

**REGULAR MEETING
FEBRUARY 9, 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.

Prior to the start of the meeting, Mayor Engelstad held a moment of silence for Richard Johnson, long-time borough resident, former Superintendent of Public Works and active with the Fire Department for many years.

CALL TO ORDER

Mayor Gary Engelstad 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.

Ceremonial – Lt. James Kelly Hagerman was administered the Oath of Office as Lieutenant of the Bradley Beach Fire Department by Mayor Engelstad.

Roll Call 6:37 p.m.

Present: Council: Cotler, Volante, Goldfarb, Galassetti
Mayor Engelstad
Business Administrator Wilkins
Borough Attorney Michael DuPont
Borough Engineer Freda
Secretary: Fran Sauta for Borough Clerk Mary Ann Solinski

Mayor Engelstad submitted the list of Governing Body Committees as follows:

Administrator Liaison	Norman Goldfarb
Finance	Harold Cotler Salvatore Galassetti
Police	Thomas Volante Norman Goldfarb
Community Development	Thomas Volante Gary Engelstad

Public Works	Norman Goldfarb Salvatore Galassetti
Beach	Norman Goldfarb Thomas Volante
Recreation	Thomas Volante Salvatore Galassetti
Tourism Liaison	Harold Cotler
Fire and First Aid Liaison	Harold Cotler Norman Goldfarb
School Liaison	Gary Engelstad
Arts Council Liaison	Gary Engelstad

Public Bids

Borough Attorney DuPont opened the Bid process for the Brinley Avenue Concession, stating the minimum bid was Thirty Three Thousand (\$33,000.00) Dollars. Kathy Zielinski and George Zielinski informed Mr. DuPont that they were entering a Bid of said \$33,000.00 on behalf Hilary and Trent Colanduoni (Hilary is their daughter), and had provided the Borough Administrator with an Affidavit dated February 4, 2016, allowing them (the Zielinski s) to act on their behalf.

It was then determined that there were no other bids submitted.

ON MOTION by Engelstad / Goldfarb to move to adoption

Resolution 39 Award the Bid of \$33,000.00 for the Brinley Avenue Concession offered by Kathy and George Zielinski for Hilary and Trent Colanduoni.

ROLL CALL: AYES: Cotler, Volante, Goldfarb, Galassetti, Engelstad
NAYES: None

Adopted resolution.

ENGINEER’S REPORT:

Gerald J. Freda, P.E., Borough Engineer, provided a Monthly Status Report dated February 2, 2016, noting the following ongoing improvements at the listed locations: 1) Improvements to Lake Terrace Park – work on the east end has been completed and reimbursements for costs were submitted to the County Parks Department; 2) Improvements to LaReine Avenue – Section 1 – drainage and sanitary sewer work completed, water mains are scheduled for replacement, and milling and paving will be suspended until early spring for “settling”; 3) Improvements to LaReine Avenue – Section 2 – Contracts prepared and the water company continues to replace the water mains in the designated area; 4) Route 71/Main Street (DOT) bikeway designations have been installed and crosswalks will not be done until handicap ramps are installed. DOT notified the Borough that the paperwork to install the crosswalks at Main &

Third Avenue is in progress; 5) A large percentage of the Ocean Avenue Handicap Ramp and Curbing project has been completed and will resume in early spring; 6) Field work and base mapping on the Sanitary Sewer Rehab – Section 1, are nearly complete and the application process is continuing.

Mayor Engelstad stated that as long as work was being done on Ocean Park Avenue, the sewer should also be considered and a grant has been filed. It was noted that the sewers are deep and not in bad shape and should not be held up for approval of a grant. At this point, they will be video-taped to determine those most in need of re-hab and DPW will also be working on this improvement/upgrade. Mayor Engelstad also stated that he met with Tourism and Chamber of Commerce to continue the beautification of Main Street with planters and maintenance of pavers. He also stated that Belmar had a town effort for this purpose where the contractors do a group deal. In his opinion, Mayor Engelstad felt that we have an option also for a bulk deal and will attempt to help seek that assistance. Accordingly, Mr. Galassetti stated that the county does fund for some improvements; however, it is narrowly defined and the grant had ended.

Public Comments on Agenda Items:

Thomas J. Coan, Third Avenue, made reference to letter j , entitled Grants Special Parking Permits for 2016, and stated that some of those listed for approval do not qualify. Mayor Engelstad then tabled this item for tonight’s Agenda, and Attorney DuPont recommended that Mr. Coan submit his list of names to the Police Chief Guida for follow-up review.

Ordinance

FINAL READING AND ADOPTION

BOND ORDINANCE 2016-5

BOND ORDINANCE PROVIDING FOR OCEAN PARK AVENUE ROADWAY IMPROVEMENTS BY AND IN THE BOROUGH OF BRADLEY BEACH, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, APPROPRIATING \$325,000., THEREFOR AND AUTHORIZING THE ISSUANCE OF \$309,523 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF

ON MOTION by Engelstad / Cotler to open this up for discussion
ROLL CALL: AYES: Cotler, Volante, Goldfarb, Galassetti, Engelstad
 NAYES: None

There were no public comments.

ON MOTION by Engelstad / Cotler to Adopt the Ordinance 2016-5
ROLL CALL: AYES: Cotler, Volante, Goldfarb, Galassetti, Engelstad
 NAYES: None

ADOPTED ORDINANCE

ORDINANCE 2016-6

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, AMENDING SCHEDULE III PARKING TIME LIMITED ON CERTAIN STREETS (MAIN STREET)

ON MOTION by Engelstad / Volante to open this up for discussion

Thomas Coan, Third Avenue, inquired whether or not the timed parking would stop at Evergreen Avenue. Dr. Cotler expressed concerns when parents take their children to the recreation center parking can be a problem, and we need to accommodate the "rec" parking as well as the citizens. Mr. Volante noted we have sufficient parking in that area. After discussion, it was determined to be a point of clarification.

ON MOTION by Engelstad / Galassetti to Adopt the Ordinance 2016-6

ROLL CALL: AYES: Cotler, Volante, Goldfarb, Galassetti, Engelstad

NAYES: None

ADOPTED ORDINANCE

INTRODUCTION

ORDINANCE 2016-7

AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BRADLEY BEACH, PARKING METERS, DEPOSIT OF FUNDS; RATE; TIME LIMIT BY AMENDING SECTION 335-5B

ON MOTION by Engelstad / Galassetti to Introduce the Ordinance 2016-7

ROLL CALL: AYES: Cotler, Volante, Goldfarb, Galassetti, Engelstad

NAYES: None

PENDING ORDINANCE

ORDINANCE 2016-8

AN ORDINANCE TO AMEND AND SUPPLEMENT THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BRADLEY BEACH, COUNTY OF MONMOUTH STATE OF NEW JERSEY, BY ADDING CHAPTER 348 ENTITLED "PORTABLE STORAGE UNITS AND DUMPSTERS"

Prior to the introduction of Ordinance 2016-8, Bryant Curry, Code Officer, provided a brief explanation of the content of the said Ordinance. He stated that the Joint Subcommittee wanted to create a clearly defined ordinance that covered the storage units and dumpsters. Mr. Curry noted he reviewed the similar ordinances of other towns in terms of length of time,

fees and enforcement. Thereafter, the ordinance was written and referred to Mayor and Council for consideration.

ON MOTION by Engelstad / Goldfarb to Introduce the Ordinance 2016-8

ROLL CALL: AYES: Cotler, Volante, Goldfarb, Galassetti, Engelstad

NAYES: None

PENDING ORDINANCE

ORDINANCE 2016-9

AN ORDINANCE TO AMEND AND SUPPLEMENT THE GENERAL ORDINANCES OF THE BOROUGH OF BRADLEY BEACH, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, CHAPTER 270 "LAND DEVELOPMENT" BY ADDING DEFINITION OF NATURAL GRASS AND TO REPEAL AND AMEND SECTION 270-25A SHADE TREES AND GRASS PLANTING STRIPS

Prior to the introduction of Ordinance 2016-9, Mr. Curry provided the rationale, stating it was recommended by the Joint Subcommittee to include artificial grass therein in order to protect the Borough. He stated that a residence with artificial grass contended that it was damaged by public works during snow plowing and wanted the Borough to reimburse him for the cost. After discussions with the Borough Administrator and Borough Attorney, it was decided to include artificial grass by definition and stating that if it is damaged, it is the sole responsibility of the homeowner. Continuing, Mr. Curry stated that since only natural grass would be allowed in the planting strip, any other material, i.e. stone, concrete, rocks and artificial grass would be grandfathered. Further, there is a list of properties in the town that have other than natural grass at this time. Dr. Cotler then raised the issue of only the homeowner's responsibility as it would absolve poor contractors and a public works employee who happens to be incompetent or careless. He then asked that the Ordinance be tabled. A discussion ensued among the Council members and Borough Attorney DuPont informed them that it could be tabled until a further review with Mr. Curry could be undertaken. Thereafter:

ON MOTION by Engelstad / Galassetti to table the Ordinance 2016-9 for further review

ROLL CALL: AYES: Cotler, Volante, Goldfarb, Galassetti, Engelstad

NAYES: None

TABLED.

Communication

- a. Raffle License – Bradley Beach Fire Dept. Ladies Auxiliary May 30, 2015

ON MOTION Engelstad / Galassetti to approve the Raffle License

ROLL CALL: AYES: Cotler, Volante, Goldfarb, Galassetti, Engelstad

NAYES: None

APPROVED MOTION

Consent Agenda:

2016

- Resolution 40 a. Authorizes payment to Lienholder(s)
- Resolution 41 b. Authorizes Property Tax Credits and Refunds due to successful State Tax Court Appeals
- Resolution 42 c. Authorizes cancellation of Sewer Utility Charges for Block 12 Lot 3
- Resolution 43 d. Bill List
- Resolution 44 e. Authorizes the Borough Engineer to perform all engineering services and to submit an application to NJDEP for CAFRA Permit for beach access for beach and dune maintenance at a fee not to exceed \$4,800.
- Resolution 45 f. Authorizes the Mayor to execute the 2016 Agreement with Prevention Specialist, Inc. of Oakhurst for DOT employee testing
- Resolution 46 g. Authorizes the County of Monmouth Mosquito Control Division to Conduct Aerial Mosquito Operations within the Borough of Bradley Beach
- Resolution 47 h. Authorizes the execution of an Agreement with Goose Control Technology for the year 2016 for services at Sylvan Lake
- Resolution 48 i. Appointment of Don Clare as Electrical Sub-code Official

ADOPTED RESOLUTIONS

Grants Special Parking Permits for 2016 – Carried to February 23, 2016
Prior to motion to adopt the Consent Agenda, Dr. Cotler expressed concern regarding Item “g”, with the timelines to notify residents of when mosquito spraying would be done. Even though the police department is notified, the time should be stipulated beforehand. Further there should be no aerial spraying to protect the people with respiratory issues. After discussion it was agreed that there should be a seven (7) day minimum notification.

ON MOTION Engelstad / Cotler to amend the Monmouth County Mosquito Control authorization to indicate a seven day minimum notification.

ROLL CALL: AYES: Cotler, Volante, Goldfarb, Galassetti, Engelstad
NAYES: None

ON MOTION Engelstad / Galassetti to adopt the Consent Agenda as amended

ROLL CALL: AYES: Cotler, Volante, Goldfarb, Galassetti, Engelstad
NAYES: None

ADOPTED RESOLUTIONS

Mayor and Council Reports:

Mr. Cotler – reported on the number of requests for the First Aid and asked that all support them and consider their requests when funds are requested. He also stated that volunteers are needed and training would be provided.

Mr. Volante – reported he was happy to return as liaison to the police department with Mr. Goldfarb. Also, he was grateful for the time that he worked with the code office and had the opportunity to assist with their contributions to the town. Further, he is proud to serve on the recreation board and has made many friends there. Finally, he congratulated Kelly Hagerman who was sworn in as Lieutenant of the Bradley Beach Fire Department as he had known his dad and Kelly has all the qualities of a volunteer.

Mr. Goldfarb – stated he was happy to be working with Tom Volante as both have had experience with the police department, and also working with Sal Galassetti on Public Works. Mr. Goldfarb also commented on permanent trash receptacles at the beach and boardwalk that would be clearly marked so as to create a safe, clean environment. He has spoken with the Borough Administrator regarding pricing.

Mr. Galassetti – stated he was pleased to see cars being moved during a recent snow storm. He noted that he would not be here for the next budget meeting but would be available by phone. Finally he complimented Public Works for the work that they do for our community.

Mayor Engelstad – commented on the dunes and that they should be permanent. He noted that in the Carolinas, the dunes have walkways over them, and perhaps we could have the funding someday to accomplish that, and will continue to work toward that goal. Mr. Engelstad also noted that a plaque was received from Monmouth County Jiff Safety Committee for safety measures that were implemented, and was presented to all the employees.

PUBLIC COMMENTS

John Weber, Resident LaReine Avenue, commented on shore drilling, like gas. Mr. Engelstad noted that the New Jersey ocean currents go everywhere and everyone has a problem when storms come up.

Randy Bonnell, Third Avenue, commented on the conditions at the former Bingo Hall property noting there is now debris after the building was torn down, and it has become an equipment storage place. He stated that the owner should grade the property and a violation notice should go to the owner. Mr. Curry, Code Officer, responded.

Don Lewis, Museum Director, stated that there is a nice piece on television today on Bradley Beach – 4X on Channel 13 regarding Captain Kidd treasures, with several residents speaking. He also noted a James Bradley for Senate poster had be found at the Johnson's house and given to the museum.

Marel Hildago, Resident, announced that on Sunday Afternoon, from 2:30 to 6:30 p.m. at Bar A, Lake Como, a benefit would be held at a cost of \$25.00 with several children participating

including the Belmar and Bradley Beach Elementary School Bands, with all proceeds going to the schools. He encouraged all to attend.

Thomas J. Coan, Third Avenue, expressed concerns regarding the county's re-evaluation program. Discussion followed with Mr. Engelstad expressing dissatisfaction, noting it still has to be done by law. Further, some towns have dropped out, but some are still participating.

On MOTION Engelstad / Goldfarb the meeting was adjourned at 7:40 p.m.

Respectfully submitted,

Frances Sauta
(For Mary Ann Solinski, Borough Clerk)