

February 11, 2014

RESOLUTION NO. 2014-

Mayor Engelstad offered the following resolution and moved its adoption:

WHEREAS, the New Jersey Department of Environmental Protection issued a Notice of Violation to the Borough of Bradley Beach on November 9, 2009;

WHEREAS, the Notice of Violation cited the Borough of Bradley Beach for failing to file an Annual Report and Certification and levied a fine of \$5,000.00 for said violation; and

WHEREAS, the Borough of Bradley Beach filed a hearing request on the AONOCAPA contesting the AONOCAPA and said matter was transmitted to the Office of Administrative Law for adjudication; and

WHEREAS, the Borough of Bradley Beach complied with the required report due May 2, 2009 together with its' 2010 Annual Report and Certification to the Department on May 3, 2010; and

WHEREAS, based on the information gathered by the Department during the litigation of this matter, the Department has determined to revise the fine to the low end of the range for violations of minor seriousness; namely, \$1,500.00 and the Department submitted to the Borough of Bradley Beach a Stipulation of Settlement and Withdrawal of Hearing Request with Prejudice outlining said revisions; and

NOW, THEREFORE, BE IT RESOLVED, that Mayor Gary Engelstad and Mary Ann Solinski, Borough Clerk, are hereby authorized and directed to execute the Stipulation of Settlement and Withdrawal of Hearing Request with Prejudice.

Seconded by Councilman _____ and adopted on roll call by the following vote:

AYES NAYS ABSTAIN ABSENT

Mr. Cotler
Mr. Volante
Mr. Goldfarb
Mr. Galassetti
Mayor Engelstad

CERTIFICATION

I, Mary Ann Solinski, Borough Clerk of the Borough of Bradley Beach, do hereby certify that the foregoing is a true copy of a resolution duly passed by the Mayor and Council of the Borough of Bradley Beach at a regular meeting held on the 11th day of February, 2014.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Borough of Bradley Beach this 11th day of February, 2014.

MARY ANN SOLINSKI
Borough Clerk