

**REGULAR MEETING**  
**October 12, 2010**

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 6:37PM**

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

**DISCUSSION ITEMS**

Council reviewed and tabled action on Animal Control Services for 2011 although the Associated Humane Societies proposed no increase for next year's service pending the receipt of further information and a lower rate for the service if possible. Mayor Schreck noted that the proposed cost would be only \$5.00 per household annually or \$2 to \$3 per person. She also stated that she is confident that no other agency would be lower.

Administrator O'Reilly reported that a survey revealed that one half of the restaurants utilize private trash pickup as opposed to the borough's trash services with about sixteen food establishments which use the towns garbage and recycling disposal services. Currently the Borough provides three days a week trash pickup to Main Street and residential twice a week, which total six days per week. Council discussed several ideas to reduce cost such as reducing pickup to once a week and requesting all businesses to be responsible for their own pickup services. Councilman Cotler suggested switching recycling pickup to Saturday to encourage both full time and weekend residents to recycle. Councilman Galassetti had suggested having the businesses using the Borough's trash pickup services, to pay their share of the costs or contract privately due to the heavy weight of food waste. They also discussed limiting the number of trash containers. Attorney McGill advised that regulations must be uniform for all types of businesses. Businesses exceeding the uniform limit could be subject

to paying the difference. The Engineer and Public Works Department will work on proposals for the bid specifications.

Council discussed possible phasing in limitations of smoking on the Beachfront to designated areas near each beach entryways with receptacles for cigarette butts. This issue was also discussed at an earlier meeting with the Youth Advisory Board. Mayor Schreck noting that smoking is already prohibited at the park areas. Councilman Cotler and Chief Guida discussed the enforcement of smoking restrictions on the beach if an area marked by a pole as the designated area.

Council discussed Special Events impact on the municipality. The Clerk suggested different types of applications such as Walk or Run, Street Party and Special Event forms to streamline the procedure for departmental review. Mr. Engelstad noted that he feels the Borough realistically cannot recoup all costs of special events as Mr. Cotler proposed compiling municipal costs of all of the events held in town this year, then projecting costs of similar events in the future developing an event fee scale which would be useful in planning the 2011 budget. He also proposed asking potential hosts if they could absorb some of the municipal costs. Mayor Schreck advocated scrutiny of larger events requiring more police, traffic control or trash pickup. Mr. Engelstad suggested assessing a fee only for major events where organizations make money, noting that many organizations such as the Sons of Italy make voluntary contributions to cover extra police and trash removal. Council decided to take action on requests submitted for the year 2011 as many have previously held their events in town for many years.

Councilman D'Angelo asked if the Borough was intending to move forward with hiring a police officer. A discussion ensued regarding a memo Mayor Schreck had given to Council on September 23<sup>rd</sup> which requested that that the Mr. Cotler, Chairman of the Police Department Committee provide Council with a detailed report comparing the cost of hiring of a new officer to the cost of paying overtime and using Special Class II officers to make up for the lack of manpower in the department. She was requesting the information as Lt. Fahnholz reported that the department's overtime budgeted amount was in danger of being over expended if a new officer is not hired in a timely manner. Mayor Schreck requested that the information be available for tonight's meeting in order that a decision would not be delayed. Mr. Cotler replied that he never received her memo and the only Council member who said that he may have received the memo was Mr. Galassetti. Police Chief Guida stated that the hiring of a new officer would be absolutely a costs savings noting that Lt. Scully's annual salary was approximately \$120,000 and that a new officer starts around \$35,000. Mayor Schreck responded that the math is not that simple. Chief Guida said that he needs a commitment from Council to hire, as in 2009 the Borough advertised but never went forward with the process of hiring a new officer and that provisions were in the department's spending plan for 2010. Mr. Cotler argued that the requested financial information is readily available from the administrative office. Administrator O'Reilly disagreed and stated that the Chief has made it clear that he runs his department. Chief Guida ended by saying that his department is understaffed which puts the public at risk. Mr. Cotler agreed with Chief Guida that a hiring would be filling positions currently budgeted.

Items added to the Agenda

On motion by Schreck/Engelstad to approve Special Events requests for dates up to May 31, 2011.

On motion by Schreck/Galassetti to take action on the following

Establishes a Halloween Curfew

812 ½ Main Street request to place a temporary sign at their location

On motion by Cotler/D'Angelo

Discuss contractual matters concerning the Police Chief's Contract

Authorizes the Police Chief to hire one full time police officer

### **PUBLIC COMMENTS ON AGENDA ITEMS**

Marilyn Rose asked how people receive property tax reductions. Mayor Schreck responded they have to meet certain qualifications.

### **APPROVAL OF MINUTES**

On Motion by Schreck/ Galassetti to approve the minutes for August and September 7, 2010

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

### **APPROVED MOTION**

### **ORDINANCES**

### **FINAL READING AND ADOPTION OF ORDINANCE**

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

**ORDINANCE 2010-9  
AN ORDINANCE TO AMEND THE BOROUGH OF  
BRADLEY BEACH SALARY ORDINANCE 2010-6  
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: Cotler, D'Angelo, Engelstad, Galassetti, Schreck  
NAYS: None

### **APPROVED MOTION.**

Mayor Schreck gave a brief explanation of the ordinance to the audience.

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

**APPROVED MOTION.**

**FINAL ADOPTION**

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

**ADOPTED ORDINANCE**

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

**ORDINANCE 2010-10**  
**AN ORDINANCE TO AMEND AND SUPPLEMENT THE**  
**REVISED GENERAL ORDINANCES OF THE BOROUGH**  
**OF BRADLEY BEACH, COUNTY OF MONMOUTH,**  
**STATE OF NEW JERSEY, CHAPTER 396, STORMWATER**  
**MANAGEMENT, ENACTING ARTICLE V, SECTIONS 18-**  
**23 - REFUSE CONTAINER AND DUMPSTER**  
**REGULATIONS**

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

**APPROVED MOTION.**

Mayor Schreck gave a brief explanation of the ordinance to the audience. Mr. Cotler asked if the Borough is maintaining our own containers as a container by Sylvan Lake wasn't emptied for ten days and noted that the public uses the municipal containers for disposal of their own household waste.

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

**APPROVED MOTION.**

**FINAL ADOPTION**

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

**ADOPTED ORDINANCE**

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

**ORDINANCE 2010-11**

**AN ORDINANCE TO AMEND AND SUPPLEMENT THE REVISED  
GENERAL ORDINANCES OF THE BOROUGH OF BRADLEY  
BEACH, COUNTY OF MONMOUTH, STATE OF NEW JERSEY,  
CHAPTER 396, STORMWATER MANAGEMENT, ENACTING  
ARTICLE VI, SECTIONS 24-29 - PRIVATE STORM DRAIN  
RETROFITTING**

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

**APPROVED MOTION.**

Mayor Schreck gave a brief explanation of the ordinance to the audience.

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

**APPROVED MOTION.**

**FINAL ADOPTION**

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

**ADOPTED ORDINANCE**

**INTRODUCTION**

**ORDINANCE 2010-12**

**AN ORDINANCE TO AMEND SECTION 9-3 OF THE BOROUGH OF  
BRADLEY BEACH CODE ENTITLED "TRAFFIC"**

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/ Engelstad granted the following Raffle License  
Church of the Ascension RL 17-10 & RL 18-10  
ROLL CALL AYES: Cotler, D'Angelo, Engelstad, Schreck  
NAYS: None  
ABSTAIN: Galassetti

**APPROVED MOTION**

## RESOLUTIONS

### Resolution 153

ON MOTION

ROLL CALL

### **AUTHORIZES SENIOR CITIZEN TAX DEDUCTION**

by Schreck / Galassetti moved to adoption.

AYES: Cotler, D'Angelo, Engelstad, Galassetti, Schreck

NAYS: None

### **ADOPTED RESOLUTION**

### Resolution 154

ON MOTION

ROLL CALL

### **AUTHORIZES VOUCHER WARRANTS ON THE TREASURY FOR PAYMENT OF BILLS.**

by Schreck / Galassetti moved to adoption.

AYES: Cotler, D'Angelo, Engelstad, Galassetti, Schreck

NAYS: None

### **ADOPTED RESOLUTION**

### Resolution 155

ON MOTION

ROLL CALL

### **APPOINTMENT OF GAIL KRYZCZUK AS DEPUTY TAX/SEWER COLLECTOR**

by Schreck / D'Angelo moved to adoption.

AYES: Cotler, D'Angelo, Engelstad, Galassetti, Schreck

NAYS: None

### **ADOPTED RESOLUTION**

### Resolution 156

ON MOTION

ROLL CALL

### **APPROVAL OF REQUESTS SUBMITTED FOR SPECIAL EVENTS THROUGH MAY 31, 2011; Jersey Shore Running Club – April 16<sup>th</sup>, Cystic Fibrosis Foundation- May 1<sup>st</sup>, New Jersey Marthon- May 1<sup>st</sup>, Fletcher Lake Commission May 21<sup>st</sup> rain date May 22<sup>nd</sup>, NJ Tears Foundation May 22<sup>nd</sup> 2011.**

by Schreck / Galassetti moved to adoption.

AYES: Cotler, D'Angelo, Engelstad, Galassetti, Schreck

NAYS: None

### **ADOPTED RESOLUTION**

### Resolution 157

ON MOTION

ROLL CALL

### **AUTHORIZES A CURFEW COMMENCING OCTOBER 30<sup>TH</sup> THROUGH NOVEMBER 1<sup>ST</sup> 2010 FOR PERSONS SEVENTEEN YEARS OF AGE AND UNDER UNLESS ACCOMPANIED BY A PARENT OR GUARDIAN BETWEEN THE HOURS OF 8PM AND 6:30AM**

by Schreck / Galassetti moved to adoption.

AYES: Cotler, D'Angelo, Engelstad, Galassetti, Schreck

NAYS: None

### **ADOPTED RESOLUTION**

Resolution 158

**AUTHORIZES THE POLICE CHIEF TO HIRE ONE FULL TIME POLICE OFFICER**

ON MOTION

by Cotler / D'Angelo moved to adoption.

ROLL CALL

AYES: Cotler, D'Angelo, Engelstad, Galassetti

NAYS: Schreck

**ADOPTED RESOLUTION**

Resolution 159

**AUTHORIZES A TEMPORARY SIGN PLACEMENT AT PIZZA ON MAIN, 812 ½ MAIN STREET**

ON MOTION

by Schreck / Engelstad moved to adoption.

ROLL CALL

AYES: Cotler, D'Angelo, Engelstad, Galassetti, Schreck

NAYS: None

**ADOPTED RESOLUTION**

**REPORTS**

Councilman Cotler stated that the Borough must address the number of empty stores and Main Street and work with the Chamber and businesses to attract the public. He suggested a program where anyone who buys anything from the local merchants could receive a card for them to deposit in a bin at Borough Hall to enter a drawing for four free beach badges. He also suggested such a program where a person purchasing a beach badge would receive discounts between four and six pm at the local eateries "Come to Bradley Beach get your desserts". Mr. Cotler said the Borough officials should embrace techniques to enable them to work together.

Councilman D'Angelo noted that the Council should consider reviewing the existing code concerning signs. He also stated that everyone should work on getting along with one another.

Councilman Engelstad suggested that on the locker renewal letters it should note that the locker may be removed from the beachfront earlier than October 1<sup>st</sup> due to storms.

Councilman Galassetti said that the Borough needs to discuss end of year storage of lifeguard equipment

Mayor Schreck thanked the members of the Youth Advisory Board for their recent Fletcher Lake clean-up.

**PUBLIC COMMENT**

Harvey Rosenberg requested that Council consider an alternate bid for trash collection two days a week May through October 15<sup>th</sup>.

Marilyn Rosen asked Council not to increase locker rental fees. She reported that the Town Garage Sale sponsored by the Ladies' Auxiliary was a huge success. Announced that she submitted an application for the Pepsi Refresh Grant in the amount of \$50,000 and needs the Borough's help to vote everyday as only the top ten win an award.

David Colgan stated that he understands that the Borough went out to bid on a trailer and intends to tear down the Brinley Avenue concession building. He stated that he believes the building is in stable condition and doesn't understand how the officials would spend money on a trailer when questioning the cost of a contract for animal control services in this economic downturn. Mayor Schreck and Councilman D'Angelo replied that a decision has not been made on awarding a contract for the trailer.

Resolution 160

**RETIRE INTO EXECUTIVE SESSION TO DISCUSS  
CONTRACTUAL MATTERS CONCERNING THE POLICE  
CHIEF'S CONTRACT.**

ON MOTION

by Schreck / Cotler moved to adoption.

ROLL CALL

AYES: Cotler, D'Angelo, Engelstad, Galassetti, Schreck

NAYS: None

**ADOPTED RESOLUTION**

Council retired into Closed Session at 9:06pm.

Executive Session- October 12, 2010 9:10pm.

Members of the police committee reported that the Chief is willing to accept the same salary increase as in the new PBA Local 50 contract and is willing to take out the overtime clause as he has not used that option during the past three years. Council also discussed several other options in his contract. The Borough Attorney suggested that the full Council receive a copy of the Chief's contract in order that they are familiar with his present contract.

Councilman Cotler reiterated that the Chief is willing to negotiate items on the present contract.

On motion by Schreck/Engelstad to return to open session at 9:30pm.

Council returned to open session at 9:32pm.

Mayor Schreck announced that no action will be taken at this time as a result of the closed session.

**ADJOURNMENT**

ON MOTION           by Schreck / Galassetti the meeting was adjourned at 9:33 PM.

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Mary Ann Solinski, RMC, CMC  
Municipal Clerk