

REGULAR MEETING
September 28, 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 6:34PM

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

PRESENTATIONS AND INTRODUCTION

Mayor Schreck on behalf of Borough presented a proclamation to Police Lt. Neil Scully upon his retirement commending his years of service and integrity. Individual members of Council expressed their gratitude and echoed words of honor noting his outstanding career in Bradley Beach.

Mr. Scully thanked Council as well as his co-workers and the community as he received a standing ovation. He also advocated that the Borough hire a new officer soon.

Councilman D'Angelo introduced Code Enforcement/Fire Official Bryant Curry to Council and members of the public noting that he has extensive knowledge in those fields.

Councilman Engelstad announced that Dr. Turner of the Bradley Beach Elementary School was unable to attend this meeting but hopes to give a school update soon.

Marilyn Rosen presented the Borough with a check for the public donations she has collected towards the purchase of additional mobi mats and gave a status update on the Pepsi Grant as

well as thanking the Bradley Beach Chamber of Commerce for assisting in the sale of the wooden Bradley Beach signs in order to raise money for the mats which provide handicapped accessibility on the beach.

Mayor Schreck praised Ms. Rosen for her volunteer efforts.

DISCUSSION ITEMS

Garbage and Recycling- Discussions ensued regarding reducing the number of pick-up days, changing the day of recycling pick-up and reducing the number of zones for pick-up as currently it now takes a contractor six days to complete weekly trash pick-up. They also discussed bulk garbage as the costs are rising as well as public incorrect disposal of recyclable materials. Council also discussed that commercial food waste is adding to dumping fees when the items could be composted as being biodegradable waste. Council also discussed having the contractor provide larger trash receptacles for once a week pick-up. It was also noted that some Main Street businesses currently have private contracts and that perhaps the Borough should stop providing services to commercial food establishments. Councilman Engelstad urged caution with the idea as there are fourteen vacant storefronts on Main Street with the food establishments currently the most visible. They also discussed residency decals for proper disposal of items at the public works center and the cost of staffing by providing a person to monitor on weekends. Councilman Cotler suggested Saturday recycling pick-up as a way to encourage both week-end and full time residents to recycle. Council cautioned that they are merely looking into ways to reduce costs at this point and that they expect several options will be part of the bid specifications. The staff was charged with investigating any potential savings for pickup consolidation.

Lake Terrace Park- the borough engineer will provide suggestions for improvements staying inside the fenced area as the borough has received a grant as well as receiving donated funding for improvements which total approximately \$40,000.00. Council noted that both the Borough Attorney and Engineer should contact Monmouth County and advise them of the pending project alerting them to the culvert problem which the Borough would like the County to repair at the Fletcher Lake Avenue and Lake Terrace intersection.

ITEM ADDED TO AGENDA

On motion by Schreck/Engelstad to consider a request from Peter Corallo to use the benches by the 5th Ave. Gazebo on October 16th from 12 Noon to 1:30pm.

PUBLIC COMMENTS ON AGENDA ITEMS

Mayor Schreck noted that the salary amendment is needed due to a change in personnel and that the funding of a percentage of the Borough Administrator's salary needs to be reflected in the beach portion of the salary ordinance.

Mr. Conoscenti questioned why the Assistance CFO salary is higher than the CFO. Mayor Schreck responded that the CFO is paid for doing two jobs for the borough, serving as the Tax Collector and CFO. Michael Conoscenti felt that once a week trash pick-up is unsanitary and maybe a threat to public health and that the residents may consider the cost for disposal of trash and recyclables a negligible amount of their taxes.

Marilyn Rosen stated that she feels once a week pickup is fine as she has experienced no problem using only one container a week for trash and commended Council for looking into alternatives as a way to reduce cost.

Jack Sanderson suggested enforcement as well as increasing the fines for those who do not recycle.

Beth Cotler stated that a couple of weeks ago, she realized how many recyclable items are mistaken as trash by the public and suggested better communication to residents in order to educate them on recycling issues. She also stated that she has noticed that some organizations in the borough do not recycle and that the borough needs to stress the importance of recycling. Mayor Schreck reminded Mrs. Cotler that this is the time for comment only on agenda items for consideration for action. Mrs. Cotler argued that other members of the public have discussed recycling and trash during this time.

ORDINANCES

FINAL READING AND ADOPTION OF ORDINANCE

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

ORDINANCE 2010-8
AN ORDINANCE TO AMEND AND SUPPLEMENT THE
REVISED GENERAL ORDINANCES OF THE BOROUGH
OF BRADLEY BEACH, COUNTY OF MONMOUTH,
STATE OF NEW JERSEY, CHAPTER 123, BEACHFRONT
AREAS AND ADJACENT WATER, SECTION 123-8-H.

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

ADOPTED ORDINANCE

INTRODUCTION

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

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

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

PENDING ORDINANCE

COMMUNICATIONS

On Motion by Schreck/ Galassetti granted the following Raffle License
 Bradley Beach Fire Department Ladies Aux RL 16-10
ROLL CALL AYES: Cotler, D'Angelo, Engelstad, Galassetti, Schreck
 NAYS: None

APPROVED MOTION

On Motion by Schreck / D'Angelo approval of a request from Peter Corallo to use the
 benches by the 5th Ave. Gazebo on October 16th from 12 Noon to 1:30pm
ROLL CALL AYES: Cotler, D'Angelo, Engelstad, Galassetti, Schreck
 NAYS: None

APPROVED MOTION

RESOLUTIONS

Resolution 143 **AUTHORIZES CREDITS/REFUNDS FOR SUCCESSFUL
STATE TAX COURT TAX APPEALS PER LIST**

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

ADOPTED RESOLUTION

Resolution 144 **AUTHORIZES CREDITS FOR SUCCESSFUL MONMOUTH
COUNTY TAX APPEALS PER LIST**

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

ADOPTED RESOLUTION

Resolution 145 **AUTHORIZES VETERAN TAX DEDUCTIONS**
ON MOTION by Schreck / D'Angelo moved to adoption.
ROLL CALL AYES: Cotler, D'Angelo, Engelstad, Galassetti, Schreck
 NAYS: None

ADOPTED RESOLUTION

Resolution 146 **AUTHORIZES VOUCHER WARRANTS ON THE TREASURY**
FOR PAYMENT OF BILLS.
ON MOTION by Schreck / Galassetti moved to adoption.
ROLL CALL AYES: Cotler, D'Angelo, Engelstad, Galassetti, Schreck
 NAYS: None

ADOPTED RESOLUTION

Resolution 147 **AUTHORIZES THE MAYOR AND BOROUGH CLERK TO**
EXECUTE THE 2011 FOOD SHOPPING AGREEMENT WITH
MONMOUTH COUNTY
ON MOTION by Schreck / D'Angelo moved to adoption.
ROLL CALL AYES: Cotler, D'Angelo, Engelstad, Galassetti, Schreck
 NAYS: None

ADOPTED RESOLUTION

Resolution **AUTHORIZES THE MAYOR AND BOROUGH CLERK TO**
EXECUTE AN AGREEMENT WITH ASSOCIATED HUMANE
SOCIETIES, INC FOR ANIMAL CONTROL SERVICES FOR
THE YEAR 2011 IN THE AMOUNT OF \$12,461.80.
ON MOTION by Schreck / Galassetti moved to **table action.**
ROLL CALL AYES: Cotler, D'Angelo, Engelstad, Galassetti, Schreck
 NAYS: None

TABLED ACTION

Resolution 148 **AUTHORIZES RELEASE OF PERFORMANCE GUARANTEE**
FOR B & G FUEL/US GAS LLC, 117 MAIN STREET, B70, L6
ZBA#411-1-27-5
ON MOTION by Schreck / Galassetti moved to adoption.
ROLL CALL AYES: Cotler, D'Angelo, Engelstad, Galassetti, Schreck
 NAYS: None

ADOPTED RESOLUTION

Resolution 149 **APPROVAL OF SPECIAL PARKING PERMIT 119 LAKE TERRACE**

ON MOTION by Schreck / D'Angelo moved to adoption.
ROLL CALL AYES: Cotler, D'Angelo, Engelstad, Schreck
 NAYS: Galassetti

ADOPTED RESOLUTION

Resolution 150 **APPROVAL OF SPECIAL PARKING PERMIT 1107 ½ OCEAN AVENUE**

ON MOTION by Schreck / D'Angelo moved to adoption.
ROLL CALL AYES: Cotler, D'Angelo, Engelstad, Schreck
 NAYS: Galassetti

ADOPTED RESOLUTION

Resolution 151 **APPOINTS BRANT CURRY AS CODE ENFORCEMENT OFFICER AND FIRE PREVENTION CHIEF EFFECTIVE SEPTEMBER 20, 2010 AT AN ANNUAL SALARY OF \$62,000.00**

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

ADOPTED RESOLUTION

Resolution 152 **AUTHORIZES THE BOROUGH ENGINEER TO PREPARE AND MAKE RECOMMENDATIONS FOR THE EXISTING SEWER PUMP STATION**

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

ADOPTED RESOLUTION

ANNOUNCEMENTS

Bradley Beach Tourism Commission will hold their Annual Fall Festival on October 3rd in Riley Park starting at 10am

The Bradley Beach Fire Department Ladies Auxiliary "Tour of the Town" Garage Sale will be held on Saturday, October 9th Rain Date Sunday, October 10th 9am-3pm fee is \$10.00 due by October 4th. Applications are available at Borough Hall. For more information, please call Marilyn Rose at 732 774-9162

REPORTS

Councilman Cotler asked if the beach revenue report is accurate and that there is a good surplus over \$200,000. Administrator O'Reilly responded yes the figures are correct but that the expenses must also be considered in the equation and that she expects to have a complete report by the end of October. Councilman Galassetti asked for a complete inventory of lifeguard equipment be taken and expressed his displeasure at the storage condition of the lifeguard equipment this year at the end of the season. Councilman Cotler noted that the lifeguards worked very hard saving lives this year and that perhaps the areas are not totally neat but that this and similar situations should be handled respectfully as the department is not aware of any problem and should have been given an opportunity to address the matter. Mr. Cotler also encouraged the governing body to look into grants to attract businesses into the Borough as there are presently fourteen empty storefronts which is the most during recent years. He also advocated showing a strong commitment to this endeavor to the local business community.

Councilman D'Angelo congratulated Mr. Curry on his appointments and stated that the department is going in a good direction in the future. Mr. D'Angelo also reported that Police Lt. Fahnholz has reported that the cost of over time and use of special police officers will hurt the department's budget if a decision on the hiring of a new officer isn't acted upon by Council soon.

Councilman Engelstad reported that the school has experienced an increase in enrollment.

PUBLIC COMMENT

Wayne Mae asked Borough Attorney McGill if a Borough Ordinance concerning parking by the firehouse which states that the area is for fire department functions only is being violated as he understands that the Meals on Wheels organization has been given approval to park in that area. Mayor Schreck stated that she advised the organization to contact the fire department to resolve the parking situation if they wish to utilize the Carmen Biase Center for disbursement of meals. Wayne Mae stated that if he has the information concerning parking incorrect that he will personally apologize to the Mayor. Attorney McGill noted that the group currently operates out of Belmar and that they would like to utilize the Carmen Biase Center again as they used that facility in the past until the building underwent renovations. He noted that he and the borough administrator are working on the request and will present their findings to Council. A discussion ensued and questions also arose as to payment of the utility cost of the building if a separate entity utilizes the public building, currently the program services only six Bradley Beach residents with the rest of the services planned for communities from Bradley Beach south to the Ocean County border, that a grant being secured for the acquisition of the building which was specifically for use as a senior center.

Marilyn Rosen announced that the Bradley Beach Food Pantry needs contributions and asked if a container could be placed at Borough Hall for collection of non-perishable food items.

Mayor and Council responded that it would certainly be permitted and also suggested placing a container at the Public Library. Ms. Rosen also addressed why Mayor Schreck had not let Mrs. Cotler finish speaking earlier at the meeting. Mayor Schreck noted that she felt that the meeting was out of control as that portion is for public comment on upcoming items scheduled for action during the meeting. Ms. Rosen then questioned why Mr. Galassetti always votes against a special parking permit. Mr. Galassetti responded that he personally feels that the program is intended for severely handicapped and that presently the program is out of control throughout the borough as some residents are abusing and taking advantage of the program.

Mr. Sanderson expressed concern about the safety of children at the school on Brinley Avenue as although there is a small sign indicating 25mph many drivers are exceeding the speed limit and he has witnessed several close calls involving children in the street. He suggested that the borough contact Monmouth County to see if blinking lights could be installed and other safety measures enacted as Brinley Avenue is a county road. He also complained about drivers use of cell phones while driving on Main Street and the cost for parking at the oceanfront meters.

ADJOURNMENT

ON MOTION by Schreck / D'Angelo the meeting was adjourned at 8:40 PM.

Mary Ann Solinski, RMC, CMC
Municipal Clerk