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**MAYOR AND COUNCIL  
AGENDA  
REGULAR MEETING  
January 26, 2010**

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. **DISCUSSION ITEMS**
  - A. **Locker Fee**
  - B. **North End Parking Lot**
  - C. **Preparation of Agenda**
6. **APPROVAL OF MINUTES- December 2009**
7. **PUBLIC COMMENTS 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.
8. **ORDINANCES**

**INTRODUCTION**

  - A. **ORDINANCE 2010-1**  
**AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)**
9. **COMMUNICATIONS**
  - A. **Avon First Aid & Safety Squad’s notification of holding their 15<sup>th</sup> Annual 5K Run/Walk on Saturday, June 5, 2010 at 8:30 AM and requesting closure of Evergreen and Ocean Avenues in Bradley Beach.**
  - B. **Friends of the Bradley Beach Rec request to use the Carmen Biase Center for their monthly meetings on the 1<sup>st</sup> Thursday of each month during 2010..**

**10. RESOLUTIONS**

**A. Bill List**

**B. Request for approval of the Director of DCA to establish a Dedicated Trust by Rider for donations for Lifeguard Equipment**

**C. Establishes 2010 Locker Fees**

**D. Authorizes Borough Engineer Bruce Koch to proceed with the Public Works Building Expansion Project plans, specifications, and bid documents and bid phase services**

**E. Authorizes the Borough Clerk to advertise for Brinley Avenue Concession Bids**

**F. Authorizes the Borough Clerk to advertise for ATM Bids**

**11. ANNOUNCEMENTS**

**12. MAYOR'S APPOINTMENTS (None at present)**

**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. 10:4-13 et seq. if necessary).**

**Resolution to retire into Executive Session as recommended by the Borough Attorney for discussion of contract negotiation matters with PBA Local 50.**

**16. ADJOURNMENT**

ORDINANCE 2010- 1

CALENDAR YEAR 2010  
AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET  
APPROPRIATION LIMITS  
AND TO ESTABLISH A CAP BANK  
(N.J.S.A. 40A: 4-45.14)

**WHEREAS**, the Local Government Cap Law, N.J.S.A. 40A:4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and

**WHEREAS**, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5 percentage rate as an exception to its final appropriations in either of the next two succeeding years; and

**WHEREAS**, the Mayor and Council of the Borough of Bradley Beach in the County of Monmouth find it advisable and necessary to increase its CY 2010 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and

**WHEREAS**, the Mayor and Council hereby determine that a 3.5% increase in the budget for said year, amounting to \$205,653.03 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

**WHEREAS**, the Mayor and Council hereby determine that any amount authorized herein above that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

**NOW, THEREFORE, BE IT ORDAINED**, by the Mayor and Council of the Borough of Bradley Beach, in the County of Monmouth, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2010 budget year, the final appropriations of the Borough of Bradley Beach shall, in accordance with this ordinance and N.J.S.A. 40A:4-45.14, be increased by 3.5%, amounting to \$205,653.03, and that the CY 2010 municipal budget for the Borough of Bradley Beach be approved and adopted in accordance with this ordinance; and

**BE IT FURTHER ORDAINED**, that any amount authorized herein above that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

\_\_\_\_\_  
Mary Ann Solinski, RMC, CMC  
Municipal Clerk

\_\_\_\_\_  
Julie Schreck  
Mayor

Introduced: January 26, 2010

Public Hearing & Adoption: February 9, 2010

Published Intro: \_\_\_\_\_

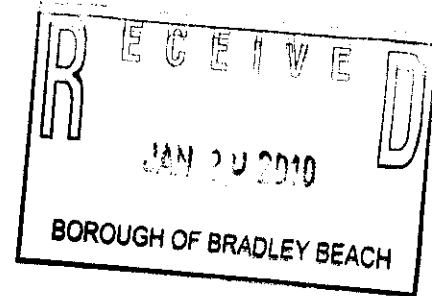
Published Final: \_\_\_\_\_

1-26-10

**AVON-BY-THE-SEA FIRST AID & SAFETY SQUAD**  
**P.O. Box 3**  
**Avon-by-the-Sea, New Jersey 07717**

**January 5, 2010**

**Mayor and Council**  
**Bradley Beach**  
**701 Main Street**  
**Bradley Beach, New Jersey 07720**




**Dear Mayor and Council:**

**Avon's First Aid & Safety Squad is sponsoring its Fifteenth Annual 5K Run/Walk on Saturday, June 5, 2010 at 8:30 a.m. The race will begin at Norwood and Ocean Avenues in Avon and will continue through Bradley Beach before returning to Norwood and Ocean Avenues. The race will take approximately ninety minutes. To insure the safety of the runners, Ocean Avenue in Avon will be closed during the event. We are requesting closure of the outlined streets in Bradley Beach as well. A route map is attached. To advise your residents, our Squad members plan to distribute a notice to all homes on those streets listed a week prior to the event.**

**To help with traffic control, we request authorization to place an Avon Fire Department truck at the intersection of Evergreen and Ocean Avenues in Bradley Beach.**

**As in the past, our volunteer Squad members appreciate your assistance and that of your residents and Police Department members. If you have any concerns or questions, please feel free to call me at 732-988-0826 or Chief Mahon at 732-502-4500. We look forward to hearing from you.**

**Sincerely,**

  
**Bart Barry**  
**President**

**cc: Chief Leonard A. Guida**  
**Borough Administrator Gail O'Reilly**  
**Chief Terence Mahon**

*CLM&C*

1-26-10

Mayor And Council,

January 21, 2010

The Friends of the Bradley Beach Rec are requesting permission to use the Carmen Bias Senior Center to conduct our monthly meetings.

We would need to use the facility every 1<sup>st</sup> Thursday of each month for the duration of this year 2010 .

Thank you

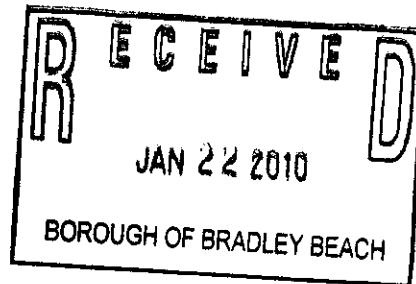
BBFOR.

President : Pam Cicerelle

508 Brinley Ave

Bradley Beach NJ

732-361-8454



CC M&R

January 26, 2010

RESOLUTION NO. 2010-

REQUESTING APPROVAL OF THE DIRECTOR OF THE DIVISION OF LOCAL GOVERNMENT SERVICES TO ESTABLISH A DEDICATED TRUST BY RIDER FOR DONATIONS FOR LIFEGUARD EQUIPMENT PURSUANT TO N.J.S.A. 40A:5-29.

Mayor Schreck offered the following resolution and moved its adoption:

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a Dedication by Rider of revenues received by a municipality when the revenue is not subject to reasonable accurate estimates in advance; and

WHEREAS, New Jersey State Statute 40A:5-29 allows municipalities to receive donations for lifeguard equipment; and

WHEREAS, N.J.S.A. 40A:4-39 provides that the Director of the Division of Local Government Services may approve expenditures of monies by Dedication by Rider;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Bradley Beach, County of Monmouth, State of New Jersey, as follows:

1. The Mayor and Council hereby request permission of the Director of the Division of Local Government Services to utilize donations received to pay the cost of lifeguard equipment purchased per N.J.S.A. 40A:4-39.

2. The Municipal Clerk of the Borough of Bradley Beach is hereby directed to forward two certified copies of this resolution to the Director of the Division of Local Government Services.

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

AYES:

NAYS:

ABSTAIN:

ABSENT:

**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 January 26, 2010 meeting.

\_\_\_\_\_  
MARY ANN SOLINSKI, RMC, CMC  
Municipal Clerk

**RESOLUTION NO. 2010-**

Mayor Schreck offered the following resolution and moved its adoption:

**BE IT RESOLVED**, that Borough Engineer Bruce Koch is hereby authorized and directed prepare the following for the Public Works Building Expansion project as follows:

Pole Barn Drawings	\$2,915.00
Structural Department Services	\$3,560.00
Design Phase Services	\$3,508.00
Total	\$9,983.00

**BE IT FURTHER RESOLVED**, that the bid phase services will be performed at a fee not to exceed \$3,640.00 and that a copy be forwarded to the Chief Financial Officer, Assistant Chief Financial Officer, Business Administrator and Borough Auditor.

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

	AYES	NAYS	ABSTAIN	ABSENT
Mr. Cotler				
Ms. Marchak-Ortiz				
Mr. Engelstad				
Mr. Galassetti				
Mayor Schreck				

**CHIEF FINANCIAL OFFICERS CERTIFICATION**

I hereby certify that legally appropriated Funds are available in the

\_\_\_\_\_

\_\_\_\_\_  
Joyce M. Wilkins  
**Chief Financial Officer**

**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 January 26, 2010 meeting.

\_\_\_\_\_  
MARY ANN SOLINSKI, RMC, CMC  
Municipal Clerk