

**REGULAR MEETING**  
**April 26, 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 6:30 p.m.**

Present: Council: Volante, Goldfarb, Galassetti,  
Mayor Engelstad  
Business Administrator Joyce Wilkins  
Borough Attorney Edward Washburn  
Municipal Clerk Mary Ann Solinski  
Deputy Municipal Clerk Kelly Barrett

Mayor Engelstad announced that Mary Ann Solinski, Borough Clerk would be retiring on May 31, 2016 after (26) twenty six years of service. He continued by stating that this meeting would be Mary Ann’s last official meeting for the Borough of Bradley Beach. He thanked Mary Ann for her hard work and years of dedication. Councilman Volante, Councilman Goldfarb, Councilman Galassetti, Chief Guida and Joyce Wilkins, Business Administrator offered kind words and thanked Mary Ann for her service, assistance and professionalism over the years and wished her well in her retirement.

**APPROVAL OF MINUTES**

ON MOTION by Englestad/Goldfarb (Regular Meeting) to approve minutes of 3/8/16  
ROLL CALL AYES: Goldfarb, Galassetti, Engelstad, Volante  
NAYS: None  
ABSENT: Cotler

**APPROVED MOTION**

**APPROVAL OF MINUTES**

ON MOTION by Englestad/Volante (Budget Workshop) to approve minutes of 3/8/16  
ROLL CALL AYES: Goldfarb, Galassetti, Engelstad, Volante  
NAYS: None  
ABSENT: Cotler

**APPROVED MOTION**

## **APPROVAL OF MINUTES**

ON MOTION by Englestad/Galassetti to approve minutes of March 22, 2016  
ROLL CALL AYES: Goldfarb, Galassetti, Engelstad, Volante  
NAYS: None  
ABSENT: Cotler

## **APPROVED MOTION**

ON MOTION by Engelstad/Goldfarb to move the following to the Consent Agenda:  
allow free beach access to Library Walkathon participants on July 23, 2016 and permit a banner to hang across Main Street upon approval by the State.

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

## **PUBLIC COMMENT ON AGENDA ITEMS**

Randy Bonnell (506 Third Avenue) expressed concerns regarding \$500,000 bond for railings. He stated that he had surveyed the railings and Newark Avenue is in bad shape. However, the DPW is able to do the repairs. He continued, that because the raising of taxes over and over, we need to allocate money better, stating that the bulkhead that is caving in on Sylvan Lake can be replaced with a live shore line by the DPW. Mayor Engelstad responded that there is a need for a uniform railing system and he feels strongly that FEMA is going to cover cost of the railings. He didn't disagree with the abilities of the Public Works Department; however, this is a very busy time of the year for DPW. In reference to Sylvan Lake we have met with the Engineer and Capt. Al, we are going to have schematics drawn and get a cost proposal to have a significant part of that area done. Chief Guida commented that he had looked at the railing system and was told by experts that you cannot piece-meal the replacement of the railing system. FEMA has advised that this is a potential project for reimbursement and the project looks good with regards to a reimbursement.

Frank Caponegro (510 Fourth Avenue) expressed concerns regarding his outdoor Café license. He stated he had one issued last year and now received notice he was in violation.

Discussion regarding the proposed amendment to Ordinance 2016-14, Chapter 324 rules and regulations of Café/Restaurant outdoor seating requirements. Mayor Engelstad stated that the Ordinance governing Outdoor seating for Café/Restaurants would be tabled and scheduled for further discussion at a workshop meeting.

Richard Despina commented on the proposed amendment to Ordinance 2016-16 (Section U), not allowing baskets or lunch parties on the beach. Mayor Engelstad responded that Section U was being eliminated out of the revision of Ordinance 2016-16.

TJ Coan (612 Third Avenue) had questions regarding amended Ordinance 2016-12; and inquired if the contribution to a campaign being increased. Mayor Engelstad responded "NO", the contribution limit is being decreased. Mr. Coan suggested that it be reduced to zero for transparency.

Mr. Coan requested a clarification on amended Ordinance 2016-15. Mayor Engelstad explained that the amendment was brought forward from a Bed and Breakfast which is two (2) detached units and is required to file and pay for a c/o and tourism fee each time it is rented. The amendment will require the Bed and Breakfast to obtain a certificate of occupancy and an inspection for each tenant but eliminate the tourism fee.

Henry Macho (209 Third Avenue) expressed concerns regarding the Bed and Breakfast located across the street from his home that inspections would not be done. Mayor Engelstad responded that the certificate of occupancy and inspections are still required, but the amendment will eliminate the tourism fee for every new tenant.

T.J. Coan (612 Third Avenue) stated at the joint sub-committee meeting we were discussing group rentals. Mayor Engelstad advised that new legislature regarding group rentals and Airbnb's will be introduced at the first meeting in May.

### **PUBLIC HEARING ON THE 2016 MUNICIPAL BUDGET**

Mayor Engelstad announced the 2016 Municipal Budget, the budget has a (0) zero percent tax increase and a healthy surplus. Auditor Kaplan stated that every third year the state does a comprehensive review of the budget. After the review the state gave the approval to adopt the budget this evening. The Bradley Beach debt load is well below state limit and no budget line items had been over expended. Mayor Engelstad added that there would be an amendment to the Introduced Budget as there is a sinkhole in the vicinity of the tracks right between Bradley Beach/ Avon border, we are waiting for guidance from NJ Transit on how to proceed, and therefore we have what is called a \$50,000 "place hold" for the repair. Councilman Galassetti, expressed his dismay over the outrageous costs of repairs located near NJ Transit. He continued by stating that the water is coming from Neptune Township and Neptune City causing the sinkhole and they should "kick" in some money as well. Councilman Volante and Councilman Goldfarb, thanked Mr. Kaplan and Ms. Wilkins for their hard work in preparing the budget and the department heads for holding the line in spending.

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

### **APPROVED MOTION**

Randy Bonnell (506 Third Avenue) stated that everyone worked hard but changes need to be made. He expressed concerns regarding the sewer system and stated that we are paying double what Neptune City and Ocean Grove are paying. Our system is in disrepair and we are paying 32 people to run the sewer utility. Ocean Grove runs their sewer utility with a couple people. Auditor Kaplan responded that there is not 32 people who run the sewer utility and the sewer utility remains self-liquidating which means it provides enough revenue to cover all its operating costs. Mayor Engelstad commented, in reference to the sewer system we are on the verge of borrowing money when the State and Feds tell us the project on the south end is approved. Councilman Galassetti stated water flow needs to be cut, and we should consider adopting an

ordinance allowing the borough to inspect sump pumps in the basements to avoid them flowing into the sewer line.

TJ Coan (612 Third Avenue) expressed concerns regarding the revaluation of property taxes and the adjustment of the rates. He also stated that the sewer fees are very high.

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

ON MOTION by Engelstad/Volante to amend the 2016 Municipal Budget  
ROLL CALL AYES: Volante, Goldfarb, Galassetti, Engelstad  
NAYS: None  
ABSENT: Cotler

**APPROVED MOTION**

ON MOTION by Engelstad/Galassetti to approve the 2016 Municipal Budget  
ROLL CALL AYES: Volante, Goldfarb, Galassetti, Engelstad  
NAYS: None  
ABSENT: Cotler

**APPROVED MOTION**

**FINAL READING AND ADOPTION**

Mayor Engelstad announced that this was the time advertised for public hearing on the following ordinance(s):

**ORDINANCE 2016-12**

AN ORDINANCE TO AMEND THE BOROUGH OF BRADLEY BEACH CONTRACTS CHAPTER 29, AND MORE PARTICULARLY SECTION 29-2, PROHIBITION ON AWARDING PUBLIC CONTRACTS TO CERTAIN CONTRIBUTORS, SUBSECTION C(1)

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

T.J. Coan (612 Third Avenue) stated this is a small town and suggested (0) zero contribution allowance for transparency.

ON MOTION by Engelstad/Goldfarb to close public hearing on Ordinance 2016-12  
ROLL CALL AYES: Volante, Goldfarb, Galassetti, Engelstad  
NAYS: None  
ABSENT: Cotler

**ADOPTED ORDINANCE**

**BOND ORDINANCE 2016-13**

BOND ORDINANCE PROVIDING FOR RAILING REPLACEMENT OF THE PROMENADE IN THE BOROUGH OF BRADLEY BEACH, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, APPROPRIATING \$500,000.00, THEREFORE AND AUTHORIZING ISSUANCE OF \$500,000.00 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEROF

ON MOTION by Engelstad/Galassetti to open public hearing on Ordinance 2016-13  
ROLL CALL AYES: Volante, Goldfarb, Galassetti, Engelstad  
NAYS: None  
ABSENT: Cotler

No Public Comment

ON MOTION by Englestad/Volante to close hearing and adopt Ordinance 2016-13  
ROLL CALL AYES Goldfarb, Engelstad, Volante  
NAYS Galassetti  
ABSENT: Cotler

Councilman Galassetti stated that he wanted his feelings known that if they want to spend a half million dollars on railings then they should have a half of a million to throw into our lakes my answer is NO.

**ORDINANCE 2016-14**

AN ORDIANANCE TO AMEND THE BOROUGH OF BRADLEY BEACH CAFÉ RESTAURANTS, CHAPTER 324 AND MORE PARTIULARLY SECTION 324-1, LICENSE REQUIREMENTS FOR ESTABLISHMENTS, SUBSECTION A

ON MOTION by Englestad/Volante TO TABLE Ordinance 2016-14  
ROLL CALL AYES Volante, Goldfarb, Galassetti, Engelstad  
NAYS None  
ABSENT: Cotler

**APPROVED MOTION**

**ORDINANCE 2016-15**

AN ORDINANCE TO AMEND AND SUPPLEMENT THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BRADLEY BEACH, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, CHAPTER 24, AND MORE PARTICULARLY SECTION 24-21 MAXIMUM ADDITIONAL ASSESSMENT, SUBSECTION B(4)

ON MOTION by Engelstad/Volante to open public hearing on Ordinance 2016-15  
ROLL CALL AYES: Volante, Goldfarb, Galassetti, Engelstad  
NAYS: None  
ABSENT: Cotler

No public comment

ON MOTION by Englestad/Goldfarb to close public hearing and adopt Ordinance 2016-15  
ROLL CALL AYES: Goldfarb, Volante, Galassetti, Engelstad,  
NAYS: None  
ABSENT: Cotler

**ADOPTED ORDINANCE**

**INTRODUCTION**

Mayor Engelstad gave a brief explanation regarding the re-paving on Ocean Avenue, Ordinance 2016-17 allows for a change in parking distance to a crosswalk area.

**ORDINANCE 2016-17**

AN ORDINANCE TO AMEND AND SUPPLEMENT THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BRADLEY BEACH, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, CHAPTER 9, TRAFFIC, AMMENDING 9-3.6(a)

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

**PENDING ORDINANCE**

ON MOTION by Englestad/Volante to rescind the vote on ordinance 2016-13  
ROLL CALL AYES: Volante, Goldfarb, Galassetti, Engelstad  
NAYS None  
ABSENT: Cotler

**APPROVED MOTION**

**ORDINANCE 2016-16**

AN ORDINANCE TO AMEND AND SUPPLEMENT THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BRADLEY BEACH, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, CHAPTER 123, BEACHFRONT AREAS AND ADJACENT WATERS, ARTICLE 8, AMENDING SECTION U, X AND ADDITION OF Z

ON MOTION By Englestad/Goldfarb moved to introduction (eliminate section)  
Roll Call AYES Volante, Goldfarb, Galassetti, Engelstad  
NAYS None  
ABSENT: Cotler

**PENDING ORDINANCE**

## COMMUNICATIONS

The following action was taken as part of the consent agenda

ON MOTION by Engelstad/Volante approval Church Ascension Raffle, Bradley Beach PTO raffle license and approval to plant a kwanza cherry tree to the southeast corner of fire house in memory of Shirley Napoli

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

## CONSENT AGENDA

ON MOTION by Engelstad/Galassetti moved to adoption

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

Resolution 90 BILL LIST

Resolution 91 Appointment of Special Police Officer Class 1

Resolution 92 Authorization to advertise Request for Proposal for ATM Services at beachfront

Resolution 93 Authorizes Friends of the Library Walkathon participants free beach access on 7/23/16

## ADOPTED RESOLUTIONS

### REPORTS

Councilman Volante wished Mary Ann well in her retirement. He thanked all of the Bradley Beach volunteers for their hard work

Councilman Goldfarb expressed his thanks to Mary Ann and stated she will be missed.

Councilman Galassetti the Public Works Department is working very hard to get the beachfront ready for the season. Fletcher Lake committee; “sponsor an aerator” has helped a lot this year more so than last year. Regarding the lakes: in 1965 the county put in Lake Terrace, they built a natural slope and it has withstood three (3) major storms. Since 1965 Fletcher Lake has some cracks but it is still there. It shouldn’t cost a lot of money but we have to comply with all guidelines of the EPA.

Mayor Engelstad thanked MaryAnn stating what a pleasure it has been working together. He reminded the audience that there are two organizations looking for volunteers to help out, Memorial Day Committee and “Paint the Town Pink” and to see Michele in the front office. Next Saturday is the beach sweep.

## **PUBLIC COMMENT**

A resident expressed concerns regarding the Tax Assessment program. The Mayor responded that action would be taken to withdraw and that will be done at the next meeting

TJ Coan (612 Third Avenue) had questions regarding language to ordinance 2016-17 and the borough responsibility in the striping. Joyce Wilkins explained that the county was responsible for paving the center lines and a few crosswalks. The borough's responsibility is the parking lines and the north end lot including filling in cracks and sealing. The language in the ordinance came from the county and was reviewed by county counsel.

Mayor Engelstad advised that new group rental legislation would be introduced at the next meeting in May.

**ADJOURNMENT ON MOTION** by Engelstad/Volante the meeting was adjourned at 7:58 pm.

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KELLY BARRETT  
Deputy Municipal Clerk