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MAYOR AND COUNCIL

AGENDA

February 28, 2012

6:30PM

Agenda Items are subject to change. If you have any questions regarding an agenda item please contact the Borough Clerk at 732 776-2999 Ext. 11

1. **Call to Order**
2. **Pledge of Allegiance**
3. **Open Public Meetings Act Statement**
4. **Roll Call**
5. **Proclamations**

The month of March as “Developmental Disabilities Awareness Month”
March 2, 2012 as “Read Across America”
6. **Approval of Minutes**
7. **Discussion Items**
 - a. Miniature Golf Course
 - b. Outdoor Café Licenses
8. **Public Comment on Agenda Items** – Public Session only on Agenda. We will continue to have a Public Session at the end of this meeting. There is a 5 minute limit on comments.
9. **Ordinances**

Final Reading and Adoption

ORDINANCE NO. 2012-02

AN ORDINANCE TO AMEND AND SUPPLEMENT THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BRADLEY BEACH, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, CHAPTER 380, SEWERS; SECTION 380-1, CONNECTION TO SEWERS; AMENDING THE TITLE OF SECTION 380-1, ENACTING SECTION 380-1 F

ORDINANCE NO. 2012-03

AN ORDINANCE TO AMEND AND SUPPLEMENT THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BRADLEY BEACH, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, CHAPTER 24, COMMISSIONS; AMENDING TITLE TO SAID CHAPTER AND ENACTING ARTICLE VII, ARTS COMMITTEE

Introduction

ORDINANCE NO. 2012-04

AN ORDINANCE TO AMEND AND SUPPLEMENT THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BRADLEY BEACH, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, CHAPTER 160, CONSTRUCTION CODES, UNIFORM; SECTION 160-3, FEES AND CHAPTER 5, ADMINISTRATION OF GOVERNMENT; ARTICLE VII, SECTION 5-35 (4) D ZONING PERMIT FEE
10. **Communications**
 - a. Bingo License
Neptune Township American Legion Post #346 BL 1-12
 - b. St. James Episcopal Church request to use the Fifth Avenue Gazebo on Sunday, April 8, 2012 at 6:15am
 - c. Clean Ocean Action request to hold their 27th Annual Beach Sweeps on Saturday, April 21, 2012 and Saturday, October 20, 2012 from 9am to 12:30pm

- d. Bradley Beach first Aid Squad request for permission to hold their Annual Coin toss on Saturday June 30th, Sunday July 1st and Monday July 2nd and permission for a second coin toss for Friday, July 6th Saturday, July 7th and Sunday July 8th, 2012
- e. S & S Main Street request for relief with regard to furnishing a Maintenance Bond for 200-204 Park Place Avenue, Block 15 Lots 10.01 & 10.02

11. Consent Agenda

- a. Bill List
- b. Supports the use of a “No Passing” Zone for Route 71
- c. Rejection of the bid received on February 15, 2012 for the new Miniature Golf Course Facility
- d. Renewal of Special Parking Permits for individuals
- e. Appointment to the Board of Tourism and to the Arts Council

12. Announcements

13. Mayor and Council Reports

14. Public Comments- There is a 5 minute limit on comments

15. Executive Session (Pursuant to N.J.S.A. 10:4-13et seq. if necessary)
Resolution to retire into Executive Session to discuss Police Department PersonnelMatters

16. Adjournment

NEXT MEETING: Tuesday, March 13, 2012 at 6:30pm

ORDINANCE 2012- 2

AN ORDINANCE TO AMEND AND SUPPLEMENT THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BRADLEY BEACH, COUNTY OF MONMOUTH, STATE OF NEW JERSEY; CHAPTER 380, SEWERS; SECTION 380-1, CONNECTION TO SEWERS; AMENDING THE TITLE OF SECTION 380-1 E., ENACTING SECTION 380-1 E.(3) AND ENACTING SECTION 380-1 F.

BE IT ORDAINED by the Mayor and Council of the Borough of Bradley Beach that Chapter 380, Section 1 E., Section 1E (3) and Section 1 F. of the Revised General Ordinances of the Borough of Bradley Beach shall be amended, revised and enacted to read as follows:

E. Fees

- E. (3)** An inspection fee in the amount of \$55 per interceptor shall be paid annually to the Borough through its Code Office by each business owner for the inspection of each Interceptor required by Paragraph F of this section. The Borough will bill each business owner subject hereto in January of each year, and the fee must be paid no later than March 15th. Failure to pay the annual fee will result in the revocation of the business's mercantile license, a penalty as set forth in this chapter, or both.

F. Installation and maintenance of sand, oil, fat and grease interceptors

- (1)** All food establishments, catering establishments, commercial food preparation facilities, garage facilities, car wash facilities and other such businesses which generate sanitary sewage containing sand, oil, fat or grease shall have and maintain grease, oil and sand interceptors that meet the requirements of this article. Interceptors shall be installed pursuant to the adopted and amended Plumbing Code under the New Jersey Uniform Construction Code. Interceptors shall be maintained and inspected by each business to ensure efficient operation. Interceptors shall be easily accessible for cleaning and inspection. All interceptors shall be in continuous operation at all times.
- (2)** Interceptors must be maintained and inspected to ensure that each perform as designed and in a manner to prevent the flow of materials described herein into the sanitary sewage system. At no time shall any receptor be allowed to reach more than $\frac{3}{4}$ of its capacity. Interceptor cleaning shall be done biweekly. An inspection, repair and maintenance log, including the time, date and signature of the person performing the inspection, repair or maintenance, including cleaning, shall be kept on the premises and shall

be readily available for inspection by the Borough. If the Borough determines that the interceptor system is not sufficient in design, capacity or otherwise, the Borough may order that the cleaning of same be increased, that adequate repairs or maintenance be made or performed, that a sufficient system be installed, or that the problems associated with the system be remediated otherwise. Inspection, repair and maintenance records and logs shall be maintained for a minimum period of five years.

- (3) No additives shall be introduced into any interceptor for the purpose of degrading or otherwise dissolving any grease, oils or similar substance therein without the approval of the Borough. All materials removed from any interceptor system shall be disposed of in accordance with all state and federal regulations. Any disposition of materials shall be evidenced by a manifest which shall be maintained on the premises and made available upon request at the time of inspection by the Borough. All manifests shall be maintained for a minimum period of five years.
- (4) Every business subject to this ordinance shall cause to be conducted, at the business's sole expense, an annual inspection of its interceptor systems and connecting sanitary sewage lines by a licensed plumber to ensure that each system is working properly. The licensed plumber shall provide a formal inspection report to both the business owner and Borough within 3 weeks of said inspection. This report shall contain a statement by the licensed plumber as to the efficiency and sufficiency of each interceptor system, the amount of grease, sand or oil found in the connecting sanitary sewage lines, and a statement as to the need for repairs to or maintenance of each interceptor system. Each report shall contain a statement as to whether the trap needs replacement or an increase in capacity.

THIS ORDINANCE shall become effective upon final passage and publication according to law.

MARY ANN SOLINSKI
Borough Clerk

JULIE SCHRECK
Mayor

Introduced: February 14, 2012
Date of Hearing and Adoption: February 28, 2012

Date of Publication: _____

ORDINANCE 2012-03

AN ORDINANCE TO AMEND AND SUPPLEMENT THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BRADLEY BEACH, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, CHAPTER 24 COMMISSIONS, AMENDING TITLE TO SAID CHAPTER AND ENACTING ARTICLE VII, ARTS COMMITTEE.

BE IT ORDAINED by the Mayor and Council of the Borough of Bradley Beach that Chapter 24, of the Revised General Ordinances of the Borough of Bradley Beach shall be amended revised and enacted to read as follows:

Chapter 24 COMMISSIONS AND COMMITTEES

ARTICLE VII Arts Committee.

24-36. Findings and Purpose

The Mayor and Council are aware of the increasing importance that the promotion of the arts has on the economic and social well-being of a community, and finds that effective planning and structure is required to support and provide for the arts in a manner that will promote a continuity of purpose and achieve a sustained level of excellence both to provide cultural and entertainment benefits for the citizens of Bradley Beach and to attain positive acclaim and recognition for the Borough through its support and presentation of the arts. The Mayor and Council therefore find that it is in the best interest of the citizens of the Borough of Bradley Beach to create a permanent committee to support and promote the arts so to achieve these purposes.

24-37 Creation of Committee

There is hereby established a Committee to be known as the Borough of Bradley Beach Arts Council.

24-38 Appointments, Members, Terms and Vacancies

- A. The Arts Council Committee shall consist of seven persons and may be assisted by such additional persons as the Committee from time-to-time deems warranted.
- B. All Committee persons shall be appointed by and serve at the pleasure of the Mayor. Members shall be appointed for a two year term except that in reference to initial appointments three members shall be appointed for a one year term and four members shall be appointed for a two year term.
- C. There shall be no residency requirement to serve as a member of the Committee

though due regard shall be given to the need to serve the community of Bradley Beach in making the appointments.

- D. The Committee, upon its formation, shall operate pursuant to by-laws thereby adopted by the Committee from time-to-time. All by-laws shall be subject to the approval of the Mayor.

24-39 Duties of the Committee

The Committee shall be charged with the following:

- A. The Committee shall be an advisory committee only.
- B. The Committee shall promote the arts, arts education, and arts awareness, in the Borough of Bradley Beach.
- C. The Committee shall explore art opportunities that may be conducted upon the Borough's public places and facilities.
- D. The Committee shall explore opportunities to involve the citizens of the Borough in participating in the arts.
- E. The Committee shall promote, support, encourage and strive for a level of excellence in the production of the arts in the Borough that will garner positive recognition for the Borough and provide for grant opportunities, as same may arise, to fund art projects in the Borough.
- F. The Committee shall coordinate all public art programs in the Borough including but not limited to all public exhibitions, theatrical performances, musical performances and other forms of public art and art appreciation within the Borough.
- G. The Committee shall explore opportunities in which the Borough may partner with other entities, both private and public, to promote the purposes espoused herein.

24-40. Funds

- A. The Committee shall not be empowered to expend public funds or to encumber the Borough with agreements, contractual relationships or otherwise. All such actions, if taken, shall be taken by the Governing Body upon approval of the Governing Body of such recommendations that from time-to-time shall be made to it by the Committee.
- B. Money, grants and donations may be received and held by the Borough for the Committee to be dedicated in trust upon such terms and conditions that may be approved by the Borough Auditor.

24-41. Reports and Records

- A. The Committee shall maintain records of its activities and meetings and shall present same for inspection from time-to-time as requested by the Mayor or at the direction of Council.
- B. The Committee shall prepare and provide to the Mayor and Council an annual report at the end of each calendar year, but in no case later than January 31st of year following

THIS ORDINANCE shall become effective upon final passage and publication according to law.

MARY ANN SOLINSKI
Borough Clerk

JULIE SCHRECK
Mayor

Introduced: February 14, 2012
Date of Hearing and Adoption: February 28, 2012
Date of Publication: _____

ORDINANCE 2012-04

AN ORDINANCE TO AMEND AND SUPPLEMENT THE REVISED GENERAL ORDINANCE'S OF THE BOROUGH OF BRADLEY BEACH, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, CHAPTER 160, CONSTRUCTION CODES, UNIFORM; CERTIFICATES OF OCCUPANCY; ARTICLE I, UNIFORM CONSTRUCTION CODE ENFORCEMENT; REVISING AND ADOPTING SECTION 160-3, FEES; AND CHAPTER 5, ADMINISTRATION OF GOVERNMENT; ARTICLE VII; AMENDING SECTION 5-35 D(4) ZONING PERMITS

BE IT ORDAINED by the Mayor and Council of the Borough of Bradley Beach that Chapter 160, Article I, Section 160-3, of the Revised General Ordinances of the Borough of Bradley Beach shall be deleted in its entirety and that a new Section 160-3 shall be adopted and enacted to read as follows:

Chapter 160-3. Fees:

A. Plan review fee: The fee for plan review shall be twenty (20%) percent of the amount to be charged for a new construction permit. There shall be an additional fee of \$50.00 per hour or part thereof per subcode having assigned plan review responsibility for review of an amendment or change to a plan that has already been released. This fee may be waived at the discretion of the Construction Official in the event the work and review is of minor nature.

B. The basic construction fee shall be the sum of the parts computed on the basis of the volume or the cost of construction, the number of plumbing fixtures and pieces of equipment, the number of electric fixtures and devices and the number of sprinklers, standpipes and detectors (smoke and heat) at the unit rates and/or the applicable flat fees provided herein plus any special fees. The minimum fee for a basic construction permit covering any or all of building, plumbing, electric or fire protection work shall be \$60.00 per Subcode except as herein noted, as follows.

1. Building volume or cost: The fees for new construction or alteration are as follows:

(a) Fees for new construction shall be based upon the volume of the structure. Volume shall be computed in accordance with N.J.A.C. 5:23-2.28. The new construction fee shall be in the amount of \$0.034 per cubic foot of volume. The minimum fee shall be \$125.00.

(b) Fees for reconstruction, renovations, alterations and repairs or site construction associated with premanufactured construction, and external utility connections for pre-manufactured construction shall be based upon the estimated cost of the work. The fee shall be in the amount of \$30.00 per \$1,000.00 of the estimated cost of work up to \$50,000. From \$50,001 to and including, \$100,000, the additional fee shall be in the amount of \$24.00 per \$1,000 of the estimated cost above \$50,000. Above \$100,000, the additional fee shall be in the

amount of \$18.00 per \$1,000 of the estimated cost above \$100,000.

(c) For the purpose of determining the estimated cost, the applicant shall submit such data as may be available produced by the architect or engineer of record, or by a recognized estimating firm, or by the contractor. A bona fide contractor's bid, if available, shall be submitted. The construction official shall make the final decision regarding estimated cost.

(d) Fees for additions shall be computed on the same basis for new construction of the added portion.

(e) Fees for combination renovations and additions shall be computed separately in accordance with items (a) and (b) above.

(f) The fee for tents requiring a construction permit shall be \$100.00.

(g) The fee for temporary structures requiring a construction permit shall be \$75.00.

(h) The fee for roofing and siding work completed on structures in shall be considered renovation and calculated as per (b) above. The max fee for a R-3 & R-5 structure shall be \$400.00.

(i) The fee for an above-ground swimming pool shall be \$75.00.

(j) The fee for an in-ground swimming pool with a surface area greater than 800 square feet shall be \$250.00: the fee for all other cases shall be \$150.00.

(k) The fee for replacing barriers surrounding and enclosing swimming pools required to have barriers shall be \$60.00.

(l) The fee for a permit to construct a sign shall be in the amount of \$2.00 per square foot of surface area of the sign, computed on one side only for a double-faced sign. The minimum fee shall be \$60.00.

(m) The fee for a permit for lead hazard abatement work shall be \$161.00. The fee for lead abatement clearance certificate shall be \$32.00.

(n) The fee for a permit to move a building or structure from one lot to another, or to a new location on the same lot, shall be \$81.00 plus an additional fee based upon the cost of the new foundation and alterations to the building and the placement of the building in its new location as required for renovations, alterations and repairs in section B.1(b).

(o) The fee to erect a fence greater than 6 feet in height shall be \$60.00.

(p) The fee for an asbestos removal permit shall be \$81.00.

(q) Fees for retaining walls that require a construction permit shall be as follows:

(1) The fee for a retaining wall with a surface area greater than 550 square feet that is associated with a Class 3 residential structure shall be \$150.00;

(2) The fee for a retaining wall with a surface area of 550 square feet or less that is associated with a Class 3 residential structure shall be \$75.00;

(3) The fee for a retaining wall of any size that is associated with other than a Class 3 residential structure shall be in accordance with 1(b) above.

(r) The fee for a demolition or removal permit shall be \$100.00 for structures of less than 5,000 square feet in area and less than 30 feet in height, and for one and two family residences. The fee shall be \$200.00 for all other structures (accessory structures, garages and sheds with no utilities shall be \$60.00.)

2. Plumbing fixtures and equipment: The fees shall be as follows:

(a) The fee shall be \$15.00 per plumbing fixture and or water closet, urinal, bidet, bath tub, shower, lavatory, sink, laundry tub, floor drains, drinking fountains, residential dishwashers, garbage disposals, clothes washers, water heaters up to 99 gallons, recirculation systems, roof drains, hose bibs, residential oil piping, manholes, reheat coils, condensate drains, or similar devices, except as listed below.

(b) The fee shall be \$75.00 per special device for the following: grease traps, oil separators, water utility connections per every 150 lineal feet, sewer utility connections per every 150 lineal fee, commercial dishwashers, back flow preventors in other than one-and-two-family dwellings, sewer pumps, interceptors, active solar systems and, testing of waste and vents for modular homes.

(c) The fee shall be \$35.00 for the installation of lawn sprinkler backflow preventors.

(d) The fee shall be \$60.00 for the installation of a boiler (hot water or steam) up to 250,000 BTU's.

(e) The fee shall be \$250.00 for the installation of a boiler (hot water or steam) 250,001 BTU's and above.

(f) The fee for the installation of gas piping shall be \$65.00 plus \$30.00 per appliance connection to the system.

(g) The fee shall be \$40.00 for the installation of a water heater 100 gallons and up.

(h) The fee shall be \$30.00 for commercial oil piping. Adding to an existing system shall be \$20.00.

(i) For cross connections and backflow preventors that are subject to testing, the fee shall be \$75.00 per device for each test.

(j) The fee shall be \$56.00 for the installation of air conditioning for use groups R-2, R-3, R-4 and R-5.

(k) The fee shall be \$110.00 for the installation of industrial and commercial air conditioning and refrigeration.

(l) The fee for the installation of hydronic piping shall be \$35.00 per every 100 lineal feet.

(m) The fee for the installation of medical gas shall be \$65.00 per system plus \$13.00 for each station, outlet, inlet, or alarm box.

(n) The fee for the installation of a Geo-Thermal system shall be \$65.00.

(o) The fee for the demolition of a sewer or water service, or a septic system shall be \$60.00.

(p) The fee for the installation of pool drains associated with swimming pools shall be \$60.00.

3. The electrical Subcode fees shall be as follows:

(a) For the first block of one to 25 receptacles, fixtures or devices, the fee shall be \$36.00. For each additional block consisting of up to 25 receptacles, fixtures or devices, the fee shall be \$20.00. For the purpose of computing this fee, receptacles, fixtures or device shall include wall switches, convenience receptacles, light fixtures, exit signs, emergency lights, smoke detectors, CO detectors, heat detectors, communications points, rain sensor, CATV, intercoms, alarm devices, glass-breaks, motion sensors, keypads, light standards eight feet or less in height including luminaries, thermostats, energy management points, sensors, dimmers, or similar electric fixtures and devices rated 20 amperes or less including motors or equipment rated less than one horsepower (hp) or one kilowatt(kW).

(b) For each service equipment, panel board, load center, overhead service entrance conductor, motor starter, motor control center, automatic transfer switch, disconnecting means, and future electric, such as circuits installed for future use or intermittent needs (all bonding and grounding for the above items are included), the fee shall be:

(1) Up to and including 200 amps	\$	75.00
(2) Up to and including 400 amps	\$	136.00
(3) Up to and including 800 amps	\$	327.00
(4) Up to and including 1200 amps	\$	498.00
(5) For each additional 400 amps above 1200 amps add	\$	136.00

(c) For each motor or electrical device rated in horsepower (hp), the fee shall be:

(1) From one hp up to an including 10 hp	\$	11.00
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(2) Greater than 10 hp up to and including 50 hp	\$	51.00
(3) Greater than 50 hp up to and including 100 hp	\$	100.00
(4) Greater than 100 hp	\$	150.00

(d) For each generator, transformer, and all other items measured in KW not specified in this fee schedule, the fee shall be:

(1) From on kW up to and including 10 kW	\$	11.00
(2) Greater than 10 kW up to an including 45 kW	\$	51.00
(3) Greater than 45 kW up to and including 112.5 kW	\$	100.00
(4) Greater than 112.5 kW	\$	150.00

(e) For each piece or unit of equipment used for air conditioning, refrigeration, measured in tonnage, the fee shall be \$13.00 per ton.

(f) for each swimming pool, spa, hydro massage tub, hot tub or sauna, (fee includes one GFCI, one timer, up to two underwater lights (UW), bonding and trenches up to 150 lineal feet), the fee shall be:

(1) Above-ground swimming pool for group R-5	\$	75.00
(2) In-ground swimming pool for group R-5	\$	100.00
(3) Swimming pool for all other groups	\$	150.00
(4) Spa, hydro massage tub, hot tub, sauna	\$	35.00
(5) Annual Commercial Pool Inspection	\$	65.00
(6) For each additional UW light add	\$	5.00
(7) Trenches over 150 feet, add \$43.00 for each 150 lineal feet		

(g) For each burglar alarm panel, fire alarm panel, intercom panel, audio video head-end panel, energy management control panel, communications closet, and automated card access panels, the fee shall be \$35.00 per panel.

(h) For each trench of 150 lineal feet for primary power, secondary power, and communications, the fee shall be \$35.00.

(i) For each solar photovoltaic system and other alternative energy systems, the fee shall be:

(1) For the first 10 kW	\$	125.00
(2) For each additional 10 kW add	\$	50.00

(j) For light standards above 8-0' in height (includes first 150 lineal feet of trench), the fee shall be \$15.00 per fixture. Trenches over 150 lineal feet shall be \$35.00 for each additional 150 lineal feet.

(k) For each hardwired sign, the fee shall be \$56.00.

(l) For each electric range, electric fryer, dishwasher, electric cook top, double over,

garbage disposal, and electric water heater, the fee shall be:

(1) Individual dwelling units	\$	25.00
(2) All other groups	\$	45.00

(m) For the installation or replacement of each furnace or boiler, the fee shall be:

(1) Individual dwelling units	\$	35.00
(2) All other groups	\$	55.00

(n) For all lighting protection, lightning arrester systems, other than service electrode, the fee shall be \$13.00 for each point, lighting rod or arrestor.

(o) For each satellite dish, the fee shall be \$43.00.

4. For fire protection and hazardous equipment, sprinklers, standpipes, detectors (smoke and heat), pre-engineered suppression systems, gas and oil fired appliances not connected to the plumbing system, kitchen exhaust systems, incinerators crematoriums, fireplaces and flues, the fee shall be as follows:

(a) The installation, relocation or alteration of sprinkler heads and single or multiple station smoke or heat detectors not connected to a fire system panel:

(1) The fee for 20 or fewer sprinkler heads or detectors shall be	\$	65.00
(2) The fee for 21 to and including 100 sprinklers heads or detectors shall be	\$	125.00
(3) The fee for 101 to and including 200 sprinklers heads or detectors shall be	\$	250.00
(4) The fee for 201 to and including 400 sprinklers heads or detectors shall be	\$	525.00
(5) The fee for 401 to and including 1000 sprinkler heads or detectors shall be	\$	800.00
(6) The fee for over 1000 sprinkler heads or detectors shall be	\$	1,050.00

In computing fees for heads and detectors, the number of each shall be counted separately and two fees, one for heads and one for detectors shall be charged.

(b) The fee for the installation of a fire alarm panel shall be \$50.00. The fee for each smoke and heat detector, pull station, horn, strobe enunciator, tamper switch, flow switch, and any other device connected to the fire alarm panel shall be as follows:

- (1) The fee for 1 to 12 devices shall be \$3.00 per device
- (2) The fee for 13 to 24 devices shall be \$2.00 per device
- (3) The fee for 25 or more devices shall be \$1.00 per device

- (c) The fee for each standpipe shall be \$210.00.
- (d) The fee for each independent pre-engineered system shall be \$100.00.
- (e) The fee for each gas or oil fired appliance shall be \$60.00.
- (f) The fee for each commercial exhaust system shall be \$75.00.
- (g) The fee for each gas fireplace shall be \$60.00. The fee for each solid fuel burning fireplace shall be \$86.00.
- (h) The fee for each flue, vent and chimney liner shall be \$55.00.
- (i) The fee shall be \$69.00 for the installation of residential fuel tanks.
- (j) The fee for the installation of commercial fuel tanks up to and including 1000 gallons shall be \$120.00 each. For tanks 1001 gallons and above the fee shall be \$225.00 each.
- (k) The for the removal or abandonment of a fuel storage tank shall be \$69.00 for each tank under 2000 gallons and \$100.00 for each tank 2000 gallons and above.
- (l) The fee for each incinerator shall be \$420.00.
- (m) The fee for each crematorium shall be \$420.00.
- (n) The feel for fire suppression system underground piping, up to the building shall be \$75.00 per every 150 lineal feet.
- (o) The fee for the inspection of gasoline vapor/product line shall be \$69.00.
- (p) The fee for the installation of a smoke control system shall be \$250.00.
- (q) For the installation, relocation, alteration or replacement of any item requiring a fire protection subcode permit and not included in section 4, the fee shall be per item as stated in 4 (a) above.

5. Certificates and Other Fees as follows:

- (a) The fee for a certificate of occupancy shall be 10 percent of all construction permit and permit update fees. The minimum fee shall be \$85.00
- (b) The fee for a certificate of occupancy granted pursuant to a change of use group shall be \$150.00.
- (c) The fee for a continued certificate of occupancy shall be \$150.00.

(d) The fee for a temporary certificate of occupancy shall be \$30.00. There shall be no fee for the first issuance of the temporary certificate of occupancy provided the certificate of occupancy fee is paid at that time.

(e) The fee for an application for a variation in accordance with N.J.A.C. 5:23-2.10 shall be \$75.00. The fee for a resubmission of an application for a variation shall be \$50.00.

(f) The minimum fee for any Building, Electrical, Fire and Plumbing permit shall be \$60.00.

(g) The fee to reinstate a lapsed construction permit shall be ten (10%) percent of the cost of the original permit, but in no case less than \$60.00.

(h) The fee for the issuance of a construction permit as a result of changing from one contractor to another shall be \$25.00 plus the fees normally charged for any additional items that were not previously included.

(i) The fee for development-wide inspection of homes after the certificate of occupancy ordered pursuant to N.J.S.C. 5:23-2.35 or otherwise shall be:

(1) The hourly charge shall be an amount equal to twice the hourly base salary paid to any licensed code official(s) performing the work or the hourly fees charged to the municipality by a professional contracted to provide such services;

(2). The fees, payments, accounting procedures and limits shall be set in accordance with and subjected to N.J.A.C. 5:23-4.17(d) 1 – 5.

(j) Pursuant to the rules adopted by the New Jersey Department of Children and Families, the fee for the issuance of a letter of verification of the prior uses of a structure that is intended to be used for a child care facility shall be \$86.00.

C. The Construction Official shall, with advice of the subcode official, prepare and submit to the Borough Council of the Borough of Bradley Beach, annually, a report recommending a fee schedule based on the operating expenses of the agency, and any other expenses of the municipality fairly attributable to the enforcement of the State Uniform Construction Code.

D. In order to provide for the training, certification and technical support programs required by the Uniform Construction Code Act, the enforcing agency shall collect a state permit fee as required by New Jersey Administrative Code.

BE IT FURTHER ORDAINED by the Mayor and Council of the Borough of Bradley Beach that Chapter 5, Article VII, Section 5-35D. (4)(d), of the Revised General Ordinances of the Borough of Bradley Beach shall be amended revised and enacted to read as follows:

Section 5-35D. (4)(d)

The fee for an application for a zoning permit shall be \$45, which fee shall be paid at the time of application.

THIS ORDINANCE shall become effective upon final passage and publication according to law.

MARY ANN SOLINSKI
Borough Clerk

JULIE SCHRECK
Mayor

Introduced: February 28, 2012
Date of Hearing and Adoption: March 13, 2012
Date of Publication: _____

RESOLUTION NO 2012-

February 28, 2012

Mayor Schreck offered the following resolution and moved its adoption:

BE IT RESOLVED that upon proper voucher approval, the attached itemized computer printout of bills be received and checks be drawn payable on the Clearing Account in the amount of \$ 85,564.20; and that a copy of the itemized computer printout is posted in the Borough Office for public inspection.

CLEARING ACCOUNT

TOTAL \$ 85,564.20

BE IT FURTHER, RESOLVED, that the Borough Clerk is authorized to forward copies of this resolution, certified to be a true copy, to the Chief Financial Officer, Assistant CFO and Borough Auditor and copy to file.

Seconded by Council Member _____ and adopted on roll call by the following vote:

	AYES	NAYS	ABSTAIN	ABSENT
Mr. Cotler				
Mr. D'Angelo				
Mr. Engelstad				
Mr. Galassetti				
Mayor Schreck				

February 28, 2012

RESOLUTION 2012-

**SUPPORTING THE USE OF A “NO PASSING” ZONE FOR
N.J. ROUTE 71 (MAIN STREET)**

Mayor Schreck offered the following resolution and moved its adoption:

WHEREAS, the New Jersey Department of Transportation recently completed a traffic investigation on Route 71 (Main Street) in the Borough of Bradley Beach, County of Monmouth; and

WHEREAS, New Jersey Department of Transportation recommends a revision to the centerline pavement markings on Route 71 (Main Street) to create a “No Passing Zone” along Route 71 (Main Street) throughout the entire length of the Borough of Bradley Beach; and

WHEREAS, the Mayor and Council feels this project will create safer driving conditions in the area of Route 71 (Main Street).

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Bradley Beach, County of Monmouth, State of New Jersey that they support the use of a “No Passing Zone” on Route 71 (Main Street) in the Borough of Bradley Beach as recommended by New Jersey Department of Transportation.

BE IT FURTHER RESOLVED, that the Borough Clerk forwards a certified copy of this resolution to New Jersey Department of Transportation as requested.

Seconded by Councilman _____ and adopted on roll call by the following vote:

AYES NAYS ABSTAIN ABSENT

Mr. Cotler
Mr. D’Angelo
Mr. Engelstad
Mr. Galassetti
Mayor Schreck

CERTIFICATION

I, Mary Ann Solinski, Municipal Clerk, Borough of Bradley Beach, Monmouth County, New Jersey, do hereby certify that the foregoing resolution was duly adopted by the Mayor and Council at the February 28, 2012 meeting.

MARY ANN SOLINSKI, RMC, CMC
Municipal Clerk

February 28, 2012

RESOLUTION 2012-

Mayor Schreck offered the following resolution and moved its adoption:

WHEREAS, one bid was received on February 15, 2012 for the New Miniature Golf Course Facility from Harris Miniature Golf Courses, Inc. of Wildwood, New Jersey; and

WHEREAS, the bid received exceeds the available budget for the improvements and based upon the recommendation of the Borough Engineer Bruce M. Koch.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council hereby rejects the bid received on February 15, 2012 and

BE IT FURTHER RESOLVED, that the Mayor and Council hereby authorize and directs the Borough Engineer to revise the bid specifications and to re-advertise for bids on the Project at a future date.

Seconded by Councilman _____ and adopted upon the following vote:

	AYES	NAYS	ABSTAIN	ABSENT
Mr. Cotler				
Mr. D'Angelo				
Mr. Engelstad				
Mr. Galassetti				
Mayor Schreck				

CERTIFICATION

I, Mary Ann Solinski, Municipal Clerk, Borough of Bradley Beach, Monmouth County, New Jersey, do hereby certify that the foregoing resolution was duly adopted by the Mayor and Council at the February 28, 2012 meeting.

MARY ANN SOLINSKI, RMC, CMC
Municipal Clerk

February 28, 2012
Resolution 2012-

Mayor Schreck announces the following appointments:

Board of Tourism

Elizabeth Giberson McAllister

Expires 2/27/2014

Arts Council

Nanci Bachmann

Expires 2/27/2014

Tim Broege

Expires 2/27/2014

Julia Sandra Rand

Expires 2/27/2014

Jacklyn Schneider

Expires 2/27/2014

William Barrett

Expires 2/27/2013

Alexis Cuzzo

Expires 2/27/2013

Roger Tucker

Expires 2/27/2013

REGULAR MEETING
February 28, 2012

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.

Mayor Schreck extended condolences to former Councilman Benjamin A. Waters Family and the family request that donations be made to the Bradley Beach First Aid Squad in his memory. She also requested that everyone keep Councilman D’Angelo in their thoughts as he is experiencing serious health issues.

Roll Call 6:56 PM

Present: Council: Cotler, Engelstad, Galassetti
Mayor Schreck
Borough Attorney George McGill
Business Administrator O’Reilly

Absent: Council: D’Angelo

Secretary: Municipal Clerk Mary Ann Solinski

PROCLAMATIONS

Mayor Schreck read proclamations designating the month of March as “Developmental Disabilities Awareness Month” and designation of March 2, 2012 as “Read Across America”

Discussion Items

Engineer Bruce Koch reported to Council that only one bid was received for the renovation of the Miniature Golf Course facility from Harris Miniature Golf Courses, LLC in the amount of \$431,468.00 which is considerably more than the amount anticipated between \$275,000 and \$300,000.00 during earlier preliminary discussions with Harris Miniature Golf Courses. Mr. Koch explained that after speaking with the bidder he learned that the number the company had been speaking about was for only a basic golf course and that theme features and prevailing wages for workers on the project resulted in the bid amount submitted. A brief discussion ensued as to how to proceed at this time of year with the season quickly approaching.

Mayor Schreck recommended that the request from the Clerk for consideration of proposed amendments to the Code regarding Outdoor Café Licenses by Borough personnel be submitted for review as any recommendations for changes should be submitted by the Joint Subcommittee of the Planning and Zoning Boards.

Item added or deleted from the agenda

On motion by Schreck/Galassetti

Table the public hearing and adoption scheduled on Ordinance 2012-02

Delete the Closed Executive Session upon counsel advice

Add a resolution announcing Police Department Promotions

ORDINANCES

ORDINANCE NO. 2012-02

AN ORDINANCE TO AMEND AND SUPPLEMENT THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BRADLEY BEACH, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, CHAPTER 380, SEWERS; SECTION 380-1, CONNECTION TO SEWERS; AMENDING THE TITLE OF SECTION 380-1, ENACTING SECTION 380-1 F

ON MOTION by Schreck/ Galassetti moved to table the public hearing and adoption of the ordinance for further review.

ROLL CALL AYES: Cotler, Engelstad, Galassetti, Schreck

NAYS: None

ABSENT: D'Angelo

TABLED HEARING AND ADOPTION OF ORDINANCE

FINAL READING AND ADOPTION OF ORDINANCE

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

ORDINANCE NO. 2012-03

AN ORDINANCE TO AMEND AND SUPPLEMENT THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BRADLEY BEACH, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, CHAPTER 24, COMMISSIONS; AMENDING TITLE TO SAID CHAPTER AND ENACTING ARTICLE VII, ARTS COMMITTEE

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

INTRODUCTION

ORDINANCE NO. 2012-04

AN ORDINANCE TO AMEND AND SUPPLEMENT THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BRADLEY BEACH, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, CHAPTER 160, CONSTRUCTION CODES, UNIFORM; SECTION 160-3, FEES AND CHAPTER 5, ADMINISTRATION OF GOVERNMENT; ARTICLE VII, SECTION 5-35 (4) D ZONING PERMIT FEE

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

PENDING ORDINANCE

COMMUNICATIONS

On Motion by Schreck/ Cotler approved Bingo License
Neptune Township American Legion Post #346 BL 1-12
ROLL CALL AYES: Cotler, Engelstad, Galassetti, Schreck
NAYS: None
ABSENT: D'Angelo

APPROVED MOTION

On Motion by Schreck/ Cotler approved St. James Episcopal Church request to
use the Fifth Avenue Gazebo on Sunday, April 8, 2012 at 6:15am
ROLL CALL AYES: Cotler, Engelstad, Galassetti, Schreck
NAYS: None

ABSENT: D'Angelo

APPROVED MOTION

On Motion by Schreck/ Cotler approved Clean Ocean Action request to hold their 27th Annual Beach Sweeps on Saturday, April 21, 2012 and Saturday, October 20, 2012 from 9am to 12:30pm.

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

APPROVED MOTION

On Motion by Schreck/ Cotler to approve the Bradley Beach first Aid Squad request for permission to hold their Annual Coin toss on Saturday June 30th, Sunday July 1st and Monday July 2nd and permission for a second coin toss for Friday, July 6th Saturday, July 7th and Sunday July 8th, 2012

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

APPROVED MOTION

Resolution 26 On Motion by Schreck/ Cotler grants permission for the Bradley Beach First Aid Squad to hold a Second Coin Toss as well as their Annual Coin toss on Main Street at the intersection of Brinley Avenue on Friday, July 6th, Saturday July 7th and Sunday July 8th 2012 due to the July 4th holiday falling on Wednesday during 2012

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

ADOPTED RESOLUTION

On Motion by Schreck/ Engelstad denied S & S Main Street request for relief with regards to furnishing a Maintenance Bond for 200-204 Park Place Avenue, Block 15 Lots 10.01 & 10.02 based upon the engineer's recommendation

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

APPROVED MOTION

CONSENT AGENDA

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

Resolution 27 **BILL LIST**
Resolution 28 **SUPPORTS THE USE OF A “NO PASSING” ZONE FOR ROUTE 71**
Resolution 29 **REJECTION OF THE BID RECEIVED ON FEBRUARY 15, 2012 FOR THE NEW MINIATURE GOLF COURSE FACILITY**
Resolution 30 **RENEWAL OF SPECIAL PARKING PERMITS FOR INDIVIDUALS**
Resolution 31 **APPOINTMENTS TO THE BOARD OF TOURISM AND TO THE ARTS COUNCIL**

ADOPTED RESOLUTIONS

Councilman Cotler initially offered that the following resolution be tabled in order to give an opportunity to Councilman D'Angelo take part in the formal action which did not carry as he did not receive a second for this motion.

Councilman Cotler disapproved of Mayor Schreck's actions and accused her of malfeasance or intentionally doing something legally or morally wrong one had no right to do as it involves dishonesty, illegality or knowing exceeding authority for improper reasons with regards to addition of the resolution announcing the police department promotions. The councilman explained that there are ordinances on the books which need to be followed and that the mayor was fully aware of the laws before she took the prior action of distributing letters concerning the promotions before the council meeting held on February 14th 2012. He also stated that he believes Mayor Schreck acted against the current borough ordinance governing the promotions and requested that the resolution should be tabled and not become policy as the council should follow and enforce the present ordinances as written and agreed to by removing this resolution from consideration at tonight's meeting which again received no second by a member of council.

Resolution 32 **ANNOUNCES POLICE DEPARTMENT PROMOTIONS OF CHARLES A ZULLA III TO THE RANK OF LIEUTENANT AND TERRY BROWNING TO THE RANK OF SERGEANT**

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

ADOPTED RESOLUTION

REPORTS

Councilman Cotler expressed disappointment that council did not follow the borough's ordinance concerning the resolution adopted at this meeting. He also thanked the volunteers of the Fire Department.

Councilmen Engelstad and Galassetti along with Mayor Schreck congratulated Officers Zulla and Browning on their promotions and Mayor Schreck announced that the oaths of office will be administered to the officers at the next council meeting scheduled for March 13th.

PUBLIC COMMENT

Mr. Ryan expressed concern that the proposed costs associated with proposed ordinance 2012-2 concerning fees associated with grease interceptors is too high and will hurt local businessmen.

ADJOURNMENT

ON MOTION by Schreck/ Galassetti the meeting was adjourned at 8:05 PM.

Mary Ann Solinski, RMC, CMC
Municipal Clerk