

**REGULAR MEETING  
DECEMBER 9, 2014**

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 6:30 PM**

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

**APPROVAL OF MINUTES**

On Motion by Engelstad/ Goldfarb to approve the minutes of September 23<sup>rd</sup>

ROLL CALL AYES: Cotler, Volante, Goldfarb, Engelstad

NAYS: None

ABSENT: Galassetti

APPROVED MOTION

On Motion by Engelstad/ Volante to approve the minutes of October 14<sup>th</sup>

ROLL CALL AYES: Cotler, Volante, Goldfarb, Engelstad

NAYS: None

ABSENT: Galassetti

APPROVED MOTION

On Motion by Engelstad/ Goldfarb to approve the minutes of October 28<sup>th</sup>

ROLL CALL AYES: Cotler, Goldfarb, Engelstad

NAYS: None

ABSTAIN: Volante

ABSENT: Galassetti

APPROVED MOTION

**DISCUSSION ITEMS**

Engineer Koch gave his monthly Capital Project Status Report noting that the following:  
Sewer Plant is experiencing problems with the alarm system which is being addressed  
Received the Maintenance Bond and Warranty on the new Gazebo  
Expects legislation in January that may extend the present CAFRA Permit  
NJ Department of Transportation is currently reviewing the borough's request for improvements to Main Street crosswalks and placing sharrows along Main Street (Route 71)

Council discussed and agreed to re-advertise for the 2015 both the Pushcart Concessions and the ATM Concession.

Council established dates for 2015 Budget Workshop Meetings in January and February.

Counsel recommended Council table the following ordinances:

**INTRODUCTION**

**ORDINANCE 2014-20**

**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.**

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

**TABLED ORDINANCE**

**ORDINANCE 2014- 21**

**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 AMENDING SECTION 9-3.6 a.1(b) MUNICIPAL PARKING LOT.**

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

**TABLED ORDINANCE**

**COMMUNICATIONS**

ON MOTION by Engelstad/ Goldfarb to accept Election Results for 2015 Line Officers of the Bradley Beach Fire Department  
ROLL CALL AYES: Cotler, Volante, Goldfarb, Engelstad  
NAYS: None  
ABSENT: Galassetti

## CONSENT AGENDA

ON MOTION  
ROLL CALL

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

- Resolution 263 **AUTHORIZES THE CANCELLATION OF SEWER BILLING FOR BLOCK 13 LOT 15**
- Resolution 264 **TRANSFER OF APPROPRIATIONS**
- Resolution 265 **BILL LIST**
- Resolution 266 **DETERMINES THE INTEREST RATE TO BE CHARGED ON DELINQUENT TAXES, ASSESSMENTS AND SEWER CHARGES FOR 2015**
- Resolution 267 **AUTHORIZES THE CHIEF FINANCIAL OFFICER TO PAY BILLS THROUGH DECEMBER 31, 2014**
- Resolution 268 **AUTHORIZES THE CHIEF FINANCIAL OFFICER TO MAKE ANY NECESSARY TRANSFERS AND TO CANCEL 2014 BUDGET APPROPRIATIONS AT YEAR END 2014**
- Resolution 269 **AUTHORIZES THE MAYOR TO EXECUTE A LEASE AGREEMENT WITH TNT REALTY GROUP FOR THE LEASE OF PROPERTY AT 1107, 1015 AND 1011 MAIN STREET FOR STORAGE OF MUNICIPAL EQUIPMENT**
- Resolution 270 **AUTHORIZES THE MAYOR TO EXECUTE A TEMPORARY USE AND OCCUPANCY AGREEMENT WITH RUTGERS UNIVERSITY INSTITUTE OF MARINE AND COASTAL SCIENCES FOR THEIR COASTAL OCEAN MONITORING SYSTEM**
- Resolution 271 **APPOINTMENT OF SPECIAL CLASS II POLICE OFFICERS**
- Resolution 272 **APPOINTMENT OF BARBARA VAN WAGNER AS TEMPORARY ZONING OFFICER**
- Resolution 273 **RESCINDS A SPECIAL PARKING PERMIT**
- Resolution 274 **AUTHORIZES THE BOROUGH CLERK TO RE-ADVERTISE FOR THE 2015 PUSHCARTS**
- Resolution 275 **AUTHORIZES THE BOROUGH CLERK TO RE-ADVERTISE FOR THE 2015 ATM CONCESSION**

## ADOPTED RESOLUTIONS

Public Comment

Mr. Bonnell questions why the borough is not repairing the sanitary sewer line while performing the roadway improvement project. A brief discussion ensued between the Engineer and Mr. Bonnell concerning methods to repair the system and the cost for replacement of the pipes.

## Reports

Councilman Cotler congratulated the incoming Fire Department Line Officers.

Councilman Volante announced that the Recreation Department will be presenting free health seminars on January 17, 2015 and a CPR program for adults and children on January 31<sup>st</sup> and that the cost for certification is \$50 and to please contact Director Shawn Heeter. Mr. Volante reported that the recreation board members along with volunteers have beautifully decorated the Center for the Breakfast with Santa and thanked the police department and the police association for their generous donations. He also reported that public works did a wonderful job in cleaning the storm drains in preparation for recent storm. Mr. Volante wished everyone a wonderful and safe holiday.

Councilman Goldfarb reported that the Environmental Commission discussed the application for Sylvan Lake. Mr. Goldfarb also gave an update on the progress with FEMA and announced that the Quality of Life Team will have a suggestion box on the borough's website next year. Mr. Goldfarb wished everyone a happy and safe holiday.

Mayor Engelstad reported that the bonfire held on November 28<sup>th</sup> was a great success and thanked all those involved in the activity and that he hopes to make this event a town tradition. The Mayor also thanked Rae Tutela for her hard work in making the Annual Tree Lighting a great community event along with public works. Thanked Shawn Heeter for making the adult flag football game on Thanksgiving weekend a huge success and announced that the County Freeholders will present a new bus to the fire department Ladies Auxiliary on December 15<sup>th</sup> around 5pm at the Firehouse and thanked Administrator Wilkins for all her hard work in ensuring the delivery of the bus to the Auxiliary. He also announced that the Annual Menorah Ceremony will be held December 17<sup>th</sup> in Riley Park at 5:30pm.

## Public Comments

Mr. Bonnell suggested that officials contact Avon to see how they sold their sanitary sewer lines to New Jersey American Water Company. He also stated that the state received eight applications for the resiliency grant monies and that he believes that the towns may need to scale back the project.

Mr. Coan thanked council for listening to the public input before finally purchasing the new gazebo as it looks wonderful. He said that he is also puzzled but pleased that council tabled the introduction of the Main Street parking time regulations and noted that he feels that the regulations should be in effect seven days a week.

Resolution 276

**RETIRE INTO EXECUTIVE CLOSED SESSION AS RECOMMENDED BY THE BOROUGH ATTORNEY FOR DISCUSSION OF PENDING LITIGATION MATTERS CONCERNING 811 OCEAN AVENUE.**

ON MOTION

by Engelstad/ Volante moved to adoption.

ROLL CALL

AYES: Cotler, Volante, Goldfarb, Engelstad

NAYS: None

ABSENT: Galassetti

ADOPTED RESOLUTION.

Council retired into Executive Session at 7:17pm

Attorney McGovern advised that they had contacted the mediator concerning some issues which were discussed at the last meeting and read the notes he had made concerning several matters. He advised that council has very limited time to either agree or contest the final order which will be issued shortly. Counsel advised that if the borough rejects the order, the borough may be ordered to cover the plaintiff's legal fees.

Council requested that the attorney provide a copy of the final draft for review again. The attorney agreed to provide the document but that they need an answer by next Monday at the latest.

Council returned to open session at 7:28pm.

Mayor Engelstad reported that no formal action on this matter will be taken at this time.

ADJOURNMENT

ON MOTION

by Engelstad / Goldfarb the meeting was adjourned at 7:32 PM.

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Mary Ann Solinski, RMC, CMC  
Municipal Clerk