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**MAYOR AND COUNCIL
AGENDA
NOVEMBER 22, 2011
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. **Presentation**
6. **Approval of Minutes-** September 13th, September 27th and October 11th 2011
7. **Discussion Items**
 - a. Engineer's Report
 - b. Miniature Golf Course Project
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

BOND ORDINANCE NUMBER 2011-21

BOND ORDINANCE AMENDING AND SUPPLEMENTING BOND ORDINANCE NUMBER 2011-8 (WHICH PROVIDES FOR VARIOUS 2011 ROADWAY IMPROVEMENTS) HERETOFORE FINALLY ADOPTED BY THE BOROUGH COUNCIL OF THE BOROUGH OF BRADLEY BEACH, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, ON APRIL 12, 2011, TO INCREASE THE APPROPRIATION THEREIN BY \$130,000 AND TO INCREASE THE AUTHORIZATION OF BONDS OR NOTES THEREIN BY \$123,500 TO FINANCE PART OF THE ADDITIONAL COSTS THEREOF

BOND ORDINANCE NUMBER 2011-22

BOND ORDINANCE AMENDING AND SUPPLEMENTING BOND ORDINANCE NUMBER 2007-16 (WHICH PROVIDES FOR THE ACQUISITION AND INSTALLATION OF SOLAR PANELS ON THE RECREATION CENTER AND MUNICIPAL BUILDING), HERETOFORE FINALLY ADOPTED BY THE BOROUGH COUNCIL OF THE BOROUGH OF BRADLEY BEACH, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, ON OCTOBER 9, 2007, AS AMENDED AND SUPPLEMENTED, TO RE-APPROPRIATE \$51,511.91 IN EXCESS BOND PROCEEDS FROM BOND ORDINANCE NUMBER 2006-20, AND TO INCREASE THE APPROPRIATION THEREIN TO \$291,511.91

ORDINANCE NO. 2011- 23

AN ORDINANCE TO AMEND THE BOROUGH OF BRADLEY BEACH SALARY ORDINANCE CHAPTER III, PERSONNEL AND MORE PARTICULARLY SECTION 3-9.1 OFFICERS AND EMPLOYEES PAID A SPECIFIC SALARY

- Introduction** (none at present)
- 10. Communications**
A. Request from Meals on Wheels to use the Carmen A. Biase Center on either Friday, December 2nd or December 9th 2011 12:00pm to 3pm for a luncheon to honor a person who has worked as a volunteer for MOW for more than 15 years and is now re-locating out of State.
- 11. Consent Agenda**
A. Authorizes payment to lienholder
B. Authorizes a tax refund to reflect a reduction as a result of a successful tax appeal for the year 2010 Block 58 Lot 4
C. Authorizes Budget Appropriation Transfers
D. Bill List
E. Authorizes the Mayor and Clerk to execute an agreement with the County of Monmouth for the 2012 Special Citizens Area Transportation System (SCAT) at \$155.00 per full day charges
F. Authorizes the Mayor and Clerk to enter into an agreement for Animal Control Services with the Associated Humane Societies for the year 2012 in the amount of \$12,710.00
G. Award of contract for the Public Works/OEM Utility Truck to Larson Ford, Inc. of Lakewood, NJ in the amount of \$65,227.00
H. Approves the submission of an Application for participation in the Local Government Energy Audit Program of the NJ Board of Public Utilities
I. Appointment of Mayor Julie Schreck as the Governing Body Committee Chair for the Memorial Day Weekend Events
- 12. Announcements**
The Annual Tree Lighting Ceremony will be held on Sunday, November 27, 2011 at 5pm in Riley Park with Refreshments, Entertainment and Santa Claus
- 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 for discussion of PBA Local 50 Personnel Matters
- 16. Adjournment**
NEXT MEETING: Tuesday, December 13, 2011 at 6:30 pm

**BOROUGH OF BRADLEY BEACH
BOND ORDINANCE NUMBER 2011-21**

**BOND ORDINANCE AMENDING AND SUPPLEMENTING
BOND ORDINANCE NUMBER 2011-8 (WHICH PROVIDES
FOR VARIOUS 2011 ROADWAY IMPROVEMENTS)
HERETOFORE FINALLY ADOPTED BY THE BOROUGH
COUNCIL OF THE BOROUGH OF BRADLEY BEACH, IN
THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY,
ON APRIL 12, 2011, TO INCREASE THE
APPROPRIATION THEREIN BY \$130,000 AND TO
INCREASE THE AUTHORIZATION OF BONDS OR
NOTES THEREIN BY \$123,500 TO FINANCE PART OF
THE ADDITIONAL COSTS THEREOF**

**BE IT ORDAINED AND ENACTED BY THE BOROUGH COUNCIL OF
THE BOROUGH OF BRADLEY BEACH, IN THE COUNTY OF MONMOUTH, STATE
OF NEW JERSEY** (not less than two-thirds of all members thereof affirmatively
concurring) **AS FOLLOWS:**

SECTION 1. Bond Ordinance Number 2011-8 finally adopted on April 12, 2011 by the Borough of Bradley Beach, in the County of Monmouth, State of New Jersey (the "Borough") entitled, "BOND ORDINANCE PROVIDING FOR VARIOUS 2011 ROADWAY IMPROVEMENTS, BY AND IN THE BOROUGH OF BRADLEY BEACH, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$475,000 THEREFOR (INCLUDING GRANTS RECEIVED OR EXPECTED TO BE RECEIVED IN THE AGGREGATE AMOUNT OF \$430,797) AND AUTHORIZING THE ISSUANCE OF \$40,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF", (the "Original Ordinance"), is hereby amended and supplemented to the extent and with the effect as follows:

SECTION 2. For the improvement or purpose described in Section 3 of the Original Ordinance there is hereby appropriated the additional sum of \$130,000, said sum to be inclusive of \$6,500 as the amount of an additional down payment required by the Local Bond Law, N.J.S.A. § 40A:2-1 et seq. (the “Local Bond Law”), now available therefor by virtue of a provision or provisions in a previously adopted budget or budgets of the Borough for down payment or for capital improvement purposes. Therefore, the total appropriation contained in the Original Ordinance, as amended and supplemented hereby, shall be increased from \$475,000 and shall equal the aggregate principal amount of \$605,000, said sum being inclusive of the total amount of down payment, which sum shall be increased from \$4,203 and shall equal the aggregate principal amount of \$10,703.

SECTION 3. (a) In order to finance the additional cost of the improvement or purpose set forth in Section 3 of the Original Ordinance, as amended and supplemented hereby, not covered by the additional down payment, additional negotiable bonds or notes of the Borough in the amount of \$123,500 are hereby authorized to be issued by the Borough. Therefore, the total authorization of negotiable bonds or notes to be issued by the Borough for the improvement or purpose stated in Section 3 of the Original Ordinance, as amended and supplemented hereby, shall be increased from \$40,000 and shall equal the aggregate principal amount of \$163,500.

(b) The estimated maximum amount of bonds or notes to be issued for said purpose is purpose stated in the Original Ordinance, as amended and supplemented hereby, is equal to \$163,500.

(c) The estimated maximum cost of the improvement or purpose contained in the Original Ordinance, as amended and supplemented hereby, is equal to \$605,000.

SECTION 4. In the event the United States of America, the State of New Jersey, and/or the County of Monmouth make a contribution or grant in aid to the Borough (including the Grant defined and referred to in the Original Ordinance) for the improvements and purposes authorized by the Original Ordinance, as amended and supplemented, and the same shall be received by the Borough prior to the issuance of the bonds or notes authorized in Section 2 of the Original Ordinance, as amended and supplemented, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey, and/or the County of Monmouth. In the event, however, that any amount so contributed or granted by the United States of America, the State of New Jersey, and/or the County of Monmouth shall be received by the Borough after the issuance of the bonds or notes authorized in Section 2 of the Original Ordinance, as amended and supplemented, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose.

SECTION 5. The Capital Budget of the Borough is hereby amended, as necessary, to conform with the provisions of this amendatory and supplemental bond ordinance and to the extent of any inconsistency herewith, a resolution in the form promulgated by the Local Finance Board showing full detail of the amended Capital Budget and Capital Program as approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs (the "Director of the Division of Local Government Services"), will be on file in the office of the Clerk and will be available for public inspection.

SECTION 6. The Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Borough and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, and such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided for in this amendatory and supplemental bond ordinance by \$123,500 and the said obligations authorized herein will be within all debt limitations prescribed by law.

SECTION 7. The Borough covenants to maintain the exclusion from gross income under section 103(a) of the Code, of the interest on all bonds and notes issued under the Original Ordinance, as amended and supplemented hereby.

SECTION 8. Except as expressly amended and supplemented hereby, the Original Ordinance shall remain in full force and effect.

SECTION 10. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption and approval by the Mayor, as provided by the Local Bond Law.

ADOPTED ON FIRST READING
DATED: November 9, 2011

MARY ANN SOLINSKI,
Borough Clerk

ADOPTED ON SECOND READING
DATED: November 22, 2011, 2011

MARY ANN SOLINSKI,
Borough Clerk

APPROVAL BY THE MAYOR ON THIS ____ DAY OF _____, 2011.

JULIE SCHRECK
Mayor

**BOROUGH OF BRADLEY BEACH
BOND ORDINANCE NUMBER 2011-22**

BOND ORDINANCE AMENDING AND SUPPLEMENTING BOND ORDINANCE NUMBER 2007-16 (WHICH PROVIDES FOR THE ACQUISITION AND INSTALLATION OF SOLAR PANELS ON THE RECREATION CENTER AND MUNICIPAL BUILDING), HERETOFORE FINALLY ADOPTED BY THE BOROUGH COUNCIL OF THE BOROUGH OF BRADLEY BEACH, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, ON OCTOBER 9, 2007, AS AMENDED AND SUPPLEMENTED, TO REAPPROPRIATE \$51,511.91 IN EXCESS BOND PROCEEDS FROM BOND ORDINANCE NUMBER 2006-20, AND TO INCREASE THE APPROPRIATION THEREIN TO \$291,511.91

WHEREAS, the Borough Council of the Borough of Bradley Beach, in the County of Monmouth, State of New Jersey (the "Borough"), finally adopted Bond Ordinance Number 2006-20 on December 29, 2006 (the "Excess Proceed Ordinance"); and

WHEREAS, following the effective date of the Excess Proceed Ordinance, the Borough issued bonds through the Monmouth County Improvement Authority to fully fund same and to finance certain improvements or purposes authorized therein; and

WHEREAS, the Borough has determined that the certain capital improvements or purposes set forth in the Excess Proceed Ordinance have either been completed in full or discontinued as a result of events occurring subsequent to the adoption of the Excess Proceed Ordinance, as applicable; and

WHEREAS, there currently remains on deposit in the Borough capital accounts excess bond proceeds in the amount of \$51,511.91 which are allocable to the

Excess Proceed Ordinance (the "Excess Proceeds"), but no longer necessary to complete the certain improvements or purposes authorized therein; and

WHEREAS, in accordance with its statutory powers set forth in section 39 of the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the "Local Bond Law"), the Borough Council has determined that it is in the best interest of the Borough to reappropriate the Excess Proceeds to finance the cost of improvement or purpose set forth in Bond Ordinance Number 2007-16 duly adopted by the Borough Council on October 9, 2007 and entitled, "BOND ORDINANCE PROVIDING FOR THE ACQUISITION AND INSTALLATION OF SOLAR PANELS ON THE RECREATION CENTER AND MUNICIPAL BUILDING, BY AND IN THE BOROUGH OF BRADLEY BEACH, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$240,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$228,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF", as amended and supplemented by Bond Ordinance Number 2009-05 heretofore finally adopted by the Borough Council on March 10, 2009 (collectively, the "Original Ordinance"), which improvements or purposes are improvements or purposes for which bonds may be issued; and

WHEREAS, the Borough Council now desires to reappropriate the Excess Proceeds to undertake the cost of the improvements or purposes set forth in the Original Ordinance.

BE IT ORDAINED AND ENACTED BY THE BOROUGH COUNCIL OF THE BOROUGH OF BRADLEY BEACH, IN THE COUNTY OF MONMOUTH, STATE

OF NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring), **AS FOLLOWS:**

SECTION 1. The Excess Proceeds in the amount of \$51,511.91 from the Excess Proceed Ordinance are no longer necessary for the improvements or purposes for which they were authorized and issued. The total amount of \$51,511.91 in Excess Proceeds is hereby reappropriated pursuant to N.J.S.A. 40A:2-39, and shall be used to finance the cost of the general capital improvements or purposes authorized and set forth in Section 3 of the Original Ordinance.

SECTION 2. The Original Ordinance is hereby amended and supplemented to the extent and with the effect that there is hereby appropriated the additional sum of \$51,511.91, which is the Excess Proceeds. The total appropriation of the Original Ordinance, as amended and supplemented hereby, is equal to \$291,511.91.

SECTION 3. The estimated cost of the improvement or purpose stated in the Original Ordinance, as amended and supplemented hereby, is equal to \$291,511.91.

SECTION 4. The Capital Budget of the Borough is hereby amended, as necessary, to conform with the provisions of this amendatory and supplemental bond ordinance and to the extent of any inconsistency herewith, a resolution in the form promulgated by the Local Finance Board showing full detail of the amended Capital Budget and Capital Program as approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, will be on file in the office of the Clerk and will be available for public inspection.

SECTION 5. The Borough covenants to maintain the exclusion from gross income under section 103(a) of the Code, of the interest on all bonds and notes issued under the Original Ordinance, as amended and supplemented hereby.

SECTION 6. Except as expressly amended and supplemented hereby, the Original Ordinance shall remain in full force and effect.

SECTION 7. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption and approval by the Mayor, as provided by the Local Bond Law.

ADOPTED ON FIRST READING
DATED: November 9, 2011

MARY ANN SOLINSKI,
Borough Clerk

ADOPTED ON SECOND READING
DATED: _____, 2011

MARY ANN SOLINSKI,
Borough Clerk

APPROVAL BY THE MAYOR ON THIS ____ DAY OF _____, 2011.

JULIE SCHRECK,
Mayor

#1670191 (119294.003)
#6186306.1(142135.001)

ORDINANCE NO. 2011- 23

**AN ORDINANCE TO AMEND THE BOROUGH OF BRADLEY BEACH
SALARY ORDINANCE CHAPTER III, PERSONNEL AND MORE
PARTICULARLY SECTION 3-9.1 OFFICERS AND EMPLOYEES PAID A
SPECIFIC SALARY**

3-9 Salaries.

Salaries and compensation for employees and officers of the borough shall be as follows:

3-9.1 Officers and Employees Paid a Specific Salary. The following base salaries and indicated compensation, unless otherwise indicated, shall be per annum.
Longevity compensation to be calculated on a separate schedule as noted on the individual employee contracts.

<u>Position</u>	<u>Salary Range</u>
d. Code Enforcement/UCC/ Fire Prevention:	
4. Zoning Officer	\$7,500.00 - \$10,000.00 (Effective 11/1/11)
h. Reserved	

In all other respects, Chapter III Personnel shall remain the same.

The within ordinance shall take effect when finally passed and published according to law.

Mary Ann Solinski, Borough Clerk

Julie Schreck, Mayor

Introduced: November 9, 2011
Date of Hearing: November 22, 2011
Publication: _____

RESOLUTION NO. 2011-

Mayor Schreck offered the following resolution and moved its adoption:

WHEREAS, N.J.S.A. 54:5 provides for the property owner or a party of interest to redeem a Tax Sale Certificate within a two year period; and

WHEREAS, the following Tax Sale Certificate has been satisfied, said redemption money having been deposited into the Miscellaneous Trust Fund Account; and

WHEREAS, the following lienholder is now due reimbursement for the redemption of the Tax Sale Certificates;

NOW, THEREFORE, BE IT RESOLVED, that a check be drawn to the following lienholder for redemption of said certificate:

LIENHOLDER	CERT. #/PROPERTY LOCATION	REDEMPTION
Royal Tax Lien Services, LLC	#09-012/420 Main Street Block 57, Lot 1.01	\$35,874.00
	Premium Refund:	<u>9,100.00</u>
	Total:	\$44,974.00

BE IT FURTHER RESOLVED that certified copies of this resolution be forwarded to the CFO, Assistant CFO and Borough Auditor.

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

- AYES:
- NAYS:
- ABSENT:
- ABSTAIN:

November 22, 2011

RESOLUTION NO. 2011-

Mayor Schreck offered the following resolution and moved its adoption:

WHEREAS, the following property owner filed a tax appeal with the State Tax Court of New Jersey; and

WHEREAS, a judgment was entered and an appeal was successful for the year 2010;

NOW, THEREFORE, BE IT RESOLVED that the a refund be issued as noted below; and

BE IT FURTHER RESOLVED that certified copies of this resolution be forwarded to the CFO, Assistant CFO and Borough Auditor.

<u>BLOCK/LOT</u>	<u>OWNER</u>	<u>ADDRESS</u>	<u>2010 Refund</u>
58/4	George Quinn, et al	415 Main Street	\$1,278.96

**(ISSUE CHECK PAYABLE TO:
George Quinn, et al and/or The Irwin Law Firm, P.A.
80 Main St., Suite 410
West Orange, NJ 07052**

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

AYES:

NAYS:

ABSTAIN:

ABSENT:

November 22, 2011

RESOLUTION 2011-

Mayor Schreck offered the following resolution and moved its adoption:

BE IT RESOLVED, that the transfers of 2011 appropriation balances be made to various accounts within the Current Fund as per attached list;

BE IT FURTHER RESOLVED that certified copies of this resolution be forwarded to the CFO, Assistant CFO and Borough Auditor.

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				

RESOLUTION NO 2011-

November 22, 2011

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 \$ 737,597.10; and that a copy of the itemized computer printout is posted in the Borough Office for public inspection.

CLEARING ACCOUNT

TOTAL \$ 737,597.10

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				

November 22, 2011

RESOLUTION NO. 2011-

Mayor Schreck offered the following resolution and moved its adoption:

BE IT RESOLVED, that the Mayor and Borough Clerk are hereby authorized and directed to execute an agreement with the County of Monmouth for the 2012 Special Citizens Area Transportation System (SCAT) at \$155.00 per full day charges.

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 November 22, 2011 meeting.

MARY ANN SOLINSKI, RMC, CMC
Municipal Clerk

RESOLUTION 2011-

Mayor Schreck offered the following resolution and moved its adoption:

WHEREAS, the Borough has a need for services for the care of injured animals, trapped animals, sick animals, animals whose lives are endangered or animals that are a danger to humans and

WHEREAS, the Associated Humane Societies, Inc., a non-profit charitable organization has provided the only proposal to provide said services and

WHEREAS, the Associated Humane Societies, Inc, has provided an agreement to provide said services at an appropriate fee.

NOW THEREFORE BE IT RESOLVED that the Mayor and Borough Clerk are hereby authorized to enter into an agreement for Animal Control Services with the Associated Humane Societies for a period of one (1) year beginning January 1, 2012 through December 31, 2012. The contract amount for January 1, 2012 through December 31, 2012 is \$12,710.00.

BE IT FURTHER RESOLVED, that a certified copy be forwarded to the Business Administrator, Chief Financial Officer and Assistant CFO.

Seconded by Councilman _____ and adopted upon the following vote:
AYES NAYS ABSTAIN ABSENT

- Mr. Cotler
- Mr. D'Angelo
- 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 November 22, 2011 meeting.

MARY ANN SOLINSKI, RMC, CMC
Municipal Clerk

November 22, 2011

RESOLUTION 2011-

Mayor Schreck offered the following resolution and moved its adoption:

WHEREAS, bids were received on October 7, 2011 for the Public Works/OEM Utility Truck; and

WHEREAS, only one bid was submitted by Larson Ford, Inc. of Lakewood, New Jersey.

BE IT RESOLVED, that a contract be awarded for the Public Works/OEM Utility Truck to Larson Ford, Inc., 1150 Ocean Avenue, Lakewood, NJ 08701 in the amount of \$65,227.00 upon the recommendation of Borough Attorney George McGill and Borough Engineer Bruce Koch.

BE IT FURTHER RESOLVED, that a certified copy be forwarded to the Business Administrator, Chief Financial Officer and Assistant CFO.

Seconded by Councilman _____ and adopted upon the following vote:

AYES NAYS ABSTAIN ABSENT

- Mr. Cotler
- Mr. D'Angelo
- 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 November 22, 2011 meeting.

MARY ANN SOLINSKI, RMC, CMC
Municipal Clerk

November 22, 2011
Resolution 2011-

Mayor Schreck announces the following appointment:

Memorial Day Weekend Events
Governing Body Committee
Julie Schreck, Committee Chair

Expires 12/31/12

REGULAR MEETING
November 22, 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 6:34 PM

Present: Council: Engelstad, Galassetti
Mayor Schreck
Borough Attorney George McGill
Business Administrator O'Reilly
Absent: Council: *Cotler, D'Angelo
Secretary: Municipal Clerk Mary Ann Solinski
*Councilman Cotler arrived at 6:55pm

INTRODUCTION

Mayor Schreck introduced Zoning Officer Stephen LoSacco to the public and gave a brief history of his qualifications for the position. Mr. LoSacco thanked council for the opportunity to serve the Borough.

APPROVAL OF MINUTES

On Motion by Schreck/ Galassetti to approve the minutes for September 13th,
September 27th and October 11th 2011

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

APPROVED MOTION

Discussion Items

Engineer Koch gave his Capital Project Status Report highlighting the following:

- The award of bids for both the Improvements to Fletcher Lake Avenue and Lake Terrace Park Project and the Improvements to Hammond Avenue Project will be made by Council after the required ESTOPEL period for the required bond ordinances
- A proposal for the temporary flow metering was submitted for the Sanitary Sewer Mapping and Infiltration/Inflow Study Project

- He will provide a proposal for the Sanitary Sewer Pump Station Evaluation when Council desires to move forward with the project
- Requested final direction on the preparations of bid specifications for the Miniature Golf Course Improvement Project- A brief discussion ensued regarding the placement of solar light fixtures at the course and council advised that the borough will handle the construction of the course for the proposal with an estimated cost of \$260,000 with alternates for different theme affects. Council also expressed concern over possible change orders which maybe encountered during construction and the engineer advised that including alternates will give council the option of choosing items when awarding the bid

Council postponed the public hearing and adoption of Bond Ordinance 2011-21 and Bond Ordinance 2011-22 until the arrival of Councilman Cotler

Items removed from Consent Agenda

On motion by Schreck/Galassetti

Authorization of Budget Transfers

Bill List

ORDINANCES

FINAL READING AND ADOPTION OF ORDINANCE

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

BOND ORDINANCE NUMBER 2011-21

BOND ORDINANCE AMENDING AND SUPPLEMENTING BOND ORDINANCE NUMBER 2011-8 (WHICH PROVIDES FOR VARIOUS 2011 ROADWAY IMPROVEMENTS) HERETOFORE FINALLY ADOPTED BY THE BOROUGH COUNCIL OF THE BOROUGH OF BRADLEY BEACH, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, ON APRIL 12, 2011, TO INCREASE THE APPROPRIATION THEREIN BY \$130,000 AND TO INCREASE THE AUTHORIZATION OF BONDS OR NOTES THEREIN BY \$123,500 TO FINANCE PART OF THE ADDITIONAL COSTS THEREOF

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

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

ADOPTED ORDINANCE

FINAL READING AND ADOPTION OF ORDINANCE

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

BOND ORDINANCE NUMBER 2011-22

BOND ORDINANCE AMENDING AND SUPPLEMENTING BOND ORDINANCE NUMBER 2007-16 (WHICH PROVIDES FOR THE ACQUISITION AND INSTALLATION OF SOLAR PANELS ON THE RECREATION CENTER AND MUNICIPAL BUILDING), HERETOFORE FINALLY ADOPTED BY THE BOROUGH COUNCIL OF THE BOROUGH OF BRADLEY BEACH, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, ON OCTOBER 9, 2007, AS AMENDED AND SUPPLEMENTED, TO RE-APPROPRIATE \$51,511.91 IN EXCESS BOND PROCEEDS FROM BOND ORDINANCE NUMBER 2006-20, AND TO INCREASE THE APPROPRIATION THEREIN TO \$291,511.91 THEREOF

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

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. 2011- 23

**AN ORDINANCE TO AMEND THE BOROUGH OF BRADLEY BEACH
SALARY ORDINANCE 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: Engelstad, Galassetti, Schreck

NAYS: None

ABSENT: Cotler, 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: Engelstad, Galassetti, Schreck

NAYS: None

ABSENT: Cotler, D' Angelo

ON MOTION by Schreck/ Galassetti moved to adoption.

ROLL CALL AYES: Engelstad, Galassetti, Schreck

NAYS: None

ABSENT: Cotler, D' Angelo

ADOPTED ORDINANCE

COMMUNICATIONS

On Motion by Schreck/ Galassetti approved a request from Meals on Wheels to use the Carmen A. Biase Center on either Friday, December 2nd or December 9th 2011 12:00pm to 3pm for a luncheon to honor a person who has worked as a volunteer for MOW for more than 15 years and is now re-locating out of State.

ROLL CALL AYES: Engelstad, Galassetti, Schreck

NAYS: None

ABSENT: Cotler, D' Angelo

APPROVED MOTION

CONSENT AGENDA

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

ROLL CALL AYES: Engelstad, Galassetti, Schreck

NAYS: None

ABSENT: Cotler, D' Angelo

ADOPTED RESOLUTIONS

Resolution 233

AUTHORIZES PAYMENT TO LIENHOLDER

Resolution 234

**AUTHORIZES A TAX REFUND TO REFLECT A REDUCTION
AS A RESULT OF A SUCCESSFUL TAX APPEAL FOR THE
YEAR 2010 BLOCK 58 LOT 4**

- Resolution 235 **AUTHORIZES THE MAYOR AND CLERK TO EXECUTE AN AGREEMENT WITH THE COUNTY OF MONMOUTH FOR SYSTEM (SCAT) AT \$155.00 PER FULL DAY CHARGES**
- Resolution 236 **AUTHORIZES THE MAYOR AND CLERK TO ENTER INTO AN AGREEMENT FOR ANIMAL CONTROL SERVICES WITH THE ASSOCIATED HUMANE SOCIETIES FOR THE YEAR 2012 IN THE AMOUNT OF \$12,710.00**
- Resolution 237 **AWARD OF CONTRACT FOR THE PUBLIC WORKS/OEM UTILITY TRUCK TO LARSON FORD, INC. OF LAKEWOOD, NJ IN THE AMOUNT OF \$65,227.00**
- Resolution 238 **APPROVES THE SUBMISSION OF AN APPLICATION FOR PARTICIPATION IN THE LOCAL GOVERNMENT ENERGY AUDIT PROGRAM OF THE NJ BOARD OF PUBLIC UTILITIES**

ADOPTED RESOLUTIONS

Councilman Cotler questioned the transfer of funds in the amount of \$3,500 into the borough Auditor miscellaneous budget line. Mayor Schreck responded that he was authorized to perform an audit of the FEMA Funds received by the Borough to analyze matters involving FEMA funding as well as the processes and outcomes of that funding as the Administrator and Chief Financial Officer were unable to get clarification from the Office of Emergency Management.

Mayor Schreck stated that the administrator asked OEM for information and that they declined to provide it. Mayor Schreck also said that it was in the borough's best interest to understand our status and to get some projects going and get bonding done so there is a chance that the borough is eligible for the FEMA money by completing the projects in a timely fashion.

Councilman Cotler then asked who authorized the expenditure and called it an unnecessary expense. Mayor Schreck agreed but added that the auditor found that some items could have been handled better and that he should have been aware of the situation from previous emails from the administrator to OEM. Councilman Cotler stated that he understood the Mayor claimed the emails were private. Mayor Schreck said she never indicated the emails were such and Councilman Cotler responded that now the emails can now become public.

Councilmen Engelstad and Galassetti acknowledged that they knew the auditor was involved in this issue.

Captain Fahnholz said that he did not want the public to have the impression that the OEM refused to release the information and insisted that the office was not in the position to divulge the information at that time as their reports were not complete and until the reports are complete and OEM had all the information needed that the information would be released to everyone. He added that to release information prematurely that OEM does not have clear answers on is not the way OEM conducts their business and that OEM was acting on information received from the state public assistance unit and from FEMA.

Mayor Schreck maintained that the office has yet to release the information requested stating that she received information regarding requests and appeals through the state as projects

approved by FEMA carry deadlines for completion and that the borough is now well past those deadlines as bonding is necessary to fulfill the project. Councilman Engelstad noted that a person who works with the State FEMA unit has said that Bradley Beach is a great example for other towns to follow as their reports are exceptional.

RESOLUTIONS

Resolution 239

APPOINTMENT OF MAYOR JULIE SCHRECK AND COUNCILMAN SALVATORE GALASSETTI TO THE GOVERNING BODY COMMITTEE FOR THE MEMORIAL DAY WEEKEND EVENTS

ON MOTION

by Schreck/ Engelstad moved to adoption.

ROLL CALL

AYES: Cotler, Engelstad, Galassetti, Schreck

NAYS: None

ABSENT: D'Angelo

ADOPTED RESOLUTION

Resolution 240

AUTHORIZES BUDGET APPROPRIATION TRANSFERS

ON MOTION

by Schreck/ Galassetti moved to adoption.

ROLL CALL

AYES: Engelstad, Galassetti, Schreck

NAYS: None

ABSTAIN: Cotler

ABSENT: D'Angelo

ADOPTED RESOLUTION

Resolution 241

BILL LIST

ON MOTION

by Schreck/ Galassetti moved to adoption

ROLL CALL

AYES: Cotler, Engelstad, Galassetti, Schreck

NAYS: None

ABSENT: D'Angelo

ADOPTED RESOLUTION

ANNOUNCEMENT

The Annual Tree Lighting Ceremony will be held on Sunday, November 27, 2011 at 5pm in Riley Park with Refreshments, Entertainment and Santa Claus

REPORTS

Councilman Cotler announced that the Ladies Auxiliary conducted a great event over the past weekend and thanked the volunteers for their work. He also requested when the auditor's report will be available as a meeting with OEM is scheduled for November 29th. The Administrator responded that she will distribute the reports at the end of this meeting. OEM Coordinator Police Chief Guida noted that he just received the report earlier today and asked why there was a delay in providing a copy to the OEM office which indicates a date prepared earlier this month. The Administrator explained that a draft was received in the beginning of November which has been under review. The Chief said that the report shows a receipt date of November 7, 2011.

Councilman Engelstad thanked everyone attending the Annual Veterans' Day Ceremony and acknowledged the retirement of Paul Charette from the Board of Education after many years of dedicated service. Councilman Engelstad thanked Recreation volunteers for the Flag Football program recognizing Harvey Rosenberg, Cynthia Brady and Joe Malysko.

Councilman Engelstad and Galassetti requested that the public support local businesses and restaurants on Saturday which is designated as "Shop Small Businesses Day".

Mayor Schreck thanked the members of the Chamber of Commerce for having a great working relationship with the governing body. She also stated that she hopes that both the Public Library and Public School participate in the Local Government Energy Audit.

PUBLIC COMMENT

Harvey Rosenberg announced that business owners will be invited to the next Joint Subcommittee meeting when they discuss CAFÉ licenses along with other subjects.

The Executive Closed Session scheduled for this evening was not conducted.

ADJOURNMENT

ON MOTION by Schreck/ Galassetti the meeting was adjourned at 7:45 PM.

Mary Ann Solinski, RMC, CMC
Municipal Clerk