

**REGULAR MEETING
OCTOBER 13, 2015**

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

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 “Annual Notice”, and posted on the official bulletin board.

Roll Call 6:30PM

Present: Council: Cotler, Volante, Goldfarb
Mayor Engelstad
Business Administrator Wilkins
Borough Attorney McGovern
Absent Council: Galassetti
Secretary: Municipal Clerk Mary Ann Solinski

PRESENTATION

Assemblyman Rible advised that he along with Assemblyman Kean and Senator Singer spoke with state representatives to expedite the State Department of Transportation’s review addressing pf pedestrian crosswalks on Main Street in light of a recent pedestrian accident and that the project should start later this week. Crosswalks will be added along Main Street at the following intersections: Park Place, McCabe, Third and Bradley Boulevard starting with the Third Avenue intersection. Borough Engineer Freda was previously trying to address the crosswalk issue with the state under the directive of the borough officials.

The Memorial Day Committee updated council on their fundraising efforts over the past seven years collecting \$142,600.00 which has benefited community activities and facilities including the donation of \$9,000 for a new police “Gem” vehicle which is a small low speed vehicle and is ideal to use for traffic and parking enforcement.

Dr. William Sciarappa Monmouth County Extension Department Head Rutgers Agricultural Experiment Station gave a presentation on organic versus man made nitrogen fertilizers, pesticides and herbicides. He said that synthetic fertilizers are not necessarily harmful to humans but to the lakes explaining that if the fertilizer runs into the roadways it will eventually end up draining into Sylvan and Fletcher Lakes and that the fertilizer will feed the algae resulting in the algae blooms. Dredging will counteract the fertilizer. Dr. Sciarappa stated that organic fertilizers are perfectly safe to use but that synthetic ones carry very low

risk to adults if properly applied. Children and infants are at the greatest risk to become ill from synthetic fertilizers because they will play on a freshly fertilized lawn and ingest it through their mouth, nose or ears and recommended waiting for a couple of rainfalls to pass before allowing children or pets to play on the lawn. The biggest difference between organic and inorganic pesticides and herbicides is how they kill the weeds. All organic herbicides are non-selective meaning that they will kill all the plants they which they contact. Synthetic herbicides will only kill one specific type of weed or plant. Controlling weeds through the organic method requires a lot more management time. Dr. Sciarappa noted that in order to protect the environment, the borough doesn't necessarily have to switch what it uses on lawns and plants but rather change how it's used. Councilman Cotler said a study on pesticides had revealed that it is toxic to fetal cells and fetal tissue in items such as round-up. Dr. Sciarappa agreed that pregnant women are at major risk from exposure causing birth defects is from women being exposed during their pregnancy and unfortunately, none of EPA materials address that. A woman has to eat or has to be in the environment and it is almost impossible to avoid. Superintendent Bianchi stated that the borough uses green methods such as planting a competitive grass (tall fescue grass) near the ocean and does not use anything on the grass near the lakes to prevent runoff. Residents along with Dr. Sciarappa advised that several companies including TruGreen (which the borough presently uses), now offers organic alternatives. Dr. Sciarappa also recommended integrated management, watering the grass properly and allowing the grass to grow 4-5 inches for the underground root system to prevent weed growth noting that coastal zones are more sensitive than areas inland. The mayor asked the public works liaisons and the superintendent to reach out to different lawn care companies to learn more about any organic alternative methods and to request company representatives attend a future meeting for further discussion on this matter.

DISCUSSION ITEMS

Nicole Kienlen owner of Paws & Anchor a local pet care and service shop on Main Street teaming with the Bradley Beach Chamber of Commerce requested permission to host the first Howl-O-Ween Parade/Festival in Riley Park on October 31st in Riley Park at 11am. The event will feature a dog costume contest and parade along with several other family-oriented activities and that they have more ideas for the future. Council noted that they feel this event would benefit the community and will pass a resolution to permit dogs in Riley Park for this event as the borough code prohibits dogs in the park.

Engineer Freda gave his monthly status report on the following:

- Roadway Improvements to LaReine Avenue Phase II
- Brinley Avenue Beach Access Ramp is slightly delayed as large rocks were discovered at the base of the bulkhead
- Main Street (Rte. 71) crosswalks improvements
- Access Easement to park is still under review
- Ocean Avenue Curb Improvements that the county is scheduled to start roadway improvements in Bradley Beach in the spring

Council also reviewed the Engineers estimated costs for the Public Works Roof Improvement Project

Mayor Engelstad suggested that Council change the format of their monthly meetings in 2016 to include workshop meetings. Members of council agreed that it would be beneficial to work with the public in a more informal environment to discuss larger projects coming up such as the sewer line improvements and upcoming staff retirements. The council agreed to use the second Tuesday of each month for regular meetings and the fourth Tuesday for workshop discussions of ideas and plans.

Attorney DuPont recommended to table discussion and action on the Area Network Shore Water Emergency Response Team (ANSWERS) Agreement as he is still reviewing the agreement.

Council discussed cost for the 2016 Beach Badge prices and Pre-Season Sales and established the price for Season Badges; adults \$70, Senior \$30 and Junior \$25.00. Pre-season sale price of adult Badge of \$60.00 and sets the dates of sale for November 30th 2015 through January 29, 2016.

Council reviewed the current Beachfront Concessions

- Lake Terrace/Cliff Avenue and Ocean Park Avenue/LaReine Avenue Pushcarts, which are both eligible for a lease extension this year. Council expressed that they do not want to renew the lease agreement for this year due to problems with the performance of the vendor (such as closures) during the 2015 season
- The current vendor has submitted a letter requesting an extension of the Volleyball Concession Lease
- ATM- the Administrator advised council; that the current vendor does not wish to continue with the present lease agreement, and to advertise for 2016 proposals
- Brinley Avenue Concession Trailer Concession- authorize the Clerk to advertise for public bids as soon as possible and established the minimum bid of \$33,000

Administrator/CFO Wilkins reviewed the 2015 Best Practice, submitted annually to the State, noting some items, which will be addressed next year by the officials.

Public Comments

Mr. Bonnell suggested that officials should be conservative with next year's budget when considering prospective projects and proposed that as public works employees are considerably knowledgeable concerning concrete footing etc. that the borough have the department complete the Ocean Avenue sidewalk ramp and curb project with engineer's specifications. He also questioned Sewer Utility. Mayor Engelstad responded that the borough has reviewed the matter and is addressing the aging sewer infrastructure problem by seeking grant/loan to begin work on the sewer mains. Councilman Cotler noted that other communities such as Ocean Grove have been doing their infrastructure repairs and maintenance for years. Mr. Bonnell suggested that administrative appropriation items in the

Sewer Utility Budget should carefully be reviewed by council at next year budget meetings, as the cost is quite high.

Mrs. Rosen questioned why the Second Avenue Beach entrance has two steps when she specifically raised funds towards the purchase of mobi mats for that entrance a few years ago the borough will consider this matter along with other beachfront issues such as addressing the lifeguard headquarter building improvements. Ms. Rosen also suggested that the officials look at other options such as Wildwood Crest, which has a man available to drive patrons onto the beach.

Mr. Coan asked if officials have received the required easement before consideration of the proposed ordinance vacating the alleyway by Giamano's property. Mr. Coan also questioned whether proper procedures were followed when the Planning Board approved the Giamano's project before the borough considered relinquishing of right of way and a traffic study being completed on the area and whether the same would apply to other property owners when and if they are in need of space in order to complete a project. Council said that they will table the introduction of this ordinance tonight until the easement information is complete and submitted for council's review. Mr. Rosenberg noted that the Joint sub-committee is researching and expects to recommend that all borough alleyways shall be determined to be one way for traffic. Mr. Volante added that all public safety vehicles need adequate access in the alleyway.

**ORDINANCE
INTRODUCTION**

ORDINANCE 2015-16

**AN ORDINANCE TO AMEND AND SUPPLEMENT THE CODE OF
THE BOROUGH OF BRADLEY BEACH, CHAPTER 5,
ADMINISTRATION OF GOVERNMENT ARTICLE VII; SECTION 5-
35 D ZONING OFFICER BY ADDING SECTION 5 ENTITLED
"ZONING DETERMINATION"**

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

PENDING ORDINANCE

ORDINANCE NO. 2015 – 17

**AN ORDINANCE AMENDING THE REVISED GENERAL
ORDINANCES TO VACATE, RELEASE AND EXTINGUISH ANY
AND ALL DEDICATION OF PUBLIC RIGHTS, OR ANY PUBLIC
RIGHTS WHICH MAY HAVE HERETOFORE COME INTO BEING,
IN A PORTION OF A 10-FOOT WIDE ALLEY LYING BETWEEN
LOTS 9, 10 AND 11 OF BLOCK 59 AND LOT 12 OF BLOCK 59 IN
THE BOROUGH OF BRADLEY BEACH, COUNTY OF MONMOUTH
AND STATE OF NEW JERSEY**

ON MOTION by Engelstad / Goldfarb moved to table introduction until a draft
easement is received to the borough for review.

ROLL CALL AYES: Cotler, Volante, Goldfarb, Engelstad

NAYS: None

ABSENT: Galassetti

**TABLED ORDINANCE
COMMUNICATIONS**

The following action was taken as part of the consent agenda

ON MOTION by Engelstad/ Goldfarb to approve Raffle Licenses

Church of the Ascension (Rosary Society)

RL 13-15

Church of the Ascension (Holy Name Society)

RL 14-15

ROLL CALL AYES: Cotler, Volante, Goldfarb, Engelstad

NAYS: None

ABSENT: Galassetti

APPROVED MOTION.

CONSENT AGENDA

ON MOTION by Engelstad / Goldfarb moved to adoption

ROLL CALL AYES: Cotler, Volante, Goldfarb, Engelstad

NAYS: None

ABSENT: Galassetti

Resolution 178

AUTHORIZES PAYMENT TO LIENHOLDERS

Resolution 179

**AUTHORIZES PROPERTY TAX CANCELLATION OF
OVERPAYMENTS (N.J.S.A. 40A 5-17.1); REFUND OF
OVERPAYMENTS OR CREDITING OVERPAYMENTS TO
SUBSEQUENT OUTSTANDING TAX QUARTERS FOR
VARIOUS PROPERTIES**

Resolution 180

**AUTHORIZES A REDUCTION IN SEWER UTILITY
CHARGES FOR BLOCK 25 LOT 10**

Resolution 181

**AUTHORIZES CANCELLATION OF SEWER UTILITY
CHARGES FOR BLOCK 25 LOT 6**

Resolution 182

BILL LIST

Resolution 183

**AUTHORIZES THE BOROUGH ENGINEER TO PERFORM
ALL PROFESSIONAL SERVICES FOR THE OCEAN AVENUE
RAMPS AND CURB PROJECT AT A COST NOT TO EXCEED
\$12,900.00**

Resolution 184

**REJECTS ALL BIDS RECEIVED ON SEPTEMBER 24, 2015
FOR THE OCEAN AVENUE HANDICAP RAMPS AND CURBS**

Resolution 185

**AUTHORIZES THE ADMINISTRATOR TO ACT AS THE
AUTHORIZED REPRESENTATIVE FOR THE
INFRASTRUCTURE TRUST LOAN FOR THE
IMPROVEMENTS TO SANITARY SEWER AND**

STORMWATER SYSTEM REHABILITATION PHASE I PROJECT

- Resolution 186 **AUTHORIZES THE BOROUGH ENGINEER TO PERFORM ALL PROFESSIONAL SERVICES FOR THE SANITARY SEWER AND STORMWATER SYSTEM REHABILITATION PHASE I PROJECT AT A COST NOT TO EXCEED \$40,000.00**
- Resolution 187 **AUTHORIZES A REFUND DUE TO A PAY STATION OVERPAYMENT IN THE AMOUNT OF \$4.00**
- Resolution 188 **ESTABLISHES 2016 SEASON BEACH BADGE PRICES AND PRE-SEASON SALE**
- Resolution 189 **AUTHORIZES THE BOROUGH CLERK TO ADVERTISE FOR BRINLEY AVENUE CONCESSION**
- Resolution 190 **AUTHORIZES THE BOROUGH CLERK TO ADVERTISE FOR ATM PROPOSALS AT THE BEACHFRONT**
- Resolution 191 **AUTHORIZES A HALLOWEEN CURFEW**
- Resolution 192 **AUTHORIZES A BEACHFRONT BONFIRE ON FRIDAY, NOVEMBER 27, 2015**
- Resolution 193 **DESIGNATES 2016 MEETING DATES**
- Resolution 194 **HALLOWEEN POOCH PARADE**

ADOPTED RESOLUTIONS

Reports

Councilman Cotler stated that a review of public work's street cleaning schedule is necessary as well as necessary signage for the public. Councilman Volante advised that the Quality of Life Committee is currently reviewing the schedules and will make recommendations for implementation. Mr. Cotler read the monthly First Aid Status report.

Councilman Volante read the Third Quarter Code/Construction Department report and thanked the department employees for their hard work. Mr. Volante recognized Flag Football volunteer Dave Pearsall for his numerous years of service along with all the other volunteers who have contributed their time for the success of the program.

Councilman Goldfarb announced some of the preparations that public works performed in anticipation of the recent hurricane such as the clean out of storm drains and lower of the lakes.

Mayor Engelstad thanked John Weber of the Environmental Commission for the work on the Sustainable NJ grant and noted that he will need the administrative office assistance on obtaining information on the borough's solar panels and a review of the current utility bills. The Commission has also advised that the borough needs to address the huge gaps in between the borough's dunes. They also noted that that the Borough's recycling efforts need to improvement at the beachfront and that the receptacles need restrictive lids on the boardwalk as well placing ashtrays, and mutt mitt dispensers being available for public use.

Public Comment

Kathy Martin asked about the status of Sylvan Lake. Mayor Engelstad responded that the Borough has officially been notified that the funding which Avon and the Borough was seeking has been rejected since on the application there was not enough flood damage during Hurricane Sandy to justify the grant. He noted that the situation with the flume, holes and retaining wall deterioration warrants Bradley Beach and Avon to keep discussions ongoing because of some serious liability issues.

Ms. Martin noted that if the Borough intends to pave Bradley Boulevard after the sewer infrastructure repairs are complete and repairs made along Lake Area.

A brief discussion ensued regarding the street sweeping schedule and the issuance of summons. Chief Guida responded saying that at present there is a moratorium on summonses.

Nicole Kienlen and Bridgette McGuire announced that they would be interested in being co-secretary/tourism director for the borough. Mayor Engelstad requested that they provide their background to the administrator.

Mrs. Rosen announced that the Ladies Auxiliary Town Garage Sale scheduled for this Saturday. Ms. Rosen also complained about the rise in property taxes noting that although she loves her home in Bradley Beach that she is unable to afford her home here.

Mr. Coan thanked members of the police department who had responded to the recent hit and run a couple of weeks ago.

Jane DeNoble noted that the borough should adhere to setback requirements and that they should review Manasquan's ordinance. Ms. DeNoble also noted that with some planning board applications, she feels a professional planner should assist both the planning and zoning boards by review of the application in conjunction with the engineer's review.

ADJOURNMENT

ON MOTION by Engelstad / Goldfarb the meeting was adjourned at 9:11PM.

Mary Ann Solinski, RMC, CMC
Municipal Clerk