

**REGULAR MEETING**  
**November 22, 2011**

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 Julie Schreck 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 6:34 PM**

Present: Council: Engelstad, Galassetti  
Mayor Schreck  
Borough Attorney George McGill  
Business Administrator O'Reilly  
Absent: Council: \*Cotler, D'Angelo  
Secretary: Municipal Clerk Mary Ann Solinski  
\*Councilman Cotler arrived at 6:55pm

**INTRODUCTION**

Mayor Schreck introduced Zoning Officer Stephen LoSacco to the public and gave a brief history of his qualifications for the position. Mr. LoSacco thanked council for the opportunity to serve the Borough.

**APPROVAL OF MINUTES**

On Motion by Schreck/ Galassetti to approve the minutes for September 13<sup>th</sup>,  
September 27<sup>th</sup> and October 11<sup>th</sup> 2011

ROLL CALL AYES: Engelstad, Galassetti, Schreck  
NAYS: None  
ABSENT: Cotler, D'Angelo

**APPROVED MOTION**

**Discussion Items**

Engineer Koch gave his Capital Project Status Report highlighting the following:

- The award of bids for both the Improvements to Fletcher Lake Avenue and Lake Terrace Park Project and the Improvements to Hammond Avenue Project will be made by Council after the required ESTOPEL period for the required bond ordinances
- A proposal for the temporary flow metering was submitted for the Sanitary Sewer Mapping and Infiltration/Inflow Study Project

- He will provide a proposal for the Sanitary Sewer Pump Station Evaluation when Council desires to move forward with the project
- Requested final direction on the preparations of bid specifications for the Miniature Golf Course Improvement Project- A brief discussion ensued regarding the placement of solar light fixtures at the course and council advised that the borough will handle the construction of the course for the proposal with an estimated cost of \$260,000 with alternates for different theme affects. Council also expressed concern over possible change orders which maybe encountered during construction and the engineer advised that including alternates will give council the option of choosing items when awarding the bid

Council postponed the public hearing and adoption of Bond Ordinance 2011-21 and Bond Ordinance 2011-22 until the arrival of Councilman Cotler

**Items removed from Consent Agenda**

On motion by Schreck/Galassetti

Authorization of Budget Transfers

Bill List

**ORDINANCES**

**FINAL READING AND ADOPTION OF ORDINANCE**

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

**BOND ORDINANCE NUMBER 2011-21**

**BOND ORDINANCE AMENDING AND SUPPLEMENTING BOND ORDINANCE NUMBER 2011-8 (WHICH PROVIDES FOR VARIOUS 2011 ROADWAY IMPROVEMENTS) HERETOFORE FINALLY ADOPTED BY THE BOROUGH COUNCIL OF THE BOROUGH OF BRADLEY BEACH, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, ON APRIL 12, 2011, TO INCREASE THE APPROPRIATION THEREIN BY \$130,000 AND TO INCREASE THE AUTHORIZATION OF BONDS OR NOTES THEREIN BY \$123,500 TO FINANCE PART OF THE ADDITIONAL COSTS THEREOF**

ON MOTION by Schreck/ Galassetti moved to open the public hearing.

ROLL CALL AYES: Cotler, Engelstad, Galassetti, Schreck

NAYS: None

ABSENT: D'Angelo

Mayor Schreck gave a brief explanation of the ordinance.

ON MOTION by Schreck/ Galassetti moved to close the public hearing.

ROLL CALL AYES: Cotler, Engelstad, Galassetti, Schreck

NAYS: None

ON MOTION ABSENT: D'Angelo  
by Schreck/ Galassetti moved to adoption.  
ROLL CALL AYES: Cotler, Engelstad, Galassetti, Schreck  
NAYS: None  
ABSENT: D'Angelo

**ADOPTED ORDINANCE**

**FINAL READING AND ADOPTION OF ORDINANCE**

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

**BOND ORDINANCE NUMBER 2011-22**

**BOND ORDINANCE AMENDING AND SUPPLEMENTING BOND ORDINANCE NUMBER 2007-16 (WHICH PROVIDES FOR THE ACQUISITION AND INSTALLATION OF SOLAR PANELS ON THE RECREATION CENTER AND MUNICIPAL BUILDING), HERETOFORE FINALLY ADOPTED BY THE BOROUGH COUNCIL OF THE BOROUGH OF BRADLEY BEACH, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, ON OCTOBER 9, 2007, AS AMENDED AND SUPPLEMENTED, TO RE-APPROPRIATE \$51,511.91 IN EXCESS BOND PROCEEDS FROM BOND ORDINANCE NUMBER 2006-20, AND TO INCREASE THE APPROPRIATION THEREIN TO \$291,511.91 THEREOF**

ON MOTION by Schreck/ Galassetti moved to open the public hearing.  
ROLL CALL AYES: Cotler, Engelstad, Galassetti, Schreck  
NAYS: None  
ABSENT: D'Angelo

Mayor Schreck gave a brief explanation of the ordinance.

ON MOTION by Schreck/ Galassetti moved to close the public hearing.  
ROLL CALL AYES: Cotler, Engelstad, Galassetti, Schreck  
NAYS: None  
ABSENT: D'Angelo

ON MOTION by Schreck/ Galassetti moved to adoption.  
ROLL CALL AYES: Cotler, Engelstad, Galassetti, Schreck  
NAYS: None  
ABSENT: D'Angelo

**ADOPTED ORDINANCE**

**FINAL READING AND ADOPTION OF ORDINANCE**

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

**AN ORDINANCE TO AMEND THE BOROUGH OF BRADLEY BEACH  
SALARY ORDINANCE CHAPTER III, PERSONNEL AND MORE  
PARTICULARLY SECTION 3-9.1 OFFICERS AND EMPLOYEES PAID A  
SPECIFIC SALARY**

ON MOTION by Schreck/ Galassetti moved to open the public hearing.

ROLL CALL AYES: Engelstad, Galassetti, Schreck  
NAYS: None  
ABSENT: Cotler, D'Angelo

Mayor Schreck gave a brief explanation of the ordinance.

ON MOTION by Schreck/ Galassetti moved to close the public hearing.

ROLL CALL AYES: Engelstad, Galassetti, Schreck  
NAYS: None  
ABSENT: Cotler, D'Angelo

ON MOTION by Schreck/ Galassetti moved to adoption.

ROLL CALL AYES: Engelstad, Galassetti, Schreck  
NAYS: None  
ABSENT: Cotler, D'Angelo

**ADOPTED ORDINANCE**

**COMMUNICATIONS**

On Motion by Schreck/ Galassetti approved a request from Meals on Wheels to use the Carmen A. Biase Center on either Friday, December 2<sup>nd</sup> or December 9<sup>th</sup> 2011 12:00pm to 3pm for a luncheon to honor a person who has worked as a volunteer for MOW for more than 15 years and is now re-locating out of State.

ROLL CALL AYES: Engelstad, Galassetti, Schreck  
NAYS: None  
ABSENT: Cotler, D'Angelo

APPROVED MOTION

**CONSENT AGENDA**

ON MOTION by Schreck/ Galassetti the following Resolutions were moved to adoption.

ROLL CALL AYES: Engelstad, Galassetti, Schreck  
NAYS: None  
ABSENT: Cotler, D'Angelo

**ADOPTED RESOLUTIONS**

Resolution 233

**AUTHORIZES PAYMENT TO LIENHOLDER**

Resolution 234

**AUTHORIZES A TAX REFUND TO REFLECT A REDUCTION  
AS A RESULT OF A SUCCESSFUL TAX APPEAL FOR THE  
YEAR 2010 BLOCK 58 LOT 4**

- Resolution 235      **AUTHORIZES THE MAYOR AND CLERK TO EXECUTE AN AGREEMENT WITH THE COUNTY OF MONMOUTH FOR SYSTEM (SCAT) AT \$155.00 PER FULL DAY CHARGES**
- Resolution 236      **AUTHORIZES THE MAYOR AND CLERK TO ENTER INTO AN AGREEMENT FOR ANIMAL CONTROL SERVICES WITH THE ASSOCIATED HUMANE SOCIETIES FOR THE YEAR 2012 IN THE AMOUNT OF \$12,710.00**
- Resolution 237      **AWARD OF CONTRACT FOR THE PUBLIC WORKS/OEM UTILITY TRUCK TO LARSON FORD, INC. OF LAKEWOOD, NJ IN THE AMOUNT OF \$65,227.00**
- Resolution 238      **APPROVES THE SUBMISSION OF AN APPLICATION FOR PARTICIPATION IN THE LOCAL GOVERNMENT ENERGY AUDIT PROGRAM OF THE NJ BOARD OF PUBLIC UTILITIES**

### **ADOPTED RESOLUTIONS**

Councilman Cotler questioned the transfer of funds in the amount of \$3,500 into the borough Auditor miscellaneous budget line. Mayor Schreck responded that he was authorized to perform an audit of the FEMA Funds received by the Borough to analyze matters involving FEMA funding as well as the processes and outcomes of that funding as the Administrator and Chief Financial Officer were unable to get clarification from the Office of Emergency Management.

Mayor Schreck stated that the administrator asked OEM for information and that they declined to provide it. Mayor Schreck also said that it was in the borough's best interest to understand our status and to get some projects going and get bonding done so there is a chance that the borough is eligible for the FEMA money by completing the projects in a timely fashion.

Councilman Cotler then asked who authorized the expenditure and called it an unnecessary expense. Mayor Schreck agreed but added that the auditor found that some items could have been handled better and that he should have been aware of the situation from previous emails from the administrator to OEM. Councilman Cotler stated that he understood the Mayor claimed the emails were private. Mayor Schreck said she never indicated the emails were such and Councilman Cotler responded that now the emails can now become public.

Councilmen Engelstad and Galassetti acknowledged that they knew the auditor was involved in this issue.

Captain Fahnholz said that he did not want the public to have the impression that the OEM refused to release the information and insisted that the office was not in the position to divulge the information at that time as their reports were not complete and until the reports are complete and OEM had all the information needed that the information would be released to everyone. He added that to release information prematurely that OEM does not have clear answers on is not the way OEM conducts their business and that OEM was acting on information received from the state public assistance unit and from FEMA.

Mayor Schreck maintained that the office has yet to release the information requested stating that she received information regarding requests and appeals through the state as projects

approved by FEMA carry deadlines for completion and that the borough is now well past those deadlines as bonding is necessary to fulfill the project. Councilman Engelstad noted that a person who works with the State FEMA unit has said that Bradley Beach is a great example for other towns to follow as their reports are exceptional.

## **RESOLUTIONS**

### Resolution 239

#### **APPOINTMENT OF MAYOR JULIE SCHRECK AND COUNCILMAN SALVATORE GALASSETTI TO THE GOVERNING BODY COMMITTEE FOR THE MEMORIAL DAY WEEKEND EVENTS**

ON MOTION

by Schreck/ Engelstad moved to adoption.

ROLL CALL

AYES: Cotler, Engelstad, Galassetti, Schreck

NAYS: None

ABSENT: D'Angelo

### **ADOPTED RESOLUTION**

### Resolution 240

#### **AUTHORIZES BUDGET APPROPRIATION TRANSFERS**

ON MOTION

by Schreck/ Galassetti moved to adoption.

ROLL CALL

AYES: Engelstad, Galassetti, Schreck

NAYS: None

ABSTAIN: Cotler

ABSENT: D'Angelo

### **ADOPTED RESOLUTION**

### Resolution 241

#### **BILL LIST**

ON MOTION

by Schreck/ Galassetti moved to adoption

ROLL CALL

AYES: Cotler, Engelstad, Galassetti, Schreck

NAYS: None

ABSENT: D'Angelo

### **ADOPTED RESOLUTION**

## **ANNOUNCEMENT**

The Annual Tree Lighting Ceremony will be held on Sunday, November 27, 2011 at 5pm in Riley Park with Refreshments, Entertainment and Santa Claus

## **REPORTS**

Councilman Cotler announced that the Ladies Auxiliary conducted a great event over the past weekend and thanked the volunteers for their work. He also requested when the auditor's report will be available as a meeting with OEM is scheduled for November 29<sup>th</sup>. The Administrator responded that she will distribute the reports at the end of this meeting. OEM Coordinator Police Chief Guida noted that he just received the report earlier today and asked why there was a delay in providing a copy to the OEM office which indicates a date prepared earlier this month. The Administrator explained that a draft was received in the beginning of November which has been under review. The Chief said that the report shows a receipt date of November 7, 2011.

Councilman Engelstad thanked everyone attending the Annual Veterans' Day Ceremony and acknowledged the retirement of Paul Charette from the Board of Education after many years of dedicated service. Councilman Engelstad thanked Recreation volunteers for the Flag Football program recognizing Harvey Rosenberg, Cynthia Brady and Joe Malysko.

Councilman Engelstad and Galassetti requested that the public support local businesses and restaurants on Saturday which is designated as "Shop Small Businesses Day".

Mayor Schreck thanked the members of the Chamber of Commerce for having a great working relationship with the governing body. She also stated that she hopes that both the Public Library and Public School participate in the Local Government Energy Audit.

**PUBLIC COMMENT**

Harvey Rosenberg announced that business owners will be invited to the next Joint Subcommittee meeting when they discuss CAFÉ licenses along with other subjects.

**ADJOURNMENT**

ON MOTION by Schreck/ Galassetti the meeting was adjourned at 7:45 PM.

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Mary Ann Solinski, RMC, CMC  
Municipal Clerk