

**REGULAR MEETING
OCTOBER 27, 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 6:32PM

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

APPROVAL OF MINUTES

On Motion by Engelstad/ Volante to approve the minutes of August 2015.

ROLL CALL AYES: Cotler, Volante, Goldfarb, Engelstad

NAYS: None

ABSENT: Galassetti

APPROVED MOTION

DISCUSSION ITEMS

Council discussed the benefits of hiring a Borough Planner on call for services primarily to the Planning and Zoning Boards usually triggered by the Zoning Officer and for assistance to council upon request. The cost would primarily be paid by applicants to the boards and will be paid on a case by case basis unless requested by the Borough. Council will authorize the advertisement for RFP's at this meeting.

ORDINANCE

Final Reading and Adoption

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

**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 open the public hearing.
ROLL CALL AYES: Cotler, Volante, Goldfarb, Engelstad
NAYS: None
ABSENT: Galassetti

Mayor Engelstad gave a brief explanation of the ordinance. Mr. Coan thanked council for taking action on this ordinance as this will set a procedure for the application review and fee for zoning determination on properties when needed.

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

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

ADOPTED ORDINANCE

CONSENT AGENDA

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

Resolution 195
Resolution 196

**BILL LIST
AWARD OF CONTRACT FOR THE LAREINE AVENUE
ROADWAY IMPROVEMENT PROJECT PHASE II PROJECT
UPON THE RECOMMENDATION OF THE BOROUGH
ENGINEER IN THE AMOUNT OF \$223,087.28**

Resolution 197

**AUTHORIZES THE BOROUGH ENGINEER TO PERFORM
PROFESSIONAL SERVICES FOR THE LAREINE AVENUE
PHASE II IN AN AMOUNT NOT TO EXCEED \$17,000.00**

Resolution 198

**AUTHORIZES THE MAYOR TO EXECUTE AN AGREEMENT
WITH BURGIS ASSOCIATES, INC. FOR THE BOROUGH'S**

- HOUSING ELEMENT AND FAIR SHARE PLAN IN AN AMOUNT NOT TO EXCEED \$14,000.00**
- Resolution 199 **AUTHORIZES EXECUTION OF AGREEMENT WITH ASSOCIATED HUMANE SOCIETIES, IN FOR THE YEAR 2016 IN THE AMOUNT OF \$12,710.00**
- Resolution 200 **AUTHORIZES AN EXTENSION OF THE LEASE AGREEMENT FOR THE 2016 SURF CAMP WITH SUMMERTIME SURF**
- Resolution 201 **AUTHORIZES THE PURCHASE OF ELECTRIC SUPPLY SERVICES FOR PUBLIC USE ON AN ONLINE AUCTION STREET LIGHTS**
- Resolution 202 **AUTHORIZES THE PURCHASE OF ELECTRIC SUPPLY SERVICES FOR PUBLIC USE ON AN ONLINE AUCTION**
- Resolution 203 **AUTHORIZATION TO ADVERTISE FOR RFP'S FOR A BOROUGH PLANNER TO ASSIST THE PLANNING AND ZONING BOARDS WHEN REQUESTED FOR PARTICULAR CASES AND OCCASIONALLY FOR SERVICES TO THE BOROUGH COUNCIL**
- Resolution 204 **AUTHORIZES THE BOROUGH CLERK TO ADVERTISE FOR RFP'S FOR 2016 PROFESSIONAL SERVICES**
- Resolution 205 **PERMITS THE AVON POND VOLUNTEERS TO USE THE BOROUGH'S BOARDWALK ON NOVEMBER 26, 2015 FOR THEIR 2ND ANNUAL AVON POND TURKEY TROT STARTING IN AVON AT 8:30AM**

ADOPTED RESOLUTIONS

Reports

Councilman Cotler stressed the importance of storm water maintenance's role to stop algae growth in Sylvan Lake and the essential need for higher water levels in the lake.

Councilman Volante advised the public to be aware of telephone scams particularly the notice received from Jersey Central Power and Light which is posted on the borough's website. Mr. Volante announced that at the next Neighborhood Watch meeting scheduled for November 11th the topic will be holiday safety.

Councilman Goldfarb reported that the borough is still waiting for additional funds from the Emergency Management Grant. Mr. Goldfarb announced that the annual Halloween parade will be held on October 30th with a rain date of October 31st.

Mayor Engelstad announced that also on October 31st the borough will have the first Halloween pooch parade/contest along with other family oriented activities in Riley Park. The Mayor thanked the Recreation Board members and director for the holding the annual Scarecrow contest this year on Main Street.

Jane DeNoble stated that she is very excited that the boards will have a profession planner for assistance in making determinations on applications. Ms. DeNoble also discussed having an ordinance setting a twenty-five foot setback on properties for the Joint Subcommittee agenda. Mr. Rosenberg responded saying that in the past, the zoning board applicants would bring pictures showing the entire street.

Janet Torsney announced that the Book Sale will be held on November 7th and 8th in the Carmen Biase Center and that Tea will be served at the Tea Garden on LaReine Avenue between 10am-3pm.

A member of the public urged officials to make Fletcher Lake Avenue by the Lake Terrace area a one way street as it is an accident waiting to happen. They also requested that public works repair a pole in the park and put up signs regarding dog regulations. Councilman Cotler asked the Chief if it is possible to place a camera in the area.

Mr. Coan thanked the Quality of Life Committee for addressing a recent problem by the Firehouse.

Councilman Cotler noting that the Master Plan was recently revised stated that any ordinance amendments necessary should be prepared and codified as soon as possible.

A resident complained that the parking regulations on Main Street are not being consistently enforced noting that a school bus was parked by his property longer than two hours despite being reported to the police department. Chief Guida responded that he will look into the matter.

Resolution 206

RESOLUTION TO RETIRE INTO CLOSED SESSION FOR DISCUSSION OF HAVING AN APPRAISAL OF THE DELISA PROPERTY AT 1107, 1015 AND 1011 MAIN STREET AND OTHER LITIGATION MATTERS AS RECOMMENDED BY THE BOROUGH ATTORNEY

ON MOTION

by Engelstad / Goldfarb moved to adoption

NAYS: None

ABSENT: Galassetti

ADOPTED RESOLUTION

Executive Session 7pm

Mayor Engelstad stating that the Borough has looked at several different locations to purchase over the past few years for storage of beachfront and public works equipment both

both in and out of town to no avail. He feels that council needs to decide if the officials would be interested in making an offer to the owner of the property on Main Street which is on the market and that he understands there may be an offer submitted on the property in the near future. Council discussed how the property would meet future needs of the borough and possibly be enhanced by perhaps developing a recycling center for the community as other towns offer. The attorney noted that the property is presently listed around 1.25 and that the first necessary step is for the borough to engage professional assessment services for the property which consists of three parcels of land. Council agreed they are very interested in purchasing the land and to take action following the closing of this session.

Council discussed the recent suspension of the Municipal Court Judge by the State of New Jersey and the attorney advised that the Administrative Office of Court has ordered that the borough appoint an acting judge using wording provided in a resolution as soon as possible.

Council also briefly discussed the recent press articles concerning the recent county pilot re-assessment programs stating that they would like to take action similar to other communities requesting suspension of the program until it is determined if there was any type of issues concerning award of the contracts.

Council agreed to take action on these matters and returned to open session at 7:24pm.
On motion by Engelstad/Cotler to return to open session

Council returned to open session at 7:24pm

The Mayor announced that the following actions will be taken as a result of the Closed Session.

Resolution 207

AUTHORIZES THE BOROUGH ADMINISTRATOR TO NEGOTIATE AND ENTER INTO AN AGREEMENT FOR PROFESSIONAL APPRAISAL SERVICES FOR BLOCK 32 LOTS 6, 7, & 8 IN AN AMOUNT NOT TO EXCEED \$2,500.00

ON MOTION
ROLL CALL

by Engelstad / Cotler moved to adoption
AYES: Cotler, Volante, Goldfarb, Engelstad
NAYS: None
ABSENT: Galassetti

ADOPTED RESOLUTION

Resolution 208

APPOINTMENT OF DENNIS LAVENDER, JMC AS ACTING MUNICIPAL COURT JUDGE

ON MOTION
ROLL CALL

by Engelstad / Cotler moved to adoption
AYES: Cotler, Volante, Goldfarb, Engelstad
NAYS: None
ABSENT: Galassetti

ADOPTED RESOLUTION

Resolution 209

REQUEST FOR SUSPENSION OF THE MONMOUTH COUNTY ASSESSMENT DEMONSTRATION PROGRAM (ADP) AND DETERMINES THAT THE BOROUGH WILL IMMEDIATELY WITHHOLD ITS PARTICIPATION UNDER THE ADP PROGRAM UNTIL A DETERMINATION IS MADE BY THE OFFICE OF THE ATTORNEY GENERAL CONCERNING THE PROGRAM

ON MOTION

by Engelstad / Cotler moved to adoption

ROLL CALL

AYES: Cotler, Volante, Goldfarb, Engelstad

NAYS: None

ABSENT: Galassetti

ADOPTED RESOLUTION

Public Comment

Mr. Coan said that he is happy that the Borough is requesting the County to suspend their Pilot Program.

ADJOURNMENT

ON MOTION

by Engelstad / Goldfarb the meeting was adjourned at 7:27PM.

Mary Ann Solinski, RMC, CMC
Municipal Clerk