

BOROUGH OF BRADLEY BEACH
COUNCIL BUSINESS MEETING MINUTES

FEBRUARY 8, 2022 AT 6:30 P.M.

IN ACCORDANCE WITH THE PROVISIONS OF THE OPEN PUBLIC MEETINGS ACT, PUBLIC MEETINGS MAY BE HELD IN PERSON OR BY MEANS OF COMMUNICATION EQUIPMENT TO INCLUDE STREAMING SERVICES AND OTHER ONLINE MEETING PLATFORMS (N.J.S.A. 10:4-8b).

THIS MEETING WAS HELD IN-PERSON AND THROUGH THE ZOOM MEETING PLATFORM, BEING BROADCAST FROM BOROUGH HALL, 701 MAIN STREET, BRADLEY BEACH, NJ 07720. PUBLIC PARTICIPATION FOR THIS COUNCIL BUSINESS MEETING OF FEBRUARY 8, 2023 WAS AVAILABLE IN PERSON OR THROUGH THE ZOOM LINK POSTED TO THE WEBSITE AND THE FRONT OFFICE. THE REMAINDER OF COUNCIL MEETINGS (RESOLUTION 2022-265 ADOPTED DECEMBER 13, 2022) FOR CALENDAR YEAR 2023 WAS ADVERTISED IN THE NEW COASTER, THE COAST STAR, AND THE ASBURY PARK PRESS ON DECEMBER 15, 2022.

WITH ADEQUATE NOTICE HAVING BEEN GIVEN, THE MUNICIPAL CLERK IS DIRECTED TO INCLUDE THIS STATEMENT IN THE MINUTES OF THIS MEETING.

A regular meeting of the Mayor and Council of the Borough of Bradley Beach was held in the Meeting Room, 701 Main Street, Bradley Beach, New Jersey on the above date.

CALL TO ORDER

Mayor Fox opened the meeting with a salute to the flag.

Sunshine Law was read.

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 in the Borough Office.

ROLL CALL AT 6:30 P.M.

Present at the February 8, 2023 Council Business Meeting:

**Councilwoman DeMarco, Councilwoman DeNoble, Councilman Gubitosi, Councilman Weber,
Mayor Fox**

Municipal Clerk: Erica Kostyz

Deputy Municipal Clerk: Michele Whille (ZOOM operator)

Front Office Administrative Assistant, Todd Gardiner (ZOOM operator)

Borough Attorney Alternate: Christina Malamut, Esq.

Mayor Fox:

Thank you all for coming tonight I am out of town so I will do as good as I can. Council President Demarco and the Municipal Clerk will work with me to facilitate and keep the meeting running effectively.

Welcome to our third meeting of the year. I hope all weathered the cold last weekend! We have a number of topics to cover tonight. Welcome back to our B.A. Kim Humphrey who returned to work last week. Kim will be here this evening as she had an important medical matter to attend to.

We as a Council decided to start the last Council meeting with a message of a “new day.” Although we should welcome disagreement because it helped us think of things from different perspectives, our voice should be a constructive one. We agreed to be on a new journey for a brighter Bradley Beach and asked you to join us in our new vision and rules of engagement. I ask everyone to gage their tone going forward, we are all neighbors.

WORKSHOP DISCUSSIONS:

Short Term Rental Ordinance:

Mayor Fox:

We are attempting to move forward on a Short-Term Rental Ordinance. We went through a workshop last September on this topic. Paul Murphy will provide an overview of this important topic.

Borough Fire Marshal and Code Inspector, Paul Murphy, stated the Short Term Rental Ordinance will address the following rules and regulations:

- **Minimum stay period of seven days.**
- **\$500.00 Fee for a Short-Term Rental Permit.**
- **Parking guidelines**
- **Occupancy regulations**

Mr. Murphy stated the Ordinance is both proactive and reactive and explained there are some instances that will be impossible to enforce unless it is seen or reported. Mr. Murphy stated the ordinance puts functions and measures in place to address any penalties and violations.

Councilman Weber asked Mr. Murphy if this ordinance only applies to owner occupied properties.

Mr. Murphy responded the ordinance stated if it is a two family dwelling, one of the units must be owner occupied with a premise to limit short-term rental and went into further detail to explain the contents of the ordinance.

Councilman Weber requested making this owner occupied and is not in favor of the \$500.00 fee as he feels this will encourage short-term rentals more and stated he would like to see a fee with two tiers.

Councilman Gubitosi stated he had questions he wanted to address this evening regarding the ordinance and was told it was too late. Mr. Gubitosi feels this ordinance changed a lot for the good since September, however he does not feel the ordinance is ready for introduction this evening.

A discussion ensued between Mayor Fox and Councilman Gubitosi regarding the workshop and introduction.

Councilman Gubitosi commended Mr. Murphy on the ordinance and stated there was a lot of good material within the ordinance.

Councilman Gubitosi stated his three objectives for the public's benefit being:

- Preserve the family fabric of residential neighborhoods through consistent enforcement of rental properties within the Borough.
- Treat all rental properties as consistent as possible and align with State Statutes related to public health, safety, registration, and administration.
- To enhance the value of seasonal and long term rentals.

Other items that were discussed:

- Number of inspections.
- The Short-Term rental fees.
- Random inspections
- Owner occupied language.

Councilwoman DeNoble stated she would like to see an ordinance with more simplicity.

Councilwoman DeMarco inquired about tracking ability.

Mr. Murphy replied he feels confident the Gov Pilot system will be able to track the rentals.

Public Comments on the Short Term Rental Ordinance Workshop:

In Person:

Shana Greenblatt-Janoff, 414 Monmouth Avenue, stated she is glad an ordinance is being done for this and gave recommendations and inquired about homeowners with multiple properties.

Mr. Murphy addressed Ms. Janoff's inquiries.

Nancy Meadow, 805 Beach Avenue, expressed her preferences of types of ownership (ex. privately owned vs. an LLC or company stated in the ordinance.

Councilman Weber asked Borough Attorney Alternate, Ms. Malamut if the Borough can distinguish ownership in the ordinance to state no LLC's.

Ms. Malamut stated this can be done.

Brett Morgan, 506 Brinley Avenue, gave several suggestions and changes would like to see in the ordinance and spoke in favor of LLS's and Air B and B's.

Thomas J. Coan, 612 Third Avenue, feels it is discriminatory to require the property be owner occupied in the ordinance. Mr. Coan suggested creating a landlord registration ordinance in addition to the short-term rental.

Jamie Hausman, 100 Fourth Avenue, inquired about the Tourism Fee, restrictive advertising and spoke in favor of LLC firms.

Stacey Caponegro, 300 Main Street, stated she is in favor of having two tiers in the ordinance.

Jeanne Leahy, 419 Park Place Avenue, had several inquiries regarding Air B and B's.

Mr. Murphy addressed Ms. Leahy's questions.

Linda Duffy, 312 Brinley Avenue, stated she is in favor of this ordinance.

Mr. Murphy stated spoke in further detail about occupancy enforcement.

ZOOM:

MaryAnn Spilman, 906 Ocean Avenue, expressed several concerns and inquiries regarding summer rental and short- term rental compliance.

Discussion ensued regarding the differences in seasonal rentals and short-term rentals and properties that do not have heat or air conditioning.

John Naples, 1009 Ocean Avenue, feels the two family this is ordinance needs many amendments and feels it is discriminatory to owners that rent and expressed concerns how front and back houses and number of tenants will be addressed.

Gerald Weinfeld 308 ½ McCabe Avenue, expressed concerns about his two family home.

Borough Assets Strategy

Mayor Fox:

On January 1st, 2021, I commented about the need to resolve the idea of a Community Center in the church the Borough purchased in 2020. As importantly I stated that a broader question we need to ask ourselves is how do we organize our towns assets and match them to a mid-long range plan. I said I looked forward to getting to a clearer picture of our municipal "footprint" by mid-year, and that I thought we had opportunities. I got a sense of the assets in the first six months; but we were unable to move forward without resolution on the church. We have that now, and we can begin to get a strategy in order. A few resident volunteers who worked on the LaReine Avenue project, Robyn Flipse and Barb Carlucci, developed an "as is" analysis of our current asset base. Robyn will start us on this strategic journey with a brief presentation.

Robyn Flipse, 408 Lake Terrace, explained the purpose of this workshop and gave a powerpoint presentation of the following information and Borough Buildings and private/commercial Facilities:

Borough Demographics to include:

- **Population, diversity, age, education, housing and income.**
- **Borough Buildings**

Borough Buildings and Facilities to include:

- **The Elementary School**
- **The Public Library**
- **The Recreation Center**
- **The Carmen A. Biase Community Center**
- **Municipal Courthouse**
- **Fire Department Banquet Hall**
- **Playgrounds, parks and promenade**

Private and Commercial Facilities to include:

- **Ascension Center**
- **Bradley Food Pantry**
- **Ohana Yoga Studio**
- **Jersey Shore Fitness Center**
- **Relentless Training**
- **Muditha Meditation**
- **The Bradley Cinema**
- **Bradley Beach Bowl**

Houses of Worship to include:

- **Parish of St. Teresa Calcutta**
- **St. James Episcopal Church**
- **Congregation Agudath Achim**
- **Magden David Congregation**

New Jersey Transit

- **New Jersey Coast Line Stop**

Mayor Fox thanked Ms. Flipse for the presentation and stated when he saw the presentation a few days ago he discovered the Borough has a significant amount of assets that is very impressive. Mayor Fox stated this workshop was to start the process, look at the as is, look at the to be and have a conversation in the coming weeks of the town's needs and how to proceed with a strategy and mentioned the discussion for the next meeting will be the DPW yards. Mayor Fox stated he will get this presentation on the website.

Councilman Weber thanked Ms. Flipse for the presentation and commented about the permitted usage of the Firehouse Banquet Hall, the schoolyard and the First Aid Building.

Councilman Gubitosi thanked Ms. Flipse for the presentation and stated resources for residents (ex. resident emergency shelter/stations) should be added to the asset list.

Councilwoman DeMarco thanked Ms. Flipse for the presentation.

Councilwoman DeNoble thanked Ms. Flipse for the presentation.

Mayor Fox gave a brief overview of the three remaining workshops and stated the Council was trying to go with an open approach with the agenda.

Councilman Gubitosi made a motion to table the remaining Workshops the 2/8/23 Agenda due to time constraints, seconded by Councilwoman DeMarco.

Chapter 5 Proposed Amendments

Chapter 450 Zoning Review

Scope of Holman, Frenia, Alison, P.C. Duties

ROLL CALL:

AYES: DeMarco, DeNoble, Gubitosi, Weber, Mayor Fox

NAYS: None

ABSENT: None

ABSTAIN: None

WORKSHOPS TABLED

PRESENTATIONS:

Engineer Status Report – Borough Engineer Bennett Matlack and CME President, Greg Valesi

Mr. Matlack gave a status report on the following:

ADA Improvements to Lake Terrace Park

Original Bids from November were higher than the engineer's estimate. This project is going out again for re-bid on February 28, 2023 with anticipation of awarding the contract in March.

Councilman Weber inquired what costs were higher than anticipated.

Mr. Matlack responded a treatment for the playground area that is being substituted for a less expensive solution that is still ADA compliant.

Chapter 450 Zoning Review

Mr. Matlack stated he has been working with the Zoning Officer, Donna Barr to complete all necessary information to present an updated version of a Zoning Ordinance.

Councilman Gubitosi inquired who was on the Zoning Review Committee.

Mr. Matlack responded the Zoning Officer, a few residents, former members of the Land Use Board, local developers. Mr. Matlack also stated the Mayor attended a couple of these meetings, though did not participate.

Councilman Gubitosi inquired who initiated this committee.

Mr. Matlack explained this was a group of people selected to work on this with him to discuss the Zoning Officer's concerns with the ordinance and what changes need to be made. Mr. Matlack further explained he is working on the final draft which will be shared with the Council once completed.

Conversation ensued regarding a report sent to the Administrator regarding a draft report for Chapter 450 to which Mr. Gubitosi requested be shared with the Council and Mr. Matlack agreed to send.

Improvements to Park Place Avenue

CME is completing the plans and will advertise in the near future for bids. Construction for this project is estimated to start in the Spring. The project will include curbs, sidewalks, paving, and sanitary sewer phase four work.

Grant Applications

NJDOT Grant FY 2023 was awarded for Fifth Avenue in the amount of \$219,420.00.

Monmouth County Open Space Grant for the Recreation Center, still pending.

Local Recreation Improvement Grant for the Recreation Center recently submitted.

Councilman Gubitosi asked for clarification of the differences between the Open Space Grant and the Improvement Grant for the Recreation Center.

Mr. Matlack addressed Mr. Gubitosi's inquiry.

Councilman Gubitosi inquired if Mr. Matlack has an estimate total of Borough Projects.

Mr. Matlack responded he can provide this in the next Council Meeting.

Conversation ensued regarding better engineer status communications to the Council for 2023.

Safe Streets for Roads and all Grant, recently submitted. Mr. Matlack explained this grant in detail and stated this is a federal grant in conjunction with Monmouth County to provide areas of need for safety on streets and roads.

Councilman Weber asked if Mr. Matlack would be willing to engage with residents regarding this grant.

Mr. Matlack responded yes.

Mr. Matlack clarified none of the list of proposed improvements that were presented this evening were projects that have not been authorized and not active projects at this time.

A conversation ensued between Councilman Gubitosi and Mr. Matlack regarding the Sylvan Lake Bulkhead project and engaging with the Sylvan Lake Commission members.

Mr. Matlack clarified none of the list of proposed improvements that were presented this evening were projects that have not been authorized and not active projects at this time.

MINUTES APPROVAL

ON MOTION by Fox/Weber to approve the Council Business Meeting Minutes of January 25, 2023.

ROLL CALL:

AYES: DeMarco, DeNoble, Gubitosi, Weber, Mayor Fox
NAYS: None
ABSENT: None
ABSTAIN: None

APPROVED

Public Comments on Agenda Items:

In Person:

Jim Shissias, 112 Fourth Avenue, spoke about a sewer infrastructure report submitted to the Strategic Planning Committee and requested resolutions 2023-74 and 2023-75 requesting RFP's for financial services and engineering services be combined to one RFP for the Sewer Analysis Study.

Nancy Meadow, 805 Beach Avenue

- **Not in favor of resolutions 2023-70 and 2023-36**
- **Voiced bill list complaints.**
- **Stated the Outfall pipe named in Bond Ordinance 2023-2 is not on McCabe Avenue.**

Thomas J. Coan, 612 Third Avenue,

- **Requested Council withdraw Short-Term Rental Ordinance 2023-3.**
- **Thanked Council for reposting Resolution 2023-36 with the contract attached.**
- **Thanked Council for Resolution 2023-72 Alternative Options for the Biase Center Roof Repair.**

Mr. Coan inquired about an invoice on the Bill List for Gluck Walrath, LLP.

Council President DeMarco stated she would forward the inquiry to Administrator Humphrey.

William Psiuk, 110 Fifth Avenue, expressed concerns about music and restroom facilities in regards to the organizations for Resolutions 2023-67 and 2023-68.

ZOOM:

Rick Bartolomei, 116 Newark Avenue, requested one RFP for the Sewer Analysis Study.

Jack Gentempo, 103 Fourth Avenue, requested the 319 LaReine Avenue Church be added to the Borough Asset report.

Don Greenberg, 302 Park Place Avenue, inquired if the Park Place Avenue Project.

Mayor Fox and Mr. Matlack addressed Mr. Greenberg's inquiry.

MaryAnn Spilman, 902 Ocean Avenue, inquired what the next step will be for the Short Term Rental Ordinance.

Mayor Fox stated the ordinance will be tabled pending further adjustments and discussion.

ORDINANCE INTRODUCTION(S):

ORDINANCE 2023-3

AN ORDINANCE SUPPLEMENTING CHAPTER 365: “RENTAL PROPERTY” OF THE BOROUGH’S REVISED GENERAL ORDINANCES WITH NEW ARTICLE I: “SHORT-TERM RENTALS” TO ESTABLISH REGULATIONS PERTAINING TO DWELLING UNITS RENTED FOR NINETY OR FEWER CONSECUTIVE DAYS

ON MOTION by Fox/Weber to table 2023-3 pending further adjustments and discussion.

ROLL CALL:

AYES: DeMarco, DeNoble, Gubitosi Weber, Mayor Fox
NAYS: None
ABSENT: None
ABSTAIN: None

ORDINANCE TABLED

ORDINANCE ADOPTION(S):

BOND ORDINANCE 2023-02

BOND ORDINANCE PROVIDING FOR MCCABE AVENUE STORMWATER OUTFALL IMPROVEMENTS, APPROPRIATING \$1,000,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,000,000 BONDS AND NOTES TO FINANCE A PORTION OF THE COSTS THEREOF, AUTHORIZED IN AND BY THE BOROUGH OF BRADLEY BEACH, IN THE COUNTY OF MONMOUTH, NEW JERSEY.

Councilman Weber made a motion to adopt Ordinance 2023-2 with amendments in the title to state Ocean Park Avenue Stormwater Outfall Improvements, seconded by Councilwoman DeNoble.

ROLL CALL:

AYES: DeMarco, DeNoble, Gubitosi, Weber, Mayor Fox
NAYS: None
ABSENT: None
ABSTAIN: None

Public Comment on Bond Ordinance 2023-2:

In Person: None

ZOOM: None

Councilman Weber made a motion to adopt Bond Ordinance 2023-2 with amendments in the title to state Ocean Park Avenue Stormwater Outfall Improvements, seconded by Councilwoman DeMarco.

ROLL CALL:

AYES: DeMarco, DeNoble, Gubitosi, Weber, Mayor Fox
NAYS: None
ABSENT: None
ABSTAIN: None

ADOPTED WITH AMENDMENTS TO TITLE

COMMUNICATIONS: None

CONSENT AGENDA RESOLUTIONS:

Councilman Weber made a motion to move Resolution 2023-65 to the Individual Resolutions, seconded by Councilwoman DeMarco.

Councilman Weber inquired about an invoice for Gluck Walrath, LLP for Conflict Counsel services.

ROLL CALL:

AYES: DeMarco, DeNoble, Gubitosi, Weber, Mayor Fox
NAYS: None
ABSENT: None
ABSTAIN: None

RESOLUTION 2023-65 MOVED TO INDIVIDUAL RESOLUTIONS.

Councilman Gubitosi made a motion to move Resolutions 2023-67 and 2023-68 to the Individual Resolutions, seconded by Councilman Weber.

ROLL CALL:

AYES: DeMarco, DeNoble, Gubitosi, Weber, Mayor Fox
NAYS: None
ABSENT: None
ABSTAIN: None

RESOLUTIONS MOVED TO INDIVIDUAL RESOLUTIONS.

Please note, all Consent Agenda Resolutions were adopted under the Individual Resolution List.

RESOLUTIONS:

2023-65 Bill List for February 8, 2023.

Councilman Weber made a motion to pull the invoice for Gluck Walrath, LLP in the amount of \$1170.00 from the bill list temporarily pending an inquiry, seconded by Councilman Gubitosi.

ON MOTION by Weber/Demarco to adopt the remainder of Resolution 2023-65.

ROLL CALL:

AYES: DeMarco, DeNoble, Gubitosi, Weber
NAYS: None
ABSENT: Mayor Fox (technical difficulties with ZOOM)
ABSTAIN: None

ADOPTED

2023-66 Approval of On-Premises Raffle License 2023-2 for Saint James Episcopal Church.

ON MOTION by Gubitosi/Weber to adopt Resolution 2023-66 .

ROLL CALL:

AYES: DeMarco, DeNoble, Gubitosi, Weber
NAYS: None
ABSENT: Mayor Fox (technical difficulties with ZOOM)
ABSTAIN: None

ADOPTED

2023-67 Approval for the Brain Injury Alliance of New Jersey to conduct their annual 5K Walk on Saturday, September 30, 2023 from 7:30 a.m. to 1:00 p.m.

Discussion ensued regarding the start time for this event and potential noise level. It was confirmed the Organization does not play music at the start time of this event, therefore does not violate the Borough Ordinance.

ON MOTION by DeMarco/Weber to adopt Resolution 2023-67 .

ROLL CALL:

AYES: DeMarco, DeNoble, Gubitosi, Weber, Mayor Fox
NAYS: None
ABSENT: None
ABSTAIN: None

ADOPTED

2023-68 Approval for the Alzheimer's Association to conduct their Annual Walk for Saturday, October 7, 2023 from 6:00 a.m. to 1:30 p.m.

Discussion ensued regarding the start time for this event and potential noise level. It was confirmed the Organization does not play music at the start time of this event, therefore does not violate the Borough Ordinance.

ON MOTION by Fox/Weber to adopt Resolution 2023-68 .

ROLL CALL:

AYES: DeMarco, DeNoble, Gubitosi, Weber, Mayor Fox
NAYS: None
ABSENT: None
ABSTAIN: None

ADOPTED

Please note, it was determined that neither organization has a PA or amplification system to be used for their race events and Mayor Fox was back via ZOOM.

2023-34 Authorizing the Biase Center Roof Repair Project through Pravco, Incorporated via State Cooperative Contract.

Mayor Fox explained he placed this on the agenda for this evening after a discussion with Mr. Settembrino and Administrator Humphrey that confirmed this is based on repairing the roof that is which is a core responsibility that needs to be done.

Councilman Gubitosi stated this is an expensive project and would like to research if there is a less expensive way to repair the roof or other alternatives.

A discussion ensued between Councilman Gubitosi and Mayor Fox regarding an additional quote/estimate.

ON MOTION by Fox/DeMarco to adopt Resolution 2023-34.

Councilwoman DeMarco feels there is potential for this building and would prefer to wait on this resolution for after a more productive conversation at the 2/22/23 meeting and voted no.

Councilman Gubitosi stated if the employees in this building are at any risk administration needs to find another location for them temporarily and because he is in favor of doing a separate RFP to get additional quotes for a fair comparison for this project he voted no.

Councilman Weber stated he is more interested in Resolutions 2023-72 and 2023-73 he voted no.

Mayor Fox feels tactical repairs that need to be done are being mixed with strategic discussions and voted yes.

ROLL CALL:

AYES: Mayor Fox

NAYS: DeMarco, DeNoble, Gubitosi, Weber

ABSENT: None

ABSTAIN: None

RESOLUTION FAILED

2023-36 A Resolution ratifying a new two-year contract with the Borough's Chief of Police, as previously approved by the Borough Council on December 13, 2022.

Councilman Gubitosi appreciated that this resolution was tabled to this meeting and feels this is a very appropriate outcome for the Borough and the Chief of Police.

Councilwoman DeNoble thanked Councilman Gubitosi for explaining the contract and feels comfortable voting yes. Ms. DeNoble thanked the Chief and Police Department for keeping the residents safe.

ON MOTION by Fox/DeMarco to adopt Resolution 2023-36.

ROLL CALL:

AYES: DeMarco, DeNoble, Gubitosi, Weber, Mayor Fox

NAYS: None

ABSENT: None

ABSTAIN: None

ADOPTED

2023-69 A Resolution of Support from the Governing Body authorizing the Sustainable Jersey Grant funded by PSEG.

Councilwoman DeMarco explained the benefits and purpose of this resolution.

ON MOTION by Fox/DeNoble to adopt Resolution 2023-69.

ROLL CALL:

AYES: DeMarco, DeNoble, Gubitosi, Weber, Mayor Fox

NAYS: None

ABSENT: None

ABSTAIN: None

ADOPTED

2023-70 A Resolution continuing Temporary Relaxation of Enforcement of Provisions of the Borough Code to provide Local Businesses within the Borough with Expanded Capacity and Additional Space to practice proper Social Distancing during the COVID-19 Crisis through November 30, 2024 to comport with new P.L. 2022, C.85 signed into State Law by Governor Murphy on August 3, 2022.

Mayor Fox explained this resolution is a temporary relaxation through 2024 to align with the State Law recently signed in August by the Governor.

A conversation ensued between Councilman Weber and Mayor Fox regarding a letter sent over the summer from a local business regarding their tent.

Councilman Gubitosi stated he understands the concerns brought up to him by a few residents that relate to the parking issue and stated he is inclined to give businesses as much leniency as allowed and does not feel the drain on parking resources is as critical as it was a couple of years ago.

ON MOTION by Fox/Weber to adopt Resolution 2023-70.

ROLL CALL:

AYES: DeMarco, DeNoble, Gubitosi, Weber, Mayor Fox

NAYS: None

ABSENT: None

ABSTAIN: None

ADOPTED

2023-71 Authorize the Administrator/Qualified Purchasing Agent to Advertise for Request for Proposals for a Professional IT Consultant for Calendar Year 2023.

ON MOTION by Fox/Weber to adopt Resolution 2023-71.

ROLL CALL:

AYES: DeMarco, DeNoble, Gubitosi, Weber, Mayor Fox

NAYS: None

ABSENT: None

ABSTAIN: None

ADOPTED

2023-72 Authorizing the Administrator/Qualified Purchasing Agent to obtain cost estimates for Alternative Options to address the leaking roof at the Biase Center.

Councilman Gubitosi stated he wanted an inexpensive option to find out different alternatives for the Biase Center Roof.

Mayor Fox stated the architect would not commit to give a quick estimate.

Councilman Gubitosi stated he would like to see language that states a cost for providing estimates.

ON MOTION by Gubitosi/Weber to table this resolution pending a cost estimate from the architect for the estimates on alternative options.

ROLL CALL:

AYES: DeMarco, DeNoble, Gubitosi, Weber, Mayor Fox

NAYS: None

ABSENT: None

ABSTAIN: None

TABLED

2023-73 Authorizing the Administrator/Qualified Purchasing Agent to Advertise for Bids for the Biase Center Roof Repair.

Discussion ensued amongst the Governing Body and Borough Attorney Alternate Ms. Malamut regarding having to go with the lowest bidder and adding an estimate in the bid documents for an estimate on a roof patch versus an entire new roof.

ON MOTION by Gubitosi/DeMarco to table Resolution 2023-73.

ROLL CALL:

AYES: DeMarco, DeNoble, Gubitosi, Weber, Mayor Fox
NAYS: None
ABSENT: None
ABSTAIN: None

TABLED

2023-74 Authorizing the Administrator/Qualified Purchasing Agent to Advertise for Requests for Proposals for Professional Financial Consulting Services to conduct a Sewer Analysis Study.

Councilman Gubitosi requested one firm to provide real cost of a Sewer Analysis of the potential sale of the sewer.

A lengthy discussion ensued amongst the Governing Body and the Borough Attorney regarding combining Resolutions 2023-74 and 2023-75.

Councilman Gubitosi made a motion to combine Resolutions 2023-74 and 2023-75 to state Request for Proposals for professional Financial and Engineering Consulting Services, seconded by Councilman Weber.

ROLL CALL:

AYES: DeNoble, Gubitosi, Weber
NAYS: DeMarco, Fox
ABSENT: None
ABSTAIN: None

ON MOTION by Gubitosi/Weber to adopt Resolution 2023-74 with the amended language requested.

ROLL CALL:

AYES: DeMarco, DeNoble, Gubitosi, Weber
NAYS: Mayor Fox
ABSENT: None
ABSTAIN: None

ADOPTED

2023-75 Authorizing the Administrator/Qualified Purchasing Agent to Advertise for Request for Proposals for Professional Engineering Services to Conduct a Sewer Analysis Study.

ON MOTION by Fox/Gubitosi to withdraw Resolution 2023-75.

ROLL CALL:

AYES: DeMarco, DeNoble, Gubitosi, Weber, Mayor Fox
NAYS: None
ABSENT: None
ABSTAIN: None

RESOLUTION WITHDRAWN

2023-76 A Resolution announcing payment restrictions on Professional Services rendered for which the Borough Council has not been apprised or was unaware.

Municipal Clerk, Erica Kostyz explained this resolution was received by the Borough Attorney and distributed to the Governing Body shortly before the meeting.

Councilman Gubitosi suggested tabling Resolution 2023-76 to give the Governing Body time and opportunity to review this material. Mayor Fox agreed.

ON MOTION by Fox/Gubitosi to table Resolution 2023-76.

ROLL CALL:

AYES: DeMarco, DeNoble, Gubitosi, Weber, Mayor Fox

NAYS: None

ABSENT: None

ABSTAIN: None

TABLED

ANNOUNCEMENTS: None

MAYOR AND COUNCIL REPORTS:

Councilwoman DeMarco:

- **The Environmental Commission met on 2/6/23 to discuss EV Charging Stations, the 2023 Event Schedule, future presentations to include led poisoning, adopting a drain program, and a planning grant in effect for Sylvan Lake.**
- **Ms. DeMarco attended the Arts Council production of Ellis Island and stated it was an amazing performance.**

Ms. DeNoble stated the Arts Council Chairwoman Julia Rand is asking people to donate to UNICEF if possible in honor of the Ukraine Children.

Councilwoman DeNoble:

- **Ms. DeNoble stated the Arts Council are requesting people donate to UNICEF in honor of the Ukraine Children if possible.**
- **The Bradley Beach Elementary School PTA is looking for donations for their Gift Basket Auction to take place on 3/19/23 at 3:00 p.m. at the Ascension Center. Ms. DeNoble also stated the PTA is looking for Gift Card donations.**
- **Virtual Author Angela Dominguez visited the Elementary School and the School had a musical performance in honor of Black History Month.**
- **The Second Grade class participated in a program sending Valentine's Day cards to the Earle Military Base.**
- **The Eight Grade class are going on a trip to Neptune Township High School to ensure the transition to High School is successful.**
- **The Eighth Grade class will be having a "Snowball Dance" on Friday, 2/20/23.**
- **The Tourism Committee will be holding a Mediterranean Festival on Saturday 3/25/23 from 2:00 p.m. to 8:00 p.m. at the Ascension Center.**

Councilman Gubitosi:

- Councilman Gubitosi stated many of the items on the Agenda this evening that were tabled were items he wanted to address, but due to time constraints were unable to get to. Mr. Gubitosi explained for the resident's benefit, he feels there is a power struggle happening between the Administration and certain members of the Council with certain Professional Appointments.
- Councilman Gubitosi stated members of the public have raised concerns to him regarding handicapped access to the beaches which Mr. Gubitosi has shared with the Mayor and Administrator.

Councilman Gubitosi made a motion to have a workshop on the 2/22/23 Agenda to address beach lockers, seconded by Councilwoman DeNoble.

Councilwoman DeMarco voted no and stated she is in support of having this discussion at the 3/8/23 meeting due to the three workshops this evening that were tabled to 2/22/23 and would like to avoid time constraints.

ROLL CALL:

AYES: DeNoble, Gubitosi, Weber, Mayor Fox
NAYS: DeMarco
ABSENT: None
ABSTAIN: None

- Councilman Gubitosi stated there will be a New Hire Communications Memo on the 2/22/23 Agenda for recent new hires in the Borough.
- Thanked Robyn Flipse for her presentation this evening and Arts Council Chair Julia Rand for her production of Ellis Island.

Councilman Weber:

- Councilman Weber recognized the passing of longtime resident Bessie Peterson at the age of ninety-eight.
- Encouraged residents to reach out the Mayor and Council regarding the Short-Term Rental Ordinance.
- Councilman Weber stated on behalf of the Fire Department and First Aid Squad they are requesting a Council Liaison.
- Read the weekly activity report for the Fire Department and the First Aid Squad.
- Commended the Arts Council for their production of Ellis Island.
- Will be attending a Fletcher Lake Commission Meeting on 2/9/23.
- Spoke about the N.J. Anchor Tax Rebate Program.
- Councilman Weber stated he will be making an effort to find all of the AED machines in the Borough.

Mayor Fox:

We have made some incredible improvements on both the website and social media platforms.

JANUARY WEBSITE UPDATES

Changes made to the DPW and Trash ; Recycling pages to include anew color-coded Zone Map, month by month calendars for pickup, yearly pickup calendar, and other edits after suggestions made from a resident.

- Sewer page drafted and ready for posting once all the information is received and approved.
- Utility information page drafted.
- Alert button added to the main page.

- Dates of meetings added for the Land Use Board added and a new agenda section added for 2023.
- Budget and Audit page updated for compliance.
- Police page updated for compliance.
- Mayor & Council page updated to reflect new council members contact information, waiting for headshots to add.
- Employment opportunities updated with vacancies for 2023 summer positions and old postings moved to CLOSED VACANCIES. Employment application updated.
- Mayor & Council Meeting Minutes page awaiting a new more “user friendly” format.

Possibly to mirror how the rest of the site utilizes toggles for yearly and category organization.

- Borough Calendar added to the main page in pdf form.
- Link to Gov Pilot for dog license registration added.
- Shade Tree Commission page updated.

Our Art’s Councils Winter production was a rousing success

Ellis Island- The Dream of America
Dedicated to the people of Ukraine-

It was very well done and moving! SIX performances in our beautiful Auditorium at the school. Julia Rand and the Arts Council did a great job!!!

Library

Winter Reading – Open to all ages. Log your reading through February 28th to enter to win prizes. One book is equal to one entry for a prize.

Thursday, February 9th at 3:45 p.m., Read to a Dog. Children in K – 4th grades are invited to practice their reading skills by reading to a dog.

Most Mondays from 3:00 p.m. – 5:00 p.m., Nintendo Switch for Kids, Children ages 7 to 18 are invited to play group Nintendo games.

One – on – One Computer Assistance – Improve your computer skills, build your technology confidence, Get job-search and resume support, and more. Contact the library to schedule an appointment with the library.

Recreation

On our Recreation T E A M

Core Health: Heart Forgiveness with Alaethia February 12th

Tweenhearts Dance - February 17- 6:30 p.m. to 8:30 p.m. Open to grades 5-8 at the Recreation Center. DJ, games, \$2.00 pizza slices and more!

Do not forget Valentine’s Day Tuesday, February 14th. A great opportunity to shop local and take your valentine to breakfast, lunch, or dinner at one of Bradley Beaches award winning restaurants!

The 2023 Municipal Calendar is out! If you didn’t receive in the mail, you can pick up at the Municipal Building.

LaReine Avenue Church- cost to raze site in, appraisals in process- more to come hopefully at our next meeting.

I was informed last night by our Business Administrator, Kim Humphrey, will be leaving Bradley Beach to take a position in Keyport. When Kim was hired in June of 2021, I remember she stated she would like to retire from Bradley Beach- she already had an affinity to our community, which we all can understand. Unfortunately, this has not played out as planned. In two consecutive Council meetings last September, I warned that the frustrating work environment and the impact on our people's careers and our professionals reputations. Too little, I guess. We all need to reflect on this and make necessary changes. I think Ms. Humphrey is the most qualified, productive, and effective Business Administrator in Monmouth County. In 2021, I interviewed over 30 candidates for the Business Administrator position, Kim was a full head above the others. Our tremendous loss is Keyport's gain. I wish her the best.

Public Comment:

In Person:

Nancy Meadow, 805 Beach Avenue, expressed complaints about:

- Zoom
- Hiring announcements
- Agenda distribution
- The website
- Council seating at the dais.
- The Borough Calendar.

Linda Duffy, 312 Brinley Avenue, read a statement on behalf of Jeanne Leahy regarding Senior Citizens.

Ms. Duffy thanked Councilman Weber for his efforts with locating AED machines and suggested AED and CPR training for residents.

Thomas J. Coan, 612 Third Avenue, spoke about the history uses for the Biase Center and the roof leaks and gave suggestions regarding agenda preparation . about the Biase Center

Shana Greenblatt-Janoff, 414 Monmouth Avenue, inquired if the Borough is addressing the Spotted Lantern Fly situation in the County.

Councilman Weber addressed Ms. Janoff's inquiry.

ZOOM: None

Paul Neshamkin, 411 ½ LaReine Avenue, suggested moving the workshops to a separate meeting in addition to the Council Business Meetings.

Don Greenberg, 302 Park Place Avenue, inquired about the applications for beach lockers.

Mr. Greenberg spoke about observations on the website and future communications amongst the Council.

A discussion ensued between Mr. Greenberg and Mayor Fox regarding agenda items.

Ms. Kostyz announced the February Council Meeting will begin at 6:00 p.m. and stated this was advertised in the newspaper.

EXECUTIVE SESSION: None

ADJOURNMENT:

ON MOTION by Fox/Weber to adjourn at 11:15 p.m.

ROLL CALL:

AYES: DeMarco, DeNoble, Gubitosi, Weber, Mayor Fox

NAYS: None

ABSENT: None

ABSTAIN: None

THE COUNCIL BUSINESS MEETING ADJOURNED AT 11:15 P.M.

Erica Kostyz

Erica Kostyz, RMC, CMR
Municipal Clerk