOTION by Engelstad/ Galassetti moved to add item(s) to Consent Agenda
Portuguese Shamrock Liquor License Renewal 2015-2016 & 2016-2017
Congregation Agudath Achim Friday Services 9/2/16 at the Gazebo,
Updated Bill List

ROLL CALL AYES: Cotler, Goldfarb, Galassetti, Engelstad
NAYS: None
ABSENT: Volante

APPROVAL OF MINUTES

ON MOTION by Engelstad/ Goldfarb approve minutes of June 28, 2016

ROLL CALL AYES: Cotler, Goldfarb, Galassetti, Engelstad
NAYS: None
ABSENT: Volante
ABSTAIN: Galassetti

ON MOTION by Engelstad/ Goldfarb approve minutes of July 12, 2016

ROLL CALL AYES: Cotler, Goldfarb, Galassetti, Engelstad
NAYS: None
ABSENT: Volante

ON MOTION by Engelstad/ Goldfarb approve minutes of July 26, 2016

ROLL CALL AYES: Cotler, Goldfarb, Galassetti, Engelstad
NAYS: None
ABSENT: Volante

Code Enforcement Update

Bryant Curry, Code Enforcement Officer presented a report of all properties with violations/summons issued for code violations. He stated that the information may also be obtained from the SDL portal with a complete list of addresses and violations. Mr. Curry reported violations at 217 McCabe Avenue and a discussion ensued regarding the property; Mayor Engelstad questioned if there is a formula to determine the percentage of disrepair of a property. Mr. Curry responded that the percentage of disrepair versus the value of the property is made by the contractor. Councilman Goldfarb stated that sounded self-serving on behalf of the contractor, can't the borough inspect to make that determination, does it have to be a dollar amount and it may be a health hazard to the public. Mayor Engelstad had a question as to who makes the determination of condemnation. Mr. Curry responded that the engineer and architect, professionals make the determination. Mr. DuPont stated that the borough engineer gives his opinion of the property. Mr. Curry responded that the building is sound. In reference to 610 Newark Avenue, Mr. Curry stated that he spoke with Mr. DuPont regarding our ordinance that allows us to go on the property and clean it up. Mr. Galassetti stated that property is a mess, it looks like used car lot. Mr. DuPont stated that we have an ordinance in place, there is a notice requirement and then we have the DPW clean up the property and place a lien on said property, for the cost of the clean. A resident had a question regarding violations located in the rear of the property and questioned if it can only be seen by the property that backs up to, does it fall under your office. Mr. Curry responded yes, contact our office.

A resident questioned the status of 811 Ocean Avenue. A discussion ensued regarding the property: Mr. DuPont advised that the attorney for 811 Ocean Avenue had been on vacation and he will return next week. Also, we have threatened to revoke the license for expansion of the use and we have a call into Judge Serpentelli as to when we can meet with him for direction. Mayor Engelstad asked Mr. Curry and the Chief if there had been any issues; Mr. Curry responded that there had been cigarette butts on the sidewalk but they are cleaned up every day. The Chief stated that there hadn't been any issues. Mr. Bonnell 506 Third Avenue, questioned why the code office has not issued a summons for non-conforming use, as they are currently advertising the location as a business and are making money. He continued there is no harm in issuing a summons. Mr. DuPont stated that the issues are two (2) fold, one is the expansion of the use and the second is a complete mis-representation of what was going to be placed there. Mayor questioned "Why can't we do something", Mr. Curry stated that the last paragraph of the agreements states that if there is any disagreement regarding the use it is to be returned to the Judge. Mr. DuPont stated the agreement does not prohibit issuing a summons if you have sufficient evidence. In my opinion you can issue a summons. Mayor Engelstad made a motion to issue a summons seconded by Mr. Galassetti, unanimous decision from the governing body present.

Public Comment

Julie Nutaitis 605 Newark Avenue, expressed thanks to Mr. Curry and the Mayor for taking the initiative to putting the code enforcement report together. The public is not aware what is going in the office, we now see that people are being accountable.

Introduction

ORDINANCE NO. 2016-35

AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BRADLEY BEACH ENTITLED, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, CHAPTER 24 COMMISSIONS AND COMMITTEES

ON MOTION by Engelstad/ Goldfarb to introduce
ROLL CALL AYES: Cotler, Goldfarb, Galassetti, Engelstad
NAYS: None
ABSENT: Volante

COMMUNICATIONS

ON MOTION by Engelstad/ Goldfarb moved to the consent agenda: Café Licenses: Ponchos & Juncos & Tuscany by the Sea

ROLL CALL AYES: Cotler, Volante, Goldfarb, Galassetti, Engelstad
NAYS: None
ABSENT: None

ON MOTION by Engelstad/ Goldfarb moved to approve items on the consent agenda

ROLL CALL AYES: Cotler, Volante, Goldfarb, Galassetti, Engelstad
NAYS: None
ABSENT: None

Consent Agenda

Resolution 177 Authorizes a 2016 Senior Citizen Tax Deduction
Resolution 178 Authorizes cancellation of a sewer utility bill for Block 26 Lot
Resolution 179 Authorizes the imposition of a sewer utility bill for Block 26 Lot 10.01 thru 10.18
Resolution 180 Authorizes a Tax Lien Redemption for Block 70 Lot 7
Resolution 181 BILL LIST
Resolution 182 Authorizes the Mayor and Clerk to execute documents regarding the Deed of Open Space Easement Block 8 Lot 1
Resolution 183 Authorizes to reject bids of the Centennial Fountain and Pool Reconstruction and direct the Acting Municipal Clerk to re-advertise for bids
Resolution 184 Authorizes 2015-2016 liquor license renewal for the Portuguese Shamrock 416 Main Street
Resolution 185 Authorizes 2016-2017 liquor license renewal for Portuguese Shamrock 416 Main Street

ADOPTED RESOLUTION

Council Reports

Councilman Cotler provided a First Aid activity/assistance report. He expressed thanks to the Bradley Beach Police Department, First Aid, OEM, and Ladies Auxiliary for all of their help and

assistance during a time of great sorrow when a young man drowned off of Brinley Avenue beach.

Councilman Goldfarb provided the Fire Company's July activity and training report, which included the Bradley Beach Fourth of July Fireworks Display. He also thanked the departments for their response to the drowning. He announced that games tables donated by the Memorial Day Parade Committee were being installed in Riley Park.

Councilman Galassetti stated that the Department of Public Works full and part timers did a phenomenal job this summer keeping the beachfront looking beautiful. He then announced that after 17 years he would not be running for re-election. It was time to move on and stated it has been an honor to serve Bradley Beach.

Mayor Engelstad thanked Councilman Galassetti for his years of service. He addressed the rejection of bids for the Centennial Fountain located at the beachfront as frustrating since the bids came in well over what was estimated. He then stated that this past Saturday he along with the Councilman Goldfarb, Chief Guida and other members of the police department attended a cook-off at the Congregation Agudath Achim and it was a great success.

Public Comment

Kathy Martin, 410 Bradley Blvd., wanted to express thanks to Pat Allen and Biagio Confine of the Department of Public Works for their assistance and always going out of their way to help.

ON MOTION by Engelstad/ Goldfarb moved to adjourn

ADJOURN 8:25 pm

KELLY BARRETT
Acting Municipal Clerk