

BOROUGH OF BRADLEY BEACH

**PUBLIC HEARING/ADOPTION FOR THE 2025 BUDGET AMENDMENT & MUNICIPAL BUDGET
& COUNCIL BUSINESS MEETING MINUTES**

JUNE 18, 2025 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, BROADCAST FROM BOROUGH HALL, 701 MAIN STREET, BRADLEY BEACH, NJ 07720. PUBLIC PARTICIPATION FOR THIS COUNCIL BUSINESS MEETING OF JUNE 18, 2025 WAS AVAILABLE IN PERSON OR THROUGH THE ZOOM LINK POSTED TO THE WEBSITE. THE COUNCIL MEETINGS (RESOLUTION 2024-210 ADOPTED DECEMBER 11, 2024) FOR CALENDAR YEAR 2025 WERE ADVERTISED IN THE NEW COASTER, THE COAST STAR, AND THE ASBURY PARK PRESS ON DECEMBER 19, 2024.

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

A Council Business 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 Gubitosi 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 June 18, 2025 Municipal Budget Public Hearing and Council Business Meeting:

**Governing Body Members: Ms. DeNoble, Ms. Greenblatt, Mr. Nowicki, Mr. Weber, Mayor Gubitosi
Borough Administrator, Matthew Doherty
Municipal Clerk, Erica Kostyz
Borough Attorney, Gregory Cannon
Deputy Municipal Clerk and Zoom Facilitator, Michele Whille
Police Chief, James Arnold
Interim Chief Financial Officer, Jeannette M. Larrison
Borough Planner, Jennifer Beahm**

Public Hearing on the 2025 Introduced Municipal Budget Amendment:

ON MOTION by Gubitosi/DeNoble to open the Public Hearing for the 2025 Introduced Municipal Budget Amendment.

ROLL CALL:

AYES: DeNoble, Greenblatt, Nowicki, Weber, Mayor Gubitosi

NAYS: None

ABSENT: None

ABSTAIN: None

2025 Municipal Budget Amendment Public Hearing Commentary:

In Person:

Larry Fox, 601 Monmouth Avenue, presented inquiries pertaining to fund balance analysis completion, surplus, and Capital forecast which were answered by Mayor Gubitosi and Ms Larrison.

*** Please note, commentary and the materials presented to Council by Mr. Fox are attached.***

Thomas J. Coan, 612 Third Avenue, inquired about the funds for the church demolition which were addressed by Mayor Gubitosi and Ms. Larrison.

Beth Kepler, 504 Central Avenue, gave a statement voicing her concerns and opinions regarding the previous administration's fiscal practices.

ZOOM: None

ON MOTION by Gubitosi/Greenblatt to close the Public Hearing for the 2025 Municipal Budget Amendment.

ROLL CALL:

AYES: DeNoble, Greenblatt, Nowicki, Weber, Mayor Gubitosi

NAYS: None

ABSENT: None

ABSTAIN: None

Resolution 2025-216 Adoption of the Amended 2025 Municipal Budget.

ON MOTION by Gubitosi/Greenblatt to the adopt Resolution 2025-216.

ROLL CALL:

AYES: DeNoble, Greenblatt, Nowicki, Weber, Mayor Gubitosi

NAYS: None

ABSENT: None

ABSTAIN: None

APPROVED

WORKSHOP(S):

Housing Element and Fair Share Plan – Borough Engineer, Jennifer Beahm

Items presented and discussed:

- **Anticipated implementation plan to address Affordable Housing fourth round.**
- **Unit obligation**
- **Vacant Land Adjustment.**
- **Realistic Development Potential (RDP) obligation (803 Main Street and Oxford Houses).**
- **Participation in the County Program to fulfill the rehabilitation obligation.**
- **Mandatory set aside ordinance.**
- **Overlay Zone Ordinance**
- **Development Fee Ordinance**
- **Administrative Agent**
- **Windshield survey**
- **Trust Fund obligations**

ON MOTION by Gubitosi/to open public comments and questions on this workshop.

ROLL CALL:

AYES: DeNoble, Greenblatt, Nowicki, Weber, Mayor Gubitosi

NAYS: None

ABSENT: None

ABSTAIN: None

Public comments and questions pertaining to this workshop were offered by the following residents:

Thomas J. Coan, 612 Third Avenue

Robert Macallister, 412 Fifth Avenue

PRESENTATIONS:

Financial Analysis – Fred Ebenau

Mr. Ebenau gave an overview of his financial findings for the last seven years. Items of concerns included:

- **General Ledgers**
- **Audit Reports**
- **Annual Financial Statements**
- **Interfunds**
- **Surplus**
- **Lack of internal controls**
- **Financial integrity**

While the findings are of concern, Mr. Ebenau stated he did not find any fraudulent activity or embezzlement and stated the issues were due to mismanagement and lack of internal controls which can be remedied.

Discussion ensued between the Governing Body and Mr. Ebenau pertaining to financial remedies moving forward.

Mayor Gubitosi read a statement within the report on page 8 pertaining to the audited and unaudited financial statements.

Please note, this report has been posted to the website and can be viewed publically

MINUTES APPROVAL

ON MOTION by Gubitosi/Weber to approve the Council Business Meeting Minutes of June 5, 2025.

ROLL CALL:

AYES: DeNoble, Greenblatt, Nowicki, Weber, Mayor Gubitosi

NAYS: None

ABSENT: None

ABSTAIN: None

APPROVED

ON MOTION by Gubitosi/Greenblatt to approve the Executive Session Minutes of June 5, 2025.

ROLL CALL:

AYES: DeNoble, Greenblatt, Nowicki, Weber, Mayor Gubitosi

NAYS: None

ABSENT: None

ABSTAIN: None

APPROVED

PUBLIC COMMENTS & QUESTIONS ON AGENDA ITEMS:

In Person:

Beth Kepler, 504 Central Avenue, expressed her concerns and opinions regarding the financial issues addressed.

Zoom: None

ORDINANCE INTRODUCTION(S): None

ORDINANCE ADOPTION(S):

ORDINANCE 2025-17

ORDINANCE AMENDING CHAPTER 9: "TRAFFIC" OF THE BOROUGH'S REVISED GENERAL ORDINANCES TO LIMIT THE BOROUGH HALL PARKING LOT TO EMPLOYEE PARKING AND BUSINESS VISITORS OF THE BOROUGH OFFICES ONLY FROM 8:00AM TO 4:00PM.

ON MOTION by Gubitosi/Nowicki to table the public hearing and adoption for Ordinance 2025-17 pending further research for other alternatives.

ROLL CALL:

AYES: DeNoble, Greenblatt, Nowicki, Weber, Mayor Gubitosi
NAYS: None
ABSENT: None
ABSTAIN: None

TABLED

COMMUNICATIONS :

- **Fifth Avenue Sewer Infrastructure Replacement Project – update provided by Councilman Nowicki, Councilwoman Greenblatt, and Mayor Gubitosi.**

CONSENT AGENDA RESOLUTIONS: None

INDIVIUAL RESOLUTIONS:

2025-214 Award of Bid for the Newark Avenue Concession.

Mayor Gubitosi stated there were no bidders that met the criteria threshold and will work diligently to speak with potential vendors that were interested in the concession but did not wish to bid.

ON MOTION by Gubitosi/Nowicki to table Resolution 2025-214.

ROLL CALL:

AYES: DeNoble, Greenblatt, Nowicki, Weber, Mayor Gubitosi
NAYS: None
ABSENT: None
ABSTAIN: None

TABLED

2025-217 Appointing Summer Seasonal Gate Guards.

ON MOTION by Gubitosi/DeNoble to adopt Resolution 2025-217.

ROLL CALL:

AYES: DeNoble, Greenblatt, Nowicki, Mayor Gubitosi
NAYS: None
ABSENT: None
ABSTAIN: Weber

ADOPTED

**2025-218 Approval of Annual Renewal of Alcoholic Beverage Liquor License for D’Arcy, LLC
T/A D’Arcy’s Tavern.**

ON MOTION by Greenblatt/Weber to adopt Resolution 2025-218.

ROLL CALL:

AYES: Greenblatt, Nowicki, Weber

NAYS: None

ABSENT: None

ABSTAIN: DeNoble, Gubitosi

ADOPTED

2025-219 Approval to add LED lighting to a single aerator in Fletcher Lake for a trial period.

Councilmembers requested the light management be monitored during the trial period and reported back to Council once the trial period is completed.

Mayor Gubitosi stated he will not be voting in favor of this due to issues of possible concerns pertaining to the lake's ecosystem.

ON MOTION by DeNoble/Greenblatt to adopt Resolution 2025-219.

ROLL CALL:

AYES: DeNoble, Greenblatt, Nowicki, Weber

NAYS: Mayor Gubitosi

ABSENT: None

ABSTAIN: None

ADOPTED

2025-220 Approval to submit a Grant Application and execute a Grant Contract with the New Jersey Department of Transportation for the "Improvements to Ocean Park Avenue" Project.

ON MOTION by Gubitosi/Greenblatt to adopt Resolution 2025-220.

ROLL CALL:

AYES: DeNoble, Greenblatt, Nowicki, Weber, Mayor Gubitosi

NAYS: None

ABSENT: None

ABSTAIN: None

ADOPTED

2025-221 Authorizing a Contract for Playground Equipment for the Recreation Center Playground through Educational Services Commission of New Jersey Cooperative Contract Vendor MRC, Inc. Through #65MCESCCPS - ESCNJ 24/25-01.

ON MOTION by Gubitosi/DeNoble to adopt Resolution 2025-221.

ROLL CALL:

AYES: DeNoble, Greenblatt, Nowicki, Weber, Mayor Gubitosi

NAYS: None

ABSENT: None

ABSTAIN: None

ADOPTED

2025-222 Authorizing purchase of Recreation Center Playground surfacing through State of New Jersey Contract #16-FLEET-00131.

ON MOTION by Gubitosi/Greenblatt to adopt Resolution 2025-222.

ROLL CALL:

AYES: DeNoble, Greenblatt, Nowicki, Weber, Mayor Gubitosi

NAYS: None

ABSENT: None

ABSTAIN: None

ADOPTED

2025-223 Resolution to endorse Housing Element and Fair Share Plan (HEFSP).

ON MOTION by Gubitosi/Weber to adopt Resolution 2025-223.

ROLL CALL:

AYES: DeNoble, Greenblatt, Nowicki, Weber, Mayor Gubitosi

NAYS: None

ABSENT: None

ABSTAIN: None

ADOPTED

2025-224 Authorizing a modification of fees for Suburban Consulting Engineers to include the Additional scope for the Sylvan Lake Technical Assistance Application.

ON MOTION by Gubitosi/Greenblatt to adopt Resolution 2025-224.

ROLL CALL:

AYES: DeNoble, Greenblatt, Nowicki, Weber, Mayor Gubitosi

NAYS: None

ABSENT: None

ABSTAIN: None

ADOPTED

2025-225 Award of contract for Fifth Avenue Sanitary Sewer Improvements, Phase I.

This Resolution was tabled due to the necessity of adopting a Bond Ordinance before moving forward.

ON MOTION by Gubitosi/DeNoble to table Resolution 2025-225 due to funding. It was discovered a Bond Ordinance will need to be introduced and adopted to provide the proper funding for this project.

ROLL CALL:

AYES: DeNoble, Greenblatt, Nowicki, Weber, Mayor Gubitosi
NAYS: None
ABSENT: None
ABSTAIN: None

TABLED

2025-226 Bill List for June 18, 2025.

Discussion ensued regarding a Fernandes Construction invoice and future purchase of Mutt Mitts.

ON MOTION by Gubitosi/to adopt Resolution 2025-226.

ROLL CALL:

AYES: DeNoble, Greenblatt, Nowicki, Weber, Mayor Gubitosi
NAYS: None
ABSENT: None
ABSTAIN: None

ADOPTED

ANNOUNCEMENTS: None

ADMINISTRATOR REPORT:

Mr. Doherty provided updates for dispute of invoices from the prior Labor Attorney and the 319 LaReine Avenue demolition.

MAYOR AND COUNCIL REPORTS:

Councilman Nowicki

Provided reports for the Police Department, First Aid Squad and the Sylvan Lake Committee.

Councilwoman DeNoble

Provided reports for the Tourism Commission and attended the Eight Grade Graduation on June 17th.

Councilwoman Greenblatt

Provided reports for the Recreation Committee, Fletcher Lake Commission, and the Arts Council.

Councilman Weber

Thanked the Environmental Commission for the removal of Knotweed in the Maritime Forest on June 7th and mentioned the school graduation was great.

Mayor Gubitosi

- The Library Board meeting will be held on June 23rd at 5:15 p.m.
- The Maritime Forest Julie Schreck Celebration will be held on June 27th at 5:00 p.m.
- The Mayor's Wellness Walk will take place on June 28th at 9:00 a.m.
- Stated the school graduation was a great event.

PUBLIC COMMENTS & QUESTIONS:

In Person:

Ray Castellano, 604 Bradley Boulevard, expressed frustration regarding the waiting list for beach lockers and requested Council consider passing an ordinance giving residents first priority to purchase a beach locker.

Beth Kepler, 504 Central Avenue, thanked Mr. Doherty for his report regarding the former Labor Attorney invoices and feels the finances need to be investigated.

Rick Bartolomei, 116 Newark Avenue, inquired the status regarding the utility pole wire inventory.

Thomas J. Coan, 612 Third Avenue, spoke about his prior experience with OPRA redactions and thanked the Governing Body for the changes to the sewer system on Fifth Avenue.

ZOOM:

Mea Molin, 302 Fourth Avenue, requested better enforcement for playing music without earphones on the beach and expressed concerns about the Tennis/Pickle Ball Court being combined.

Brigitte McGuire, 610 Brinley Avenue, commented on her OPRA lawsuit for redacted documents and feels investigations need to be done on finances.

Eileen Shissias, 112 Fourth Avenue, feels a utility pole inventory was done by CME in 2022.

EXECUTIVE SESSION:

Resolution 2025-227 Retire into Executive Session to discuss an Attorney/Client Privilege Matter and Litigation Matters.

- 301 Main Street
- Zoning Appeal
- Hingston vs. Bradley Beach

ON MOTION by Gubitosi/to retire into Executive Session at 9:05 p.m. to discuss a Litigation Matter.

ROLL CALL:

AYES: DeNoble, Greenblatt, Nowicki, Weber, Mayor Gubitosi

NAYS: None

ABSENT: None

ABSTAIN: None

ON MOTION by Gubitosi/Weber to return from Executive Session at 10:00 p.m.

ROLL CALL:

AYES: DeNoble, Greenblatt, Nowicki, Weber, Mayor Gubitosi

NAYS: None

ABSENT: None

ABSTAIN: None

ADJOURNMENT:

ON MOTION by Gubitosi/Weber to adjourn the Council Business Meeting.

ROLL CALL:

AYES: DeNoble, Greenblatt, Nowicki, Weber, Mayor Gubitosi

NAYS: None

ABSENT: None

ABSTAIN: None

THE COUNCIL BUSINESS MEETING ADJOURNED AT 10:00 P.M.

Erica Kostyz
Erica Kostyz, RMC, CMR
Municipal Clerk

Items presented to Council by Resident Larry Fox

Commentary:

Has a fund balance analysis been completed? – the budget was introduced on April 15th- over 2 months ago. This has always been a practice/ requirement- why wouldn't this be done? We are proceeding without this analysis, taking 94% fund balance more than 2024, and 42% more than the last 6-year average. I realize your rationale is speculative on the sale/ proceeds of the 319 LaReine sale; but it doesn't dismiss that the analysis is appropriate and fiscally responsible.

I have updated for the 2024 actual, and as you can see, Mr. Gartz, as he said, provided a conservative fund balance analysis. We were favorable to each fund. I brought this because there were questions as to whether the analysis was done in prior years- which it was.

Mayor, in the past, you and a resident have railed on “surplus- adjusted” tax rates. You even campaigned on what I would call a misnomer. While I have always disagreed with this line of logic, it is interesting to me that it has not come up this year, especially with spending levels up either six or nine percent depending on how you look at it. Have you looked at this? What is the “surplus adjusted municipal tax increase”?

Answer- 5.8% vs. the 2.76% without the demolition costs, with demo costs- 7.04 %

If you that number adjust for grants, which is a legitimate adjustment to the analysis- the number is 9.2%
Any comment for the record?

Has the capital portions of the budget document been completed? - Is there a 3 and five year plan?

Fund Balance Analysis:

BOROUGH OF BRADLEY BEACH - FUND BALANCE ANALYSIS- Detail projection for 2024, and actual results- 2022, 2023, 2024

Rebuilding Fund Balance

	ESTIMATED		
	<u>2024</u>	<u>2023</u>	<u>2022</u>
Current Fund Balance from 12/31 Prior Yr.	\$ 1,310,479.85	\$ 1,895,954.26	\$ 2,861,287.27
Lapsed Reserves	\$ 600,000.00	\$ 321,777.53	\$ 69,956.54
Current Year Excess Revenues:			
Delinquent Taxes	\$ 5,000.00	\$ 17,198.45	\$ 2,445.47
Current Year Taxes	\$ 150,000.00	\$ 139,749.41	\$ 208,135.50
Miscellaneous Revenues	\$ 20,000.00	\$ (81,038.06)	\$ (101,830.03)
Misc Revenue Not Anticipated	\$ 80,000.00	\$ 113,521.58	\$ 74,317.82
Current Year Appropriations Canceled		\$ 10,352.36	
Other		\$ (7,035.68)	\$ (229,802.06)
Anticipated Surplus Current Yr	\$ (700,000.00)	\$ (1,100,000.00)	\$ (988,556.25)
Balance 12/31 Current Year	<u>\$ 1,465,479.85</u>	<u>\$ 1,310,479.85</u>	<u>\$ 1,895,954.26</u>
ACTUAL 2024	\$ 2,299,439.23 (positive by \$833,959.38)		
	ESTIMATED		
	<u>2024</u>	<u>2023</u>	<u>2022</u>
Sewer Utility Balance from 12/31 Prior Yr	\$ 1,825,694.59	\$ 1,910,188.24	\$ 2,125,597.63
Lapes Reserves	\$ 200,000.00	\$ 202,800.48	\$ 79,285.73

Current Year Excess Revenues:	\$ 50,000.00	\$ 55,580.02	\$ 52,935.41
Misc Revenue Not Anticipated	\$ 25,000.00	\$ 23,777.38	\$ 152,774.30
Interfunds			
Other		\$ 48.47	\$ 18,431.48
Anticipated Surplus Current Yr	\$ (450,000.00)	\$ (366,700.00)	\$ (518,836.31)
Balance 12/31 Current Year	\$ 1,650,694.59	\$ 1,825,694.59	\$ 1,910,188.24
ACTUAL 2024		\$ 1,946,380.85 (positive by \$295,686.26)	
	ESTIMATED		
	2024	2023	2022
Beach Utility			
Balance from 12/31 Prior Yr	\$ 752,854.06	\$ 919,350.14	\$ 1,021,361.73
Lapes Reserves	\$ 175,000.00	\$ 138,441.03	\$ 16,922.69
Current Year Excess Revenues:	\$ 150,000.00	\$ 105,030.87	\$ 255,724.69
Misc Revenue Not Anticipated \$ 35,000.00	\$ 32,116.95	\$ 62,170.57	
Interfunds			
Other			\$ (967.30)
Anticipated Surplus Current Yr	\$ (450,000.00)	\$ (442,084.93)	\$ (435,862.24)
Balance 12/31 Current Year	\$ 662,854.06	\$ 752,854.06	\$ 919,350.14
ACTUAL 2024		\$ 886,136.90 (positive by \$223,282.84)	

SOURCE: Analysis provided by CFO Richard Gartz- April 10, 2024. Actual 2024 provided by AFS report

Spending Analysis:

2025 Spending Analysis- no demo costs plus including grant funding				
Description	2025	2024	Difference	Percent +/-
Salaries & Wages	\$ 4,738,300	\$ 4,227,910	\$ 510,390	12.07%
Other Expenses	\$ 4,689,788	\$ 4,699,419	\$ (9,631)	-0.20%
Capital (without grants)	\$ 262,000	\$ 249,900	\$ 12,100	4.84%
sub total-	\$ 9,690,088	\$ 9,177,229	\$ 512,859	5.59%
			\$ -	
Statutory & Deferred Charges	\$ 1,327,549	\$ 1,210,956	\$ 116,593	9.63%
Debt Service	\$ 533,404	\$ 518,970	\$ 14,434	2.78%
Reserve- Uncollected taxes	\$ 265,000	\$ 261,030	\$ 3,970	1.52%
sub total-	\$ 2,125,953	\$ 1,990,956	\$ 134,997	6.78%
State and Federal grants	\$ 1,708	\$ 227,265	\$ (225,557)	-99.25%
Total Appropriations	\$ 11,817,749	\$ 11,395,450	\$ 422,299	3.71%
2025 Spending Analysis- adding demolition costs and adjusting for grants				
Description	2025	2024	Difference	Percent +/-
Salaries & Wages	\$ 4,738,300	\$ 4,227,910	\$ 510,390	12.07%
Other Expenses	\$ 5,069,788	\$ 4,699,419	\$ 370,369	7.88%

Capital (without grants)	\$ 262,000	\$ 249,900	\$ 12,100	4.84%
sub total-	\$ 10,070,088	\$ 9,177,229	\$ 892,859	9.73%
			\$ -	
Statutory & Deferred Charges	\$ 1,327,549	\$ 1,210,956	\$ 116,593	9.63%
Debt Service	\$ 533,404	\$ 518,970	\$ 14,434	2.78%
Reserve- Uncollected taxes	\$ 265,000	\$ 261,030	\$ 3,970	1.52%
sub total-	\$ 2,125,953	\$ 1,990,956	\$ 134,997	6.78%
State and Federal grants	\$ 1,708	\$ 227,265	\$ (225,557)	-99.25%
Total Appropriations	\$ 12,197,749	\$ 11,395,450	\$ 802,299	7.04%
Without State and Federal grants	\$ 12,196,041	\$ 11,168,185	\$ 1,027,856	9.20%