

REGULAR MEETING MINUTES

May 23, 2017

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 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 6:30 pm**

Present: Council: Weber, Goldfarb, Bonnell, Cotler  
Mayor Engelstad  
Borough Attorney Michael DuPont  
Chief Financial Officer, Gail Krzyzyczuk  
Municipal Clerk, Kelly Barrett

**APPROVAL OF MINUTES**

ON MOTION by Englestad/Weber to approve Regular Meeting minutes of April 18, 2017

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

ON MOTION by Englestad/Weber to approve Regular Meeting minutes of April 25, 2017

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

Discussion Item Zoning Chapter 450-30 & 31 possible introduction of Ordinance 2017-8

**ORDINANCE 2017-8**

AN ORDINANCE TO AMEND AND SUPPLEMENT THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BRADLEY BEACH, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF BRADLEY BEACH, COUNTY OF MONMOUTH AND STATE OF NEW JERSEY, THAT CHAPTER 450 OF THE GENERAL ORDINANCES OF THE BOROUGH OF BRADLEY BEACH SHALL BE REVISED TO INCLUDE THE REVISIONS TO ARTICLE V, ZONE REGULATIONS SECTION 450-30 O-P OFFICE AND PROFESSIONAL ZONE AND 450-31 B-O-R BUSINESS, OFFICE AND RESEARCH ZONE

ON MOTION by Engelstad/Goldfarb to introduce Ordinance 2017-8  
ROLL CALL AYES: Weber, Goldfarb, Bonnell, Cotler, Engelstad  
NAYS: None  
ABSENT: None

**PENDING ADOPTION**

**PUBLIC COMMENT – None**

**ORDINANCE 2017-14**

AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BRADLEY BEACH, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, ADD CHAPTER 111, “SALE OF TOBACCO PRODUCTS”, PROHIBIT THE SALE OF TOBACCO TO PERSON UNDER THE AGE OF 21

ON MOTION by Engelstad/ Bonnell to open public hearing  
ROLL CALL AYES: Weber, Goldfarb, Bonnell, Cotler, Engelstad  
NAYS: None  
ABSENT: None

Public Hearing – No one wished to speak

ON MOTION by Engelstad/Goldfarb to close public hearing and adopt  
ROLL CALL AYES: Weber, Goldfarb, Bonnell, Cotler, Engelstad  
NAYS: None  
ABSENT: None

**ADOPTED**

**ORDINANCE 2017-15**

AN ORDINANCE TO AMEND AND SUPPLEMENT THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BRADLEY BEACH, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, CHAPTER FOUR HUNDRED FIFTY, ARTICLE IV, REGULATIONS, SECTION THIRTEEN G, PERMITTED YARD ENCROACHMENTS, AIR CONDITIONERS

ON MOTION by Engelstad/ Goldfarb to open public hearing  
ROLL CALL AYES: Weber, Goldfarb, Bonnell, Cotler, Engelstad  
NAYS: None  
ABSENT: None

**Public Hearing**

A resident commented that he was in agreement with the Air Conditioning Ordinance that it will be good for Bradley Beach.

ON MOTION by Engelstad/Goldfarb to close public hearing and adopt  
ROLL CALL AYES: Weber, Goldfarb, Bonnell, Cotler, Engelstad  
NAYS: None  
ABSENT: None

**ADOPTED**

**ORDINANCE 2017-6**

AN ORDINANCE TO AMEND AND SUPPLEMENT THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BRADLEY BEACH, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, TO REGULATE THE DEVELOPMENT AND MANAGEMENT OF LOW- AND MODERATE-INCOME HOUSING UNITS TO ADDRESS THE BOROUGH’S AFFORDABLE HOUSING OBLIGATION PURSUANT TO THE FAIR HOUSING ACT OF 1985, ADDING CHAPTER FOUR HUNDRED FIFTY ONE ‘FAIR SHARE HOUSING - AFFORDABLE HOUSING’

ON MOTION by Engelstad/ Goldfarb to open public hearing  
ROLL CALL AYES: Weber, Goldfarb, Bonnell, Cotler, Engelstad  
NAYS: None  
ABSENT: None

Public Hearing – No one wished to speak

ON MOTION by Engelstad/Goldfarb to close public hearing and adopt  
ROLL CALL AYES: Weber, Goldfarb, Bonnell, Cotler, Engelstad  
NAYS: None  
ABSENT: None

**ADOPTED**

**ORDINANCE 2017-7**

AN ORDINANCE TO AMEND AND SUPPLEMENT THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BRADLEY BEACH, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, ESTABLISHING AFFORDABLE HOUSING OVERLAY ZONES IN THE BOROUGH IN COMPLIANCE WITH BRADLEY BEACH’S CONSTITUTIONAL OBLIGATION TO PROVIDE AFFORDABLE HOUSING, ADDING CHAPTER FOUR HUNDRED FIFTY ONE, “AFFORDABLE HOUSING OVERLAY ZONES”

ON MOTION by Engelstad/Bonnell Goldfarb to open public hearing  
ROLL CALL AYES: Weber, Goldfarb, Bonnell, Cotler, Engelstad  
NAYS: None  
ABSENT: None

Public Hearing

TJ Coan (612 Third Avenue) commented that he had density concerns regarding Ord. 2017-7

ON MOTION by Engelstad/Goldfarb to close public hearing and adopt  
ROLL CALL AYES: Weber, Goldfarb, Bonnell, Cotler, Engelstad  
NAYS: None  
ABSENT: None

**ADOPTED**

**ORDINANCE 2017-9**

AN ORDINANCE TO AMEND AND SUPPLEMENT THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BRADLEY BEACH, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, ESTABLISHING DEVELOPMENT FEES TO SUPPORT THE BOROUGH’S AFFORDABLE HOUSING PROGRAM, ADDING CHAPTER FOUR HUNDRED FIFTY ONE, “DEVELOPMENT FEES”

ON MOTION by Engelstad/ Bonnell to open public hearing  
ROLL CALL AYES: Weber, Goldfarb, Bonnell, Cotler, Engelstad  
NAYS: None  
ABSENT: None

Public Hearing – No one wished to speak

ON MOTION by Engelstad/Bonnell to close public hearing and adopt  
ROLL CALL AYES: Weber, Goldfarb, Bonnell, Cotler, Engelstad  
NAYS: None  
ABSENT: None

**ADOPTED**

**COMMUNICATIONS**

Approved Raffle License for the Ladies Auxiliary of Bradley Beach Fire Dept., 815 Main St.  
June 25, 2017 at 6 pm (RL-2017-7 Merchandise)

Authorized a Surf Board Demo at Third Avenue Beach on various dates with the use of a pop up canopy tent with conditions that all parties/employees have a background check conducted by the Bradley Beach Police Department

**CONSENT AGENDA**

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

- Resolution 115 Tax Title Lien Redemption
- Resolution 116 Authorizing a tax refund of an overpayment at 111 Kent Avenue (Blk 11 Lot 15)
- Resolution 117 BILL LIST
- Resolution 118 Authorizing the Borough Clerk to advertise for RFQ's for the position of Judge of the Municipal Court
- Resolution 119 Authorizing the Brain Injury Alliance of New Jersey Walk on Saturday, October 7, 2017, 9am – 12 pm at the beachfront promenade

**ADOPTED**

**COUNCIL REPORTS**

Councilman Weber stated that he had spoken to the Board of Education regarding the BBES sending district and was advised that they were going in the right direction. They would be conducting a feasibility study. He announced that the BBES would be holding a spaghetti dinner Fund Raiser at the Church of the Ascension Center on Saturday. The School will also be conducting “Operation Shoe Box”, care packages for troops overseas.

Councilman Goldfarb stated that a press release from Chief Guida stated that an arrest was made on May 21, 2017 of a man biased incidents at Church of Ascension, this was a heinous crime in a house of worship. He announced that the Memorial Day Festival will be held on Saturday through Monday. The parade will be held on Saturday at 10 am on Ocean Avenue, The Memorial Day Service will be held on Monday at 10 am at Riley Park.

Councilman Bonnell stated that he had met with Biagio regarding issues with the fountain project. The DPW will be looking for better pricing on the materials. Main Street is looking good with the new plantings and the DPW and lifeguards are partnering up to paint the lifeguard stands.

Councilman Cotler provided the First Aid report for April. The Sylvan Lake Fund Raiser was a great success. The borough does not need to restock Sylvan Lake as the fish that was stocked in 2014 have reproduced. DPW has been doing a good job with trash pickup, however, I would like to have a cost analysis done moving forward and prepare RFP's for a comparison. The borough should post signs at the lakes to advising utilize the trash receptacles.

Mayor Engelstad stated that Don Lewis was stepping down as museum curator, he thanked him for all of his hard work. He continued that moving forward the borough will be looking to establish a historical society. "The Memorial Day Ceremony", would be held on Monday and the guest speaker will be Michael O'Neil, a prominent World War I aviation historian. He asked Janet Torsney and Jeanne Beadutte from the Bradley Beach Library to come forward to say good bye and thank them for their hard work. He asked everyone to keep Fran Sauta in your prays as she in the hospital.

#### **PUBLIC COMMENT**

A resident questioned if the borough going to continue with the natural shore line at Sylvan Lake. Councilman Bonnell responded, yes we are.

Jeannie Moretto (4 Atlantic Avenue) commented on the fine job the Department of Public Works was doing on trash/recycling collection.

Thomas Coan (612 Third Avenue) commented that the borough should continue with the historical society. He requested clarification regarding the shared service agreement with Avon in relation to trash collection. Councilman Cotler clarified that in accordance with the agreement Bradley Beach is utilizing Avon trash trucks.

A resident questioned if there are bike signs on Main Street. The Police Chief responded, the bike signs are being replaced.

ON MOTION by Engelstad/Bonnell to enter into executive session to discuss a personnel matter.

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

No Action Taken

ON MOTION

by Engelstad/Bonnell to reopen and adjourn the meeting

ADJOURN

8:10 pm

  
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KELLY BARRETT, RMC, CMR  
Municipal Clerk