

**REGULAR MEETING**  
**August 23, 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 6:30 PM**

Present: Council: Cotler, D'Angelo, Engelstad, Galassetti  
Mayor Schreck  
Borough Attorney George McGill  
Business Administrator O'Reilly  
Secretary: Municipal Clerk Mary Ann Solinski

**Ceremonial**

Honorable Mark T. Apostolou administered the Oath of Office to Police Captain Stephen Fahnholz and congratulated the Captain on his promotion saying it was an honor and privilege to be asked.

Captain Fahnholz recognized and thanked his family as well as Judge Apostolou. He stated that he is proud to be a member of the Bradley Beach Police Department as well as a member of the New Jersey Policeman's Benevolent Association (PBA). He also recognized Police Chief Guida and his coworkers.

Mayor Schreck announced with great pride that the Bradley Beach Recreation sailors had won this year's Mayor's Cup Regatta in Belmar adding that this is approximately the fourth year that children from Summer Recreation have participated in the program sponsored by the Friends of Belmar Harbor and recreation departments from Avon, Belmar, Bradley Beach, Neptune, Neptune City and Wall Township. Recreation Director Cynthia Brady noted the sailors worked very hard this year and extremely honored to introduce most of the sailors to Council.

## **APPROVAL OF MINUTES**

On Motion by Schreck/Galassetti to approve the minutes for July 12, 2011 and July 26, 2011

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

## **APPROVED MOTION**

### **Discussion Items**

After a brief discussion council decided to they would authorize borough officials to prepare financing and bid specifications for renovation of the Miniature Golf Course as estimated costs between \$180,000 to \$350,000 depending on which elements are utilized in the design. During the discussion Councilmen Engelstad and D'Angelo stated that they feel the course should be bid out to a private investor as Councilman Engelstad stated that money management over the years has been questionable. Councilman D'Angelo cautioned that the course must be run correctly or that the Borough may not make any money after Councilman Cotler estimated that the Borough might recoup construction costs in approximately two and one half years. Other members of Council disagreed and said that the course should continue to be run by the Borough. The Administrator suggested there is a third option where the Borough would fund the course construction and retain the choice to run or bid out as a concession lease. Councilman Galassetti suggested placing a surveillance camera on site to monitor the courses management.

Administrator O'Reilly read a Beach Revenue report to Council

### **Items added or deleted to Agenda**

On motion by Schreck/Cotler to add a request from the Jersey Shore Film Festival to add a rain date of Thursday, September 1<sup>st</sup> for their event at the Fifth Avenue Gazebo to be held on Wednesday, August 31, 2011

On motion by Schreck/Galassetti to add a request from Rosie Blanco-Disbro to hold a birthday party at the Miniature Golf Course on September 7<sup>th</sup> with a rain date of September 8, 2011

On motion to remove the resolution for a special permit parking space from the consent agenda and consideration as a separate resolution

**ORDINANCES**

**INTRODUCTION**

**ORDINANCE 2011-**

**AN ORDINANCE TO AMEND AND SUPPLEMENT THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BRADLEY BEACH, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, CHAPTER 5, ADMINISTRATION OF GOVERNMENT, ENACTING AND AMENDING SECTIONS 5-31.S, USE OF FIRE DEPARTMENT QUARTERS; FIRE APPARATUS**

Action was tabled upon the recommendation of the Borough Attorney.

**ORDINANCE 2011-16**

AN ORDINANCE TO AMEND AND SUPPLEMENT THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BRADLEY BEACH, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, CHAPTER 286 LITTERING; SOLID WASTE COLLECTION, ARTICLE IV; YARD WASTE AND ENACTING SECTIONS 26-30

ON MOTION by Schreck/ Galassetti moved to introduction.

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

**PENDING ORDINANCE**

**COMMUNICATIONS**

On Motion by Schreck/Galassetti to approve the following Bingo and Raffle Licenses:  
Neptune Township American Legion Post #346 BL 6-11  
Neptune Township American Legion Post #346 RL 11-11  
Bradley Beach PTO RL 12-11  
Bradley Beach PTO RL 13-11

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

**APPROVED MOTION**

On Motion by Schreck/Galassetti to approve a request from Joseph Kienzlen and Karin Lazarus to use the north end boardwalk on Saturday, September 17, 2011 at 4:30pm.

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

**APPROVED MOTION**

On Motion by Schreck/Galassetti to approve a request from the Jersey Shore Chapter of the Surfrider Foundation to use the Carmen A. Biase Center on September 10, 2011.

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

APPROVED MOTION

On Motion by Schreck/Galassetti to approve a request from the Jersey Shore Film Festival to add a rain date of Thursday, September 1<sup>st</sup> for their event at the Fifth Avenue Gazebo to be held on Wednesday, August 31, 2011

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

APPROVED MOTION

On Motion by Schreck/Galassetti to approve a request from Rosie Blanco-Disbro to use the Miniature Golf Course on September 7<sup>th</sup> for a birthday party with a rain date of September 8, 2011 with a charge for the group rate.

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

APPROVED MOTION

## CONSENT AGENDA

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

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

## ADOPTED RESOLUTIONS

Resolution 178 **AUTHORIZES PAYMENT TO LIENHOLDER FOR BLOCK 7 LOT 19**

Resolution 179 **AUTHORIZES A TAX REFUND FOR BLOCK 16 LOT 10**

Resolution 180 **AUTHORIZES ADJUSTMENTS TO THE FOURTH QUARTER TAXES AS A RESULT OF SUCCESSFUL MONMOUTH COUNTY TAX APPEALS AND A TAX REFUND FOR BLOCK 87 LOT 9 AS A RESULT OF A SUCCESSFUL STATE TAX APPEAL**

Resolution 181 **BILL LIST**

Resolution 182 **AUTHORIZES BOROUGH PARTICIPATION IN THE PREFERRED PROVIDER ORGANIZATION NJ DIRECT 10 AND DIRECT 15 UNDER NJ STATE HEALTH BENEFITS PROGRAM**

- Resolution 183      **AUTHORIZES BOROUGH PARTICIPATION IN HEALTH MAINTENANCE ORGANIZATION PLANS UNDER NJ STATE HEALTH BENEFITS PROGRAM**
- Resolution 184      **WAIVES HOURS OF CONSTRUCTION AND RELATED ACTIVITIES ASSOCIATED WITH THE BANK OF AMERICA ROOF AND HVAC UPGRADES**
- Resolution 185      **APPOINTMENT OF SCHNIDER A. EXANTUS AS A CLASS II SPECIAL POLICE OFFICER**

**ADOPTED RESOLUTIONS**

**RESOLUTIONS**

- Resolution 186      **GRANTS A SPECIAL PERMIT PARKING SPACE FOR 125 LAKE TERRACE**
- ON MOTION            by Schreck / Engelstad moved to adoption.
- ROLL CALL            AYES: Cotler, D'Angelo, Engelstad, Schreck
- NAYS: Galassetti

**ADOPTED RESOLUTION**

- Resolution 187      **AUTHORIZES THE BOROUGH STAFF TO WORK WITH THE BOROUGH PROFESSIONALS NEEDED TO BEGIN DEVELOPING THE NECESSARY FINANCIAL STEPS AND BID SPECIFICATIONS FOR THE RENOVATION OF THE MINIATURE GOLF COURSE**
- ON MOTION            by Schreck/Galassetti moved to adoption.
- ROLL CALL            AYES: Cotler, D'Angelo, Engelstad, Galassetti, Schreck
- NAYS: None

**ADOPTED RESOLUTION**

**ANNOUNCEMENTS**

Tourism will present a concert in Riley Park on Wednesday, August 24<sup>th</sup> starting at approximately 7:00pm featuring Marlene VerPlanck and Bucky Pizzarelli- in case of inclement weather, the concert will be held at the Carmen A. Biase Center, 719 Main Street

The Annual Bradley Beach 5K Race will start at the Fifth Avenue Gazebo on Saturday, August 20<sup>th</sup> at 8:30am

**REPORTS**

Councilman Cotler noting pesticides were sprayed two weeks ago on lawns at the beachfront and seeing children running on the lawns barefoot and rolling on the lawns, proposed to put a conditional moratorium on chemical pesticide treatments of municipal properties unless it's strictly approved by Council. He said that he thought sprayed pesticides were only used in the spring and fall and asked for detail regarding why they were being sprayed in the summer. Mayor Schreck replied that his resolution was proposed after the close of the public comment

on items listed on the evening's agenda and noted that several of the Councilman's motions concerning pesticides were made in this manner which she referred to as a gotcha tactic. Councilman Cotler responded that the mayor sets up meetings in such a way that there's no time to make proposals closer to the beginning of the meeting. Councilman Galassetti suggested that Councilman Cotler place proposals on the agendas prior to the Thursday deadline preceding a meeting as the agenda and supporting documents are prepared for distribution to Council on those Thursdays. A discussion ensued after which Councilman Cotler made a motion which no one seconded.

Councilman D'Angelo reported that it has been a good summer and thanked the public for attending council meetings.

Councilman Engelstad thanked Stu Coogan along with the volunteers who made the Annual 5K a huge success.

Councilman Galassetti reported that the Summer Recreation Program was a huge success and thanked Cynthia Brady.

Mayor Schreck gave a brief report on the Sustainable New Jersey Grant application. She also reported that the second HVAC unit will be installed at the senior building at no cost to the municipality and hopes to submit applications for this program for the firehouse and library in the near future.

## **PUBLIC COMMENT**

Harvey Rosenberg noting remarks concerning mismanagement of funds at the golf course suggested that the borough fund the renovations and then lease out the management of the concession providing language in the lease agreement stating that there will be no charge for borough council approved events such as recreation, borough entities fund raisers etc. with a minimum bid of \$35,000 to \$40,000 and a percentage noting that the borough would not have to provide funding for personnel and a private entity could have the course open longer.

Marilyn Rosen noting that while the mini golf course is a jewel of the borough that the Fifth Avenue Gazebo is also one of the jewels in desperate need of repairs to the roof and railings.

## **ADJOURNMENT**

ON MOTION            by Schreck/ Galassetti the meeting was adjourned at 8:19 PM.

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Mary Ann Solinski, RMC, CMC  
Municipal Clerk